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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 21, 2000.

I hereby appoint the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

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

S. Con. Res. 96. Concurrent Resolution recognizing and honoring the members of the American Hellenic Educational Progressive Association (AHEPA) who are being awarded the AHEPA Medal for Military Service for service in the Armed Forces of the United States.

The message also announced that pursuant to Public Law 106–31, as amended by Public Law 106–113, the Chair, on behalf of the President pro tempore, appoints the Senator from Tennessee (Mr. FRIST) to the Russian Leadership Program Advisory Board.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, 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 Florida (Mr. STEARNS) for 5 minutes.

BEFORE NEW GUN LAW, ENFORCE ONES ON BOOKS

Mr. STEARNS. Madam Speaker, it reflects well on the human condition that tragedy often brings out the best in people: compassion, resolve, understanding. Sometimes, unfortunately, a tragedy can also release the darker human impulses: cynicism, dishonesty, and opportunism. It is a regret that many times individuals will take advantage of a tragedy to promote an ill-conceived agenda.

Last month, the Nation was stunned by the shocking death of 6-year-old Kayla Rolland in Mount Morris Township, Michigan. This young girl was killed in a classroom by a fellow student, a 6-year-old boy. This loss echoed beyond the family involved, her school, and their community. It touched all of us, evoking a sense of nationwide grief and dread.

Madam Speaker, sadly, it was not long before the heartbreaking death of this girl was transformed into a means of a lot of political points. That very day, the President announced that this tragedy should be an election issue. He went on to demand passage of various gun-control measures.

First, we should look at the facts of this matter and consider what difference this administration's proposals would have made. Chuck Green of the Denver Post did this for us when he asked these questions in a recent column:

Did the little boy have a concealed-carry permit?

Did the little boy purchase the weapon from an independent dealer after failing a background check by a licensed dealer at a gun show?

Did the little boy use false identification when purchasing the weapon?

Did the little boy use an illegal automatic weapon in the assault?

Did the little boy have an older person, possibly a 9-year-old child, purchase this gun on his behalf?

The answer to this killing is not to be found in too few gun laws, but rather in how this boy was raised. He was living with his uncle and another man, sleeping on the couch in the living room.

It was a home reportedly with a constant flow of strangers seeking crack and trading guns. The .32 caliber pistol used to kill the girl was stolen.

Now, I expect that some of my colleagues would claim that child safety locks would have prevented the shooting in the classroom. Now, selling crack is illegal, as is trading for guns. Do they really think that these individuals would have obeyed a law requiring safety locks?

I would also remind my colleagues that Michigan already has a number of State laws targeting gun violence on the books. These are some of the laws: prohibit selling any firearm to a minor under 18; prohibit possession of a handgun by person under age 18; prohibit possession of any firearms, including BB guns on school property; prohibit possession of even a BB gun beyond the yard of a minor's home unless accompanied by a person over 18; prohibit intentionally pointing, even without malice, any firearm at another person; require that all handguns must be registered; require a license to purchase a handgun from a dealer or a private individual; void the handgun license if not used within 10 days of issuance; require theft of a gun to be reported to police within 5 days of discovery.

Gun violence is a scourge on our Nation, and we have a responsibility to tackle this plague, not with empty gestures, but with solid action. Instead of

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passing new gun laws, we should enforce those already on the books.

Here in Washington, for example, there are 2,400 violent crimes committed with firearms in 1998. Only two criminals were prosecuted in Federal court for these gun crimes. This is not uncommon. A study by Syracuse University found that Federal prosecution of gun crimes has dropped, has dropped by 44 percent since 1993.

However, only a 2-hour drive from here, where I am speaking, vigorous Federal action has helped to reduce gun homicides in Richmond, Virginia, by one half. Project Exile is an effective, anti-violence program promising Federal prosecution and an additional 5 years in jail for felons caught with a gun. In Richmond, more prosecutions under Federal gun laws took place than in California, New Jersey, New York, and Washington, D.C. combined.

The President and his supporters want to create a false sense of security by enacting more laws with little or no real impact on the problem. A stronger commitment to enforcing the laws already on the books will do far more to protect our communities and our school rooms from gun violence.

GUN VIOLENCE UNDERCUTTING AMERICAN VALUES

The SPEAKER pro tempore (Mrs. MORELLA). Under the Speaker's announced policy of January 19, 1999, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, I appreciate my colleague discussing the issue of gun violence, but I could not disagree with his assessment more.

A livable community is one where people are safe, healthy, and economically secure. Gun violence undercuts each of those elements. We are not safe today in the epidemic of gun violence, whether it is in Mount Morris Township, Michigan; Littleton, Colorado; or Springfield, Oregon. Gun violence is a leading cause of death and injury, 12 per day for children alone. And our families are not economically secure. Gun injuries, injuries, cost almost $20,000 per incident to treat, and the cost of a gun-related death is approximately one-third of a million dollars.

In the face of overwhelming evidence about gun violence, the gun apologists continue to argue that guns somehow make us safer, and simple common sense gun legislation is unnecessary. By their logic, we could get rid of metal detectors in airports. Yes, a few guns might get through, but almost certainly well-armed passengers would gun down the terrorists.

A little article in today's Post notes that for the second time in a week, a passenger was arrested on a plane for assaulting a pilot. Would we be better off if that passenger had been armed so that there would have been a gun battle instead of a fist fight?

The NRA argues that the people who want to reduce gun violence have blood on their hands, that they want a certain level of violence. I was with the President of the United States as he visited the victims and the families in my State in Springfield, Oregon; and I know that such an assertion is as untrue as it is sick and twisted.

Tragically, it is consistent with the NRA's approach and that of their apologists. They oppose even the most simple common sense approaches. If they had their way, the Brady Bill would not have passed and 400,000 felons and mentally ill people would have had guns outright, instead of eliminating that opportunity for them. Does anyone think that that would have made us safer?

We do not have to be stalemated by this argument. There are simple common sense approaches. We can require safe storage of guns. Maybe it would not have made a difference for that little 6-year-old boy and the girl he shot in terms of that home, but maybe the gun would not have been stolen in the first place if it had been in a lockbox.

We can lead by example by making sure that smart gun technology is available for law enforcement officials. One in six law enforcement officials who are killed with a gun are killed with their own service revolver or that of one of their partners. If the Federal Government and State governments would announce that next year we will not purchase guns that are not personalized, that cannot be wrestled away, we could move that technology forward by leaps and bounds.

We can make guns safer to reduce accidental death and injury. Why in the name of all that is holy do we sell guns in this country that do not tell you whether or not there is a bullet in the chamber, when we have mandated child-proof bottles for aspirin and cigarette lighters? Why do we have more consumer protections for toy guns than real guns? Sadly, it is the apologists for the gun lobby who have had their way.

We can also keep guns out of the hands of violent felons; not just violent felons, but violent misdemeanants as well. A study at the University of California-Davis has demonstrated that those who are convicted of misdemeanor crimes are 7.5 times more likely to be charged with new crimes than those with no criminal records. The vast majority of people who own guns, as well as normal citizens who do not, support prohibitions like this.

Finally, we can take a step here in Congress today. We can end the gridlock. The Republican leadership should, must, let us move forward. The conferees on the juvenile violence bill have not met since August, hung up over these gun violence provisions. They ought to meet. They ought to meet today and allow us to vote on these simple, common sense provisions.

Finally, people at home today have an opportunity and responsibility themselves to reduce gun violence. Parents should not only demand that Congress act, but they should make sure that if they have a gun in a home, that it is stored safely, and if a child of theirs is going to go next door to play at a neighbor's house, they ought to find out if there is a gun in that house and demand that it be stored safely before their child plays there.

There is no excuse for continuing to tolerate the highest rate of gun violence in the developed world in our country.

INS MANAGEMENT NEEDS TO DO ITS JOB

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Washington (Mr. METCALF) is recognized during morning hour debates for 5 minutes.

Mr. METCALF. Madam Speaker, I do not have to remind this House about the fine work of our Border Patrol agents. They put their lives at risk every day to slow the flow of illegal drugs into this country and to keep our borders safe from dangerous aliens. Their work in helping to arrest a suspected terrorist near Port Angeles, Washington, in December was exemplary. We all appreciate their efforts. Due to the current inept management of the INS, however, the job of these officers is made much, much more difficult.

□ 1245

Over the past two fiscal years, Congress has appropriated funds for the INS to hire 2,000 new Border Patrol agents. The agency has failed to hire anywhere near that number, and every new agent they have hired has been assigned to the southern border, even though our northern border also has problems.

In fact, until recently, the INS had been detailing agents from our already shorthanded northwestern border to shore up its Border Patrol officers in Arizona. At one point, nearly 10 percent of the field agents in Washington State were assigned to the southern border. The INS has indefinitely postponed the details, but refuses to call a permanent halt to transfers to the southern border.

This is not what Congress wanted. There were supposed to be more agents in Washington State, not less. I agree that there are serious problems on the southern border. That is why the INS was given so much money for the Border Patrol last year. The INS management needs to do its job and hire more agents instead of robbing from one shorthanded border to fill out another. There is no reason why northern border staffing should not be increased.

Last week, with my colleagues, the gentleman from Washington (Mr. NETHERCUTT) and the gentleman from Washington (Mr. HASTINGS), I sent a letter to the INS Commissioner, Doris Meissner, demanding a permanent end to transfers of the northwestern Border

Patrol agents and urging higher staffing levels on the northern border.

Madam Speaker, how many more illegal drugs and weapons will flood across our northern border before the INS finally cleans up its act.

MEDICARE PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore (Mrs. MORELLA). Under the Speaker's announced policy of January 19, 1999, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Madam Speaker, should the Medicare program offer prescription drug coverage? What good is insurance if it covers the diagnosis, but not the cure. Of course, Medicare should cover prescription drugs.

Why can we not target coverage to just the lowest income seniors? I can think of several reasons why that is a bad idea. First, Medicare endures in this country because every American contributes to it and every American at the age of 65 will benefit from it. A third of all seniors, over 10 million seniors, lack drug coverage; millions more are barely insured; employers are dropping their retiree coverage and private health insurers are cutting back their prescription drug benefits.

This is not an isolated or a status problem that can be solved in a piecemeal fashion. It is broad based and it is getting worse. Whether or not Medicare should cover prescription drugs should not even be a real question. If one believes this Nation benefits from helping seniors live in good health and above poverty, then Medicare should cover prescription drugs. But it is expensive to cover prescription drugs.

Can our government afford it? We are the wealthiest Nation in the world. Our retirees are collectively responsible for our current prosperity. Their security and their well-being resonate across families, communities, and the Nation. We can afford to, and it is in our interests, to provide seniors health coverage that makes sense, and that means providing prescription drug coverage. But we cannot afford to waste tax dollars that otherwise would be used to bolster Medicare's long term solvency. We need to pay fair prices for prescription drugs.

So are the current prices fair? For the sake of argument let us define ''fair'' in this case as necessary to continue a brisk pace of research and development. Maybe prices are fair, maybe drug companies have no choice but to charge such high prices. But I doubt it. Knowing how much drug companies are investing in marketing, knowing what their profit margins are, knowing what their CEOs and top executives are paid, knowing that any reduction in prices can be largely offset by increases in sales volume, I doubt prescription drug prices need to be that high.

But even if drug makers could justify their revenue requirements, how could they justify placing such a disproportionate burden on Americans? How can they justify charging Americans two and three and four times what they charge individuals in other industrialized nations. How and why are prescription drugs more expensive here? Because other countries will not tolerate these outrageous prices and because we in this Congress have tolerated them.

We do not negotiate prices; we do not demand that drug manufacturers reduce their prices to reflect the federally funded portion of research and development. We do not make use of the collective purchasing power of 38 million seniors to demand fairly-priced drugs. Instead, we nod our heads knowingly when drug manufacturers warn us that any action we take could stifle research and development. Drug prices can come down in the U.S. without stifling that research and development.

Take the case of medical devices. The Medicare program is the largest purchaser of medical devices in the U.S. Medicare pays discounted prices for medical devices and yet new devices are developed every day. The government funds 40 percent of the R&D in the United States. Sources other than drug companies fund another 10 percent of drug research and development. Drug companies receive huge tax breaks, drug makers pay an effective rate 10 percentage points lower than the average for all major industries. Drug profits are 5 percent higher than any other industry.

In 1998, the CEO of Bristol-Meyers-Squibb was paid $146 million in salary and benefits. Obviously, a fast way to make money is to charge inflated prices for prescription drugs. It works beautifully for the drug companies, but it does not make it right.

So what do we do about high drug prices? The drug industry says the best way is to make prescription drugs affordable for seniors by enrolling all 38 million in private health insurance plans. That clearly has not worked as we have seen the price of health insurance go up and up and up.

We have other options. I have introduced legislation that would give drug manufacturers a choice. They could either disclose their true costs and work with us to bring the prices down, or they could license their patents to generic drug companies and let the free market, using good old-fashioned competition, bring prices to a more reasonable level.

The gentleman from Maine (Mr. ALLEN) has introduced legislation that would permit seniors to purchase drugs at discounted prices. The gentleman from Vermont (Mr. SANDERS) and the gentleman from Arizona (Mr. BERRY) have introduced legislation that would permit us to import drugs when they are priced less expensively in other countries.

So I ask again, should Medicare provide prescription drug coverage for seniors? The answer is yes. Will it be expensive? The answer is yes. Is there some way we can make it less expensive? The answer is a resounding yes.

Now, will this Congress add a drug benefit to Medicare this year? I do not know the answer to that. We may not get a chance to vote, or the majority of the Republican leadership may go with yet another stopgap measure rather than taking a logical step in updating the Medicare benefits package.

LEGISLATION TO ALLOW FDA AUTHORITY TO REGULATE TOBACCO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from California (Mr. WAXMAN) is recognized during morning hour debates for 5 minutes.

Mr. WAXMAN. Madam Speaker, today the Supreme Court recognized that tobacco use is perhaps the most single significant threat to public health in the United States. Unfortunately, the Court also ruled that Congress had not given the Food and Drug Administration explicit authority to regulate tobacco.

We can change that today.

The Republican leadership blocked legislation in the past to give FDA this authority. This afternoon, I will reintroduce a bill that gives FDA explicit authority to regulate tobacco.

The Republican leadership has sole power to bring this bill to the floor this week or next week or next month. But the day has passed to ignore tobacco's deadly toll and the thousands of children who start smoking every day. We cannot look to FDA. We cannot look to the courts. We have the responsibility, and we must act.

Two years ago, I reached a comprehensive agreement with the gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, to reduce smoking by children. The Republican leadership must let the House consider tobacco legislation. It is long overdue.

We had hoped the Supreme Court would have allowed the FDA to regulate tobacco on its own. Their decision today by 5 to 4 has sent the issue back to the Congress. It is now our responsibility. We can ignore that responsibility no longer.

With the bill that I will introduce today, it will be very clear that FDA will be able to regulate tobacco as they have chosen to do to stop them from targeting our kids. I call on the Republican leadership to work on a bipartisan basis to give the FDA this authority. We must stop tobacco companies from going after our children at the ages of 12, 13, and 14 to get them to start smoking a product that they know will hook many of them and keep them smoking into adulthood.

RECESS

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

Accordingly (at 12 o'clock and 55 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

The Reverend Douglas Tanner, Faith and Politics Institute, Washington, D.C., offered the following prayer:

Almighty God, we gather on this rainy afternoon in Washington aware that it is springtime. There may be a chill in the air, but there are blossoms on the cherry trees. Some of us have begun to work in our gardens, digging, planting, pruning. We are familiar with the springtime tasks, and at least when we have time, we welcome them as paths to new vitality and beauty and fruitfulness.

Grant us, we pray, a similar awareness of the tasks that lead to healthy politics and sound policy. Help us to know where to dig, what to plant, when to prune. And lead us to take up those tasks together. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS 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.

HOUR OF MEETING ON WEDNESDAY, MARCH 22, 2000

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent when the House adjourns today, it adjourn to meet at 10:30 a.m. on tomorrow, Wednesday, March 22, 2000.

THE SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SOCIAL SECURITY

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

Mr. PITTS. Mr. Speaker, every American contributes to Social Security, hoping one day that that investment will help him or her to retire comfortably. We expect and hope that those dollars will one day come back to us with interest.

For generations, this program has worked fairly well, but we now have a younger generation that is not so confident about the Social Security system. Most young people in their 20s with whom I speak do not count on getting a dime from Social Security when they retire, and they know how much better their own investments perform compared to the low rates of return earned by the Social Security Trust Fund.

Mr. Speaker, the Social Security system is a good program, millions of Americans depend on it; but it is time that we allowed Americans to invest a small portion of their FICA taxes into an authorized group of funds, like a 401(k) or a pension plan, an individual retirement account, to get the benefit of compound interest. It is time we made some changes, reform that will save and strengthen Social Security in the long run.

CORRUPTION IN THE JUSTICE DEPARTMENT

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

Mr. TRAFICANT. Mr. Speaker, 19 years ago, I defended myself and was found innocent of RICO violations. Forensic tests proved that the Justice Department used a fraudulent confession against me. What is even worse, at my trial the FBI admitted they had evidence that the agent-in-charge of the Youngstown FBI office, Mr. Stan Peterson, was on the payroll of the Mob, and when he retired, was appointed the chief of police of Youngstown at the direction of the Mob.

Now, if that is not enough to shred the Constitution. The FBI further testified they never investigated Stan Peterson. Enough is enough. I am announcing formally today that I am once again a target of the Justice Department.

Listen, I plan to fight like a junkyard dog, and if I die in that courtroom, bring it on; but I want to thank every Member for their encouragement that they have given me and for their good concerns.

In America, the person governs. We should not fear the IRS. We took care of that.

I will be submitting legislation this week that will provide for outside investigations into wrongdoing in the Justice Department. Right now, the Justice Department investigates the Justice Department.

Mr. Speaker, I yield back the corruption in the Justice Department.

DEADLY CARGO

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

Mr. GIBBONS. Mr. Speaker, this week we will have an opportunity to once again protect our Nation, our citizens, and our environment by voting no on S. 1287, the Nuclear Waste Policy Amendments Act.

If passed, Mr. Speaker, S. 1287 will launch the largest nuclear waste shipping program in human history.

A no vote will send a clear message that we do not support transporting the world's deadliest material, nuclear waste, through our Nation's cities, near our children's schools, and through our rural communities.

Mr. Speaker, the Department of Transportation reported that in a 10-year period there were almost 100,000 transportation accidents releasing hazardous materials; 100,000.

Just imagine the consequences of a transport accident involving nuclear fuel containing massive amounts of radioactivity occurring as it travels through the most congested cities of 43 States.

Mr. Speaker, let us not put millions of our Americans or our environment at risk. Vote no on S. 1287.

I yield back S. 1287, a plan to transport nuclear waste that only serves to jeopardize the health and the welfare of every American.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. GEKAS) laid before the House the following communication from the Clerk of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 20, 2000 at 3:00 p.m. and said to contain a message from the President whereby he transmits a proposed Agreement with Bangladesh on the Peaceful Uses of Nuclear Energy.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk of the House.

AGREEMENT BETWEEN THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF BANGLADESH CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–213)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together

with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b), (d)) (the Act), the text of a proposed Agreement Between the United States of America and the People's Republic of Bangladesh to extend the Agreement for Cooperation Between the United States of America and the People's Republic of Bangladesh Concerning Peaceful Uses of Nuclear Energy signed at Dhaka, September 17, 1981 (the Agreement for Cooperation).

The proposed Agreement to extend the Agreement for Cooperation (the ''Extension Agreement'') was originally approved and its execution authorized by President Bush based on his written determination that the performance of the Agreement for Cooperation for an additional period of 20 years would promote, and would not constitute an unreasonable risk to, the common defense and security. A copy of President Bush's written approval, authorization, and determination is enclosed. Also enclosed is a copy of the unclassified Nuclear Proliferation Assessment Statement (NPAS) prepared at that time by the Director, United States Arms Control and Disarmament Agency.

The proposed Extension Agreement was effected by an exchange of diplomatic notes at Dhaka on January 5, 1993, and February 6, 1993. The terms of the Extension Agreement condition its entry into force on each State notifying the other of the completion of its respective legal requirements for entry into force. However, before the proposed Extension Agreement could be submitted to the Congress in 1993 for review pursuant to section 123 of the Act, the Government of Bangladesh asked to consult with the United States regarding a possible modification of the term of extension. These discussions proved to be very protracted, but both Governments have now agreed that their original intention to extend the Agreement for Cooperation for an additional period of 20 years from the date of the original Agreement's expiration (i.e., to extend its until June 24, 2012) should stand, and that the Extension Agreement should be brought into force as soon as each Party has notified the other in writing that it has completed its legal requirements for doing so.

Section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277) now also provides that each Nuclear Proliferation Assessment Statement prepared pursuant to the Act shall be accompanied by a classified annex prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information. The Secretary of State is submitting to the Congress under separate cover such a classified annex. It contains, *inter alia*, the Secretary of State's reaffirmation of the conclusions reached in the original unclassified Nuclear Proliferation Assessment Statement (a) that continued implementation of the Agreement for Cooperation is consistent with all requirements of the Act, and (b) that the safeguards and other control mechanisms and the peaceful-use assurances contained in the Agreement for Cooperation are adequate to ensure that any assistance furnished under it will not be used to further any military or nuclear explosive purpose.

I am pleased to reconfirm President Bush's approval of the Extension Agreement and authorization of its execution and implementation. Bangladesh is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and is fully in compliance with its nuclear nonproliferation commitments under that Treaty. In my judgment, continued performance of the Agreement for Cooperation between the United States of America and the People's Republic of Bangladesh Concerning Peaceful Uses of Nuclear Energy will promote, and not constitute an unreasonable risk to, the common defense and security. Apart from the proposed extension, the Agreement for Cooperation will remain in all other respects the same as that which was favorably reviewed by the Congress in 1982. The Department of State, the Department of Energy, and the Nuclear Regulatory Commission have reconfirmed their favorable views regarding the original NPAS as well as the conclusions contained herein.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and the House International Relations Committee as provided in section 123 b. Upon completion of the period of 30 days of continuous session provided for in section 123 b., the period of 60 days of continuous session provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 20, 2000.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate is concluded on all motions to suspend the rules, but not before 7 p.m. today.

RECOGNIZING IMPORTANCE OF FAMILIES AND CHILDREN IN UNITED STATES AND EXPRESSING SUPPORT FOR GOALS AND IDEAS OF NATIONAL FAMILY DAY

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 288) recognizing the importance of families and children in the United States and expressing support for the goals and ideas of National Family Day.

The Clerk read as follows:

H. CON. RES. 288

Whereas national evidence indicates that America's kids are faced with oppressive issues such as violence, drugs, abuse, and even family stress, causing the future of the children of the United States, and therefore the future of the Nation, to be at risk;

Whereas families in the United States, regardless of their economic status, ethnic or cultural heritage, or geographic location, are experiencing the pressures caused by contemporary society while trying to raise and nurture emotionally healthy and physically safe children;

Whereas Americans realize the challenges of spending quality family time together amidst today's busy lifestyles and balancing work schedules and kids' activities to regularly share a family meal;

Whereas it is imperative that the people of the United States act willfully and purposely to secure a positive future for the Nation by devoting time to family bonding, sharing traditions, and communicating values to children in an effort to sustain the importance of family;

Whereas KidsPeace, one of the Nation's oldest, most comprehensive not-for-profit organizations dedicated to helping children attain the confidence and courage needed to face and overcome crises, has established National FamilyDay to focus unified attention on nurturing family relationships and improving family communications thereby helping to build strong families which give kids peace;

Whereas National FamilyDay will be celebrated annually on a Sunday in March; and

Whereas National FamilyDay will provide opportunities for families to reclaim the family mealtime which fosters trust and builds better communication, and will encourage parents, grandparents, and caregivers to recognize the importance of being involved in the physical and emotional lives of their children: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the importance of children and families to the future of the United States;

(2) expresses support for the goals and ideas of National FamilyDay as established by KidsPeace;

(3) encourages the people of the United States to participate in local and national activities honoring National FamilyDay; and

(4) believes that families who communicate and spend time together create stronger families which give kids peace.

The SPEAKER pro tempore (Mr. GEKAS). Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Indiana (Mr. ROEMER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

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

Mr. Speaker, I rise in support of House Concurrent Resolution 288, to recognize the importance of families and children in the United States and to express support for the goals and ideas of National Family Day.

Let us not underestimate the importance of families. Today's families provide the foundation for America's future. The family is the most fundamental of society's institutions, for it is within the family setting that character, morality, responsibility, and wisdom are nurtured best in children.

Families that have committed and dedicated parents raise children who prefer commitment rather than self-indulgence, become law-abiding rather than law-avoiding, and become productive members of society.

On the other hand, when the family structure is not strong, the results for individuals and society in general are not nearly as bright.

Research on the effects of the out-of-wedlock birth and divorce show that children in broken families drop out of school more frequently, become sexually active at younger ages, have higher rates of crime and drug abuse, and earn lower incomes as adults. And I want to point out that I have an exception up there, a young man who is now at West Point, who does not fit into that category.

Statistics regarding the collapse of the American family are disheartening. According to the National Center for Health Statistics, 32.8 percent of all children born in 1997 were born out of wedlock. These percentages were not unique with regard to race. The number of children born out of wedlock was disturbingly high among whites, blacks, and Hispanics.

A total of 20 million children now live with single parents in the United States. Of these children, 12.6 million live in the poorest families.

The ramifications of these high divorce rates are discouraging. More and more Americans are members of the second, third, and even forth generation of broken families in which fathers and mothers are alienated from one another, leaving their children to bear the consequences.

The American Journal of Sociology and the Journal of Marriage and the Family report that divorce weakens a child's relationship with his or her parents, creates emotional problems that reinforces destructive ways of handling conflicts, and diminishes social competence.

Apart from the physical dilapidation of families, research has also demonstrated the devastating consequences of dysfunctional families.

The amount of conversation and the level of interaction between parents and children have an enormous impact on children's development. The reduction of interaction between parents and their children should, therefore, be a grave cause for concern to all of us.

According to the University of Maryland, by 1990 parents on average were available to their children 10 hours less per week than they were in 1980 and 40 percent less than in 1965.

H. Con. Res. 288 recognizes and supports National Family Day to help focus attention on nurturing family relationships and improving family communication. H. Con. Res. 288 recognizes the importance of children and families to the future of the United States, encourages citizens to participate in local and national activities honoring National Family Day, and encourages families to communicate and spend more time together to create stronger families.

National Family Day is a relatively new annual event held every year in March to honor and celebrate the importance of the American family. National Family Day was established by Kids Peace, a nonprofit organization that is dedicated to helping children obtain the confidence and courage needed to face and overcome crises. Kids Peace helps over 2,000 children in crisis each day at 25 centers across the Nation.

Once again, I would like to thank the gentleman from Pennsylvania (Mr. TOOMEY) and Kids Peace for their efforts to improve America's families. I urge my colleagues and people across the country to join with them in supporting efforts to help our families.

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

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

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

Mr. ROEMER. Mr. Speaker, first of all, I would like to thank the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce that I serve on, for managing the time. I would also like to thank my friend, the gentleman from Pennsylvania (Mr. TOOMEY), who has joined together with me to introduce this resolution and cosponsor it and talk about it on the floor; and I look forward to his comments, as well.

Mr. Speaker, I rise in strong support of H. Con. Res. 288, which recognizes the importance, the vital importance, of children and families in the United States and expresses the support of some of the following goals of a National Family Day.

One of the things that this concurrent resolution expresses, and I think this is important for our colleagues to hear, it is the second ''whereas'' clause. ''Whereas national evidence indicates that America's kids are faced with oppressive issues such as violence, drugs, abuse, and even family stress, causing the future of the children of the United States, and therefore the future of the Nation, to be at risk.''

Now, we had a report several years ago, about 16 years ago, in 1984, which was a report on the status of American education which firmly and boldly stated that, if education was at risk, America was at risk.

Our families are the foundation of everything in this country.

□ 1415

And so if there is something directed or targeted at the stability, the care, the community, the love, the sustainability of our families, it is targeted at the health, the very fiber and the very soul of our country. So this resolution, I think, simply tries to state that in all the busy things that we do in Congress, at work, in our communities, that nothing is more important in our homes than time spent with our children.

Another whereas clause simply states, on page 2, whereas it is imperative that the people of the United States act willfully and purposely to secure a positive future for the Nation by devoting time to family bonding, sharing traditions, and communicating values to children in an effort to sustain the importance of family.

Mr. Speaker, this is what this resolution is all about. It is simple, straightforward, and bipartisan in its appeal on behalf of our families and our children to refocus attention on the family and on spending time with our children in order to strengthen families and create healthy communication between our children and our parents. National Family Day is a new annual event held on a Sunday in March to honor and celebrate the American family.

Mr. Speaker, our children are our most precious gift. We cannot afford to let even one slip through the cracks. KidsPeace and other organizations throughout the United States are doing good work in reaching out to those children who are most at risk in society and helping them develop the courage and the skills to overcome crises. But no matter how hard they try, these organizations cannot take the place of loving parents, stable homes, and a healthy environment in which kids can feel safe, loved and positive about their lives and their futures.

I want to conclude, Mr. Speaker, as Robert Kennedy once said, and I quote, when one of us prospers, all of us prosper, and when one of us fails, so do we all.

We cannot afford to have one of our children fail in this great Nation. Therefore, let us emphasize the importance of one of the most important institutions that can help save our children, and that is the institution of family. Let us pass this bipartisan day. Let us put emphasis on a simple yet straightforward, yet vitally important concept of family, and let us focus on this as a solution to many problems in the future.

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

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. TOOMEY), the cosponsor on our side of the legislation, a very important member of the Pennsylvania delegation.

Mr. TOOMEY. Mr. Speaker, we are here today, and I rise in strong support

of House Concurrent Resolution 288 authored, as we have heard, by myself and my friend the gentleman from Indiana (Mr. ROEMER). H. Con. Res. 288 supports National Family Day as we have heard which is sponsored by KidsPeace. KidsPeace is a national, nonprofit organization based in the Lehigh Valley in Pennsylvania. They have dozens of facilities across the country, treating over 2,000 children facing crisis.

KidsPeace also has various prevention programs to help children before a crisis arises. It cares for some of our most troubled children and helps all of the children they deal with to develop the confidence and the skills to avoid and to overcome crisis. They help children anticipate and overcome crises from disasters and personal traumas, to family issues and neglect, to severe depression, eating disorders, and the general stresses that any children experience in our modern society.

I am very proud to have such a worthwhile organization based in my community in the 15th District of Pennsylvania. What KidsPeace has done is they have developed a great idea with the National Tabletop and Giftware Association, the folks who make the plates, the silverware, and the cooking utensils we use to prepare our meals.

Their idea is this National Family Day, a day to remind us of the need to reclaim the family mealtime for the family. This year is its first year. National Family Day is this coming Sunday, March 26. It will always be held on a Sunday in March.

KidsPeace is undertaking a variety of activities to support this National Family Day. Perhaps most interesting of these is this brochure that I am holding in my hand. Plate and silverware companies throughout our Nation are distributing millions of these brochures at their stores. As the brochure says, ''The family evening meal has been the source of building healthy communication and family bonds for centuries. Yet it is becoming a lost art in modern America.''

The brochure goes on to give eight simple steps on how a family can reclaim their mealtime to foster open communication and healthy relationships. KidsPeace and its President, C.T. O'Donnell, are to be commended for developing this brochure. I also want to commend the National Tabletop and Giftware Association and its president, William Simpson of Pfaltzgraff in York, Pennsylvania, I believe that is the chairman's hometown, for distributing this brochure. I want to thank the majority leader, the chairman of the Committee on Education and the Workforce and certainly the gentleman from Indiana for all of their work and help on this resolution.

Mr. Speaker, I ask the House's indulgence for one last note before I conclude. When I announced these efforts and my introduction of a House resolution at a news conference in my district, we were joined by a family from the Lehigh Valley. Eric and Toni Hummel with their son Michael who is 9 years old and their daughter Lauren who is 1 talked about the need for a reminder to help make family mealtimes a priority in all of our family lives.

I took their words to heart because my wife and I are expecting our first child in June. We both know that we have very busy lives and we will have to be constantly on guard that we are not letting our child's time slip away from us. I want to thank my colleagues. I want to thank them for all their help in support of this resolution which will serve as the reminder that the Hummel family pointed out to all of us.

Mr. ROEMER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER) the ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman from Indiana for yielding me this time and thank him for his involvement with this legislation as I do the gentleman from Pennsylvania, apparently everybody from Pennsylvania is involved, and commend them for this resolution.

I would, however, say this, that I would hope that as we count down the number of legislative days remaining in this session that we keep the purpose and the intent of this resolution in mind and that is about strengthening families and giving families the tools by which they can strengthen the relationship among the members of that family, especially with their children, recognizing the complexities and the pressures of contemporary American society. But I would hope also that the Congress would take this resolution to heart and would understand that there is a family agenda that yet needs to be met within this Congress. It deals with the issues of education, it deals with the issue of the safety of our children, it deals with the issue of the health care available to our families, housing available to our families and the kind of child care that is now needed by families as they find the pressures of the workplace encroaching more and more on the time that they used to have for their families and to take care of the mentoring of their children.

And to fix our crumbling schools. We see there is some $112 to $115 billion backlog in school facilities, recognizing the need to do this so children can go to a decent facility where they can engage in the learning experience and acquire the tools that will befit them as they take their place in our society. I am worried that this resolution becomes a substitute for addressing that agenda, because that would not be fair to America's families.

Clearly America's families, those who toil at the minimum wage, need an increase in the minimum wage. We know that those who toil at the minimum wage continue to toil and at the end of the year if they work all year long, they are below the poverty rate in this country. We now see where the biggest growth in homeless, certainly in my State in California but in many other areas of the Nation, is working families with children.

They simply have been priced out of the market. It does not mean they are not working. It does not mean they are not caring for their children. It does not mean they do not love their children. They simply now are unable to find housing for their children. That is the biggest new growth rate in homeless in the State of California which is having an economic resurgence unparalleled anywhere else in the country.

At a time when we are creating over 100 millionaires a week, we find out that the very same people who are working for many of those millionaires in their factories are unable to live near their work or to find a house at all for them and for their children. In many instances those workers are temporary workers, they work essentially what we would call full time but they are characterized as temporary workers, which means they do not get the benefits. So they do not have health care for them or their children.

In many instances the companies fail to provide it or are unable to provide it. And so clearly there are these kinds of efforts that we can make on behalf of America's families and on behalf of America's children. Because in many instances there is no other place for these families to go to get help while they work and they struggle and they work full time. They do not have the means to provide health insurance. They do not have the means to provide housing. They are going to have to turn for assistance to the other, the great American family, if you will, that sees that plight and understands that struggle.

So hopefully this resolution will not only recognize the needs of families and our commitments to them, it will also provide them some additional empathy by Members of Congress of the plight of many millions of American families who are working very hard and struggling and still not able to make ends meet that we have an obligation to see what we can do to make sure that they can do that so they can provide a healthy environment and a sustainable environment for their children.

Mr. GOODLING. Mr. Speaker, I yield myself 2 minutes.

The author of the resolution made reference to the brochure, ''Reclaim the Family Mealtime''. It says on the front cover, ''Are you losing contact with the people you love? Is your family time being squeezed out by work pressures, kids' activities, and a hectic, fast-paced schedule?'' Then inside it says, ''If so, the solution may be as close as this evening's meal.''

I am reminded even though we were a family of eight, six children and dirt

poor, we did not realize we were poor because of the closeness of that family relationship. Through my first eight grades in school, as a matter of fact, we sat down together at meals three times a day, because we went home for lunch rather than stay in school. And then when we went on to high school, we still had meals together two times a day. What an important time that was.

Today, we oftentimes hear people say, well, mother and father both have to work. That is not necessarily so. It depends on the lifestyle you want. Yes, I got my first suit of long pants given to me by neighbors. Only one worked away from home.

So oftentimes we find excuses as to why we do as little as we do to keep families together, but I do not think there are any statistics that would prove otherwise than that a family unit is one of the three or four most important things we have going for us in a free society and without it, that society will fall from within.

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

Mr. TANCREDO. Mr. Speaker, I rise in support of House Concurrent Resolution 288, to recognize the importance of families and children in the United States, and to express support for the goals and ideas of National Family Day.

You know, its no secret that the family is the most fundamental of society's institutions, for it is within the family setting that character, morality, responsibility, ability, and wisdom are nurtured best in children.

Unfortunately, today, the family institution is being steadily dismantled, even held in disdain by many leaders in the political, academic and media elite.

And the erosion has serious consequences:

In 1950, for every 100 children born, 12 entered a broken family. Today, for every 100 children born, 60 will enter a broken family. Each year, about one million children experience the divorce of their parents. 1.25 million are born out of wedlock, and another 1.4 million are aborted. Child abuse is growing steadily and alarmingly sexual abuse amongst children is growing fastest of all.

In short, Americans are literally turning against their children. But adults suffer as well from the breakdown of the family institution. Studies clearly show that those who divorce suffer shorter life expectancies, poorer physical and psychological health and lowered standards of living.

In addition, research continues on the correlation between a family founded on a lifelong marriage and low incidences of crime, addiction, abuse, illness, and underachievement.

Our country must focus national attention on problems whose roots lie in the breakdown of the family institution and marriage, as well as public policies that contribute to those problems.

On the national level, over the last few years, Congress has begun to evaluate how the federal government's policies have been hostile to marriage and the family.

Last month, the House overwhelmingly passed the Marriage Penalty Tax Relief Act, which will stop the government's practice of excessively taxing couples just because they are married. This will keep the IRS off the alter and provide more money for families that may mean a new washing machine, extra tuition money for a child, a three bedroom home or fixing the family car—this is real relief for working families.

In 1997, we passed the $500-per-child tax credit, the most important policy advance for the family. And we enacted adoption and foster care reforms so that children are given permanent homes quickly and not left revolving in the child welfare system year after year.

And in 1996, we reformed welfare ending the cycle of dependency for many. We ended the practice of having the government filling the roles of family, church and voluntary associations.

This year, we will take up important legislation establishing education savings accounts permitting parents to put money aside for a child's education.

But, beyond the beltway, beyond this Capitol, is where most of the changes are occurring—as is often the case.

This is where the real change is taking place—and rightly so.

Abstinence education to address the rising rates of out-of-wedlock births, counseling to address the rising rates of divorce and after-school programs to get kids off the street are happening throughout America.

KidsPeace, a 117-year-old non-profit organization that directly helps over 2,000 children in crisis every day at 25 centers across the nation, and millions more through prevention and public education efforts, recognizes all of these facts and has created National Family Day.

National Family Day is a relatively new, annual event held every March to honor and celebrate the importance of the American family.

This year, it will focus attention on the family meal as a time to build healthy communication and lasting bonds with children.

The amount of conversation and the level of interaction between parents and children has an enormous impact on a child's development. Even in intact families, however, children suffer from a lack of intimate time with their parents. One of the sad consequences of the breakdown of society today is that, to pay the bills or fulfill their higher expectations for material comforts, more mothers work outside of the home. This fact coupled with the numbers of single-parent families and the rising rate of divorce, means there has been a tragic reduction in ''family time.''

Adequate time with parents is critical for the development of every child, especially for self-esteem and confidence. The reduction of time between parents and children is cause for grave concern. It attenuates the most important relationship to a child and correspondingly derives him of the strength he derives from his parents.

As Harvard University child psychiatrist Robert Cole puts it, ''The frenzied need of children to have possessions isn't only a function of the ads they see on TV. It's a function of their hunger for what they aren't getting—their parents time.''

By 1990, parents were, on average, available 10 hours less per week to their children than they were in 1980 and 40 percent less than they were in 1965.

In a 1990 Los Angeles Times poll found that 57 percent of all fathers and 55 percent of all mothers felt guilty about spending too little time with their children. The poll also found that 73 percent of all married couples would have one parent stay home full-time with the children if money were not the issue.

I congratulate KidsPeace for their efforts to improve the family structure and call on my colleagues and everyone in our country to join with then in supporting efforts which will create stronger families.

□ 1430

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

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

The SPEAKER pro tempore (Mr. GEKAS). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 288.

The question was taken.

Mr. GOODLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. GOODLING. Mr. 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. 288.

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

There was no objection.

KERN COUNTY CALIFORNIA LAND EXCHANGE ACT OF 2000

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1680) to provide for the conveyance of Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest, as amended.

The Clerk read as follows:

H.R. 1680

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 ''Kern County California Land Exchange Act of 2000''.

SEC. 2. LAND EXCHANGE, CAMP OWEN AND RELATED PARCELS, KERN COUNTY, CALIFORNIA.

(a) EXCHANGE REQUIRED.—In exchange for the non-Federal lands and the additional consideration described in subsection (b), the Secretary of Agriculture shall convey to Kern County, California, all right, title, and interest of the United States in and to four parcels of land under the jurisdiction of the Forest Service in Kern County, as follows:

(1) Approximately 70 acres known as Camp Owen.

(2) Approximately 4 acres known as Wofford Heights Park.

(3) Approximately 4 acres known as the French Gulch maintenance yard.

(4) Approximately 14 acres known as the Kernville Fish Hatchery.

(b) CONSIDERATION.—

(1) CONVEYANCE OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a), Kern County shall convey to the Secretary a parcel of land consisting of approximately 52 acres of Greenhorn Mountain Park in Kern County, California, which is owned by Kern County within Sequoia National Forest.

(2) REPLACEMENT FACILITY.—As additional consideration for the conveyance of the storage facility located at the maintenance yard referred to in subsection (a)(3), Kern County shall provide a replacement storage facility of comparable size and condition, as acceptable to the Secretary, at the Greenhorn Ranger District Lake Isabella Maintenance Yard property.

(3) CASH EQUALIZATION PAYMENT.—As additional consideration for the conveyance of the Federal lands referred to in subsection (a), Kern County shall tender a cash equalization payment specified by the Secretary, but not to exceed $100,000. Subject to such limitation, the cash equalization payment shall be based upon an appraisal performed at the option of the Forest Service pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this section must be acceptable to the Secretary, and the conveyance shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) TIME FOR CONVEYANCE.—Subject to subsection (c), the Secretary shall complete the conveyance of the Federal lands under subsection (a) within three months after Kern County tenders to the Secretary the consideration required by subsection (b).

(e) STATUS OF ACQUIRED LANDS.—Upon approval and acceptance of title by the Secretary, the non-Federal lands conveyed to the United States under this section shall become part of Sequoia National Forest, and the boundaries of the national forest shall be adjusted to include the acquired lands. The Secretary shall manage the acquired lands for recreational purposes in accordance with the laws and regulations pertaining to the National Forest System. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the national forest, as adjusted pursuant to this section, shall be considered to be the boundaries of the national forest as of January 1, 1965.

(f) RELATIONSHIP TO ENVIRONMENTAL LIABILITY.—In connection with the conveyances under this section, the Secretary may require such additional terms and conditions related to environmental liability as the Secretary considers appropriate to protect the interests of the United States.

(g) LEGAL DESCRIPTIONS.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by a survey or surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange (other than costs incurred by Kern County to comply with subsection (h)), shall be divided equally between the Secretary and Kern County.

(h) TREATMENT OF EXISTING UTILITY LINES AT CAMP OWEN.—Upon receipt of the Federal lands described in subsection (a)(1), Kern County shall grant an easement, and record the easement in the appropriate office, for permitted or licensed uses of those lands that are unrecorded as of the date of the conveyance.

(i) APPLICABLE LAW.—Except as otherwise provided in this section, any exchange of National Forest System land under this section shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for the National Forest System.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 1680 introduced by my colleague, the gentleman from California (Mr. THOMAS), provides for a land exchange between the Stanislaus Forest and Kern County, California. It will transfer approximately 70 acres of national forest land that has been used by the county for more than 50 years as a juvenile detention facility known as Camp Owen to county ownership.

In exchange, the county will transfer the undeveloped portion of its Greenhorn Mountain Park, approximately 52 acres, to the Forest Service which manages the adjacent national forest lands. Several other small parcels are also included in exchange, and the county will provide a cash equalization payment to the Forest Service to make up the difference in land values.

The Forest Service and the county have worked hard to resolve their differences over details of this bill. I congratulate the gentleman from California (Mr. THOMAS) for his work in achieving this agreement, which is reflected in the amendment that was reported by the Committee on Resources.

Mr. Speaker, this is a good bill which will ensure that the lands transferred to the county will continue to be used as a juvenile detention facility and school. Valid existing rights will be protected and land ownership will be consolidated, which should improve management efficiencies for both the Forest Service and Kern County. Therefore, I urge support of this bill as amended, and I congratulate my colleague for his work to bring about this agreement on the details of this exchange.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, I rise in support of H.R. 1680. This legislation provides for a land exchange between Kern County, California, and the U.S. Forest Service. The county would receive four parcels totaling about 92 acres of Federal property in exchange for one parcel of about 52 acres of county-owned property.

The county is currently operating a juvenile justice facility on the Federal lands under permit. The county-owned lands, which are wooded, are deemed suitable for inclusion in the Sequoia National Forest. So a land swap in this case makes good sense.

The substitute adopted by the committee has greatly improved this legislation. As amended, the bill now provides for an equal-value exchange and public process in compliance with the National Environmental Policy Act. Formal appraisals are normally required in Federal land exchanges, but in this case the Forest Service is given the option of relying on a preliminary appraisal and may receive a cash equalization payment of up to $100,000.

While we do not intend that this serve as a model for equalization in other exchanges, the difference in value is estimated to be in the range of $50,000 and the extra time and expense of a formal appraisal may not be necessary.

Mr. Speaker, I would like to thank the sponsor, the gentleman from California (Mr. THOMAS), and the majority for their willingness to make changes in this legislation to accommodate both our concerns and those of the Forest Service. I am pleased to support H.R. 1680 and urge my colleagues to do so as well.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. THOMAS), the author of this legislation.

Mr. THOMAS. Mr. Speaker, I want to thank the gentleman from Utah (Mr. HANSEN) for yielding me this time.

Mr. Speaker, this has been a long, twisted road that really should have been a relatively short driveway in achieving today's presentation on the floor of the House. As was indicated, this was an attempt to resolve land use conflicts that developed over half a century. On the Valley floor near the Kern River, which is pretty much barren and rock strewn land, although above 4,000 feet in elevation, about half a century ago the county began developing a youth detention camp along the model with which most of us would be familiar. If one takes youths who really are not bad, but who have an over-abundance of energy, and direct it toward positive and useful activity in a rather hardy environment, then a number of them become very useful and model citizens. This has been successful for more than half a century.

As one might expect, the uses of the camp, which were fairly rustic initially, have developed more into activities that would be meaningful to youth today: the building of a large garage facility in which they can rehabilitate cars; the development of a fish hatchery in which they can involve themselves in useful experiences that actually become quite useful when they are out looking for a job, all of this developed on land that was Forest Service land.

Now, one would never recognize it as Forest Service land, but it was Forest Service land. At the same time, the County of Kern, one of the larger geographic counties in the United States, had, in a mountainous area about 7,000 feet high, county property covered with large conifers that had never been developed, which was immediately adjacent to Sequoia National Forest. It

looked like Forest Service land. It was not used like a county parcel would ordinarily be used because of its remote location and the profile of the land itself.

So we thought several years ago that it would be a very appropriate land swap. The idea that Kern County and the citizens of Kern County, taxpayers, would not want to ask the Federal Government to give us the land, but rather it was quite appropriate to trade that mountainous fir-covered land for the developed land, the county land for the Federal land. We then embarked on a process of trying to get the Forest Service to say yes.

What happened over a number of years was that the Forest Service would not say yes. The Forest Service wanted us to give up the lion's share of the land and they would give us less. Kern County agreed.

The Forest Service did not want any camp sites in that county land up in the mountains, so we shaped it to solve the Forest Service problems. The Forest Service said, even though there is a maintenance yard that has been used as the county and we are willing to give it to them, we want them to duplicate the facilities so that we can have our own. The county agreed.

The Forest Service then said, if there were any environmental problems on this conifer-covered land, we certainly would not want to go through an environmental impact study like anybody else would, so we would like protection. We want to be indemnified from any case that might be brought against us. Kern County agreed.

We finally came to the last piece of the puzzle and that was, notwithstanding all of these concessions, we do not know for sure whether the land in an accessible usable area is of the same value as land that is in an inaccessible area that is not going to be used. So Kern County, to try to end this process of the Forest Service never willing to say yes, said we will place hard-earned county taxpayer money on the table as well.

How much? We do not know for sure. Maybe it was 40 thousand dollars. Maybe it was 50 thousand. The Forest Service could not come up with a firm number. So what Kern County has said was we will double it. We will say not more than $100,000, assuming it is going to be fifty cents or less on the dollar, to get this agreement culminated so that we can continue to develop this youth camp.

I just want to say that four bills have passed Congress this year in which there have been absolute gifts of Federal land. We have an exchange with money in this bill, and yet it has been more than one Congress before we could reach this position. I just want to thank all of the folks who endured with us this inability of the Forest Service to say yes. We still have the provision in which they may say no, but at least, we are to the floor. At least, it has been a public process. At least, there has been public input. At least, there is a public record before we go forward in dealing with taking land that belongs to the public and doing something with it.

So notwithstanding the tale that I just told, Mr. Speaker, I am very pleased that we are at the point we are today and am very concerned about processes that have occurred in the past and may occur in the future when this administration, under ancient law passed in 1906, called the Antiquities Act, will be able to deal with public lands without the public hearings, without the public process, and without the public's representatives voting on legislation that is the Antiquities Act; and, believe it or not, there is a proposal that will deal directly with the same national forest this bill does, the Sequoia National Forest, with no requirement to follow the public process that this modest little bill deals with, 52 acres. The proposal is in the vicinity of 400,000 acres.

It seems to me, Mr. Speaker, if this process is good enough for me, it ought to be good enough for the President when he makes decisions about the public lands.

So once again, I want to applaud those individuals who have brought the land swap to this position today, and I would urge all of us to be very, very cautious about removing public lands from public use without a public process.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1680, 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.

A motion to reconsider was laid on the table.

SENSE OF HOUSE THAT NATIONAL PARK SERVICE SHOULD USE DEPARTMENT OF DEFENSE SUPPORT SERVICES

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 182) expressing the sense of the House of Representatives that the National Park Service should take full advantage of support services offered by the Department of Defense.

The Clerk read as follows:

H. RES. 182

Whereas the National Park Service was established to promote and regulate units of superlative natural, historic, and recreation areas known as national parks, monuments, and other reservations;

Whereas the purpose of the National Park Service is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the public enjoyment of the same;

Whereas, in order to accomplish and provide for this purpose, units of the National Park System contain structures, roads, and other related infrastructure;

Whereas the National Park Service has repeatedly reported a backlog of projects necessary to maintain these structures, roads, and infrastructure and has asserted that approximately $6,000,000,000 is required to eliminate this backlog;

Whereas the Department of Defense has the authority under section 2012 of title 10, United States Code, to provide support and services to Federal entities, including the National Park Service;

Whereas the Civil-Military Department of Defense Innovative Readiness Training Program is designed to improve military readiness while helping to rebuild the United States through realistic, hands-on training opportunities for military personnel which simultaneously assists with meeting domestic priorities;

Whereas the Civil-Military Department of Defense Innovative Readiness Training Program is in keeping with a long military tradition by leveraging real world training opportunities to meet the readiness requirements of military units and individuals while benefitting local communities;

Whereas this support and service provided by the Department of Defense includes equipment and other assistance which would aid in reducing the backlog of maintenance and other like projects identified by the National Park Service; and

Whereas a partnership between the Civil-Military Department of Defense Innovative Readiness Training Program and the National Park Service can provide the American taxpayer with added benefits: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the National Park Service should immediately take full advantage of the support and services offered by the Department of Defense pursuant to section 2012 of title 10, United States Code, in addressing the backlog of maintenance and other like projects within units of the National Park System.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

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

Mr. HANSEN. Mr. Speaker, one of the things that the American public likes the very most is our national parks. We have about 375 units of the Park Service. These are the areas that if we ask the American public what do they like the very most in the world, they will say the parks. They go to all the parks. From sea to shining sea, they see these parks and they love them. In fact, they love them to death. Because of that, we have a tremendous backlog of infrastructure in the parks.

For those folks out West, they fully realize that Yellowstone had impassable roads for a long time. These roads were put there in 1915 by the cavalry. There was not even any base for them. Go down to the Grand Canyon and they

had a culinary water system problem that they had to rely upon the people in Arizona. Keep looking around and a few years ago we had a backlog of infrastructure that was probably around $15 billion.

□ 1445

We did not know how to take care of this problem. Well, here are the people demanding that they go into these parks, and they want them to be beautiful. They want the roads to be right, they want the restrooms to work, they want the ranger to stand there and explain things to them that they want to hear. They want to go home and they want to have their pictures developed and they want to see these beautiful, gorgeous parks where they enjoyed the 3 weeks that they got off, or whatever it was.

Well, the question always comes up to this committee, and has as long as I have been on the committee, which is 10 terms, of how do we take care of these parks and the infrastructure?

A couple of terms ago we started the Demonstration Program, really a good idea, which meant that now people going in the parks would spend a little more than that $10. In Yellowstone you could go in in 1915 for $10. In 1996 you could go in for $10. Where is the best deal in the world? It is right there. Take the wife and the kids and go out to dinner and a show and you will spend $100, you get to see these gorgeous parks for $10.

So we started this Demonstration Program which in effect said to the superintendent, up the ante a little bit. Let us pay a little more for it. The criticism of that has been infinitesimal, it has been minimal, almost nonexistent, because people have said that is the best deal in America, is our national parks.

Still, Mr. Speaker, we go back to the issue, how do we take care of the infrastructure of the parks? Admittedly the Demonstration Program worked pretty well.

Well, we had an interesting thing happen about 1993. A colonel that was the head of the Corps of Engineers came over to my office and he said, ''Congressman, I would like to answer a question for you of how we could take care of the national parks.''

I said, Yes, sir, boy, we want to hear that.

He said, Well, the Corps of Engineers go all over the world, and they build roads, and they build bridges, and they build hospitals, and they are doing things in Indonesia, Somalia, South Africa, you name it. So we take this Corps of Engineers and we put them in C–141s and we take the patrols, we take their bulldozers and we take their engineers and we go over and build a road for them.

Well, that is a good humanitarian thing to do, and I guess we all feel good about it.

He said, But, Congressman, our guys would rather stay in the United States. They would rather go up and build that road in Yellowstone, because mom and the kids can come up for those 3 weeks and they can enjoy it. So at one time the engineers from the State of Utah are there and a month later the people from Arizona are there and a month later the people from Minnesota are there and they do the road.

What do they do? We are paying for it anyway because we are training these youngsters, we are training these officers and enlisted men to understand this. So they do the engineering. They are going to do it anyway, whether it is Somalia or it is Yellowstone. They are going to do the work, whether it is there. The money will come out for it. But the difference is the American taxpayer now is the beneficiary of their good work.

So we thought that was a great idea. I talked to the Director of the National Park System. He said it is a wonderful idea. Then it kind of got bogged down in a few things, and we determined we could not do a bill that straight.

So this bill that we have before us today kind of encourages that, and says to the Department of Defense, look, folks, come on and help us out in some of these parks.

Look at the advantage of this, Mr. Speaker. For one thing, the Corps of Engineers does the engineering, they bring their tools in; they do the work. And what does the Park Service pay for? The Park Service pays for the material, the road base, the cement, the things like that. So you cut your costs rather substantially.

Another thing, Mr. Speaker, look at this. Where are our parks? They are not in the middle of areas like Washington, D.C. or Salt Lake City. They are way out there somewhere. People have to drive to them. So how do you get people to come in and say yes, we will bid on this. They bid all right, but they really bid high prices and you will pay four or five times more than you will in a metropolitan area.

Then you have that Davis-Bacon Act staring you in the face, and I will not get into that, even though I have strong feelings on it, that also comes back and hits us right between the eyeballs. So this costs a lot of money.

But what about the American taxpayer? He wants a nice park. They want to enjoy it. They want to go in there, and they want someone to revel in it. And they do go do our national parks in America. The best liked thing which is done in the U.S. Government is the National Park System.

Mr. Speaker, this is kind of an easy little bill, but it encourages the Corps of Engineers, the Department of Defense, to work with the Park Service, save us some money, make our parks better, so that the American people can enjoy these parks.

Mr. Speaker, I would urge passage of this bill.

Mr. Speaker, simply put, House Resolution 182 is a good idea. This resolution expresses the sense of Congress that would help solve a big problem the National Park Service has in trying to maintain our national parks while also taking advantage of an assistance program already established in the Department of Defense. This would be especially effective in national parks that are isolated and do not have commercial contractors reasonably available.

As we all know, one of the primary purposes of the National Park Service is to provide for the public enjoyment of our national parks. In order to accomplish this, units of the National Park Service have understandably constructed buildings, roads, and other related infrastructure and facilities. However, for many years now the National Park Service has repeatedly reported a backlog of projects necessary to maintain facilities, structures, roads, and other infrastructure within our parks. In fact, the Park Service has asserted that upwards of $8 billion is required to correct this backlog.

Separately, the Department of Defense has the statutory authority to provide support and services to other Federal agencies and entities, including the National Park Service. This support comes in the form of the Civil-Military Department of Defense Innovative Readiness Training Program which is designed to improve military readiness while providing hands-on training opportunities for military personnel. This support service includes equipment and other assistance which could substantially aid in reducing the backlog of maintenance and other like projects identified by the National Park Service. Furthermore, the men and women in the Army involved in these projects and who need the training would do it here in this country, and would not have to travel half way across the world. They also would be much closer to their families. In fact, many families might want to travel to parks where their loved ones are working.

In short, Mr. Speaker, H. Res. 182 uses assistance from the Army to help solve the maintenance problem in our national parks thereby, benefiting the American taxpayer in this country instead of deployed overseas somewhere.

I strongly urge my colleagues to support H. Res. 182. This is a good idea and good for all Americans.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, House Resolution 182 expresses the sense of the House that the National Park Service should immediately take full advantage of a Department of Defense readiness training program in addressing the backlog of maintenance within units of the National Park System.

House Resolution 182 is being brought to the House under unusual circumstances. The resolution was discharged from the Subcommittee on National Parks and Public Lands and marked up by the Committee on Resources just last week. We had no hearings on the measure in the committee, despite the fact that this proposal has been pending before the committee

since May 1999. We did not receive the views of the administration or other interested parties on this measure. As a result, we do not know what this defense program does or could do, nor to what extent this program has been previously used by the National Park Service or other land management agencies.

Mr. Speaker, the gentleman from Utah (Chairman HANSEN) has described this as a non-controversial measure to encourage the use of an existing defense program in making needed repair to the infrastructure of our national park units. We have no objection to this nonbinding resolution, but we would like to have it understood that such assistance is to be carried out in conformance with the applicable laws and regulations and with the recognition of the high value placed on preserving and protecting national park resources.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and agree to the resolution, H. Res. 182.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

MIWALETA PARK EXPANSION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1725) to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

The Clerk read as follows:

H.R. 1725

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 ''Miwaleta Park Expansion Act''.

SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGEMENT LAND, DOUGLAS COUNTY, OREGON.

(a) IN GENERAL.—

(1) CONVEYANCE.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall convey, without consideration, to Douglas County, Oregon (referred to in this section as the ''County''), all right, title, and interest of the United States in and to a parcel of land (including improvements on the land) described in paragraph (2) and consisting of—

(A) Miwaleta Park, a county park managed under agreement by the County on Federal land managed by the Bureau of Land Management; and

(B) an adjacent tract of Federal land managed by the Bureau of Land Management.

(2) LEGAL DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel in the SW ¼ of the NE ¼; SE ¼ of the NW ¼ of sec. 27, T31S, R4W, W.M., Douglas County, Oregon, described as follows:

The property lying between the southerly right-of-way line of the relocated Cow Creek County Road No. 36 and contour elevation 1881.5 MSL, comprising approximately 28.50 acres.

(b) USE OF LAND.—

(1) IN GENERAL.—After conveyance of land under subsection (a), the County may manage and exercise any program or policy that the County considers appropriate in the use of the land for park purposes.

(2) REVERSIONARY INTEREST.—

(A) IN GENERAL.—If the Secretary determines that the land conveyed under subsection (a) is not being used for park purposes—

(i) all right, title, and interest in and to the land, including any improvements on the land, shall revert to the United States; and

(ii) the United States shall have the right of immediate entry onto the land.

(B) DETERMINATION ON THE RECORD.—Any determination of the Secretary under subparagraph (A) shall be made on the record.

(c) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and paid for by the County.

(d) IMPACT ON FERC WITHDRAWAL.—

(1) IN GENERAL.—The conveyance of land under subsection (a) shall have no effect on the conditions and rights provided in Federal Energy Regulatory Commission Withdrawal No. 7161.

(2) CONFLICTS.—In a case of conflict between the use of the conveyed land as a park and the purposes of the withdrawal, the purposes of the withdrawal shall prevail.

(e) COSTS OF CONVEYANCE.—Except as provided in subsection (c), costs associated with the conveyance under subsection (a) shall be borne by the party incurring the costs.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELO) EACH WILL CONTROL 20 MINUTES.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, I rise in support of H.R. 1725, introduced by the gentleman from Oregon (Mr. DEFAZIO).

Mr. Speaker, a significant amount of effort has gone into the preparation of this bill, and I would like to begin by commending the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Oregon (Mr. WALDEN) for their diligence in bringing this legislation to the floor.

Miwaleta Park, located in Oregon, is a 30-acre area jointly managed by the Bureau of Land Management and Douglas County. The title to this park and surrounding area is currently held by the BLM. Under H.R. 1725, the title, and all rights and interest of this land, would be transferred to Douglas County for the purpose of building a public campground.

Mr. Speaker, I reiterate my support for H.R. 1725, and ask for the endorsement of all Members to pass this needed legislation.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 1725 authorizes the conveyance of approximately 29 acres of public land to Douglas County, Oregon for park purposes. Currently 25 acres of the land proposed to be conveyed are used as a county park, Miwaleta Park, under an agreement between the county and the Bureau of Land Management.

The county has been working with the Bureau of Land Management to develop a campground on four adjacent acres, but this development has been complicated by the site's location within a Late Successional Reserve designated by the Northwest Forest Plan. However, the Bureau of Land Management has completed an environmental assessment that concluded the county could proceed with the proposed campground development.

Douglas County and the Bureau of Land Management had previously discussed conveying the land in question under the Recreation and Public Purposes Act, but that procession was abandoned because current law does not allow Oregon and California lands to be transferred or leased. The land transfer contained in H.R. 1725 is an alternative to other administrative processes available to deal with these lands.

We should note that the legislation the House is considering today is different from a related Senate bill, S. 977, that the Senate passed late last year. We hope that the remaining issues between the two versions of the legislation can be satisfactorily resolved so that this legislative initiative can be finalized and sent to the President for his signature.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me time, and I thank him for his help with this legislation.

Mr. Speaker, it has been a long and difficult process for Douglas County to improve and obtain the properties adjacent to their park in order that they might provide for camping facilities and might make this area more desirable for hundreds of families each year.

The Miwaleta Park is adjacent to a reservoir. It is heavily recreated now, and we have problems because of dispersed camping in the area. This park is actually going to, with the development of facilities by the county, ameliorate existing problems that we have with the dispersed camping and trash

and other problems, and provide for a family camping experience, provide for sanitary facilities, and really enhance the experience for everyone.

The Secretary of the Interior will continue to have the right to revoke title if the county does not maintain these lands for parks. I am fully confident that Douglas County will substantially invest in and manage this property very well, but, in order to meet concerns that some have expressed, we included that in the legislation.

We also, in going through and evaluating this legislation, determined that in fact the environmental impacts would be positive, not negative; that by cutting down on the dispersed camping and the sanitation and trash problems with the developed facility and concentrating the camping activities in a smaller area, that a number of problems would also be ameliorated.

Mr. Speaker, a lot of people have contributed to this legislation. Douglas County, of course, has been persistent in dealing with the Bureau of Land Management over 8 long years and working with me. Former chairman of the Committee on Agriculture, BOB SMITH, supported the bill in the last Congress. My colleague the gentleman from Oregon (Mr. WALDEN) was very supportive and a cosponsor of the legislation in this Congress, as well as the gentleman from Alaska (Chairman YOUNG) and the gentleman from Utah (Chairman HANSEN). Of course on the Senate side, we have had support from the Oregon delegation. I have great support from staff, both Rick Healy now as staff and my former staff, Jeff Steer.

So it has been a long time, but sometimes good things take a very long time. After 8 long years, the people of Douglas County in the very near future will have greatly enhanced camping facilities available so that they might enjoy Oregon's summer on this wonderful body of water.

Mr. Speaker, I thank the Chair for his support.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1725.

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

A motion to reconsider was laid on the table.

□ 1500

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1680, H. Res. 182, and H.R. 1725, the three bills just debated.

The SPEAKER pro tempore (Mr. GEKAS). Is there objection to the request of the gentleman from Utah?

There was no objection.

CAPTAIN COLIN P. KELLY, JR. POST OFFICE

Mr. McHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1666) to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the ''Captain Colin P. Kelly, Jr. Post Office''.

The Clerk read as follows:

H.R. 1666

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 200 East Pinckney Street in Madison, Florida, is hereby designated as the ''Captain Colin P. Kelly, Jr. Post Office''. Any reference to such facility in a law, regulation, map, document, paper, or other record of the United States shall be considered to be a reference to the ''Captain Colin P. Kelly, Jr. Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

GENERAL LEAVE

Mr. McHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1666.

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

There was no objection.

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

The gentleman from Florida (Mr. BOYD) is to be credited today for his initiative and his work in introducing this bill which has just been noted designates the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the Captain Colin P. Kelly, Jr. Post Office.

For the record, Mr. Speaker, I would note the Congressional Budget Office has reviewed the legislation and has determined that the enactment of this bill would have no significant impact on the Federal budget. Spending by the Postal Service is classified as off-budget and thus is not subject to pay-as-you-go procedures. As well, the bill contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and, as such, would impose no costs on State, local, or tribal governments.

I would also, Mr. Speaker, like to thank the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH), the ranking member of the subcommittee, for his continuous cooperation, certainly on this bill, but on all of these initiatives that we have tried to develop through the subcommittee and for his work on behalf of his side; and the support of the full committee; and the chairman of that full committee, the gentleman from Indiana (Mr. BURTON), as always is greatly appreciated.

I should say that this legislation continues what I think is a very admirable record of the subcommittee and of this House of expressing its admiration through these designations for individuals and citizens who have served their communities and have served their countries well.

Today, we are marking a gentleman who has really put forward heroic efforts and a gentleman who has been widely recognized as our Nation's first World War II hero and, in fact, Time Magazine, in its issue of December 22 of 1941 stated, ''If heroism can be compared, the most illustrious of America's first heroes was Captain Colin Kelly, Jr. His citation was recorded in a single pregnant sentence of a communique issued by General Douglas MacArthur who said, 'General MacArthur announced with great sorrow the death of Captain Colin Kelly, Jr., who so distinguished himself by scoring three direct hits on the Japanese capital battleship *Haruna*, leaving her in flames and in distress.' ''

It is indeed fitting that the Post Office in Madison, Florida, be named after Mr. Kelly, who was born in that community in the year of 1915. He graduated from that community's high school in 1932. Thereafter, he entered West Point in 1933, graduated, and was assigned to B–17 fighter group. He was the first Army officer to fly the Boeing Flying Fortress in the Far East.

At the time of his early demise on December 10 of 1941, Colin Kelly was survived by his wife and his young son, Colin P. Kelly, III.

Mr. Speaker, as I mentioned, we are indebted to our friend and colleague for bringing this legislation forward. I know that the gentleman from Florida (Mr. BOYD) is here on the floor and will wish to make some comments, but he has our gratitude and our admiration in making this effort to identify a gentleman who has done his Nation, his community, and his family so much good, and we appreciate that.

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

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

Mr. Speaker, I rise to join with my colleague, the gentleman from New York (Mr. MCHUGH). Not only have we worked together on these initiatives, I still remain hopeful that we are going to work together and find a way to provide some modernization for our postal services. I want to thank him for his efforts legislatively leading this Chamber in that direction.

Let me say that in terms of the bill in front of us, I rise in support of H.R.

1666, authored by my friend and colleague from the great State of Florida (Mr. BOYD). It honors a gentleman who is a true American hero, someone who faced adversity, found himself and stood and provided the leadership that was required, sacrificing himself in so many ways to help those members of his crew. We are going to hear more about this story of Colin P. Kelly, Jr.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BOYD), the prime sponsor and author of this bill and a member of my caucus and someone who wants to bring this story and make it live in the naming of this postal facility in Madison, Florida.

Mr. BOYD. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. FATTAH), my friend and the ranking member of the subcommittee; and I thank the gentleman from New York (Mr. MCHUGH) for shepherding this legislation to the floor of the House of Representatives.

Mr. Speaker, today I want to speak in support of this legislation, which I introduced to honor a fellow North Floridian who earned the distinction of becoming World War II's first hero. Mr. Speaker, H.R. 1666 would designate the post office building in Madison, Florida, the Captain Colin P. Kelly, Jr. Post Office.

Colin Kelly was born in Monticello, Florida, my hometown, on July 11, 1915, as the chairman said. He was raised in Madison, Florida, where he attended Madison High School, receiving his diploma in 1932. The following summer, young Colin accepted an appointment to the United States Military Academy at West Point. After graduating in 1937, he was assigned to the Army Air Corps flight school and became a Boeing B–17 Flying Fortress pilot.

At the outbreak of World War II, Captain Kelly, along with several other B–17 crews, was stationed at Clark Field in the Philippines. Once his unit was deployed to Clark Field, he became the first Army officer to fly the Boeing Flying Fortress in the Far East.

Shortly after the bombing of Pearl Harbor on December 7, 1941, Captain Kelly and his crew received orders to attack the Japanese invasion fleet that was threatening the Philippines. After completing their bombing run, Captain Kelly's plane was attacked by two Japanese fighters and was badly damaged while returning to Clark Field.

Realizing that his plane would not make it back to base, Captain Kelly gave the order to abandon the aircraft, but he remained at the controls to maintain the plane's altitude so his crew could safely bail out. Because of his heroic efforts, because of Captain Kelly's heroic efforts, six of his crewmen survived. Unfortunately, this courageous act meant that he did not have time to bail out himself, and he went down with his plane and was killed in the line of duty on December 10, 1941.

At that time, America was experiencing the attack at Pearl Harbor and the outbreak of World War II and was in search of an American hero. Captain Colin P. Kelly, Jr. became that first American hero of World War II.

According to Major Kenneth Gantz in a memo to General William Hall dated November 21, 1945, Kelly became a hero by circumstances at a time when his country desperately needed a hero. In recognition of his bravery and honor, President Roosevelt awarded Captain Kelly the Distinguished Service Cross posthumously for his actions; and many popular publications of the day highlighted his heroism. Because of this, again, he is often considered America's first hero of World War II.

Captain Kelly is survived by one son, Colin P. ''Corky'' Kelly, III. In 1956 Colin Kelly, III received an appointment to West Point, was finished there, became an Army officer, finished a stellar career in the Army and currently serves in the ministry in New Mexico. His sister, Captain Colin P. Kelly Jr.'s sister, is surviving in Madison today, and she and her children are personal friends of this Member.

Captain Kelly's courage and sacrifice in the line of duty stands as a lasting example for the citizens of Madison County and for all Americans. He deserves both the respect and admiration of everyone for his dedication to our country. The naming of the post office in his hometown of Madison as the Captain Colin P. Kelly, Jr. Post Office will be a wonderful and lasting tribute to this patriot, his family, and his legacy.

Mr. Speaker, I hope my colleagues will join me in honoring this American hero, and I urge passage of H.R. 1666.

Mr. FATTAH. Mr. Speaker, fully and enthusiastically supporting this bill, I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, there is little I can add to the sponsor's very eloquent words, but again I would just like to express our appreciation to him for helping this House today in recognizing an extraordinary man with this very, very due and owing honor. I urge passage of this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 1666.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 7 p.m. today.

Accordingly (at 3 o'clock and 12 minutes p.m.), the House stood in recess until approximately 7 p.m.

□ 1900

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 7 p.m.

APPOINTMENT OF MEMBERS TO THE DWIGHT D. EISENHOWER MEMORIAL COMMISSION

The SPEAKER pro tempore. Without objection, and pursuant to section 8162(c)(3) of Public Law 106–79, the Chair announces the Speaker's appointment of the following Members of the House to the Dwight D. Eisenhower Memorial Commission:

Mr. THORNBERRY of Texas,
Mr. MORAN of Kansas,
Mr. MOORE of Kansas, and
Mr. BOSWELL of Iowa.

There was no objection.

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:

House Concurrent Resolution 288, by the yeas and nays;

House Resolution 182, by the yeas and nays.

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

RECOGNIZING IMPORTANCE OF FAMILIES AND CHILDREN IN UNITED STATES AND EXPRESSING SUPPORT FOR GOALS AND IDEAS OF NATIONAL FAMILY DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H.Con.Res. 288.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 288, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 392, nays 0, not voting 42, as follows:

[Roll No. 56]

YEAS—392

Abercrombie	Baker	Bartlett
Aderholt	Baldacci	Barton
Allen	Baldwin	Bass
Andrews	Ballenger	Bentsen
Archer	Barcia	Bereuter
Armey	Barr	Berkley
Baca	Barrett (NE)	Berry
Baird	Barrett (WI)	Biggert

Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Green (TX)
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—42

Ackerman
Bachus
Bateman
Becerra
Berman
Blagojevich
Crane
Davis (IL)
Delahunt
Doolittle
Engel
Eshoo
Ewing
Fossella
Gordon
Granger
Greenwood
Gutierrez
Houghton
Jackson-Lee (TX)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Klink
Lipinski
Lowey
Martinez
Matsui
McCollum
McDermott
McNulty
Pallone
Payne
Porter
Rothman
Royce
Rush
Schakowsky
Smith (TX)
Taylor (MS)
Weiner
Young (FL)

☐ 1925

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FOSSELLA. Mr. Speaker, on rollcall No. 56, I was unavoidably detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

SENSE OF HOUSE THAT NATIONAL PARK SERVICE SHOULD USE DEPARTMENT OF DEFENSE SUPPORT SERVICES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 182.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and agree to the resolution, House Resolution 182, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 392, nays 2, not voting 40, as follows:

[Roll No. 57]

YEAS—392

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes

Reynolds	Simpson	Tiahrt
Riley	Sisisky	Tierney
Rivers	Skeen	Toomey
Rodriguez	Skelton	Towns
Roemer	Slaughter	Traficant
Rogan	Smith (MI)	Turner
Rogers	Smith (NJ)	Udall (CO)
Rohrabacher	Smith (WA)	Udall (NM)
Ros-Lehtinen	Snyder	Upton
Roukema	Souder	Velazquez
Roybal-Allard	Spence	Vento
Ryan (WI)	Spratt	Visclosky
Ryun (KS)	Stabenow	Vitter
Sabo	Stark	Walden
Salmon	Stearns	Walsh
Sanchez	Stenholm	Wamp
Sanders	Strickland	Waters
Sandlin	Stump	Watkins
Sanford	Stupak	Watt (NC)
Sawyer	Sununu	Watts (OK)
Saxton	Sweeney	Waxman
Scarborough	Talent	Weldon (FL)
Schaffer	Tancredo	Weldon (PA)
Scott	Tanner	Weller
Sensenbrenner	Tauscher	Wexler
Serrano	Tauzin	Weygand
Sessions	Taylor (MS)	Whitfield
Shadegg	Taylor (NC)	Wicker
Shaw	Terry	Wilson
Shays	Thomas	Wise
Sherman	Thompson (CA)	Wolf
Sherwood	Thompson (MS)	Woolsey
Shimkus	Thornberry	Wu
Shows	Thune	Wynn
Shuster	Thurman	Young (AK)

NAYS—2

Chenoweth-Hage	Paul

NOT VOTING—40

Ackerman	Gordon	McDermott
Bachus	Greenwood	McNulty
Bateman	Gutierrez	Meehan
Becerra	Houghton	Pallone
Berman	Jackson-Lee (TX)	Payne
Blagojevich	Johnson, E.B.	Porter
Blunt	Jones (OH)	Rothman
Crane	Klink	Royce
Davis (IL)	Lipinski	Rush
Delahunt	Lowey	Schakowsky
Doolittle	Martinez	Smith (TX)
Engel	Matsui	Weiner
Eshoo	McCollum	Young (FL)
Ewing		

□ 1934

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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3844

Mr. BARTLETT of Maryland. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3844.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Maryland?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 701

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 701.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. BURTON 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 Tennessee (Mr. FORD) is recognized for 5 minutes.

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

INTRODUCTION OF H.R. 3573, THE KEEP OUR PROMISES TO AMERICA'S MILITARY RETIREES ACT

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

Mr. NORWOOD. Mr. Speaker, this government offered a comprehensive employment contract to our military retirees. As a former member of the armed services, I was personally presented the package in the 1960s. I remember the sales pitch quite well, for the Army was very honest in pointing out the pros and cons of a military career.

The negatives were, first, that you might get killed or maimed in the line of duty but if you survived, you would have to move your family from one side of the country to the other every couple of years, maybe even overseas, and you would be paid far less than you would in a similar skill civilian job in spite of having to deal with these hardships. The supposedly offsetting positives were that your out-of-pocket living expenses would be far less, since major expense items such as health care would be covered directly by the Army, both during your active duty years and in retirement. Retirement was available after 20 years of service at half of your last paycheck.

Therefore, we were told we could afford to work and retire for far less than our jobs would command in the private sector or the Federal civilian workforce, for that matter, because of all of these great benefits. We would not need a big retirement check since we would have fully funded health care for life.

We could live off a lot less since we would never face big health care bills. I was homesick for Georgia the last time I heard that pitch in the Republic of Vietnam in 1969, so I passed on the deal. Air Force Sergeant Earl Terrell of Smyrna, Tennessee, took the government at its word and stayed in for over 21 years. Sergeant Terrell retired in Smyrna because of access to military benefits at the Smyrna Air Force Base. His retirement pay is $14,676 a year for both Earl and his wife. That is below the Federal poverty line, but that did not bother the couple that much since they would not have to worry about health care costs so they could live off the entire $14,000.

The deal started to go sour 6 years after Sergeant Terrell settled down in Smyrna when the Federal Government closed down the Smyrna Air Force Base. Sergeant Terrell has suffered a stroke and had heart bypass surgery. Mrs. Terrell had heart valve surgery just in January and has also undergone surgeries for an ovarian cyst and back problems.

Without access to military health care, Earl and his wife now are paying $5,760 a year to Blue Cross and Blue Shield. That is 39 percent of his retirement income. That leaves the Terrells with less than $9,000 a year to live on. The Federal poverty line for a family of two is over $16,000. Since 1995, the Terrells have paid nearly $29,000 of their retirement income for health care that was promised free in exchange for 20 years of military service.

Mr. Speaker and fellow Members of this House, I ask you, have we fulfilled our side of the employment contract with Air Force Sergeant Earl Terrell? The answer is unequivocally no. We have a bill pending in the House and Senate that will meet our promises to those who have borne the battle, H.R. 3573.

Sergeant and Mrs. Terrell would be given the same FEHBP plan as our retired Federal civilian workers, at no cost. That means they regain their $14,000 a year retirement pay, still below the poverty line but at least what they were promised.

At last check, the majority of the Members of this House from both parties have cosponsored this bill, The Keep Our Promises to America's Military Retirees Act. Mr. Speaker, let us try to do the right thing and let America keep her word and her honor and pass H.R. 3573 into law before this Congress ends.

IN OPPOSITION TO S. 1287, THE NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, in 1983, President Reagan signed into law the Nuclear Waste Policy Act. The new law began with a reasonable scientific approach. The country would search all over the Nation looking for geological formations which were capable of burying high-level nuclear waste. The new law would also consider three sites so as to provide some regional equity to the burden of storing the waste. One site would be in the northeastern part of the country, one site would be in the southeastern United States, and one site would be in the West. These three sites would be studied and then presented to the President of the United States for a decision.

Since then, politics has had more to say to the siting of high-level nuclear waste than the science. After Members of Congress from the Northeast began to openly oppose placing the dump in the Northeast, the Department of Energy unilaterally decided to take them off the list. When placing the dump in the southeastern part of the country came up as a campaign issue in 1984, President Reagan unilaterally decided to take the southeastern part of the country off the list.

These decisions were not based on science, Mr. Speaker. They were based on politics. Then in 1987, the so-called ''screw Nevada'' bill was passed into law. This bill made the most political of decisions, to designate one site, Yucca Mountain, as the only site, excluding any other consideration from any other region in the country. So if I begin to question the claims of science from the supporters of dumping nuclear waste in Nevada, it is because I have learned to question from the history of this issue.

Fast forward to the mid 1990s. Nearly a decade has gone by since the ''screw Nevada'' bill and the scientific evidence against Yucca Mountain is growing. It has become scandalously obvious that Yucca Mountain was the wrong mountain to bet on. It is in an earthquake zone, it is in an underground flooding zone, it is in a volcanic eruption zone, for crying out loud.

On top of that we find out that the rocks at Yucca Mountain cannot contain radiation like the politicians had hoped. So back to the drawing boards to find another way to screw Nevada.

By 1995, illogical legislation took a new direction, something called a temporary storage site in Nevada. The nuclear industry figured they could build a temporary site because it would not have to meet the strict standards of a permanent dump, and once the waste was in Nevada, it would never leave.

But a funny thing happened on the way to a temporary dump. President Clinton promised to veto it and that threat, coupled with the hard work of some Members of the House and the Senate, has frozen the temporary concept for half of a decade.

But now, given that the temporary dump will not fly, we see S. 1287. This is nothing but a transparent effort to throw out radiation standards and sneak the date several years closer for shipping nuclear waste to Nevada. This is nothing but a temporary dump proposal in disguise. The President recognizes that and will veto S. 1287, and the Senate vote already proves the veto will be sustained.

Can we get off this act of futility and move on to worrying about the important issues that confront this Congress, that confront this country, education, health care, Social Security, and campaign finance reform? This is what our constituents want.

□ 1945

That is what the people of Nevada want. We will not stand for 1287, and I ask my colleagues to join with me to stand up and oppose this onerous, ridiculous piece of legislation.

JUST SAY NO TO FUNDS FOR COLOMBIA

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

Mr. RAMSTAD. Mr. Speaker, we are about to spend almost $2 billion to escalate the war on drugs in Colombia, while here in the United States 26 million American addicts and alcoholics go untreated.

We have already spent over $600 million to eradicate drugs at their source in Colombia. And what has happened? Both cocaine and heroin production in Colombia have more than doubled.

Colombia is now the source of 80 percent of the cocaine and 75 percent of the heroin in the United States. Let us face it, our supply-side efforts have been a colossal failure.

Congress and the President need to wake up and face reality. Over the last 10 years, Mr. Speaker, the Federal Government has spent $150 billion to combat the supply of illegal drugs. Yet the cocaine market is glutted, as always, and heroin is readily available at record high purities. The number of hard-core addicts continues to increase every day.

Our drug eradication and interdiction efforts have also been a costly failure. As a former United States Navy Commander who led such efforts in Colombia for 3 years said recently, quote, ''The $1.7 billion being proposed on drug-fighting efforts in Colombia is good money thrown after bad.''

Retired Navy Lieutenant Commander Sylvester Salcedo also said, and I am quoting again, ''We cannot make any progress on this drug issue by escalating our presence in Colombia. Instead, we should confront the issue of demand in the United States by providing treatment services to our addicted population.''

Mr. Speaker, we need to listen to this veteran of the war on drugs who added, ''Washington should spend its money not on helicopters and trainers but on treatment for addicts.''

The $400 million cost of helicopters alone for Colombia would provide treatment for 200,000 Americans addicted to drugs.

Mr. Speaker, this is crazy. This is wrong. We are about to spend $2 billion on Colombia for drug eradication and interdiction while most of the 26 million addicts and alcoholics in the United States are unable to access treatment. We are about to spend $2 billion on Colombia even though treatment has been proven to be 23 times more cost effective than eradication of crops and 11 times more cost effective than interdiction.

When will Congress and the President wake up to the basic fact that our Nation's supply-side strategy does not attack the underlying problem of addiction? It is the addiction that causes people to crave and demand drugs.

When President Richard Nixon declared war on drugs in 1971, he directed 60 percent of the funding to treatment. Now we are down to 18 percent of the funding for treatment. That is a big reason, Mr. Speaker, that fully one half of the treatment beds are gone that were available here in America 10 years ago. The other reason is that we allow insurance companies to discriminate against the disease of addiction by limiting access to treatment.

Mr. Speaker, this is a defining moment in the 30-year effort to curb illegal drug use in the United States. We can keep pumping money into that supply-side cesspool or we can shift our focus to the drug addiction problem here at home. We will never stop the drug epidemic unless we cut off the insatiable demand for drugs in our Nation.

It is time to reject the $2 billion for the failed policy in Colombia. It is time to redirect those resources to providing access to drug treatment here at home.

Mr. Speaker, the American people literally, literally, cannot afford to wait any longer for Congress to get real about addiction in America, the number one public health and public safety problem in our Nation.

I hope and pray my fellow colleagues will just say no to funds for Colombia.

TODAY UNITED STATES SETS AN ALL-TIME RECORD DEFICIT IN TRADE

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

Mr. DEFAZIO. Mr. Speaker, the United States set another record today. Unfortunately, it is not a record of which we can be proud as a nation or certainly not as one of the policymakers that helps set our trade policy in this country.

We set a record deficit, an all-time record deficit, in trade. $338.9 billion trade deficit, a 50 percent increase from the 1998 level of $220.6 billion. Now, what does that mean? Well, let us think about it for a minute. Where is all that money coming from and where is it going?

Well, since trade policy in this country is pretty much dictated to the Members of Congress, this Member excepted but most of my colleagues, or a majority, and to the White House downtown, no matter it seems which party is sitting there, by multinational corporations, they do not really care what the impact is on the United States of America, its workers or our economic future. But guess what? We are piling up a huge mound of international debt and some day that debt is going to be called and it is going to wreak havoc with the economy of our country.

According to most recent statistics, our international debt, because of this huge and growing trade deficit, will reach $1.9 trillion when it is added up for last year, and they are expecting it will double to $3.8 trillion, trillion dollars, by the year 2005.

Interest payments, money going overseas for money borrowed from overseas by financiers, governments, multinational corporations, whatever, $86 billion this year and it will be $166 billion by 2005. That is jobs that are not created here, capital that is not available here, threats to the future economic prosperity of our country.

Now, there are two parts of the trade deficit we ought to take a special close look at. One is the trade deficit due to the OPEC nations. Now, people have just started to pay attention to OPEC again recently, but they have been there all along. They have been a very large part of our trade deficit, but they are getting bigger.

Last month, our trade deficit to the OPEC nations, because of their price fixing, was $2.671 billion. That means at that rate we will run a $31 billion trade deficit with OPEC.

Now, everybody around here loves free trade, the World Trade Organization, with the exception of a few of us who think that that is not working very well for the people of this Nation. Well, the WTO has rules. Guess what? They have rules. It is a rules-based trade. The President loves rules-based trade, and one of the rules is that member nations cannot constrain production for goods produced for export unless it is for conservation purposes.

Nobody in the OPEC nations pretends that they are conserving their oil for conservation purposes. They are real up front about it. They are price gouging. They are creating an artificial shortage. Why then will the President and the administration not file a complaint in the WTO that they love so much? Why will the majority party who loves the WTO so much not force the President to file a complaint?

I expect they will not allow my amendment to the legislation tomorrow that would resolve that the Congress wants the President to file a complaint in the WTO against the OPEC nations.

Now there is another aspect to this that is very large, even bigger than OPEC. China, our trade deficit with China close to $70 billion this last year, an increase of 15 percent, the most unfair trading nation on earth. And yet what is this Congress proposing to do, pushed by the Republican leaders and the President? That is to give China everything they ever wanted, to give up any tools that this body holds to hold over China in the future to get them to behave in international trade, to get them to behave in human rights, to get them to behave in nonproliferation of nuclear weapons or dealing weapons to terrorist countries, to give them permanent most favored nation status.

Well, the estimates are, by our own international trade commission, saying that if the U.S. gets China into the WTO and if the U.S. grants them permanent most favored nation status, that they expect, according to their model, that our trade deficit with China will grow for the next 60 years to $649 billion. Something stinks about the trade policy in this country and it is time that it changes.

WE HAVE OUR GREAT LAKES BACK BUT WE ARE NOW FACING A NEW THREAT

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

Mr. CAMP. Mr. Speaker, just 30 years ago, the Great Lakes had been all but pronounced dead. Lake Erie was filled with garbage, and rotting fish regularly washed up on the beach. The Cuyahoga River, which flows into Lake Erie, was so polluted that in 1969 it caught fire. Lake trout in Lake Michigan and Lake Huron were all but wiped out. The Federal Government even banned the consumption of walleye because of the high levels of toxic mercury.

Today, however, we can say that through dedication and hard work, the Great Lakes are one of environmentalism's most dramatic success stories. Lake Michigan's fish population has recovered with steelhead, salmon, and brown trout. Lake trout and lower Huron and Superior are recovering rapidly as well. We have our Great Lakes back, but now we are facing a new threat.

Water scarcity is becoming a worldwide problem. Over 166 million people in 18 countries are suffering from water shortages. Almost 270 million more in 11 additional countries are considered water stressed. Experts predict that by 2025, one-fourth of the world will suffer from lack of water. Given the pressures of population increase and dropping water tables, present-day water usage cannot be sustained. Some are trying to change fresh water from a resource to a commodity.

Given these disturbing statistics, it is not surprising that there are now proposals to withdraw bulk quantities of water from the Great Lakes Basin. After all, the Great Lakes compromise one-fifth of the earth's fresh water resources, but we still do not know the effects that bulk water exports would have on the Great Lakes system.

In an effort to examine the environmental, economic, and social impact of bulk water removals from the Great Lakes, the United States and Canadian governments asked the International Joint Commission to report on this matter. Last week, the IJC released its final report.

The IJC reported that removals of water from the Great Lakes basin could reduce the resilience of the system and its capacity to cope with future and unpredictable stresses. Despite its vastness, over 6 quadrillion gallons of water, the system is also extremely vulnerable to disruption. Any hydrological changes to the water system, even small changes, could have devastating ecological consequences.

Due to these environmental concerns, the IJC recommended a moratorium on such exports should be imposed for 2 years, to give the Great Lakes governors time to collect further data and assess the environmental impact of such removals. Most importantly, the IJC recommended that decisions regarding bulk exports should remain in the hands of those that are closest to this great resource, the State governments of the Great Lakes Region.

I grew up in Michigan and I know firsthand how important these lakes are to the States around them. They are not just a water resource. They are a way of life; from shipping to hydro power to tourism and recreation. Our Great Lakes communities rely on these water resources to support vital sectors of their economy. That is why I have introduced legislation, H.R. 2973, to not only protect our Great Lakes but also to ensure that those with the most vested interest in their future, the people who live in the Great Lakes States, are the ones who make the decisions about how they are managed.

For the past 15 years, the governors of the Great Lakes States, in consultation with the Canadian premiers, have effectively managed the basin. What we need to do now, and what my legislation will do, is impose a moratorium on bulk exports to give the governors the time that they need to effectively evaluate how and if any bulk exports from the Great Lakes basin should proceed.

We do not want to transfer management of the Great Lakes from the governors to the Federal Government. That is not the direction we should take.

Lake levels are at an all-time low. The Washington Post recently reported that Lake Superior is at 9 inches below its long-term average. Michigan and Huron were 18 inches below average. Erie was 9 inches below and Ontario was 5 inches low.

Now is the time to act on this matter. Prudent management of our natural resources means looking ahead and planning for the future. As we begin this century, we must be responsible stewards of our environment, to ensure that our children are not denied the resources that we did are able to enjoy.

Mr. Speaker, I urge members of the Great Lakes States and all Members of Congress to join me in following the IJC's report and enacting H.R. 2973.

□ 2000

A BEGGAR'S LIFE: U.S. POLICY MUST BE SOMETHING MORE THAN BEGGING AT OPEC'S DOORSTEP

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

Mr. MORAN of Kansas. Mr. Speaker, 3 years ago this month I made my first speech on the House floor, highlighting the importance of domestic oil production and our dangerous reliance upon imported oil. At that time oil was just under $15 a barrel and gasoline was around 80 cents a gallon.

Within the following 12 months, the price of crude would fall to $7.75 per barrel for western Kansas crude and would remain under $10 per barrel for most of the next year. As a result of the dramatic price decline, since 1997 more than 136,000 wells were shut in and more than 41,000 jobs were lost in the oil and gas industry in our country. This amounts to 136,000 wells and 41,000 people not producing oil to meet our country's energy needs.

It was during that time that I introduced legislation aimed at reducing the cost of production for independent oil and gas producers. The bill seeks to boost domestic production by lowering the tax burden on small producers, increasing the credit for advanced oil recovery and calling for a strategic plan that would include additional research and development on secondary and tertiary oil recovery to address our national security needs.

While the focus now is on the cost of energy paid by the American consumer, the solution for today's consumer is the same as the solution for the problem of the independent oil and gas producer. We must encourage production in our domestic industry and limit our dependence on foreign supplies of petroleum.

The U.S. is currently importing around $100 billion of oil a year, one-third of our country's $300 billion trade deficit. High oil prices are a burden that we all bear. Kansas is a transportation-dependent State with normally cold winter weather. Whether it is the Kansas farmer preparing his field for spring planting, the trucker hauling wheat to the elevator, or the Kansas City commuter on her way to work, we all pay when our dependence on foreign oil becomes too great.

While we may be upset about the current situation, we cannot say that it comes as a surprise. In the last 7 years, U.S. oil production has fallen by nearly 20 percent, while oil consumption has risen by almost 15 percent. During the 25 years since the last oil crisis, our reliance on foreign oil has increased from 37 percent to nearly 60 percent today. America is now at its lowest oil production since World War II. We are importing 10.5 million barrels of oil a day, and that pattern is expected to only get worse. The Department of Energy predicts that by the year 2010, a mere 10 years from now, we will import nearly 80 percent of our energy needs.

Today's higher crude prices alone are insufficient to increase domestic production, particularly in the short run. Kansas producers have lost much of their equity and find it very difficult to convince lenders to take the necessary risks to explore and develop new leases. When prices are dependent upon the actions of OPEC rather than only free market forces, the ability to take those risks necessary to find and produce new sources of oil are limited.

Does the small Kansas producer invest the necessary money, not knowing what the world price will be tomorrow? In Kansas the average daily production is 2.2 barrels per day per well. The cost per barrel is very high and the price received from that barrel determined by foreign suppliers. The stability which comes from greater control of our own destiny through increased domestic production is what is required.

The current situation is a clear signal for congressional action. The U.S. is producing less and less oil. Oil rigs and production have fallen by 77 percent since 1990. It is our obligation in Congress to develop tax policies, regulatory policies, and research funding that will allow us to raise domestic production to meet the future demands of the U.S. economy.

Our strategy for dealing with our future energy needs must be something more than simply begging at OPEC's doorstep.

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

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUTTING THE FEDERAL BUDGET IN PERSPECTIVE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Ohio (Mr. KASICH) is recognized for 60 minutes as the designee of the majority leader.

Mr. KASICH. Mr. Speaker, I thought that I would take a little bit of time, uninterrupted time for a while, to kind of run through what we will anticipate happening this week on the presentation of the budget that will occur later in this week.

I think that it is very important that we try to put everything that we are going to do here this week in some kind of a perspective. It is very important that we take a look at where we were and where we are today, because rarely in regard to this Federal Government do we usually have a success story. It is very rare that we have success stories as it relates to Washington or the actions of the Congress, but I am a believer that whenever you have one, you ought to tell that story, because there are a lot of people that become very cynical, a lot of young people who have very little faith in this system; and it is important to say that, while we as citizens ought to frankly be critical of our government, that is a healthy thing, it limits the size and the power of government, there are times when we ought to recognize the good things we do, and we ought to celebrate some of them.

That is not to say that government does not have its role. It does. But government's role ought to be limited. It ought to do things that cannot be accomplished in the private sector; and whatever it does do, it ought to do effectively, and we ought to have respect for it.

I think what has happened in our country over the period of the last 50 years is that government has tried to be all things to all people. Whether you want to be all things to all people in government or whether you want to be all things to all people as the manager of a baseball team, you cannot do it. You have to figure out what you want to concentrate on, because if you do not concentrate and have a few priorities, you will not do anything well.

I think there is a growing perception in the country, and it is a reality, that the Government does too many things and not enough things well.

Back when I first came to Congress in 1983, I was sworn in shortly after the beginning of 1983, if I were to have told you in those years that we were going to actually have a balanced budget, I would either have had to have been running for President making another promise that would not be fulfilled, or you would laugh at me.

In fact, just a short period of time ago, all the way in 1997, we were looking at deficits that were going to be in the hundreds of billions of dollars, adding to an already very large national debt, both a national debt comprised of money that we owe ourselves, our IOUs to programs like Social Security, plus raising the publicly held debt, which is the amount of money we owe to Americans who gave their money in exchange for bonds, government bonds that they held. This national debt was skyrocketing and our deficits were going up by hundreds of billions of dollars every single year.

Well, in 1997, after a long and hard fight that actually started before 1995, but when the Republicans finally took control of the House of Representatives and the United States Senate, we made a commitment that we were going to balance the budget by 2002. We said that we needed to stop the flow of red ink, that we needed to do this because our children really should not be saddled with these tremendous debts. I think that most Americans said that is exactly right; it is about time that we get ourselves in a situation where we are not going to ring up more and more debt.

When we came to power in 1995, we said that we would do whatever it took to balance this Federal budget, and we went through a lot of rocky roads, as I think everyone here knows; and it was a difficult process. We had to say as politicians that we were going to put our children and the economic strength of the country first, and the business of vote buying by using public funds, we were going to turn from that process.

There is a story, I do not really know if it is true, but there is a story that John Kennedy when he was running for public office was passing out silver dollars to the children, and somebody said, Well, Mr. Kennedy, if you get elected, you will not have to pass your own money out anymore; you will be able to use the public's money.

What politicians did was refuse to prioritize, just spend willy-nilly, trying to make every constituent group happy, without exhibiting proper leadership. Leadership is the ability of somebody to accept the notion that they may not be popular, but that they will in fact do what is in their heart and in their minds as the right thing and the moral thing. That is leadership.

So in 1995 and 1996 we had a very tough fight around here with the President of the United States, and in 1997 we sat down at the table with the President and we said that we really wanted to balance this budget. You remember how tough it was. It even involved a closing of the Government, which was really a statement. It was not about closing the Government; it was about the determination to try to change the course of the Government and try to change the course of Washington.

Last year a number of my colleagues came to me, foremost the gentleman from California (Mr. HERGER), who made an argument that it was just not good enough to balance the budget, because after that 1997 budget agreement, we, for the first time in a generation, actually were able to balance our books, the number of dollars flowing into the Government did not exceed the number of dollars flowing out.

So what the gentleman from California (Mr. HERGER) said was that was a great victory, but what we need to do is we need to stop borrowing from the Social Security surplus to fund the other programs of the Federal Government; that those surpluses of Social Security should either be used to pay existing benefits, or to be held in a way in which it would retire some of the national debt, not to be committed to other spending programs. It seemed like almost an impossible task.

Well, in last year's budget we actually constructed a budget that, for the first time in decades, in fact for the first time in perhaps even my lifetime, if I went back and checked it, and I do not want to be inaccurate on this, we did not borrow from Social Security to fund the other operations of the Government, which is amazing.

In fact, we used these surplus Social Security revenues, rather than committing them to other government programs that would have a life and require funding, we actually used that surplus to pay down some of the publicly held debt, for the first time, as one television commentator told me last night, since Harry Truman. A pretty good accomplishment.

We are going to come with a budget this year that we will be presenting this week on the House floor that will, for the second year, not take one single dime of the Social Security surplus and use it to fund any other programs of the Federal Government. In fact, what we will do with the Social Security dollars that flow into our treasury is we will use them first and foremost to pay the benefits of our Social Security recipients. For those extra dollars that are there, that surplus that is being collected at the present time, we will use that surplus to pay down $1 trillion of the publicly held debt.

Now, I know there is this very popular show on television about wanting to be a millionaire. Whenever they have that show on television, they put a number up there about what the contestant is playing for. It gets to be $50,000, $10,000, I have not really studied the program. But people cheer. They cheer wildly when a person has an opportunity to go for $250,000.

Mr. Speaker, we are going to take the bonds of the American people, or all the bondholders, and we are going to pay those bondholders off, and we are going to retire the publicly held debt by $1 trillion. To me it is astounding. Had somebody told me just 5 years ago that not only would we be in balance and not only would we stay out of Social Security, but we would pay down the publicly held debt by $1 trillion, I am an optimist, I would have said great; but I would not have expected it to happen.

What we will do in this Congress is to lock this money up so that it will either go for Social Security benefits or it will go to pay down debt.

On a personal note in this area, that in and of itself is not going to fix Social Security. What we are having happen in the country is the number of baby boomers who are going to retire are going to greatly exceed the number of people who get the benefits or the number of people who work to support those retirees.

□ 2015

See, right through, there are a zillion baby boomers supporting their parents; but in a few years when the baby boomers retire, the baby boomers did not have a lot of kids, so we are going to have a lot of baby boomers retire with very few workers, and the numbers will not add up, which is why it is essential that we ultimately come up with a significant solution to Social Security; and the quicker that we develop the solution and implement it, the better off we are.

Mr. Speaker, I have my own proposal that I would encourage my colleagues to examine. It would create private accounts; it would say that the Federal Government, along with a private board, would screen investment options, just like Federal employees have, and one could put one's money into approved programs of either stocks or stocks and bonds or just bonds; and using that concept, we would be able to solve our Social Security problems. It would require some sacrifice on the part of baby boomers about my age, but the Social Security system would be secured forever, and our children would be set free to be able to have more control over their retirement.

But the bottom line is, regardless of what plan we implement, we are going to have to deal with Social Security, and we are going to have to deal with it soon, because if we do not, we are going to have a meltdown. Before we actually implement that program, we want to protect all of those Social Security dollars so that they do not get committed to any other program and so that they be used just to fund Social Security and to pay down the public debt.

Secondly in this budget proposal, we are going to preserve and strengthen Medicare. Now, we do not know precisely what that program is going to look like. As my colleagues know, there is great discussion here about the issue of prescription drugs. I happen to believe that our seniors must have access to prescription drugs. Many of our seniors, God bless them, have the resources to purchase their own prescription drugs. So we ought to have a program that, in fact, means tests and offers this prescription drug benefit to the poorest of our senior citizens. Why is it so important? Well, there probably is not any other segment of our population that would respond as vibrantly to the opportunity to have prescription drugs as our seniors.

There are modern medical miracles. My wife and I, Karen, have two little children, two little baby girls, little Emma and little Reese. We love them and they are special, and of course we would do everything in our power to make sure that they can have the modern medical miracles that are available to children. But in this case, with Medicare and prescription drugs, we think that our seniors will be able to greatly respond to prescription drugs, in fact maybe even saving money, because they will be healthier. In fact, some surgeries can be avoided if, in fact, prescription drugs are available.

We do not know precisely what this program will look like. We do not know precisely what this program will cost. We do believe that any prescription drug program should be accompanied by an additional reform program for all of Medicare. Medicare is in final difficulty. We are going to have to rescue it. But we believe that any reform program ought to be coupled with a prescription drug program. We believe it

will strengthen Medicare and will help our seniors. That will also be provided for in this budget agreement; and as I have already mentioned, we will retire the public debt by 2013, but begin that by paying down $1 trillion in the publicly held debt.

Now, that would be a pretty good budget in and of itself. Keep our mitts off Social Security, protect it, strengthen Medicare, reform Medicare, provide a prescription drug benefit to our poor seniors and retire $1 trillion of the public debt. That would be a pretty good budget in and of itself. But we are not done there. We have some other things that we are doing in this budget, and one of the most significant things that we are doing is that we are cutting taxes.

Now, who are we going to cut taxes for? Well, first of all, the amount of tax cuts that are provided for in this budget proposal will, we think by the end of this summer, be in the vicinity of $250 billion in tax cuts for Americans. Who would it affect? Well, we do not know who all the people are who are going to be affected, because all of the tax-cutting measures have not been designed yet, but we do know who we are starting with.

When a couple gets married today, many Americans experience a marriage penalty. If they were not married, they would pay lower taxes than when they get married. We think that that is really awfully silly, and I think probably 99 percent of all Americans feel that way. The fact is that this House has already acted to ease the penalty on married couples. We believe it ultimately ought to be eliminated. This budget bill that we bring up this week would provide the resources to ease the penalty on marriage. After all, the family, the health of the family, reflects the health of the society.

Secondly, we believe that family farmers, small business people, anybody who works as many hours as many of our entrepreneurs work, that these folks ought not to be penalized whenever they die. Today, when one dies, one has to visit the undertaker and the IRS on the same day; and they are going to take 55 percent of whatever it is that one owns.

Now, say one owns a family farm or, like my good friend out in Columbus, Max Peoples at the local pharmacy. Max works like you would not believe. You go in that store day or night, he is in there, he is working hard. Why would we, if something were to happen to Max and he wanted to pass this on to his family, why would we want to take 55 percent of his worth and give it to the Government. Are you kidding me?

Mr. Speaker, I would say this to my colleagues. Life on earth is short. As one philosopher said, the minute we get to be good at playing our instruments, it is time to put them down.

Well, I think it makes all the sense in the world to pass those instruments on to our children so they can continue the symphony. And the fact is, whether it is a small business, all small businesses, or anybody who has worked hard for a living, at the end of their lives, they ought to be able to pass what they have on to their children so that their children can have a leg up, so that their children can be the beneficiaries of their parents' hard work.

For seniors, we believe this budget ought to reflect the opportunity of seniors to work longer and harder. Right now, if you are a senior citizen, you want to be independent, you want to work, they punish you by taking away your Social Security benefits. My opinion is that senior citizens are the greatest untapped resource we have in America. Youth brings energy and vitality; age brings wisdom. Frankly, I have seen a lot of wonderful people who have wisdom coupled with energy and vitality working even into their 80s. We want to reward our seniors. We do not want to say that if you want to be independent, you want to work a little bit, you want to have a job, we are going to punish you by cutting your Social Security benefits. This budget would allow us to fund the program that this House has already passed that would ease this penalty, this earnings test that we have imposed on senior citizens.

So for families, for small businesses, for any hard-working American, for our senior citizens, this bill would provide the resources to provide some tax fairness. But there will be other provisions as well in this bill, provisions that may provide for the ability to collect funds in an IRA account that can be used to help educate one's children, either in primary or secondary, or in college.

It could provide for cuts across the board. The marginal rates in this country are too high. We provide a significant amount of money for tax relief; and in fact, there has been discussion about whether this bill gets very close to being able to accomplish a lot of the ideas that Governor Bush has laid out in his tax cut program, and I would argue that this bill does. This is about $250 billion in tax cuts when we add it all up, as compared to about $300 billion in the Bush tax cut plan over the same period of time.

We are about $50 billion away from where George Bush is. And I must tell my colleagues, $50 billion away from a pot of money that represents, over 5 years, $10 trillion, with a reforming President coupled with a reforming Congress, we will not only be able to provide the tax relieve that Governor Bush talks about, but we may be able to even do him one better. Mr. Speaker, we believe this is a very good down payment.

Now, people say that the American people do not want tax cuts. Well, I can tell my colleagues this: if you do not want to have a tax cut, I am going to give you one. If you do not like it, just send it to me and we will send it to Children's Hospital. How would that be. Or you take your tax cut and give it to somebody who does not have much. That would be a good idea as well. But I also believe that the reason the American people are a little reluctant for tax cuts at this point is that they are a little worried that somehow tax cuts would erode the solvency and strength of Social Security or not provide for Medicare. As I have shown my colleagues tonight, we cannot only have very, very significant tax cuts, well over several hundred billions in tax cuts; but we can also preserve and protect Social Security, and we can strengthen Medicare and add a prescription drug benefit and even pay down the $1 trillion of the public debt.

I know what my colleagues are thinking. The only thing missing is a chicken in every pot. Well, I am going to get to that chicken in every pot, because there are a couple of other things that this budget does. We are going to work to restore the American military. I do not like to say this, because I am not particularly keen on a partisan comment, and it is not meant in a partisan way, but I think President Clinton has not been able to pick and choose where we should be involved as a Nation around the world. Too often he has used his heart and not his head, and we have so many entanglements around the world that it is not only eroding the fundamental fiber of our defense structure, but I think over time will diminish our ability to be effective no matter where we are.

At this point in time, we believe we have to put more money into defense. We also believe that over time, with an opportunity for a new President, that maybe we will be in a position of where we can begin to define our national interests more effectively, to be able to husband our resources, to be able to act out of the best self-interests of the United States. In the meantime, we are going to put more money in defense. It is the most important job of the Federal Government.

In addition to that, we are going to strengthen the programs for education, focusing primarily new dollars on special education, a mandate from the Federal Government; and we want to cover more of that mandate. We ultimately want to pay for all of that mandate on special education, but we believe that additional dollars for education ought to go to the classroom. There ought to be maximum flexibility for schools to be able to provide for the most effective education for young people. We also strengthen basic science programs in 2001.

Basic science research and the National Institutes of Health are gems. They are gems in this world as it reflects the operation of government. The National Institutes of Health have been increased significantly since the Republicans have had a majority in the United States Congress. The amount of dollars spent for all of our major diseases, from Alzheimer's to cancer to AIDS to heart research, has all been

dramatically increased, as it should be, because the Federal Government can provide a significant boost and a significant leverage. Coupled with our universities and our hospitals, we know what the potential is for discoveries that can ease the anxiety and salve the wounds of people who experience these diseases. We think it is proper.

Mr. Speaker, concerning basic science research, I know we think sometimes that there are politicians that invented the Internet, but frankly the Internet was invented through the activities of the Department of Defense; and the fact is, basic science research is very important to our ultimate ability to develop meaningful science projects that also improve our lives. That is not picking and choosing winners or losers, it is really saying that there is some basic fundamental research that can be done by the Government that can be applicable by the private sector. We think that strengthening education, strengthening the National Institutes of Health, strengthening science and, I hope in the process, providing full funding for residents and interns in our Children's Hospitals can be accomplished in this budget; that we can work to restore America's defense, that we will, in fact, have tax fairness and tax reform for families and small business and senior citizens, and just everyday people who go to work and that we can pay down a trillion dollars in the publicly held debt so that Karen and my little girls, Emma and Reese, will have a little less burden on their backs.

□ 2030

By the way, they are only a little bit over 8 weeks old, and I get the sense they worry about it once in a while. We work to preserve and strengthen Medicare and provide, we hope at the end of the day, a prescription drug benefit, and we will keep our hands off of Social Security.

I think this is an outstanding blueprint for where we ought to head with the very first budget of the new millennium. I look forward to this House being able to debate and ultimately pass what I think is something that Members of the Congress can feel good about, that we can be good stewards about.

Is there too much spending? Without any question. I would like to have a little less. I would like to have a lot less, actually. But I think that, all in all, with the struggle that we have between conservatives and liberals, people who want to be tight fisted and those who want to be big spenders in a very small House that is separated by very few numbers, I think we have put together a program here that can work, that can pass, and that can be a real benefit to the American people.

Mr. Speaker, I yield to the gentleman from Connecticut (Mr. SHAYS), from the Committee on Budget who I have served with for about a dozen years on that committee.

Mr. SHAYS. Mr. Speaker, I thank the gentleman from Ohio for yielding to me.

As the gentleman from Ohio (Mr. KASICH) was talking, I could not help but remember the first time he put forward a comprehensive amendment to get our country's financial house in order in 1989. There were about 38 Members who joined him. But each year, more and more Members were persuaded that, not only were his ideas good but that ultimately he was going to succeed. So my colleagues can imagine the joy I felt in 1995 to see the gentleman from Ohio become the chairman of the Committee on Budget.

Then to have people like the gentleman from Minnesota (Mr. GUTKNECHT), who is here with us, a new Member, to start that effort that resulted in our controlling the growth of spending, slowing the growth of entitlements, and being able to move forward with tax cuts.

I was thinking when the gentleman from Ohio (Mr. KASICH) went through this list, preserving and protecting the Social Security, and preserving and strengthening Medicare with prescription drugs, and retiring the public debt by the year 2013, and promoting tax fairness for families, farmers and seniors, and restoring America's defenses, and strengthening support for education, science and health care, I was thinking we could not do that if it were not for the fact that we put forward a balanced budget agreement.

In the year 1998, literally 30 years after the last time, we had more money coming into the Federal Government than going out; and then 1999, more money coming in than going out; in the year 2000, more money coming in than going out.

Then last year is the first time since 1960 that we, in fact, are not spending the Social Security Trust Fund. We did not spend any of the Social Security Trust Fund last year, and we are not going to spend any this year. We are not going to spend any in the budget that we are going to be voting on.

So I am just extraordinarily grateful that the gentleman from Ohio persevered in this effort and that we are seeing the result. Now we are looking at a possibility of $4 trillion of surplus in the next 10 years. We are debating $4 trillion. In some cases, it presents a wonderful opportunity, obviously, but a scary one as well because so many Members want to spend it.

Of that $4 trillion, $2 trillion of that money, $2 trillion of that money is Social Security reserves; and the fact is that $2 trillion is protected. We are not going to spend Social Security reserves.

We are going to take that $2 trillion in the next 10 years, and we are going to set it aside and pay down debt. Public debt is going to be reduced by $2 trillion. It is not going to grow at the rate it was growing. We are cutting down $2 trillion in public debt, but not spending Social Security reserves on more programs.

But it leaves, of that $4 trillion, we still have $2 trillion left. The President wants to spend $1.3 trillion of it, kind of an automatic pilot, we just let all the budget keep going up, not making choices, just let them all go up.

What we want to do is we want to pay down more debt. We want a sensible tax cut in the next 5 years. We are going to see $200 billion set aside for tax cuts. We started that process already. We started that process with deciding that we simply could not justify that one could live together as a couple, not be married, but the moment one becomes married, one paid $1,400 more in taxes.

So instead of having a tax cut that included a lot of items, we are isolating those particular issues, and this is an issue of fairness. We have set aside a tax cut opportunity of $200 billion in the next 5 years, and some of that will help us eliminate the marriage penalty tax, which passed the House overwhelmingly with even support on both sides of the aisle.

Then we dealt with the issue of the incredible circumstance that, if one is on Social Security and one works and one makes more than $17,000, one actually pays a penalty. If one now makes, say, 3,000 more, for every $3 more above $17,000, one loses $1 in Social Security. So if one makes $20,000 trying to make ends meet and not have one's children support one or the government, one is paying taxes on that money. But, in addition, if one made $20,000, one would be losing Social Security. If one made $23,000, one would lose $2,000 in Social Security. We passed a bill that eliminates that penalty because we want our seniors to work. We have a need to have people out in the workforce. We want them to be a happy and vibrant part of the community and not punished if they work.

So we are going to pay down more debt with the $2 trillion that is not Social Security money, and we are going to have tax cuts. Then we will have some necessary spending.

The gentleman from Ohio (Chairman KASICH) pointed out defense is the primary responsibility of the Federal Government. We are not going to ignore that. But he is also pointing out we are going to take a harder look at how we save money and spend it better in defense.

We are going to have some educational need, not Federal educational. We are not federalizing education. We are going to provide assistance to communities and the States to do a better job in education with local decision making. We are going to deal more with health care and sciences.

So it is an exciting time for us in Congress. Really, what we want on Thursday are for common sense Members of Congress to vote for this budget agreement, this budget resolution. It should include Republicans and Democrats.

There is no reason why common sense Members on both sides of the

aisle would not want to preserve and protect the Social Security surplus, would not want to preserve and strengthen Medicare with prescription drugs, would not want to retire the public debt by the year 2013, would not want to promote tax fairness for families, farmers, and seniors, and businessmen in general, and would not want to restore America's defenses, and would not want to strengthen support for education and science.

I just would conclude this part by saying that we saw this difference when a whole number of new Members came in. The gentleman from Minnesota (Mr. GUTKNECHT) is a prime example of that and said we are not going to continue what happened in the past. They have made all the difference.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy, the balance of the hour reserved for the majority leader has been reallocated to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from Connecticut for yielding to me.

As the gentleman from Connecticut was speaking, I remember the first time that I spoke on the House floor in January of 1995. We were standing at these tables, and we had the very first bill in the Contract with America, the Shays Act. The gentleman from Connecticut humbly does not like to call it the Shays Act, but I remember what things were like when I came here.

The first thing we did is we said Congress is going to have to live by the same laws as everybody else, now back in Minnesota, and I am certain even in Connecticut.

Mr. SHAYS. Mr. Speaker, the gentleman from Minnesota did not have to say ''even.'' Especially in Connecticut.

Mr. GUTKNECHT. Mr. Speaker, especially Connecticut, all over the country, outside of the Beltway, that made perfect sense. But here in Washington, that was a revolutionary idea because Congress for many years had exempted itself. They put a line at the end of many of the bills that nothing in this statute will apply to the Congress and, in many cases, sometimes even the entire Federal Government.

So I was thinking about what things were like when I came here in November of 1994 after that election and then as we were sworn in in January of 1995 and how much different things are today. I think to the average Member of Congress, and certainly to the average American, it is easy to forget where we were then and where we were going then.

I remember that, shortly after we came, the Congressional Budget Office gave us a study and a report. They said, if Congress does not get serious about balancing this Federal budget, that by the time children being born today reach middle age, and I hate to say it, I am getting painfully close to that, where some people might call me middle age, but by the time the children today grow to middle age, the Congressional Budget Office told us that they will be paying a Federal income tax of over 80 percent just to pay the interest on the national debt. That was worse than disgraceful. I mean, there was something fundamentally immoral about this idea that we could continue to borrow and, in effect, tax the next generation.

Many of us said in the original election in 1994, we had one priority. It was to balance the Federal budget, to put the Federal budget in order, and leave our kids with a legacy and a future that would not be saddled with enormous Federal taxes just to pay the debt. That is where we were in 1995.

We laid out a plan. Thanks to the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Ohio (Mr. KASICH) and so many other courageous leaders in the Congress at that time, many people, and again we tend to forget a lot of people said, well, it cannot be done. You cannot balance the budget in 7 years.

In fact, sometimes even some people down at the other end of Pennsylvania Avenue were out there saying, well, no one really believes you are going to balance the budget. But the interesting thing about the power of a thought, of an idea, of a belief is that, is how quickly it begins to take root, and other people start to come along.

There was a small band originally. It started back with the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Ohio (Chairman KASICH) many years ago with this idea that, yes, we can balance the budget; yes, we can apply fiscal restraint to Federal spending.

I was also reminded, though, the other day, and my kids are all grown, but the gentleman from Ohio (Mr. KASICH) was talking about his youngsters, and I remember reading to my kids when they were smaller. One of their favorite stories, one of my favorite stories was a story of the Little Red Hen. I just want to repeat just how that story works, because I think it is apropos for what we are doing today.

First of all, the Little Red Hen asked all the other animals in the barn yard, who will help me grow the wheat? The dog said, I cannot. The cat said, I will not. The cow said, I cannot. The pig said, I will not. So she went ahead and grew the wheat herself.

Then she asked, when the wheat was grown, who will help me grind the wheat? Of course the cat said, I will not. The dog said, I will not. The cow said, I will not. The pig said, I will not.

Then it was time to bake the bread. She asked, who would help her bake the bread. Same thing. All the other animals said either they could not or they would not.

But it was interesting, once they finally had the bread, once the Little Red Hen had the bread, then they all wanted to help eat the bread.

Do my colleagues remember that story? I was thinking about that story the other day.

Now, we are going to hear a lot of debate when this resolution hits the floor about what are we going to do with the budget surplus. A lot of the same people who were not very eager to help us create the budget surplus, in fact, I was thinking, parenthetically, about all those negative ads we saw particularly in 1996 about these draconian cuts to Medicare, and we were going to no longer have any student loans, and school lunches will be a thing of the past, and children will grow hungry, and old people will be thrown out in the street. What we really did, we did eliminate 600 Federal programs. That was an amazing accomplishment in and of itself. But some of the biggest complaints were that we actually slowed the rate of growth of Federal spending.

I want to just share this with other Members of the House and anyone else who may be listening, because I think this is really an amazing accomplishment. In the budget, we are proposing for next fiscal year the rate of increase in Federal spending will slow to 2.2 percent. Let me put that in real numbers. Last year or the fiscal year we are in right now, we are spending $1,780 billion dollars. Now, that is a lot of money. What we are proposing to spend next year, total, is $1,820 billion dollars. That works out to a 2.2 percent increase in total Federal spending.

Now, put that in context to where we were a few years ago when the Federal budget was growing up at a rate of 6, 8, 10, 12 percent per year. It was not that many years ago when Federal spending was going up double, triple, and even quadruple the rate of inflation.

Today to take that 2.2 increase in Federal spending in next year and put it in real context, according to the Bureau of Labor Statistics, the average family budget this year will increase at 4.9 percent.

So as the gentleman from Ohio (Chairman KASICH) was talking about, in terms of historical terms, next year, the Federal budget will grow at less than half the rate of the average family budget. What is the real benefit of that? Well, the biggest benefit, and my colleagues have talked about it, is that over the next 5 years we are going to pay down a trillion dollars' worth of debt held by the public.

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And what does that mean? It means lower interest rates.

Now, Chairman Greenspan my continue to sort of tweak the interest rates a little to slow the economy, but the beauty is that interest rates are much lower than they would have been. And as we go forward, there is no driving force coming from the Federal Government because we are going to the treasury markets and borrowing an extra trillion or $2 or $3 trillion. And as

long as that happens, real interest rates will be lower. And that means that more families can afford homes, more families can afford cars, more families can afford refrigerators, and it means that we are going to have a stronger economy, relatively speaking, than we would have had.

Finally, let me say, at the end of the day, when we talk about the budget, and I know people's eyes start to glaze over when we talk about the budget, because we talk in terms of billions and percentages and it is numbers and it is all of that, but at the end of the day what it really is all about is generational fairness. In fact, coming from the Midwest, where most of my relatives were farmers and most of my friends and neighbors are no more than one or two generations removed from the farm, it has almost been historic.

Everybody coming from a farm area understands this. This was really part and parcel of the American Dream. It was the American Dream to one day pay off the mortgage and leave the kids the farm. What we had been doing, or what previous Congresses had been doing is selling the farm and leaving the kids with the mortgage. That was just fundamentally immoral, and it really flew in the face of generational fairness.

The great thing about this budget is that it guarantees that we are going to take care of my parents, who are both on Social Security and Medicare. We are going to make certain they can have the quality of life they are entitled to. And it is also going to be fair to people our age, people who are working, people who have kids in college. Because we are going to let them keep a little more of their money. And particularly in couples where there are husbands and wives both working. But, finally, by beginning to pay down some of that debt, we are going to leave our kids a much brighter economic future.

So this is not about dollars and cents as much as it is about people, as much as it is about fundamental fairness and, I might even say, fundamental morality. So I congratulate the gentleman from Ohio (Mr. KASICH) and the gentleman from Connecticut (Mr. SHAYS) for all that they have done over the last several years to dramatically slow the rate of growth in spending, because it is going to mean a brighter future for all Americans.

Mr. SHAYS. Mr. Speaker, I thank the gentleman, and I would just say that this has been a wonderful team effort. We had new players come on the scene and they have made all the difference. Now, I cannot call the gentleman from Minnesota a new player, because the gentleman is in his 6th year. But just think, 6 years ago we saw massive deficits as far as the eye could see and now we are seeing significant surpluses, and our challenge now is to convince our colleagues not to spend all the surplus and make government bigger.

It is not to say we are not spending more money, we are simply targeting it. We are going to spend $2.2 billion more in elementary and secondary education, a phenomenal increase. We are going to be spending $6 billion more for farmers, who truly need it. And even someone like myself, coming from an area where we do not have a lot of farmers in the traditional sense, we have some dairy farmers, but we know that is necessary not just for them but for us.

As my colleague was talking about selling the farm, I was thinking that we are also going right after that death tax. And the most compelling reason for our leaving $200 billion for tax cuts over the next 5 years is to go squarely at the death tax that forces people to sell their businesses in Bridgeport, Connecticut, or in Norwalk or Stanford, Connecticut, when their parents die, to pay the inheritance tax. The businesses then, in a lot of cases, disappear. And it was a viable business. They cannot keep it because they have to pay a 55 percent inheritance tax. Now, we did increase the exemption to $1 million for farmers and businesses, but most businesses are far in excess of that.

I was at a community meeting just recently and I had someone, after I talked about it, come up with a real life example. He literally had a property that his parents had that he was still living in with his two other siblings. It was sold for $3 million. A lot of money. And his parents had equity in the market of about another million. So they had $4 million. And he said by the time they paid the inheritance tax and the lawyers, and the probate court got done, he and his two siblings will get $400,000 each. They will get 30 percent of the total value of their property. It was property that was earned; it was property where taxes were paid. They owned this property, and basically the government took over 55 percent of that.

So it just tells me that when we talk in kind of a theoretical way about taxes, we have to be mindful that we are really talking about that young individual, and we are talking about what his parents were able to leave and keep in the family. They had to sell the house and they will get a minimal amount. They will get 30 percent out of the total of the value of their property.

Mr. GUTKNECHT. If the gentleman will continue to yield, it is, again, the story of the little red hen. Here we have people who did not help bake that bread who are saying, well, we are entitled to over half of the loaf of bread. And again this is not just about tax policy, it is about fundamental morality.

Clearly, we need tax revenue. We have legitimate things that are needed as a society, whether it is the common national defense, for highways, lots of other needed projects, but any time we see a tax rate that gets above 50 percent, and the gentleman is absolutely correct, very quickly the estate tax gets to 55 percent, that is confiscatory. That is wrong. That is part of the reason people started shooting up at Lexington and Concord. And Americans still have that basic feeling about fairness, and it really transcends things.

Mr. SHAYS. And if we are talking about the concept of fairness, why should a married couple pay more than a couple that is not married in taxes? Why should someone who has earned Social Security and if they go back to working and paying taxes pay an additional penalty due to the Social Security earnings limitation? For every $3 above that $17,000, $1 is taken out of Social Security. That was a matter of fairness. And the third tax cut that we move forward with, why should a corporation be able to deduct health care and a private individual working, self-employed individual, not have that same deduction? In fact, the tax cut that the President vetoed just 2 years ago allowed all Americans to deduct for health care.

So I am just struck by the fact that we have made tremendous progress, we are talking about fairness in taxes, but we are also talking about something else. We are talking about what taxes will help the economy grow.

In 1990, I voted for a tax increase. The one tax increase I voted for, and I learned a big lesson. I voted to increase the luxury tax. And it was interesting, I voted to increase the luxury tax and the government got less money. They got less money because people, who can all make rational decisions, they decided that if the tax was higher, they would buy less, and we got less revenue. Conversely, when we dealt with capital gains, we cut taxes and we got so much more revenue.

So what two better examples. We can raise some taxes and get less revenue; we can cut some taxes and get more, and we can have the economic engine, that balanced budget agreement of 1997, which has made a world of difference. It has balanced our budget. We are in surpluses. We are no longer spending Social Security. We are able to cut taxes, and we are seeing the economy grow and grow and grow.

Mr. GUTKNECHT. If the gentleman will continue to yield, and going back to the luxury tax, I remember the argument at the time that somehow this would punish people who had made lots of money who were buying expensive boats. Well, it did not punish them at all. It punished the poor people working in the boat yards that built the boats.

Mr. SHAYS. Well, this hits home pretty hard, because they were not poor people. They were middle-income and upper-middle income people who were making boats, having great jobs. It was one of the true indigenous industries in the United States; where we did not have many exports. We were making the product and selling it in the United States. And it, unfortunately, did a lot of damage. A lot of companies went out of business.

Mr. GUTKNECHT. The other analogy about the boats is the story President

KENNEDY used, that a rising tide lifts all boats. And if we have some fiscal responsibility, as we have seen in the last 5 years, that by properly managing the budget and by controlling the growth in Federal spending and by allowing families and investors to keep more of what they earned, we have had a much stronger economy. And we have been able to lift a lot of boats out there. And it is not just the people making a million dollars a year, it is an awful lot of those people making $30,000 and $35,000 and $40,000 a year. I see our chairman is back.

Mr. KASICH. I appreciate the gentleman yielding. I just wanted to make the point by saying we are going to pay down a trillion dollars in the publicly-held debt. That is a breathtaking number.

Mr. SHAYS. In the next 5 years.

Mr. KASICH. Over the next 5 years. A trillion dollars in paying down part of this publicly-held debt. Secondly, though, we have got this tax relief, and it does not threaten Medicare or Social Security. Social Security is protected in this bill. Medicare is not only protected but it can be enhanced with the prescription drug program.

So I think what every American ought to know, when somebody says we want to have a tax cut and some politician says, oh no, it is going to threaten Social Security and Medicare, that that simply is not true. We provide for the strengthening of Social Security and Medicare right up front. And once we have done that, we then feel that we should have tax relief.

And we also provide in this budget that if we pass this tax relief but it does not get signed by the President, that that tax relief, that money does not get used for more spending. That money does not get used for more spending. That money goes to pay down additional debt.

So I think what every American ought to know is to be able to have this kind of a proposal before us this week is something that I think they ought to think about. Do not get caught by a car salesman, a used car—no, I do not want to say that. I was going to say used car salesman. I know more good used car salesmen. Let me say this, do not get trapped by some smooth talking person moving peas under a shell who says we cannot have tax relief because the politicians want to spend it, because they want to spend it, and that we are going to hurt Social Security. We protect Social Security, protect Medicare, pay down debt and have tax relief for all Americans.

I think it is a pretty significant accomplishment. I appreciate the gentlemen taking the time and presenting their arguments. They were outstanding.

A COMMEMORATION OF FAITH AND POLITICS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Maryland (Mr. HOYER) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOYER. Mr. Speaker, I rise this evening to commemorate and to recall an extraordinary weekend that I and many of my colleagues had the opportunity to spend with our colleague, one of the historic Members of this House. He is probably, I suppose, the most historic Member of this House, the gentleman from Georgia (Mr. LEWIS).

The event that we participated in just a couple of weeks ago was under the aegis of the Faith & Politics Institute, headed up by the Reverend Doug Tanner. Reverend Tanner delivered the prayer, Mr. Speaker, at the opening of this session of the House, and he is here with us on the floor. It was an extraordinary opportunity for many of us to relive with the gentleman from Georgia (Mr. LEWIS) and with others the courage and commitment shown by some Americans so that all Americans would have the right to avail themselves fully of their constitutionally guaranteed right to vote.

We went to Birmingham, Alabama, then to Montgomery, then to Selma, and back to Montgomery. Montgomery, Alabama, is, of course, the capital of Alabama. Birmingham, as I will say briefly, was the site of a confrontation between freedom and evil, between those who would deny other human beings basic rights because of the color of their skin. We see in today's world across the globe that happening too often, where nationalism and racism and other ethnic divisions drive people to commit heinous acts against others.

It is appropriate that we remember what has happened in the past so that we can hopefully avoid it happening in the future and sensitize ourselves to the pain of others when they are inadvertently shut out, even if we are not consciously setting them aside and denying their rights.

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Mr. Speaker, as we stand at the dawn of a new century and join the strongest economy in 50 years, we sometimes overlook what brought us to this point. Two weeks ago, as I said, we were again reminded, reminded that the book of American history includes chapters that are both repugnant and, thankfully, triumphant.

We were reminded that the courage to confront injustice and inhumanity is an indelible part of our national character. And we were reminded, Mr. Speaker, in the words of abolitionist and journalist Frederick Douglass, if there is no struggle, there is no progress.

On Sunday, March 5, we witnessed dramatically this progress, and we honored the courageous and continuing struggle for social justice. Two Sundays ago, the gentleman from New York (Mr. HOUGHTON), who is here with me on the floor, cochaired with the gentleman from Georgia (Mr. LEWIS) this effort and the congressional participation in the Institute on Faith and Politics.

We were joined by nearly 20 other Members of Congress, by President Clinton, leaders of the civil rights movement and thousands of others in Selma, Alabama, to commemorate a seminal moment in American history, Bloody Sunday. That phrase entered the American lexicon on March 7, 1965, 35 years ago, when Alabama state troopers and the posse of sheriffs, so-called deputies, attacked 600 men, women and children who had marched peacefully across the Edmond Pettus Bridge in Selma, Alabama.

Those brave marchers who were lead by our colleague, the gentleman from Georgia (Mr. LEWIS), and Reverend Josiah William had committed no crime or offense. In short, there was no reason that they would be attacked by those who were sworn to uphold the law, protect the citizens of Alabama, and honor the Constitution of this great Nation.

Those marchers had simply demanded the most basic of American rights, the most basic right in any democracy, the right of a citizen to express their opinion to participate in the decision-making process of their Nation, by voting. In Selma, in 1965 less than 1 percent of eligible black residents were registered to vote. Not, Mr. Speaker, because they did not desire to vote, not because they did not think that voting was important, but because they were being precluded by various devices. Literacy tests, poll taxes, intimidation were the weapons used to disenfranchise and discourage those from participating in their democracy.

The marchers sought to change that, but their rightful demand was met with nightsticks, bullwhips, tear gas, ignorance, and hatred. The gentleman from Georgia (Mr. LEWIS) who has now joined us on the floor, was one of the first to fall, Mr. Speaker. The gentleman led this march through the courage of his convictions, not just for African Americans, but for all Americans, knowing full well that if justice was not accorded to African Americans, it would not be accorded to any American ultimately.

The gentleman from Georgia (Mr. LEWIS) when ordered to do so by the state troopers stopped in his place as he crossed the Edmond Pettus Bridge. They told him to retreat. Rather than retreat, however, he bowed his head and began to pray; and the response of the Alabama state troopers on that March 7, 1965, was to assault the gentleman from Georgia (Mr. LEWIS) and those with whom he marched.

They fractured his skull with a nightstick, injuring him seriously. That event was a dramatic historic event in the history of this country. A few days later, President Lyndon Johnson put these horrific events into context, declaring to a joint session of

Congress, and I quote, ''At times, history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom.'' ''So it was,'' he said, ''at Lexington and Concord, so it was a century ago at Appomatox, and so it was,'' Lyndon Johnson concluded, ''last week in Selma, Alabama.''

Tonight, Mr. Speaker, I want to especially thank the Faith and Politics Institute for organizing this recent pilgrimage to Alabama and for allowing me and so many of my colleagues to attend. As we walked by the statues of snarling dogs in Birmingham's Kelly Ingram Park and toured the 16th Street Baptist Church where four little innocent unknown beautiful girls who happened to be black died in a murderous explosion in 1963.

I was struck, Mr. Speaker, again, by the depth of the gentleman from Georgia's (Mr. LEWIS) courage and commitment to justice for all and how that same courage and commitment was shared by so many men, women, and children that we will never know.

Mr. Speaker, we rise to commemorate their courage tonight and their perseverance too; for on this night, March 21, 1965, began the Selma to Montgomery march that successfully concluded on the steps of the Alabama State Capitol 4 days later.

The marchers who were brutalized on Bloody Sunday and the marchers who made it to Montgomery 2 weeks later reminded us that nightsticks are no match for reason; that bullwhips stand no chance against courage; and that ignorance and hatred have no place in the land of the free and the home of the brave.

A little more than a year later, a year after Bloody Sunday, Robert Kennedy summed it far more eloquently than I can hope to do; and I repeated those words as we met at the end of that incredible weekend. He was speaking in Capetown, South Africa, to a group of African students; and he said this, that ''each time a man stands up for an ideal or acts to improve the lot of others or speaks out against injustice, he sends forth a tiny ripple of hope and crossing each other from a million different centers of energy and daring, they build a tide that can sweep down the mightiest walls of oppression and resistance.''

There were 600 people who left the AME Church, the Brown AME Church in Selma, walked the few blocks to the Edmund Pettus Bridge, who were standing up for an ideal, were speaking out against injustice, were acting to improve the lot of others. And as the attack on them appeared on television that night, they, through their courage and commitment, built a tide that did, in fact, sweep down the mightiest walls of oppression and resistance.

What a debt of gratitude, Mr. Speaker, this Nation owes to those brave souls.

So it was in Selma in 1965. And what 1965 tells to us most clearly is that it is that way today. We have made much progress. But all of us know there is a far way to go.

There is a great song, Mr. Speaker, that ends with this refrain in the first verse, ''Facing the rising sun of our new day begun, let us march on til victory is won.''

History tells us that full victory is never won. There are victories in battles. But, unfortunately, man's inclination to discriminate against his fellow man always seems to crop its head above the surface.

And so, I say to the gentleman from Georgia (Mr. LEWIS), he teaches us a lesson and all those with whom he marched; he honored us by allowing us to help commemorate that day with him and others who marched on that day. Let us all pray that, when the next time comes, we too will have the courage that he displayed to stand up, to speak out, to act against oppression, to, with him, knock down those mighty walls of oppression and resistance.

Mr. Speaker, I yield to my friend, the gentleman from Georgia (Mr. LEWIS), as I said, a historic figure who has contributed beyond perhaps all of us collectively to the realization of what this great democracy means not just to the American people but to the peoples of this world.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, who is really my friend and my brother, for yielding and for hosting this special order tonight, along with my friend, my colleague, and my brother, the gentleman from Illinois (Mr. LAHOOD).

I want to thank the gentleman from Maryland (Mr. HOYER) for those wonderful words and for being part of this journey, this dialogue, this trip, this privilege to Alabama.

In my position here in the Congress, but as an individual, as co-chair of an organization, Faith and Politics, with my good friend and brother the gentleman from New York (Mr. HOUGHTON), this was our third trip to Alabama. We felt it was necessary for us to travel as Members of Congress with our spouses, with our staff members, and with our friends to go, to see, to feel, to travel the roads where other travelers 35 years ago and more to go back to Birmingham, as my colleague stated, to visit the church, to visit the park where the dogs and the fire hoses were used, to visit the city of Montgomery, visit Dr. Martin Luther King, Jr.'s church, to visit the memorial to the civil rights martyrs, to travel to Selma and to visit the Brown Chapel AME Church, to walk across that bridge across the Alabama River one more time.

I think it was not just a trip, but it was an opportunity for us to bond, to become brothers and sisters, to become, yes, a band of brothers and sisters to engage in a meaningful discussion, a meaningful dialogue about race.

Because I think what the struggle was all about 35 years ago, and still today under the leadership of Doug Tanner and the good people of Faith and Politics, to bring us together to that point where we can lay down the burden of race and build a truly beloved community, to build a truly interracial democracy in America, where committee can forget about race and color and see people as people, as human beings.

I think that is what is so meaningful about a group of us coming together not as Democrats, not as Republicans, but as Americans, as men and women, who believe somehow and some way that we can find a way to create a sense of community, to create one house, one family, the American house, the American community.

So I am so thankful and grateful tonight to the gentleman from Maryland (Mr. HOYER) for taking the time out to have this special order to share with our colleagues and share with our friends this journey to Alabama, this journey of reconciliation, this journey on understanding.

□ 2115

Mr. HOYER. I thank my friend for giving us all that opportunity and for his comments which are as compelling tonight as he always is, because they are real, heartfelt, and live sentiments. I thank my colleague. We are all honored to be his friend. I now want to yield to another extraordinary American. In the context of cochair of the Faith & Politics Institute, an American who comes from an extraordinarily different background from the gentleman from Georgia (Mr. LEWIS), who superficially people would say is much different than the gentleman from Georgia but they look on the outward manifestation of the color of skin which is just a superficial difference because he is, as the gentleman from Georgia referred to him, very much a brother, very much someone whose heart and head tells him that we are all in this together and we need to respect one another and lift one another up. We are all honored to serve with him in the Congress of the United States, my friend the gentleman from New York (Mr. HOUGHTON).

Mr. HOUGHTON. I thank the gentleman from Maryland (Mr. HOYER), I thank the Speaker, I thank the gentleman from Georgia (Mr. LEWIS) and thank so many of my associates here. I want to particularly thank the gentleman from Maryland for putting this together. It is the right and it is the decent thing to do. It is timely. And frankly what we are trying to do is to encourage others to be more involved in this enormous experience which we had down in Selma. As a matter of fact, we have had for several years now. The person, of course, that has driven it is a fellow called Doug Tanner who is the head of the Faith & Politics Institute.

The gentleman from Georgia and I originally said that we would join the Faith & Politics Institute so long as we

had no work to do because we were busy enough as it is, and all of a sudden we find ourselves doing more and more and more and more for Mr. Tanner, this Christlike figure who stands up there and feels, well, it is only because you want to do it, that is what is happening. I think the gentleman from Georgia would agree, we are doing far more than we originally bought into, but it has been enormously satisfying.

I think one of the things that struck me in this extraordinary experience in going to Selma and going there with the gentleman from Georgia was just the gentleman from Georgia himself. I know this is embarrassing for the gentleman from Georgia to hear all this, but it is true. Martin Luther King is no longer with us. It is tragic. Here was a man who was born 3 years after I was born and has been dead over 30 years.

But the younger members of that group, the SNCC, the Student Nonviolent Coordinating Committee were there and when you see not only our friend the gentleman from Georgia who is an associate of ours and works here and legislates with us and has been with us all along, and then to associate with Betty Fykes and Bernard Lafayette and Jose Williams and people like that, they are all alive, and they were the people that drove this whole thing, the younger people. I think one of the things that comes along is that the younger people really are the ones that say damn the torpedoes and go ahead and do the things which are right and the others are a little more conservative. As a result, we owe the gentleman from Georgia not only as our friend but also this enormous leader a tremendous debt of gratitude.

I hope those people who are listening will recognize this; I think we all do around here. I will always remember when John came to Corning, we had a continuation of the days of dialogue in upstate New York, in the district in which I live. It was extraordinary to see him at work there, because all of a sudden people said, here is the man that did all this, here is the man that led it. We had not realized what he stood for and what he was doing, what he represented. And then, of course, he had this wonderful associate, Sheila Sisulu, who is the South African ambassador here. Sheila Sisulu as many Members I am sure realize is the daughter-in-law of Walter Sisulu who was one of the two other partners of Nelson Mandela and stayed in South Africa and went to Robben Island, was there with him for over 20 years while Oliver Tambo went to Lesotho to keep the African National Congress going. She is the daughter-in-law.

But there was the gentleman from Georgia talking about the oppression that he was fighting, that he was literally willing to lay down his life for. I am sure there were times that he never thought that he would live another day. And here was Sheila Sisulu talking about the institutionalized apartheid in South Africa, what they had gone through. It made me realize how lucky we are to be Americans and to live in this particular time. It was just extraordinary.

There were other things that came along. Just the singing, the music. I know the singing of Betty Fykes and what it did to you in 1965 but what it did to us. Here we were just standing there and all of a sudden this lovely lady burst out into song. It cheered our spirits and made us feel better about things. And then, of course, I take nothing away from the gentleman from Maryland's eloquence and he is a very eloquent man but I will never forget being in Brown Chapel following the pastor of Brown Chapel and the gentleman from Georgia and then me, this former glassblower from upstate New York trying to make some sense out of the message. It was an awe-inspiring feeling.

Mr. HOYER. If the gentleman will yield, he notices I chose to speak before the gentleman from Georgia.

Mr. HOUGHTON. If the gentleman will notice, he placed me after the gentleman from Georgia.

Mr. HOYER. I apologize for that. That was an unfair thing to do.

Mr. HOUGHTON. When you hear those words and the emotions behind them, it does something to you. That is why this extraordinary experience is so important to be shared with everybody. This was an unusual year. It was the 35th anniversary of that march. It was unusual for another reason, because the President of the United States came down there. When the President of the United States comes down, it just changes the whole nature of it. But the crowds that were there and how they related to the words and the younger people that spoke. It was just a really extraordinary experience. It did something to me.

Again as I mentioned earlier, I would love to be able to share that with others. There is one downside, if I could just mention very briefly, is that while we celebrated the 35th anniversary of this extraordinary experience and honored those people who had led us, the fact is that there is still tremendous racial tension. You could see it even in the school system in that area where most of the people in the old days used to be in the high schools, the official high schools were white. Now most of the people in the high schools are black. But where do the white people go? Many times they have gone into private education. They have not integrated the way I know that the gentleman from Georgia and the gentleman from Maryland and others had hoped they would, and how we had hoped they would.

So the people that would say that Affirmative Action is wrong and we can go on automatic pilot and this thing is a thing of the past, there are no more Bull Conners, there is something very subtle going on here. It will not be erased for years and generations and generations to come. That is the thing that we have got to work on. It is not only what we do but really who we are.

I will always remember a wonderful story about Archibald MacLeish giving a lecture. He was most of the way through, a student raised his hand and said, Mr. MacLeish, you have only got about 5 minutes to go, could you sort of sum up what you have to say? He said, yes, I will, I would sum it up like this. Don't forget the thing and the student said what do you mean by the thing? Mr. MacLeish says, the thing is what you are is just as important as what you do. That is why we so applaud and honor the gentleman from Georgia and all his associates. I thank the gentleman from Maryland again for allowing me to speak.

Mr. HOYER. I thank the gentleman from New York for the depth of his integrity and the quality of his leadership in this House.

I want to yield to my very good friend, someone for whom I have a great deal of respect and affection, who has spent his time as a Member, he has been with this institution for a long period of time. I guess he is now in his third decade of work in this institution but a relatively new Member, succeeding his mentor and a great Member of this body, Bob Michel, but who has done as much as any Member in this body to try to bring us together collegially irrespective of party or faction or ideology, and that is a service that this institution needs. I am pleased to yield to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I am thankful for this hour that has been set aside by the gentleman from Maryland to sort of commemorate and share a little bit about the trip that some of us took, much of which has been talked about already in such great detail as the gentleman from Maryland has done and then the gentleman from Georgia and also the gentleman from New York.

I want to add my thanks to Doug Tanner for the work that he does with the Faith & Politics, to the gentleman from Maryland for this hour and really to say that normally these hours are set aside by Members to talk about issues that are near and dear to their heart and in particular in some cases that they feel very strongly about, and so for us to take this hour and talk about an opportunity that all of us had to share an experience in Selma, Alabama, to share the experience in Birmingham, to share the experience in Montgomery, to share the experience of walking across the Edmund Pettus Bridge is an opportunity for us to say to the American people that we do come here to make laws, to pass bills, but we also come here from districts where we return to demonstrate leadership, and not always in the bills that we pass but more on the other things that we do.

Part of what some of us have done was to travel to the Deep South and to

observe in a very surreal fashion because we were there with the gentleman from Georgia and many of his friends and compatriots and colleagues that were there 35 years ago. And this opportunity was offered to many but only a few of us went. And so for some of us to be able to experience, the second year for me, I went last year, my wife and I went again this year, it was different. It was different this year because of the huge mass of people that were there, in large part I think because the President was there which again highlights the importance of the event and highlights the importance of what took place and highlights the importance of dialogue and race relations and faith and politics coming together.

But it is important for us I think to go back to our districts and to share with our constituents and to meet with leaders in our districts and talk to them about the importance of dialogue, about the importance of race relations, about some things that have happened that we call progress but also talk about many things that we need to do to make further progress. I certainly intend to do that. I am hoping to invite the gentleman from Georgia to my hometown of Peoria, Illinois, to have him have a dialogue and to help conduct a dialogue and to be a part of a group of leaders in my community that can talk about race relations and the progress we have made but the long drive that we have ahead of us.

Finally, let me say that we have 435 in this House. Each one brings a little different background, a little different dimension, a little different experience, but there is only one among us who has the kind of background and influence and standing in the civil rights movement, in the voting rights movement, in the race relations movement, in the faith and politics movement and that is the gentleman from Georgia. He is one unto his own when it comes to voting rights, race relations, civil rights, because of what he has done, because of what he has experienced and that he did not come here forgetting it, he came here to say to people, follow me, let me show you what we have been through and what we need to do in the future.

So for the 434 of us who know the gentleman from Georgia and for the few of us who know him as a friend, as a brother, as somebody who is a leader, a power of one, I think if we do not take anything else away from our experience in the House, it will be the fact that we were a part of the experience of the gentleman from Georgia, and hopefully we will be a part of an experience of doing more and carrying on what the gentleman from Georgia has really begun earlier on in his life.

□ 2130

JOHN, thank you for being a part of this wonderful institution and doing more than just coming here and passing bills and giving speeches but setting an example and saying to us, come with me and share my experience and then go back into your communities and provide the leadership. Without your leadership, without what you have done, we would not be doing what we are doing, and so we are grateful to you for being more than just a Congressman from Atlanta, Georgia, but for being a leader and continuing to be a leader.

So I say thank you to you, and we look forward to continuing to work with you hand in hand, shoulder to shoulder, to improve race relations in this country and we do have much work ahead of us.

I thank the gentleman from Maryland (Mr. HOYER) for devoting this hour to our experience and for articulating so well what we were able to experience in Selma and Birmingham and Montgomery. We look forward to working with all of the Members to carry on what we need to do here and back in our districts.

Mr. HOYER. I thank the gentleman from Illinois (Mr. LAHOOD) for those remarks. We all share his view of JOHN's place in this House.

I yield to my friend from the city of brotherly love. I say that not facetiously. We in Penn wanted that to be a State and City of Brotherly Love, but we know all too often in this Nation where brotherly love is preached and brotherly love gets a doff of the hat from time to time, unfortunately there are too oftentimes when it is not practiced. So I am pleased to recognize someone who went with us and who added immeasurably to our experience, a gentleman from the Philadelphia region and Montgomery County, the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. I thank the gentleman from Maryland (Mr. HOYER) for arranging for this hour, giving us a chance to come together this evening to talk about our trip to Alabama.

It was a remarkable experience for all of us who participated in this civil rights pilgrimage to commemorate the 35th anniversary of the voting rights march in Selma. I want to thank the Faith & Politics Institute and Doug Tanner for his leadership and for bringing us together.

It was remarkable to visit the civil rights movement landmarks that I had never seen in person before, to learn more about the history of this country in the 1960s. It was equally remarkable to meet so many of the leaders of the movement and the foot soldiers of that movement, so many of which are still with us today, still providing leadership.

It was particularly remarkable to be there with JOHN LEWIS. Many people tonight have spoken in high praise of JOHN, and I want to do the same. Someone said it was almost surreal being there with JOHN, and it was. For me, the surreal moment was riding in the tour bus I think between Montgomery and Selma, and watching on the television screens in the bus parts of the documentary, Eyes on the Prize, of the civil rights movement, seeing a young JOHN LEWIS being interviewed, speaking back in the 1960s, and then looking down the aisle of the bus and seeing JOHN LEWIS today moving around talking to his colleagues on that bus.

It certainly drove home to me the remarkable passage that this leader has had in the civil rights movement and how special he is to all of us. JOHN embodies virtually every important moment of the civil rights movement in the 1960s. He helped to organize and lead the lunch counter sit-ins in Nashville in 1960. He was one of the 11 original freedom riders in 1961. He helped to organize the March on Washington and spoke eloquently there in 1963 and, of course, led the voting rights march at Selma in 1965, right at the front row.

It was just remarkable to see that footage watching my new friend, JOHN LEWIS, in 1965 be run over by the police forces and beaten because he wanted to march for voting rights, because he had the courage to stand forward and the courage to do it in a nonviolent way; the courage to use passive resistance to reach the heart and soul of the American people and say there has to be a better way; there has to be a better way to have true freedom and equality for all Americans.

So I would say to the gentleman from Maryland (Mr. HOYER), I certainly learned a new appreciation for the hard work and the sacrifices that were made by many leaders and many foot soldiers to win civil and voting rights for all Americans.

I also developed, I believe, a deeper understanding of the work that remains to be done, to make sure that all Americans really have the equal justice and the full opportunities that we want them to have.

The gentleman from New York (Mr. HOUGHTON), who provided and provides wonderful leadership for the Faith & Politics Institute, already talked about Selma of today compared to Selma of 1965, and it is an interesting comparison. In 1965, legal segregation was the order of the day and the official today, I guess, would be called high schools were all white and the black children went to school in segregated high schools. That was true throughout the Deep South.

Well, the Civil Rights Act of 1964 and the Voting Rights Act of 1965 changed many, many things in this country; but today, in the year 2000, Selma still has a form of segregation. It is de facto now. There is only one set of public high schools. And as the gentleman indicated they are almost all black; and the white students have chosen to go to different schools, religious schools or private schools. So there is a different kind of segregation.

The work that JOHN LEWIS fought so hard for 35 years ago and that we commemorated a couple of weeks ago still has much to be done in the face of that segregation, and I do not mean to pick on Selma or Alabama or the South of

today because that kind of segregation really occurs everywhere; in the North, in Montgomery County, Pennsylvania, the suburbs of Philadelphia, which I represent.

The schools are integrated and there is a great racial understanding in the suburban school that my daughter attended and my son currently attends, but there is social segregation. The blacks tend to socialize and congregate and eat lunch together and the whites tend to be together, and there is understanding and there is good relations but there is still that social segregation.

There are subtle forms of segregation in the North, almost as bad perhaps as the legal segregation of old in the South. In the Philadelphia School District, because of a lack of local resources and indifference from our State government, Philadelphia school kids have $2,000 less per pupil spent on them than suburban school kids do, $2,000 less in the big Philadelphia School District. That is not strictly a racial result, but there is a subtle form of segregation happening there.

As the President so eloquently said in Selma a couple of weeks ago, when he spoke to us all, that as long as there is de facto segregation in the public schools in Selma we have another bridge to cross; as long as there is $2,000 less available to educate school children in Philadelphia than school children in the suburbs of Philadelphia, we have another bridge to cross. As long as social injustice and discrimination continues to occur in this country, we all have another bridge to cross. As long as parents work two jobs but cannot bring home a living wage, there is another bridge to cross. As long as families do not have health care, as long as seniors cannot get the prescription drug coverage they need, we have another bridge to cross.

We all agree on that. We differ on some of the ways to get across that bridge, and we have policy disputes down here. And that is why we are here, and that is the beauty of this body. But we have to recognize that as important as it is to remember what happened 35 years ago and to honor amazing Americans like JOHN LEWIS, we have to learn from JOHN and take inspiration from JOHN but be honest with ourselves about the problems that still exist and face those problems forthrightly, face them together and understand that we are all in this together.

If we recognize that and work together, then we will truly honor what happened 35 years ago. If we fail to work together today, then much of what happened in the past will be for naught, and none of us can stand for that result to happen.

So I thank the gentleman from Maryland (Mr. HOYER) for his leadership. I thank JOHN LEWIS and the gentleman from New York (Mr. HOUGHTON) and all of my colleagues who attended, and particularly those speaking here tonight. I was glad to be a part of it and will continue to work with you.

Mr. HOYER. I thank the gentleman from Pennsylvania (Mr. HOEFFEL) for his comments and for his making a comment about the time between what was done in 1965 and that bridge being crossed, and I would comment that when we crossed the bridge in 2000, 35 years later, I think all of us were struck by the fact that there were Alabama troopers on the other side of that bridge but their response, when the end of the Edmund Pettus Bridge was reached by JOHN LEWIS and others, was to salute, to salute in honor of all that JOHN had accomplished and all that JOHN represented, and showed a revolutionary change in those short 35 years.

The governor of Alabama, rather than talking about interposition and other doctrines of States' rights, met JOHN and the President at the bridge and Governor Siegelman welcomed JOHN LEWIS home because, of course, JOHN LEWIS comes from Alabama; moved to Georgia and represents that State very well.

I think the gentleman from Philadelphia (Mr. HOEFFEL), from Montgomery County as opposed to Montgomery, Alabama, made very clear the point that the march of 1965 continues to this date.

Now I would like to recognize my friend who now represents Birmingham and surrounding areas in Alabama, a former member of the State legislature, a State senator who himself was involved in the struggle, who himself was a fighter for freedom. I am pleased to recognize and yield to my friend, the gentleman from Alabama (Mr. HILLIARD).

Mr. HILLIARD. Mr. Speaker, first let me say that it was indeed a pleasure having all of my colleagues in the Seventh Congressional District in Alabama. I represent three major cities in Alabama, Birmingham, Montgomery and Selma, and those were the cities where most of the civil rights activities in the Nation took place, and the surrounding areas, of course.

For the last 4 years, we have been going, Members of Congress, to Alabama, participating in what we call a renewal demonstration; one that shows our commitment to the future. It also shows that we are not satisfied with the past, but presently every time we go, every time there are such activities, it highlights the wrongs of the past but it also shows a brightness for the future.

The good thing about our presence there, we bring the spotlight of the Nation to Birmingham, Montgomery and Selma, and problems of the past.

□ 2145

But when we highlight problems of the past, we also show lingering problems that are still with us. This time when I crossed the Edmund Pettus Bridge, I said to myself that there are so many bridges in our lives that need to be crossed. We still have in this country the racial divide.

But I would like to associate myself with the remarks of all the prior speakers, but especially the remarks of the last gentleman who spoke. We not only have problems in Selma, Birmingham, and Montgomery, but in this Nation. It is how we approach the problems now as compared to the past that is so interesting, because there is really no comparison.

Even though the gentleman from Georgia (Mr. LEWIS) and others were nonviolent in their approach, it was not universal. I would like to think that we are approaching that universality, that we are getting close; that every year more and more people join the cause and more and more people want to do good and more and more people cross the Edmund Pettus Bridge with us. I would like to think that in America things are getting better, and hopefully, with what we will do, they will continue to get better. But I realize in each one of our lives there are still Edmund Pettus Bridges that must be crossed.

So because of our experiences in going to Selma, Montgomery, and Birmingham, and because of our lifetime commitment here in Congress to democracy and to our society, I think that it is good to go and participate yearly, so that we can renew our commitment, not only as individuals but as Members of Congress.

If we could, by our presence continue to spotlight the evils of the past and the goodness of the present, I think we will continue to chip away at those problems that exist, and we will continue to build democracy. I think that is what we all should be about.

I would like to thank Doug Tanner. Four years ago when I first heard about him putting together this annual civil rights tour, I thought that it was a great idea, even though I had some apprehensions; not because of the thought of violence, but I wanted to know how it would come off and what would be the ramifications, because just going and being there would only satisfy and help the few of us that had the experience.

But after we came back, Members told me, you know, I saw you on TV. I heard some of the speeches, and I am going next year. Every year someone tells me that they are sorry that they did not go.

So everywhere in America I go now people say, you know, I am coming down to Selma next year. I hope that is indicative of the change in how we think, not only about Selma, but all the problems associated with Selma, because, in reality, Selma is a little America. The people there in every respect represent America; and if we can go there and talk about problems that exist, that is the first step, and it is the very first thing we must do in America.

We cannot hide our past, and we should never forget our past. But as long as we can remember, discuss, and talk about the past and the problems, maybe we are on our way to solving

them, and that is the good thing about the activities and about doing it and being involved.

So, Doug, I really thank you for all your institute is doing; and I thank the gentleman from Maryland (Mr. HOYER) for calling us together tonight so that I could say thank you for coming, so that I can invite you back next year or the year after next, whenever the decision is made when we will go. Also I would like to thank the President for coming and thank America for being there. They were there in so many ways, whether it was by TV, radio, or in spirit. I would like to think that all of us marched this time across the Edmund Pettus Bridge.

Let me thank the gentleman from Georgia (Mr. LEWIS) for being there 35 years ago, and let me thank the gentleman for being there this time. Let me thank all of you, and I invite you back.

Remember this: Selma is America. You can come there, just as you can go home.

Mr. HOYER. Mr. Speaker, I thank the gentleman very much. We appreciate his comments and appreciate his welcome to his district and appreciate his invitation back.

I think I pointed out, and the point that was made by the gentleman from Pennsylvania (Mr. HOEFFEL) was apt, that Selma is America, and America can learn lessons from Selma, as Selma needed to learn lessons from America.

Doug Tanner, we all do thank you. You have made our lives richer, more whole, by your ministering to us, ministering to us in a variety of different ways, some of which some would say are religious, some would say secular, but surely ministering to our souls and to our hearts and to our heads so that we will be better persons and treat one another as we would want to be treated.

As I was sitting here and listening to all of you speak, I thought to myself, we rise here every day as we begin this session and 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.

The lesson of Selma is for all. Indivisible. We cannot segregate rights and expect any of us to long enjoy those rights. That, JOHN, is the lesson I think you were teaching to the country, that Martin Luther King, Jr., was teaching to the country.

If you hold truths to be self-evident and you say that all men are created equal and endowed not by the State, not by government, but by God, by their creator, with inalienable rights, then God's creatures mean for all, liberty and justice for all.

JOHN, I think you made us a little more cognizant of what that really means; and as the gentleman from Illinois (Mr. LAHOOD) has pointed out, it teaches us better how to go home with our friends and neighbors, families and colleagues, and to emphasize how important it is for our Nation to be better than it is today. As great as it is, as just as it is, it can be better, if we realize that we must have it as a Nation with justice for all.

Mr. Speaker, I thank you for giving us this time to commemorate an extraordinary experience in the lives of each one of us.

Mr. Speaker, I thank my colleagues. I honor and thank my brother, JOHN LEWIS; and I thank my friend, DOUG TANNER.

Mr. HALL of Ohio. Mr. Speaker, today I join a number of my colleagues in commemorating the 35th anniversary of the Voting Rights March from Selma to Montgomery. I was honored to be a part of the Faith and Politics Institute's Congressional Civil Rights pilgrimage a couple of weeks ago. It was powerful to hear from those who had experienced the struggle firsthand. It was informative to learn about these historic events while actually at the sites. It was inspiring to walk in the same places as those who stood up for justice.

Thirty-five years ago, our country experienced some of the lowest and highest points in our history. On the one hand, law enforcement agents and elected officials violently opposed the basic democratic right of voting for African Americans. On the other hand, ministers, students and regular citizens stood up for their most basic rights as Americans. Congress responded by passing the Voting Rights Act of 1965, one of the crowning achievements of the Civil Rights Movement.

Unfortunately, the work of Martin Luther King and JOHN LEWIS and so many others is still unfinished. We have made many strides toward equal rights and progress toward racial equality. But the issues surrounding race remain among the biggest challenges facing our country. When we review our country's legacy around slavery, the historical record is still incomplete.

One of the items on that unfinished agenda is that the U.S. government has never apologized for its role in slavery. A few years ago, I saw a television program with a Black minister and a White minister commemorating Dr. Martin Luther King's birthday. They stated that there had never been an official apology for slavery. With my country's Civil War, all that President Abraham Lincoln achieved and the successes of the Civil Rights Movement, I found that hard to believe.

So I went to the Library of Congress and discovered that they were right—no one in the Government of the United States had ever apologized for slavery. Therefore, I set out to correct this glaring omission in history. On June 12, 1997, I introduced my simple resolution without any fanfare.

What happened next was a complete surprise. It exploded on the political scene at about the same time President Clinton was conducting his ''National Dialogue on Race.'' Both conservatives and liberals, blacks and whites dismissed it as ''a meaningless gesture'' or ''an avoidance of problem-solving.'' After considering it, President Clinton decided not to apologize because of the fear of legal ramifications.

I received hundreds of letters and phone calls about the apology. Most of the people I heard from opposed the idea and some were blatantly racist and hateful. Very few people stood up and defended the idea and necessity of an apology. At times, I felt very alone in this struggle to do what I know is right.

I know that my resolution will not fix the lingering injustice resulting from slavery. But reconciliation begins with an apology. I hope this apology will be the start of a new healing between the races. I introduced the resolution because it is the right thing to do.

Many of the opponents to the apology argued that slavery had been abolished over a century ago and no one alive in the United States today had been a slave or a slave owner. But that ignores the fact that slavery's effects are still with us.

Just one of the many examples of slavery's legacy is in terms of assets. Slaves, of course, were not able to earn any money or pass on an inheritance to their children. When African-Americans were freed after the Civil War, they started at a distinct disadvantage. Then they were shackled with Jim Crow laws and segregation that prevented them from truly entering into society. Only within the last two generations have descendants of slaves legally able to join American society. Not only was it not a level playing field, the game itself was stacked against people of color.

Now in the 21st Century in the richest nation in the world, blacks control only 1.3 percent of the nation's financial assets, while they are around 12 percent of the population. Whites possess a staggering 95 percent. Almost two-thirds of black households have no net financial assets. Blacks and whites with equal incomes possess very unequal shares of wealth.

Our work is obviously not finished. I am proud to stand up with my colleagues and voice my support for efforts that promote racial reconciliation. My special thanks to JOHN LEWIS and AMO HOUGHTON for organizing the pilgrimage to Alabama and the ongoing ''Congressional Conversations on Race.'' I look forward a time when the record is corrected and we can truly celebrate the accomplishments that have brought about ''One America.''

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the special order just given.

The SPEAKER pro tempore (Mr WELDON of Florida). Is there objection

to the request of the gentleman from Maryland?

There was no objection.

NIGHTSIDE CHAT ON TOPICS OF CONCERN TO AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, once again we are here this evening for a little nightside chat. There are a number of different subjects I would like to cover this evening.

I would like to start out by talking about the loss of a good friend that I had last week, just a short comment in that regard. We are going to move on and talk about the Congressional Medal of Honor. We lost one of our heroes. If you want a true definition of hero, take a look at the people that serve in our military forces. We lost one in Colorado. I will talk a little about him. Then I want to move on and talk about the Alcohol, Tobacco, and Firearms people.

We had a very interesting item in Colorado over the weekend about the enforcement, or lack of enforcement, by the Alcohol, Tobacco and Firearms department in their inspections regarding firearms sales. As you know, across the country guns have become somewhat of a sensitive issue.

Now, last week when I addressed you, we talked a little on Operation Exile. I know that my colleague, the gentleman from the State of Florida (Mr. MCCOLLUM), is going to introduce a bill tomorrow to assist our local States and our local communities on their Project Exile, so we will highlight a little of what he is attempting to do. We will talk about our public awareness campaign and talk about some of the responsibilities of gun ownership.

Then, if we have some time this evening, I would like to touch again on the death tax. As many of you know, that is a very punitive tax in our system. It is a tax that has devastating impacts on small businesses, has devastating impacts on farms and ranches across the country; and, frankly, this is not a justified tax.

It is a tax supported by the administration. In fact, the administration has proposed a $9.5 billion increase in the death tax this year. I am confident that we can stop that. But just so you no, there is a big difference of opinion on the policy of the Democratic administration to raise death taxes and our position on the Republican side that says death taxes are fundamentally unfair, they are unjustified, and they should be eliminated in this country.

But we will get to all that in due time. Let us start first of all with just a comment about a friend of mine, a classmate of mine, a fellow named Richard. I will not go into his last name, but I want to tell Members, my friend committed suicide last week.

I hope that in your walks of life, sometimes we get so busy that we forget that some people have some demons within them that they cannot control, that they are having a difficult time with life.

What I try and do, and it just came back home this last week when I was at the service of this gentleman, and he really was, I think he had some demons he could not control; but it brought back the thought that, gosh, any time we see somebody in some despair, we should always urge them, before they take that step, that ultimate and in some regards very selfish step of suicide, urge them to call a suicide watch or get some assistance.

I am confident that my friend, had my friend just had a few more minutes of being able to calm down and think out the situation, we would have avoided a tragedy; not so much just a tragedy to my friend, but a tragedy to his friends, to his family, to his wife, and to his children. His wife, Anna, is a splendid person. She now faces a tremendous challenge ahead with these children.

The circumstances of this suicide were tragic. I think the circumstances of any suicide are tragic. And if there is a justification for mental health assistance in this country, it is that suicide tragedy that takes place across the entire spectrum, across the entire spectrum of age, every day in this country.

□ 2200

So I just urge my colleagues again, we run at a fast pace around here, but if one has an opportunity to put one's hand on the shoulder of a friend, and I am sure all of my colleagues would do it, and I wish I would have had the opportunity to do it, it might just work; it might just prevent somebody from being in such despair that they ruin the most ultimate gift that God could give us.

PUEBLO, COLORADO: HOME OF A HERO, WILLIAM J. CRAWFORD

Mr. McINNIS. Mr. Speaker, I want to talk about another sad event last week, although the gentleman lived a full life, and that is about a gentleman named William Crawford, a Congressional Medal of Honor winner. My district is the Third Congressional District of Colorado, and just for those of my colleagues that need reminding, that includes most of the mountains of Colorado, all the resorts: Aspen, Colorado; Vail, Steamboat, Telluride; it has the industrial community of Pueblo, it has the San Luis Valley, it has Durango, down there in the Four Corners, the Anasazi ruins, the Colorado National Monuments, part of the Rocky Mountain National Monument, part of the Black Canyon National Monument. As my colleagues can see, any time I talk about my district, I get in kind of a promotional mood because it is such a wonderful district.

But there is another reason that stands out besides the natural beauty of this district and the people of this district, and that is that Pueblo, Colorado is what we call the Home of Heroes. Mr. Speaker, this last week we had four living members from the community who received the Congressional Medal of Honor. This was not awarded, they deserved this, they worked for it. I do not have to go into what the Congressional Medal of Honor means, although in my opinion, any recipient of the Congressional Medal of Honor is at the very highest of the echelon as far as a definition of what being an American is all about.

Well, last week we lost one of our four; it was William Crawford. He passed away last Tuesday and actually they were holding a memorial service today at the United States Air Force Academy. I thought I would talk just a little about what Mr. Crawford did and how he earned the Congressional Medal of Honor. I guess the best way to do that is just take directly from the script which described his actions.

But before I do that, let me say that one of the things that causes me some, I guess one would say discouragement, is when I read throughout the sports pages of our newspapers in this country, we read about heroes in sports. My opinion is there are celebrities in sports and there are a lot of talented celebrities in sports, but we really ought to be very cautious and very selfish about the use of the word ''heroes.'' The word ''heroes'' really should be placed not on sports figures, but figures like William Crawford, figures like the firemen or the policemen that lose their lives. I think we lose a police officer every 28 hours in this country. This year has been a bad year for our firemen as well. We have lost several firemen in the line of duty.

But let us go back to Mr. Crawford. I am not over-using the word when I use the word ''hero.'' He was given this medal and this recognition for conspicuous gallantry at the risk of life above and beyond the call of duty in action with the enemy in Italy on September 13, 1943. When Company I attacked an enemy-held position on hill 424, the 3rd Platoon, in which Private Crawford was a squad scout, attacked as base platoon for the company.

After reaching the crest of the hill, the platoon was pinned down by intense enemy machine gun and small arms fire. Locating one of these guns, which was dug in on a terrace on his immediate front, Private Crawford, without orders and on his own initiative, moved over the hill directly into the line of fire and crawled to a point within a few yards of the gun emplacement and single-handedly stood up and destroyed the machine gun emplacement, killed three of the crew with a hand grenade and thus, enabled his platoon to continue its advance.

So he climbs over the first hill, he is in the direct line of fire of a machine gun, he is able to crawl under the machine gun fire, he gets right up to the

machine gun emplacement, he stands up, he eliminates three of the enemy and throws a hand grenade in and destroys the machine gun emplacement. But it does not stop there.

They go to the next hill and after reaching the crest of that hill, once again they are pinned down by enemy fire, and once again Private Crawford decides unilaterally to do what he can do to save the platoon. He moves forward once again in the face of intense fire and here, instead of one machine gun emplacement we have two machine gun emplacements, but they are side-by-side. As Private Crawford crawls up, he goes first to the left and is able to engage in a hand grenade throw, throwing a hand grenade into the first emplacement, destroys that one and then stands, throws a second hand grenade and using machine gun fire of his own is able to kill the members or eliminate the second machine gun emplacement. But the machine gun was still able to be used, so he jumps into the emplacement, takes over the German machine gun and then turns it on the German troops who were then retreating and was able to provide cover for his platoon while they move into a safer location.

That takes a lot of guts, and for that he was awarded the Congressional Medal of Honor. His passing is something that we all see with sadness, but I can tell my colleagues that during his 81 years, he lived a good life. He was properly recognized by his country for being what an American is all about, and that is putting duty and honor ahead of self, and that is exactly what Private Crawford did.

GASOLINE PRICES OUT OF CONTROL

Mr. MCINNIS. Mr. Speaker, if I could move to another subject. I want to visit with my colleagues a little more, and I have read with some interest about the administration's policy on these high gasoline prices. I am not sure and, in fact, I would guess that the President and the administration and probably all of the cabinet officials, I would be surprised if they pump their own gas.

Mr. Speaker, I have news for my colleagues out there. Somebody better take a look at that price at the gas pump. Now, I know our economy is in the best shape it has been in the history of the country, and we could go into that in some detail. So it gives cause to some people to say oh, well, it is just something we have to live with. But there are a lot of people out there who have jobs, who are just getting by, and that high gasoline price has a huge impact on them. The cost of oil does not just affect gasoline in one's vehicle, by the way, it affects everything we use, everything we use in this country: medicine, production, plastics, rubber, generation of heat, generation of energy, you name it, the list could go on and on and on. This high price of gasoline is something that the administration's policy, in my opinion, needs to be more focused upon.

Now, it is not like they are ignoring it, but they are not standing up to the cartel. What do you mean the cartel? What is the cartel? Let us talk about what a cartel is first.

I pulled it out of the dictionary. A cartel: a combination of independent, commercial or industrial enterprises, a combination of industrial or commercial enterprises designed to limit competition and fix prices.

Adam Smith, Wealth of Nations, talked about a cartel, and the cartel, of course, as my colleagues know, is OPEC. So first of all, let us define what we are dealing with out there and then we will move on, because that helps us have a clear focus on the problem and then we can move on to what I think some of the solutions are.

Let me point out that I think the administration understands, somewhat, the problem. I think they have discounted it because we have such a good economy, and I do not think the administration, the Democrat administration has moved to come up with any kind of solution. I will point out that the policy of the Secretary of Energy is to go over to OPEC and negotiate with them, and the Department expects the price to fall sometime in the future. It actually fell a little today. Well, that does not take a rocket scientist. I think OPEC is realizing, and they are right about at the point where the ball will bounce to bring it down just a little. These negotiations are not going to result in something coming down. The price of oil is probably going to go down anyway in the next couple of months, but not to the extent that it should. That cartel still operates.

How do we deal with a cartel? That is what the administration ought to be looking at. That is the key here. How do we deal with a cartel like OPEC? Let us go back just for a moment, because I know it is somewhat boring, perhaps, but let us look at the books. Probably, in my opinion, one of the greatest philosophers and writers about capitalism in this country, or in the history of the world was Adam Smith. Adam Smith says a cartel, he did not use the word cartel, he called it a monopoly, ''A monopoly granted either to an individual or to a trading company has the same effect as a secret in trade or manufactures. The monopolists, by keeping the market constantly understocked, by never fully supplying the effectual demand, sell their commodities much above the natural price, and raise their compensation, whether they consist in wages or profit, greatly above the natural rate.''

So we have a system in balance out there. The natural rate is what Adam Smith refers to. But the monopoly allows one to exceed the natural rate.

''The price of a monopoly is upon every occasion the highest which can be gotten. The natural price, or the price that is the result of the market, on the contrary, is the lowest which can be taken, not upon every occasion, but for any considerable time together. That is the one that is struck by competition. The one that is upon every occasion the highest which can be squeezed out of the buyers, or which, it is supposed, they will consent to give. The other is the lowest which the sellers can commonly afford to take, and at the same time that the sellers can afford to take, but at the same time continue their business.'' That is an important last few words, continue their business.

My colleagues may be able to pay this price of oil for some period of time, but can we continue our course of business?

''Such enhancements of the market price may last as long as the regulations of police which give occasion to them.

''Monopoly, besides, is a great enemy to good management.'' Let me repeat that. ''Monopoly is a great enemy to good management, which can never be universally established but in consequence of that free and universal competition which forces everybody to have recourse to it for the sake of self defense.''

What does all that say? What it says is we have a system in balance out there and if we allow the cartel to proceed on the basis of which this cartel called OPEC is proceeding, these gas prices which are not their natural price, they are the highest price you can pull out, when you allow that cartel to exist without some type of repercussion, it upsets the apple cart, it upsets the market cart, and that is where it comes down. The interpretation is maybe not for those of you who are wealthy, but for those people in this society who are not wealthy, they are the ones that are stung first and they are the ones that are stung the hardest.

I can tell my colleagues that many times in the chamber we deal perhaps with the wealthier class of society, but there is huge part out there that we cannot ignore. There are a lot of people out there that this gas price is hurting and it is stinging, and the administration has an obligation to stand up to this cartel. The administration's policy should be very clear on its action.

The United States has allowed itself to become more and more dependent on foreign oil over the years. There are a number of different reasons. One, the United States has become much less friendly in exploration on its own continent. In fact, many other countries are saying, why should we allow the United States to come into our country to do exploration for oil and take our oil while they are reluctant to do exploration in their own country. That is one factor that has caused our dependence, more dependence on foreign oil.

The other, in my opinion, is that the administration's policy is asleep at the gas pump, let us put it that way. They have been awakened recently, not suddenly; it is kind of like a bear that is

in hibernation: Kind of a slow awareness that there is a gas price problem out there on the market. There is a gas price problem for the average working American, and it impacts their families and it impacts education and it impacts jobs and it impacts our economy.

□ 2215

What do we do about OPEC? Well, let us talk about OPEC first of all. What are the countries of OPEC? I think we should take a look at that: Algeria, Libya, Indonesia, Nigeria, Iran, Iraq, Kuwait, Saudi Arabia, UAE, Venezuela. But there are few of them I want to point out specifically. That is the cartel. Those are the countries.

Remember one of the countries I mentioned, Kuwait. Remember how, just a few short years ago, it was American forces that got together and led international forces to take Iraq and force them out of their invasion of this country, Kuwait. We lost American soldiers. We lost young American soldiers, men and women, for this country Kuwait. This is how they show appreciation; they become a member of a cartel to stick it to the United States.

Now, I am not saying they are not entitled to a fair price. The market determines a fair price. Everybody is entitled to a fair price if the product has demand and if you supply what the consumers want. But to go outside the model of the marketplace and put together a monopoly which, by the way, is illegal in our country under most circumstances, to put that together under the form of a cartel, that is where we are out of kilter here.

Now, what do we do? What kind of relationship do we have with some of these countries? Well, some of these countries, we do not trade with them. Iran, although my colleague, I believe the gentleman from California (Mr. SHERMAN), noted that last week the Clinton administration's new policy is on caviar and some other products, the United States has now opened the market to Iran. So while this cartel is forcing gas prices to unprecedented highs in this country, the administration's policy is opening up more free trade with Iran.

Let us talk a little about some of the exports. This is kind of a two-way street. In my opinion, the Democratic policy here is kind of close your eyes, it will go down here by its natural self. Let us pretend it is not happening. Stall for a few weeks. Then if we get in a real crisis right before the election, our policy ought to be stand forward and hammer it. But right now, let us just kind of hope it goes away on its own. Well, even if the price drops a little, even if this price goes down, this thing is not going to go away.

We have got to use some leverage. Do not be mistaken. All of the leverage does not belong to OPEC. It does not belong to that cartel. The United States of America and other free countries in this world have some leverage in this situation.

Number one, we ought to go back to our friends, like Kuwait and say, how many years ago was it that we came into your country and gave you your country back? It cost American lives. It cost Americans billions of dollars. But we did it, one, because it was the right thing to do; but, two, we think there should be some appreciation in the future, not to put together this cartel. So that is one point of leverage, we can go to Kuwait.

But we can go to any number of countries. We can go to Algeria. We can go to Indonesia. We can go to Iraq. We can go to Nigeria. We can go to Saudi Arabia. We can go to the UAE and say, hey, do you know what, we do buy oil from you, but you buy products from us. You buy American products. Then we ought to take a look at what those American products are.

Do my colleagues know a lot of the oil that comes out of the ground that OPEC takes out of the ground, they do it with American ingenuity. It is American ingenuity that takes a lot of that oil out of that ground over there in the OPEC nations. So they are using our product.

Take, for example, the steel casing that they put into the well, the drill bits that they go down into the well, the engineering technology of how to make it all come together, a lot of that is American product.

In my opinion, the administration has some leverage there. The Democratic administration needs to stand up and say, wait a minute, what is good for the goose is good for the gander. You guys want to stick it to us on the price of oil. Maybe we ought to stand back up and renegotiate what the price of engineering services from America are. Maybe we ought to talk about the price of American products upon which you are dependent. Maybe we ought to do a little negotiation on products versus products.

Oh, it is great to send over a Secretary and have a cup of coffee and talk to them and say, look, you are really offending us. Let us lower these prices. You have got to get tough. This is the business world out there.

Do not discount this cartel. These are smart people. They figured out America is pretty easy to stick it to because they do not fight back. It is pretty easy to negotiate with this administration because they do not stand up and get tough on some of these issues. I am saying you have got to change that policy.

I think we here in the House should encourage the Clinton administration to be more direct, more forthright, and more forceful, especially stress on the last, more forceful on the leverage that we have with these OPEC nations. Our consumers will be better for it.

Now, I know that the President's policy came out in the last couple weeks and says, well, we need more energy conservation, and we need more solar energy, and we need more efficiency. That is all well and good. I mean, that is fine. I agree with some of those things. That is not going to happen tomorrow. That is not going to happen next week.

We are spending hundreds of millions of dollars trying to do that right now. Do my colleagues know what, the Government has really never come up with the solution. The people that have come up with the best solutions are the people that have the most to lose. Car efficiencies are not determined by the Government or invented by the Government. They are created by the car manufacturers who know that the consumers out there want more efficiency in their automobiles.

But the point I am trying to make here is that this administration, with our support, ought to stand up to OPEC and say, hey, we are going to talk about these American products. Maybe we ought to put a special fee on American products, maybe 1,000 percent fee or something on those products until you begin to negotiate a little on your oil prices.

As I said, these are smart people. The only way, in my opinion, you can negotiate with tough people is you send tough people in to negotiate with them. You cannot go in to a tough negotiator, show your hand, and frankly, act weak. They smell weakness. They can see it a mile away. They are like a good poker player. They can sense it a long time before you know they have sensed it.

We do not have any reason to go in there with weakness. The United States of America is a strong country. It is a country that has a lot of leverage on this cartel. It is a country that ought to use it so we can bring those gasoline prices down at the pump so that we can get a barrel of oil down to a price that we are not going to impact everything from education to our economy.

Now, we say education. Now that we get education in here, I just saw it the other day that some school has had to curtail their field trips because of the price of fuel to take their buses on these trips. They have had to cut back. That is the only place they thought they could cut back. It is having an impact, I say to the President. The administration ought to know this.

Now, I know in Washington, D.C., there is a lot of black limousines and big fancy cars, and the price of gasoline may not be such a big deal with a lot of the people in the Government. But I am telling my colleagues, even here in Washington, D.C., there is a lot of people that go to work every day that do not drive in a black limousine; and there is a lot of people being impacted by these prices. I think the administration has an obligation to be tough, to get in there and wrestle with these people.

Take a look at what we ship Kuwait, for example. Again, as a reminder, this is the country that we went to war for a few years back, 7 or 8 or 9 years ago. It is a country that we gave lives for.

Here is what Kuwait buys from us: aircraft and associated equipment, civil engineering products, contractor products, pumps, air or other gas compressors, fans, motor vehicles, chemical products, analysis and measuring tools, instruments, heating and cooling equipment, pumps for liquids.

Every category I just mentioned to my colleagues is necessary for the production of oil. Yet, the administration has not mentioned one of those products to the best of our knowledge in their negotiations with OPEC about this cartel that has been formed to stick it to the free world.

So I hope that, although I am not sure, I would hope that some message gets through to the administration that we have got to be a little tougher on these prices, that these prices are having a huge impact, a huge impact on the consumer in America.

Today, we just saw the interest rate go up another quarter of a percent. Well, this is just the beginning of our problems if we do not do something about that gasoline price and the cost of oil.

This last weekend, Mr. Speaker, there was an interesting article in the Denver Post. We are moving to a new subject. I want to talk about guns here for a little while. Last week, I talked about guns. I talked about OPEC as well, because I have not seen anything positive happen in regards to OPEC.

But let us talk about guns. It is a sensitive issue. It is an issue that everybody in the country is concerned about. It is an issue that responsible gun owners are concerned about. It is an issue that manufacturers of guns are concerned about. It is an issue that the Government talks about being concerned about. It is an issue that every one of us in these Chambers are concerned about.

What is responsibility in gun ownership? What is government responsibility in regards to gun ownership? What is the manufacturer's responsibility in regards to gun ownership? Let us visit for a few minutes about that.

Let me begin by saying that the Denver Post ran an article this last weekend. In the Federal Government, we have an agency whose focus is to look and to inspect on behalf of the Government people who sell guns, illegal weapons, and so on. It is called the Alcohol, Tobacco and Firearms, not an agency that has a good reputation, as my colleagues know, because of the disaster at Waco and a number of other issues. They do not exactly have the kind of reputation that the Federal Bureau of Investigation enjoys.

But the ATF, that is the agency we are talking about, they have responsibilities. As I mentioned to my colleagues, when we talk about guns, we want to look at a number of different responsibilities: first, the gun owner; second, the gun manufacturer; third, the gun retailer; and, fourth, the Government.

So the Government's primary agency here is the ATF. Those are the people that go out into the field. They go, for example, to a gun shop and see if the owner of the gun shop, the proprietor of the gun shop, is in compliance with the law.

Well, the Denver Post is a major newspaper in the State of Colorado. We have two major papers statewide, the Rocky Mountain News and the Denver Post. The Denver Post ran, I guess, a full disclosure or full story on the ATF and what they have done in Colorado. I will tell my colleagues, when they are done reading that story, it is the prime example of bureaucrats that are not doing a darn thing in my opinion. That is a bureaucracy that we ought to take a very close look at.

Look, I am not one of these fanatics that says, get rid of the ATF, or the Government does not have a role in responsible gun ownership. We do have a role in responsible gun ownership. But we ought to begin by cleaning our own house. My colleagues ought to read this story about the Alcohol, Tobacco and Firearms in the State of Colorado.

Let me go through some of it for my colleagues. The title of the story, ''Alcohol, Tobacco and Firearms called slow to act.''

''Federal regulators let two Colorado gun stores stay in business long after investigators reported they had sold guns to criminals and were operated by men forbidden to possess the weapons.''

So the Alcohol, Tobacco and Firearms, this bureaucrat agency that we have got, knew that the owners or the proprietors of these gun shops, one, should not be selling guns, had violated criminal statutes, and, yet, they continue to allow them to operate in their operation.

Two examples. One of them happens to be in my district, by the way. Lakewood, Colorado, the U.S. Bureau of Alcohol, Tobacco and Firearms granted a new firearms license to one Lawrence Lockert after State investigators concluded he had repeatedly sold handguns to people disqualified on background checks, including the convicted felon found running his shop.

□ 2230

Lockert kept the license, despite a 1998 restraining order prohibiting him from having weapons as well as bond conditions regarding that restraining order and a 1999 guilty plea to domestic violence charge.

A further comment on that: The records show that the ATF was informed that Lockert sold handguns to people with criminal records nearly 4 years before the agency took action.

So in this Lakewood case, they knew there was a problem. The Colorado Bureau of Investigation, which is a good solid agency in Colorado, informed Alcohol, Tobacco & Firearms that the problem existed, Alcohol, Tobacco & Firearms knew that the problem existed, and they sat on it for 4 years. For 4 years.

How can we in Washington, how can those of us in elected office from our local States talk about responsibility of the gun owners when the government itself continues to drop the football on the very basic laws that are already in existence? How can we talk about rushing to the House floor to pass more and more gun laws when the current gun laws we have are being ignored by our own agencies? We need to clean house, and Alcohol, Tobacco & Firearms is a place to start.

Let me go further. In CBI, which I mentioned before is the Colorado Bureau of Investigation, they found 10 instances in Lakewood in 18 months in which customers had acquired handguns despite being denied criminal background checks. So, remember, we put in criminal background checks. I happen to agree with that. I do not have a problem with background checks. We put that in effect and, despite the fact that is in place, this dealer ignored it on 10 different occasions. Alcohol, Tobacco & Firearms found out he ignored it on 10 different occasions and just turned the other way.

Now, when they were asked for a response, they gave two excuses. One of the excuses was, well, we just kind of lost track of the case. Now, that sounds reassuring. That sounds pretty good to hear from the government. We have a problem out there. We have somebody who ought not to be selling guns, it is against the law, who violated the law on a number of occasions, and they just kind of lost track of the case.

The second excuse here, and I should point out here that I used to be a police officer, and I know when there is a problem, when a mistake is made, the easiest thing to do, as a cop, is to blame it on lack of resources. It is kind of like education. We never hear about the fact we need higher standards. People say, well, we did not have enough money. And that is exactly what Alcohol, Tobacco & Firearms said to the Denver Post. We had very limited resources.

Well, that does not work this time. Does not work, Alcohol, Tobacco & Firearms. That agency has received increase after increase after increase in their budget, and they are still negligent out there with some pretty critical cases.

Let me talk about the second case. Delta, Colorado, in my district. It is a great community. I hope some of my colleagues have an opportunity to visit. But let me talk about the situation with a gun dealer out there. In Delta, State and Federal agents discovered in 1996 that a man in prison three times on kidnapping and weapons charges was operating a store with a Federal license to sell guns. The ATF let the shop, licensed in the names of his wife and son, sell guns until its license expired more than a year later. Despite the fact there were clear grounds for charges, no charges were filed.

I mean, come on. We need to go after these people. And we need an agency that can do it. Look, I represent the

West, and we have a very independent nature out there. We are not sold that we need big government coming into our back yard there to help us. We are not sold that we need more and more regulations. We happen to believe there are a lot of laws on the books that if enforced could go a long ways towards solving the tragedies that we all acknowledge exist out there. But, dadgummit, every one of us have a right to look at these agencies and tell these bureaucrats to get off dead center.

Today, I am sure that the director of the ATF had on his desk a copy of the article from the Denver Post yesterday morning when he got in, I would hope by 9 a.m. in the morning. When he got in and looked at that article, he should have been on the phone 2 hours later saying, all right, which agents were responsible for this? What kind of action have these agents taken? What is being done by the supervisor for the Colorado region to make sure it never happens again? What is being done to make sure it does not repeat itself? I mean this guy ought to be, or this gal, ought to be enraged. Whoever runs that agency ought to be enraged.

My bet is not much has happened over there at the slow moving Alcohol, Tobacco & Firearms. Now, I am not talking about all of the agents. We have some good people that work for that agency out there. But we have to look at the historical basis. We look at performance. We look at standards. In my opinion, the Alcohol, Tobacco & Firearms, on a number of occasions, whether we talk about Waco or any number of cases, but when we talk about Colorado, the ATF has failed us. They have failed the people of the State of Colorado and they have failed the people they work for, which are the people of the United States. We are not enforcing the laws that are on the books.

Well, that moves me into the next subject, a subject that is dear to my heart. We will have a bill introduced tomorrow by the gentleman from Florida (Mr. MCCOLLUM), the prime sponsor. It is a good bill and it highlights a project that I talked about last week, but I think it is important enough to talk about it again. We are trying to do everything we can and all of us, colleagues, every one of us in this chamber, we need to help step up public awareness of this project.

This project, Colorado Project Exile, now, obviously the bill the gentleman from Florida is introducing tomorrow is Project Exile from a national level, but I want to talk a little more about what we are doing in Colorado. We all know that the Columbine situation that occurred there. We know the sensitivities that are happening across this country. So Colorado is a good place to talk about. It is a State that prides itself on its independence. It is a State in which a lot of its citizens own weapons. It is a State that has belief in the second amendment of the Constitution, but it is also a State that has stepped forward and taken a very aggressive stance on its Project Exile.

Colorado's Project Exile has received bipartisan support from Democrats and Republicans. Our Democrat Attorney General Ken Salazar and his staff, very competent, they are in the lead on this. Tom Strickland, Democrat U.S. Attorney, he is the guy that put this project together in the State of Colorado. Our governor, who in my opinion is the finest governor in the history of the State of Colorado, Bill Owens, and his cabinet, they are behind us 100 percent and helping us with resources. Every sheriff's department, to the best of my knowledge, every police department, every newspaper in the State of Colorado, has endorsed this project.

The beauty of this project is it does not require one more law. Not one more law. It is not saying, U.S. House of Representatives get together and put together some more gun legislation. It is not going to the State legislature of the State of Colorado and saying we do not have enough laws on guns. It is a focused effort to take a look at the laws we have and how can we enforce that to bring about responsibility.

Now, I can say, and I should say, to do credit to Richmond, Virginia, that is where Project Exile got kind of its original start, to the best of my knowledge. What happened in that community is that in 1997, Richmond, Virginia, suffered the second highest per capita murder rate in the country. They implemented this project, what they called Project Exile. And why the words Project Exile? Obviously, project is self-explanatory. Exile is, hey, you do the crime, you do the time kind of philosophy; except here, you break the law, we exile you to prison. You are going to pay the price. There is going to be a consequence for breaking the law.

And there ought to be a consequence. And the consequence in Richmond, Virginia, is going to be immediate. It is going to be severe and it will mean something. And in Richmond, Virginia, we are going to go out and do public awareness. And in Virginia we are going to go out and have the public help us with public awareness. Just like the crime marches program. We want the people to get the word out.

The second amendment is an amendment worth standing up for. But if someone abuses the responsibility, if they are violating the law, they are going to pay a price for it because we do not want to tolerate it. It is kind of like good cop, bad cop. The best thing good cops could do, the best thing good cops could do, having been a former cop, is get rid of the bad cops. That is the best thing to do. It is the same thing here. The best those of us who believe in the second amendment could do is do something about the people who violate the law. And that is what Project Exile is about.

In 1998, after they initiated this, their homicides dropped by a third. Almost immediately their homicides dropped by a third. Their project involved Federal, State and local authority, and so does ours in Colorado, and we will go through that in a little more detail here in a bit. Under Project Exile in Virginia, 390 defendants were prosecuted in Federal Court in a very short period of time.

What we did in Colorado is we have adopted the same program, and this is a poster that I have here that is a duplicate of billboards that we have gone out with throughout the State of Colorado. And let me tell my colleagues that we have also had not just participation from Tom Strickland and Ken Salazar and Bill Owens and Russell George and Ray Powers, who is president of the Senate, president of the House respectively, we have also got help from the business community. We have got help from the citizens of Colorado.

We have made this a partnership. We have got assistance from the Federal government. And the McCollum bill, which will be introduced tomorrow on Project Exile, will go a long ways in helping make the Federal Government a bigger partner. But we have taken the U.S. Attorney's Office, who has coordinated it with the State Attorney General's office, with the State governor, and then we have gone to the business community and said help us fund this advertising campaign; help us get out the message that in Colorado if you break the law, you pay the price, and help us pay the price.

That is why I am so upset with the ATF. They have dropped the ball in Colorado and, darn it, they ought to get back there and do their job. They have an obligation to us to do their job.

Well, what our exile law does, and, as I said, it does not require one more new law, no more new laws, it goes out and says, hey, first of all, we want to make sure every police officer in the State of Colorado knows what the Federal gun laws are. We are going on the assumption, and it is a good assumption to make, that every police officer in the State of Colorado already knows what their municipal laws are in regards to guns, they already know what their State laws are in regards to guns, but they probably do not, understandably, know quickly what the Federal gun laws are. So we are giving them each a laminated placard, just like this, and very briefly it states what the Federal gun laws are. So if they make a stop or they have a contact with a suspect who has a weapon, they can very quickly scan this card. And if they see a violation, they can do something with it.

What we have decided to do under our Project Exile is, any time a suspect is arrested with a gun violation or some kind of criminal activity that involves a gun, we immediately coordinate our municipal laws that are already in existence, our local laws, county laws that are already in existence, and our State and Federal laws

that are already in existence. We then send it over to what we call our gun squad. The gun squad is a squad made up of prosecutors in these different agencies, primarily led by the U.S. Attorney's Office, again Tom Strickland. And what they do is they quickly do an evaluation on these violations and say, hey, this fella violated a Federal law. We can be tougher under the Federal law than we can the State law, so let us prosecute this in the Federal courts.

In other words, what we are doing is we are putting an awareness campaign out there that if a violation of the law in Colorado in regards to guns, is going to be met with the toughest law we have on the books, we are going after that violator with the toughest law we have on the books. Why? Because the people who are breaking the law, frankly, are putting a bad reputation on those who are following the law.

And, remember, possession of the weapon is not the big problem, it is misuse of the weapon. A lot of times in these chambers what we focus on is possession of the weapon. It is a diversion. It is a red herring. What we need to focus on is the misuse. And that is what Project Exile does.

Now, in our public awareness campaign we put, pack an illegal gun, pack your bags for prison. Report illegal guns, and we give a 1–800 number. One of the more successful programs we have had, as my colleagues know in their own neighborhoods, is crime watchers.

□ 2245

You call up, we give 1–800 names to turn in people. We offer rewards. We do not have to know your name; Crime Stoppers, different programs, Project Thief, things like that.

We think we can reach the same kind of success here. If we know somebody has a fully automatic weapon, it is obviously illegal. Call us on the 1–800 number, we will go after them. We have got response teams. We are going to respond to this, just like we respond to bank robbers. The alarm goes off, we respond. We hit it hard. We hit it fast.

There was a day where bank robberies were out of control in this country. We put together a responsive effort; that is what we are attempting to do here too. We have got some bad characters out there who are abusing the responsibilities, who are breaking the law, abusing the responsibilities as a citizen; we want to make them pay the price.

Project Exile in Colorado is working, and it is only a few months old. We have seen dramatic results. We have seen excellent cooperation between the different law enforcement agencies. It is working. We did not pass the new law in Colorado in regards to this. We have gone into the books, we dusted them off, and it is working.

We are also advocating and going after, and kudos to the Denver Post in Colorado for looking at the Federal agencies that are responsible and have a responsibility in this partnership who are sitting on their duffs, and that is exactly what the ATF in Colorado has done.

You can be assured that when I go to Colorado, the ATF is not going to be very happy with me. I do not care. Do your job. You have got an obligation.

Back to Project Exile. Let me say a few concluding remarks. This is important. This will work. I know that there has been a lot of propaganda out there. There has been a lot of people on both sides of the aisle. You have got the handgun control outfits. You have got the NRA, all of these people.

There has been a lot of discussion out there about guns. Most of the discussions that are taking place out there, especially in regards to more laws, and more laws are not going to have the kind of impact that we are led to believe they will have. Do not be misled. It feels good. A lot of the propositions that come before us on this House floor are feel-good propositions. They make you think that you are doing something to help address this gun violence problem we have in this country.

There is not a Member in this Chamber that does not want to do something about this violence. We are sickened by it just like our constituents. We want to do something, but do not be misled on some of these feel-good bills. This is not a misleading deal. This is not feel-good.

This is, where is the meat? There is the meat right there. Project Exile has the meat. Project Exile raises the stakes for the people that want to break the law. Project Exile incorporates a partnership, our citizens, our constituents, our businesses, to help us pay for those billboards, our law enforcement agencies, in coordination to go after these people. It will work, give it a chance.

It worked in Richmond, Virginia. It is working in Colorado. It is going to work clear across this country as more and more communities adopt the Project Exile philosophy.

Let me move to an entirely different subject, one I want to visit for a minute about the death tax. It is kind of interesting. I met a young person today. I guess this young person was about 15 years old. He talked to me about his family, his grandpa. Apparently, his grandfather is sick or has passed away; and he said, my family is getting hit real hard with this tax. Can you tell me a little about the tax?

Well, I did not have an opportunity to visit with the young person, but I hope to later. Let me tell you what this country does. As you know, we have to have taxes. Obviously, we have to have taxes in this country. We need to fund our defense. We need to fund our transportation, et cetera, et cetera. But years and years ago, because some people in this country thought that other people in this country were too wealthy and that we really ought to transfer wealth instead of through work or instead of through the ADAM SMITH philosophy, we ought to transfer wealth by going to the wealthy people and saying we taxed you throughout your life; but upon death, we are going to go ahead and tax property that has already been taxed. That is a clever way to redistribute wealth.

Let us just defy the age-old proven theory of ADAM SMITH and the open market. Let us just transfer, redistribute wealth by taking from the rich and giving to the poor, the old Robin Hood philosophy. That is kind of the beginnings of the death tax in this country.

Is the death tax justified? No. It defies the logic of what our system is built upon. We all carry a fair share, but redistribution of wealth through taxation does not work. What does the death tax do?

I will tell what kind of impact, and colleagues you know this. If you do not, go out there and look at any small business in this country, if they have been in business very long, if their business has grown very fast, or if the homes that your constituents reside in for very long, they can easily be facing the punitive action of the Federal Government coming in upon their death and imposing a tax on their estate. It is called the death tax. It is unfair.

Now, remember it would be fair, I would guess, if you had some property out there where the fair share of tax had not been paid on it and you came in and said, you know, you have not paid your fair share of tax, so we are going to assess a tax. But that is not what happened in the death tax. In the death tax, you are being taxed, with the exception of some IRA accounts; but that is very limited. You are being taxed on property that you have already paid taxes on at least once, probably two or three times.

It is devastating. In districts like mine, where we have lots of ranches; we have lots of small family operations. These families cannot go out and afford the life insurance. I had one fellow say to me, look, just tell these ranchers to go out and buy life insurance, so when they pass away they can still pass the property on to their family, because the life insurance pays for the taxes.

I said wake up, you are going on the assumption that there is enough money made in ranching and farming and small business to pay the kind of premiums that are necessary to give the Government that kind of money. It does not happen.

And what happens in Colorado? For example, take a ranch, take a family ranch, one of the things that we are proud of in Colorado, you are proud of in Pennsylvania, you are proud anywhere that you have got open space, is we have families who have generation after generation worked and tilled the land that they support themselves and their neighbors off of, and they take a lot of pride in that.

Now, they face all kinds of obstacles in being a small rancher, a farmer, the

market, number one, the commodity prices falling, the costs of doing business. Do you think on top of it we ought to give them the biggest obstacle of all, and that is their own government coming in and saying, upon your death, we are going to tax you again on this property?

In Colorado, when you go into a small ranch and you do that, you know what then, instead of ranching being, perhaps, the use of the property that is desired, it then develops into highest and best use theory, which means you take that 3,000-acre ranch and divide it up into 35-acre partials and build homes all over it. It is the only way really in a lot of circumstances, if you do not have the wealth to afford life insurance, you can get out of this taxation.

I want people to be aware that there is a distinct difference between the Democrats, the administration's policy on the estate tax, the death tax, and the Republicans. The Republicans have, and I am not trying to be partisan here, but this is a partisan issue. This death tax has become a partisan issue. The Republicans are saying that this is an unfair tax on its face.

It is punitive on its face. The Democratic administration has come in and now this year in their budget, in the Clinton-Gore budget, they have proposed an increase in the estate tax, an increase, not help us get rid of it. I mean, the least they could do is help neutralize it or not raise it, but the Clinton-Gore administration has come in and said we are going to raise the estate tax.

And for any of my colleagues that might shake their heads, cannot believe it, take a look at the budget proposal. It is in there, a $9.5 billion increase. The estate tax is fundamentally unfair, and we should do something about that.

In conclusion, as you know, we covered a bunch of different topics this evening. If I were to say what was the most important, it is, one, Alcohol, Tobacco and Firearms, get out there and do your job in Colorado. You have got the resources. Do not use it as an excuse. The people deserve more from your agency.

Number two, Project Exile will work. Help us. Adopt it in your States; talk to your constituents about Project Exile. And, congratulations, by the way, to all of the partners in our Project Exile partnership in Colorado, whether it is Tom Strickland; Ken Salazar; my friend, Bill Owens; Ross George; Ray Powers; whoever it is out there, you are doing a good. We are going to make it work.

□ 2300

RECESS

The SPEAKER pro tempore (Mr. WELDON of Florida). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 p.m.), the House stood in recess subject to the call of the Chair.

□ 2317

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WELDON of Florida) at 11 o'clock and 17 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1287, NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–532) on the resolution (H. Res. 444) providing for consideration of the Senate bill (S. 1287) to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3822, OIL PRICE REDUCTION ACT OF 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–533) on the resolution (H. Res. 445) providing for consideration of the bill (H.R. 3822) to reduce, suspend, or terminate any assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to each country determined by the President to be engaged in oil price fixing to the detriment of the United States economy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. DAVIS of Illinois (at the request of Mr. GEPHARDT) for today on account of being unavoidably detained.

Mrs. LOWEY (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. SCHAKOWSKY (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. CRANE (at the request of Mr. ARMEY) for today and the next month on account of medical reasons.

Mr. GREENWOOD (at the request of Mr. ARMEY) for today and the balance of the week on account of participating in a CODEL to India.

Mr. ROYCE (at the request of Mr. ARMEY) for today and the balance of the week on account of participating in a CODEL to India.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FRANK of Massachusetts) to revise and extend their remarks and include extraneous material:)

Mr. FORD, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. RAMSTAD) to revise and extend their remarks and include extraneous material:)

Mr. NORWOOD, for 5 minutes, today.

Mr. MILLER of Florida, for 5 minutes, March 22.

Mr. RAMSTAD, for 5 minutes, today, March 22, and March 23.

Mr. CAMP, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, March 28.

Mrs. BIGGERT, for 5 minutes, March 22.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, March 27.

Mr. JONES of North Carolina, for 5 minutes, today and March 22.

Mr. PAUL, for 5 minutes, March 22.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 96. Concurrent resolution recognizing and honoring the members of the American Hellenic Educational Progressive Association (AHEPA) who are being awarded the AHEPA Medal for Military Service for service in the Armed Forces of the United States; to the Committee on Armed Services.

ADJOURNMENT

Mr. DIAZ-BALART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 22, 2000, at 10:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6694. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Pork and Pork Products From Yucatan and Sonora, Mexico [Docket No. 97–079–2] (RIN: 0579–AA91) received January 20, 2000, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

6695. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule—Domestically Produced and Imported Peanuts; Change in the Maximum Percentage of Foreign Material Allowed Under Quality Requirements [Docket Nos. FV99–997–2 FIR, FV99–998–1FIR, and FV99–999–1 FIR] received January 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6696. A letter from the Acting Director, Defense Procurement, Department of the Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Cargo Preference-Subcontracts for Commercial Items [DFARS Case 98–D014] received March 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6697. A letter from the Acting Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Federal Prison Industries Waiver Threshold [DFARS Case 2000–D005] received March 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6698. A letter from the Acting Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Construction and Service Contracts in Noncontiguous States [DFARS Case 99–D308] received March 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6699. A letter from the Chairman, the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting the 1999 Annual Report of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, pursuant to 12 U.S.C. 3332; to the Committee on Banking and Financial Services.

6700. A letter from the Legislative and Regulatory Activities Division, Department of the Treasury, Comptroller of the Currency, transmitting the Department's final rule—Financial Subsidaries and Operating Subsidiaries [Docket No. 00–07] (RIN: 1557–AB60) received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6701. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a transaction involving U.S. exports to the People's Republic of China; to the Committee on Banking and Financial Services.

6702. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Anesthesiology Devices; Classification of Nitric Oxide Administration Apparatus, Nitric Oxide Analyzer, and Nitrogen Dioxide Analyzer [Docket No. 96P–0436] received March 10, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6703. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Device Reporting: Manufacturer Reporting, Importer Reporting, User Facility Reporting, Distributor Reporting [Docket No. 98N–0170] received January 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6704. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Amendments to the List of Regulated Substances and Thresholds for Accidental Release Prevention; Flammable Substances Used as Fuel or Held for Sale as Fuel at Retail Facilities [FRL–6550–1] (RIN: 2050–AE74) received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6705. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Schedule of Fees for Consular Services; Finance and Accounting; Passports and Visas—received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6706. A letter from the Manager Analyst, Office of Inspector General, Department of Justice, transmitting the semiannual report on activities of the Inspector General for the period April 1, 1999, through September 30, 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6707. A letter from the Acting Deputy Associate Administrator for Acquisition Policy, Office of Governmentwide Policy, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Nondisplacement of Qualified Workers-Commercial Items [FAC 97–15; FAR Case 99–600; Item X] (RIN: 9000–AI38) received January 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6708. A letter from the Acting Deputy Associate Administrator for Acquisition Policy, Office of Governmentwide Policy, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Review of Award Fee Determination (BURNSide-Ott) [FAC 97–15; FAR Case 98–017; Item IX] (RIN: 9000–AI35) received January 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6709. A letter from the General Counsel, National Science Foundation, transmitting the Foundation's final rule—Revision of Freedom of Information Act and Privacy Act Regulations and Implementation of Electronic Freedom of Information Act Amendments of 1996 (RIN: 3145–AA31 and—-AA32) received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6710. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Mothership Component in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 000211040–0040–01; I.D. 022800C] received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6711. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—DIC Benefits for Survivors of Certain Veterans Rated Totally Disabled at Death (RIN: 2900–AJ65) received January 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6712. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule— Application of Producers' Good Versus Consumers' Good Test In Determining Country of Orgin Marking [T.D. 00–15] received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6713. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule— Extension of Import Restrictions Imposed On Certain Categories of Archaeological Material from the Prehispanic Cultures of the Republic of El Salvador [T.D. 00–16] (RIN: 1515–AC61) received March 9, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 444. Resolution providing for consideration of the bill (S. 1287) to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes (Rept. 106–532). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 445. Resolution providing for consideration of the bill (H.R. 3822) to reduce, suspend, or terminate any assistance under the Foreign Assistance Act of 1961 and the Arms Export Control Act to each country determined by the President to be engaged in oil price fixing to the detriment of the United States economy, and for other purposes (Rept. 106–533). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3903. A bill to deem the vessel M/V *Mist Cove* to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code (Rept. 106–531). Referred to the Private Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HOYER:

H.R. 4037. A bill to amend the Federal Election Campaign Act of 1971 to improve the efficiency of the Federal Election Commission, to authorize appropriations for the Commission for fiscal year 2001, and for other purposes; to the Committee on House Administration.

By Mr. JACKSON of Illinois:

H.R. 4038. A bill to amend the Foreign Assistance Act of 1961 to address the issue of mother-to-child transmission of human immunodeficiency virus (HIV) in Africa, Asia, and Latin America; to the Committee on International Relations.

By Mr. JACKSON of Illinois:

H.R. 4039. A bill to authorize microfinance and food assistance for communities affected by the Acquired Immune Deficiency Syndrome (AIDS), and for other purposes; to the Committee on International Relations, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCARBOROUGH (for himself, Mr. CUMMINGS, Mr. MICA, Ms. NORTON, Mr. MILLER of Florida, and Mr. ALLEN):

H.R. 4040. A bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on 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. WAXMAN (for himself, Mr. MEEHAN, Mr. DOGGETT, Mr. MARKEY, Ms. DELAURO, Mr. STARK, Ms. SLAUGHTER, and Mr. WEYGAND):

H.R. 4041. A bill to prevent children from using tobacco products, to reduce the health costs attributable to tobacco products, and for other purposes; to the Committee on Commerce.

By Mr. WAXMAN (for himself, Mr. MEEHAN, Mr. DOGGETT, Mr. MARKEY, Ms. DELAURO, Mr. STARK, Ms. SLAUGHTER, Mr. WEYGAND, and Mr. ALLEN):

H.R. 4042. A bill to amend the Federal Food, Drug, Cosmetic Act to clarify the jurisdiction of the Food and Drug Administration over tobacco; to the Committee on Commerce.

By Mr. BALDACCI (for himself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CROWLEY, Mr. DEFAZIO, Ms. DELAURO, Mr. DELAHUNT, Mr. DOYLE, Mr. FATTAH, Mr. FORBES, Mr. GEJDENSON, Mr. HINCHEY, Mr. HOLDEN, Ms. KAPTUR, Mrs. LOWEY, Mr. MASCARA, Mr. MCGOVERN, Mr. MORAN of Virginia, Mr. MURTHA, Mr. PASCRELL, and Mr. SANDERS):

H.R. 4043. A bill to permit the drawdown of the Strategic Petroleum Reserve when oil and gas prices in the United States rise sharply because of anticompetitive activity, to provide credits against income tax for certain energy efficiency improvements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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. BURTON of Indiana (for himself and Mr. PAUL):

H.R. 4044. A bill to amend the Internal Revenue Code of 1986 to allow all taxpayers a credit against income tax for up to $200 of charitable contributions; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself, Mr. HAYES, Mr. PACKARD, and Mr. BILBRAY):

H.R. 4045. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes of violence against children under age 13; to the Committee on the Judiciary.

By Mr. GILCHREST (for himself, Mr. FARR of California, Mr. ENGLISH, and Mr. GREENWOOD):

H.R. 4046. A bill to amend the Magnuson-STEVENS Fishery Conservation and Management Act to recover depleted fish stocks and promote the long-term sustainability of marine fisheries, and for other purposes; to the Committee on Resources.

By Mr. GREEN of Wisconsin (for himself, Mr. ARMEY, Mr. GARY MILLER of California, Mr. SHIMKUS, Mr. SHOWS, Mr. FOLEY, Mr. TAYLOR of Mississippi, Mr. ENGLISH, Mr. NEY, Mr. RAHALL, and Mr. CALVERT):

H.R. 4047. A bill to amend title 18 of the United States Code to provide life imprisonment for repeat offenders who commit sex offenses against children; to the Committee on the Judiciary.

By Mr. HANSEN (for himself, Mrs. CUBIN, Ms. ROS-LEHTINEN, Mr. CANNON, Mr. WOLF, and Mr. WELDON of Florida):

H.R. 4048. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to individuals who donate their organs at death; to the Committee on Ways and Means.

By Mr. HUTCHINSON (for himself, Mr. MORAN of Virginia, Ms. GRANGER, Mr. BRADY of Texas, Mr. DAVIS of Florida, Ms. PRYCE of Ohio, Mr. SUNUNU, Mr. BARRETT of Wisconsin, Mr. COBURN, Mr. DICKEY, Mr. KLECZKA, Mr. PITTS, Mr. GREENWOOD, Mr. RILEY, Mr. DUNCAN, Mr. LUCAS of Oklahoma, Mr. KOLBE, Mr. CAMPBELL, Mrs. KELLY, Mr. DAVIS of Virginia, and Mr. VITTER):

H.R. 4049. A bill to establish the Commission for the Comprehensive Study of Privacy Protection; to the Committee on Government Reform.

By Mr. VITTER (for himself and Mr. BAKER):

H.R. 4050. A bill to amend the Internal Revenue Code of 1986 to provide that certain deductions of school bus owner-operators shall be allowable in computing adjusted gross income; to the Committee on Ways and Means.

By Mr. KLINK (for himself, Mr. BALDACCI, Mr. MURTHA, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. MASCARA, Mr. OLVER, Mr. SANDERS, Mr. GEJDENSON, Mr. WEYGAND, Mr. WYNN, Mr. KENNEDY of Rhode Island, Mr. COYNE, and Mr. MALONEY of Connecticut):

H. Con. Res. 291. Concurrent resolution expressing the sense of the Congress concerning drawdowns of the Strategic Petroleum Reserve; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 49: Ms. DEGETTE.

H.R. 110: Mr. OWENS and Mr. BENTSEN.

H.R. 303: Mr. BROWN of Ohio and Mr. SERRANO.

H.R. 347: Mr. BONILLA.

H.R. 488: Mrs. NAPOLITANO.

H.R. 515: Ms. MCKINNEY.

H.R. 531: Mr. CHAMBLISS.

H.R. 566: Mr. BROWN of Ohio and Mr. SCARBOROUGH.

H.R. 664: Mr. MCDERMOTT.

H.R. 742: Mr. NCNULTY.

H.R. 1041: Mr. SAM JOHNSON of Texas.

H.R. 1044: Mr. CAMP, Mr. HAYES, and Ms. HOOLEY of Oregon.

H.R. 1046: Mrs. JOHNSON of Connecticut.

H.R. 1055: Mr. WELDON of Pennsylvania, Mr. STUMP, and Mr. TRAFICANT.

H.R. 1102: Mr. ABERCROMBIE, Mr. BISHOP, and Mr. LEACH.

H.R. 1196: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. FATTAH.

H.R. 1257: Ms. GRANGER.

H.R. 1261: Mr. GOODLING.

H.R. 1304: Mrs. NAPOLITANO.

H.R. 1349: Mr. BARTLETT of Maryland and Mr. SAM JOHNSON of Texas.

H.R. 1389: Mr. BARTLETT of Maryland, Ms. BERKLEY, Mr. DICKS, and Mrs. NAPOLITANO.

H.R. 1398: Mr. HAYWORTH.

H.R. 1503: Mr. MINGE.

H.R. 1637: Mr. LAFALCE.

H.R. 1704: Mrs. NAPOLITANO.

H.R. 1769: Mr. OWENS and Mr. REYES.

H.R. 1776: Mr. GOODLING, Mr. GUTKNECHT, Mr. HUTCHINSON, Mr. ROEMER, Mr. BENTSEN, Mr. SHERMAN, and Mr. BOEHNER.

H.R. 1984: Mrs. MCCARTHY of New York.

H.R. 2025: Ms. CARSON.

H.R. 2059: Mr. FROST and Mr. KENNEDY of Rhode Island.

H.R. 2121: Ms. SANCHEZ, Mr. SCARBOROUGH, and Mr. ENGLISH.

H.R. 2149: Mr. GILMAN and Mr. SCOTT.

H.R. 2308: Ms. MCCARTHY of Missouri.

H.R. 2349: Mr. GARY MILLER of California.

H.R. 2562: Mr. BACA.

H.R. 2564: Mr. ROGAN.

H.R. 2573: Mr. BALDACCI and Mr. NEAL of Massachusetts.

H.R. 2641: Mr. SKEEN.

H.R. 2720: Mr. GILCHREST.

H.R. 2725: Mr. PHELPS.

H.R. 2738: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2749: Mr. CANNON.

H.R. 2788: Mr. MINGE.

H.R. 2789: Mr. SANDERS and Mr. FROST.

H.R. 2814: Mr. WISE and Mr. RAHALL.

H.R. 2817: Mr. CROWLEY and Mrs. KELLY.

H.R. 2870: Mr. HOLDEN, Mr. PAYNE, and Mr. LATOURETTE.

H.R. 2883: Mr. MCGOVERN and Mrs. MINK of Hawaii.

H.R. 2929: Mr. DELAHUNT, Mr. GUTIERREZ, Mr. SANDERS, and Ms. LOFGREN.

H.R. 2934: Mr. GEORGE MILLER of California, Mr. FORD, Mr. FATTAH, Mr. SANDLIN, and Mr. DAVIS of Illinois.

H.R. 3058: Mr. MCCOLLUM.

H.R. 3091: Mr. CRAMER.

H.R. 3113: Mr. PICKERING, Mr. GARY MILLER of California, Mr. HOLT, Mr. PITTS, and Mr. SESSIONS.

H.R. 3193: Mr. TIERNEY, Mr. CAPUANO, Mr. MICA, and Mrs. CAPPS.

H.R. 3224: Ms. KAPTUR.

H.R. 3244: Mr. STARK and Mr. DEMINT.

H.R. 3301: Mr. BURTON of Indiana.

H.R. 3327: Mr. HERGER.

H.R. 3379: Mr. BONIOR.

H.R. 3444: Mr. SIMPSON.

H.R. 3453: Mr. HALL of Ohio.

H.R. 3479: Mrs. CLAYTON.

H.R. 3535: Mr. GOODLING.

H.R. 3545: Mr. SANDERS.

H.R. 3552: Mrs. CAPPS.

H.R. 3570: Mrs. JONES of Ohio.

H.R. 3573: Ms. DEGETTE, Mr. DUNCAN, Mr. GUTIERREZ, and Mr. PASTOR.

H.R. 3575: Mr. WATTS of Oklahoma, Mr. RYAN of Wisconsin, Mr. WELDON of Florida, Mr. NORWOOD, Mr. PETRI, Mr. SMITH of Texas, Mr. BALDACCI, and Mr. MINGE.

H.R. 3593: Mr. RADANOVICH, Mr. GREEN of Wisconsin, and Mr. POMBO.

H.R. 3594: Mr. STRICKLAND, Mr. SOUDER, Mr. NORWOOD, and Mr. PICKETT.

H.R. 3610: Mr. KUCINICH, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Ms. LEE, Mr. THOMPSON of Mississippi, Mrs. MEEK of Florida, Ms. MCKINNEY, Ms. SCHAKOWSKY, Ms. DELAURO, and Ms. PELOSI.

H.R. 3629: Mr. MCKEON.

H.R. 3634: Ms. HOOLEY of Oregon and Mrs. MINK of Hawaii.

H.R. 3641: Mr. EHRLICH.

H.R. 3656: Mr. TRAFICANT.

H.R. 3660: Mr. PETERSON of Minnesota, Mr. DEAL of Georgia, Mr. COBLE, and Mr. TOOMEY.

H.R. 3682: Mr. KUCINICH.

H.R. 3694: Mr. NETHERCUTT.

H.R. 3702: Mr. MEEHAN and Mr. PASCRELL.

H.R. 3710: Ms. SLAUGHTER, Mrs. CAPPS, Ms. LOFGREN, Mr. JEFFERSON, and Ms. SCHAKOWSKY.

H.R. 3767: Mr. BENTSEN.

H.R. 3823: Mr. RUSH, Mr. FROST, and Mr. BLUMENAUER.

H.R. 3831: Mr. BORSKI.

H.R. 3836: Mr. FROST and Mr. MATSUI.
H.R. 3844: Mr. SCARBOROUGH.
H.R. 3849: Mr. TANCREDO.
H.R. 3850: Mr. PETRI and Mr. BURR of North Carolina.
H.R. 3873: Ms. SANCHEZ, Mr. FROST, Mr. MCDERMOTT, and Mr. NADLER.
H.R. 3875: Mr. BARR of Georgia.
H.R. 3880: Mr. FILNER, Mr. FRANK of Massachusetts, Mrs. EMERSON, Mr. MCDERMOTT, and Mr. NADLER.
H.R. 3884: Mr. BALDACCI and Mr. MARTINEZ.
H.R. 3911: Ms. DEGETTE.
H.R. 3915: Mr. GOODLING.
H.R. 3916: Mr. SHAYS, Mr. JONES of North Carolina, Mr. WELDON of Florida, Ms. MCCARTHY of Missouri, Mr. ENGLISH, and Mr. ROEMER.
H.R. 3983: Mrs. MCCARTHY of New York and Mr. GONZALEZ.
H.R. 3985: Mr. DEUTSCH.
H.R. 3998: Mr. GEJDENSON and Mrs. CAPPS.
H.R. 4006: Mr. ENGLISH.
H.R. 4033: Mr. LOBIONDO, Mr. KLINK, Mr. FRANKS of New Jersey, Mr. FRANK of Massachusetts, Mr. MCINNIS, Mr. NADLER, Mrs. ROUKEMA, Mr. WEINER, Mr. CUNNINGHAM, Mr. HOYER, Mr. GREENWOOD, Mr. WYNN, Mrs. JOHNSON of Connecticut, Mr. BENTSEN, Mr. WOLF, Mr. CRAMER, Mrs. MORELLA, Mr. HINCHEY, Mr. LATOURETTE, Mrs. TAUSCHER, Mr. TAYLOR of North Carolina, Mr. SANDERS, Mr. ABERCROMBIE, Mr. BISHOP, Mr. CONDIT, Mr. COSTELLO, Ms. DANNER, Mr. EDWARDS, Mr. ETHERIDGE, Mr. GREEN of Texas, Mr. HOLT, Mr. MASCARA, Mr. MCGOVERN, Ms. SANCHEZ, Mr. THOMPSON of California, Mr. TOWNS, Ms. WOOLSEY, Mr. SMITH of Washington, Mr. MCINTYRE, and Mr. MCDERMOTT.
H.J. Res. 53: Ms. DANNER.
H. Con. Res. 249: Mr. LANTOS and Mr. ROHRABACHER.
H. Con. Res. 252: Mr. BONILLA and Mr. BONIOR.
H. Con. Res. 260: Mr. KINGSTON, Mr. TIAHRT, and Mr. ROGERS.
H. Con. Res. 266: Mr. GILLMOR, Mr. COBURN, Ms. DELAURO, Mr. BOYD, Mr. OXLEY, Mr. BARCIA, Mr. SPRATT, Mr. FARR of California, Mr. SHAYS, Mr. PITTS, Mr. SCHAFFER, Mr. PHELPS, Mr. HINCHEY, Mr. GEJDENSON, Mr. BARRETT of Nebraska, Mr. FROST, Ms. JACKSON-LEE of Texas, and Mr. HOLT.
H. Con. Res. 273: Mr. WEYGAND.
H. Con. Res. 285: Mr. CRANE, Mr. HALL of Texas, Mr. HAYES, and Mr. BISHOP.
H. Res. 213: Ms. HOOLEY of Oregon.
H. Res. 437: Mr. DEFAZIO, Mr. CUNNINGHAM, Mr. STEARNS, Mr. FRANK of Massachusetts, Mr. WOLF, Mr. LANTOS, and Mr. BLAGOJEVICH.

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. 701: Mr. PACKARD.
H.R. 3844: Mr. BARTLETT of Maryland.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3822

OFFERED BY: MR. BACHUS

AMENDMENT NO. 4: Page 8, after line 2 insert the following:

SEC. 7. DENIAL OF FINANCIAL ASSISTANCE FROM INTERNATIONAL FINANCIAL INSTITUTIONS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o-2) is amended by adding at the end the following:

''SEC. 1504. DENIAL OF FINANCIAL ASSISTANCE FOR MAJOR OIL EXPORTING COUNTRIES ENGAGED IN PRICE FIXING.

''The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2)) to use the voice, vote, and influence of the United States at the institution to urge the institution to adopt as a matter of policy and practice not to provide financial assistance of any kind to a country determined by the President pursuant to section 5 of the Oil Price Reduction Act of 2000 to be engaged in oil price fixing to the detriment of the United States economy.''.

Redsignate succeeding sections accordingly.

H.R. 3822

OFFERED BY: MR. BALDACCI

AMENDMENT NO. 5: At the end of the bill insert the following new sections:

SEC. 8. CREDIT FOR ENERGY EFFICIENCY IMPROVEMENTS TO EXISTING HOMES.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

''SEC. 25B. ENERGY EFFICIENCY IMPROVEMENTS TO EXISTING HOMES.

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 20 percent of the amount paid or incurred by the taxpayer for qualified energy efficiency improvements installed during such taxable year.

''(b) LIMITATIONS.—

''(1) MAXIMUM CREDIT.—The credit allowed by this section with respect to a dwelling shall not exceed $2,000.

''(2) PRIOR CREDIT AMOUNTS FOR TAXPAYER ON SAME DWELLING TAKEN INTO ACCOUNT.—If a credit was allowed to the taxpayer under subsection (a) with respect to a dwelling in 1 or more prior taxable years, the amount of the credit otherwise allowable for the taxable year with respect to that dwelling shall not exceed the amount of $2,000 reduced by the sum of the credits allowed under subsection (a) to the taxpayer with respect to the dwelling for all prior taxable years.

''(c) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under subpart A of part IV of subchapter A (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.

''(d) QUALIFIED ENERGY EFFICIENCY IMPROVEMENTS.—For purposes of this section, the term 'qualified energy efficiency improvements' means any energy efficient building envelope component, and any energy efficient heating, cooling, or water heating appliance, the installation of which, by itself or in combination with other such components or appliances, is certified to improve the annual energy performance of the existing home by at least 30 percent, if—

''(1) such component or appliance is installed in or on a dwelling—

''(A) located in the United States, and

''(B) owned and used by the taxpayer as the taxpayer's principal residence (within the meaning of section 121),

''(2) the original use of such component or appliance commences with the taxpayer, and

''(3) such component or appliance reasonably can be expected to remain in use for at least 5 years.

Such certification shall be made by the contractor who installed such improvements, a local building regulatory authority, or a qualified energy consultant (such as a utility or an accredited home energy rating system provider).

''(e) SPECIAL RULES.—

''(1) TENANT-STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—In the case of an individual who is a tenant-stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such individual shall be treated as having paid his tenant-stockholder's proportionate share (as defined in section 216(b)(3)) of the cost of qualified energy efficiency improvements made by such corporation.

''(2) CONDOMINIUMS.—

''(A) IN GENERAL.—In the case of an individual who is a member of a condominium management association with respect to a condominium which he owns, such individual shall be treated as having paid his proportionate share of the cost of qualified energy efficiency improvements made by such association.

''(B) CONDOMINIUM MANAGEMENT ASSOCIATION.—For purposes of this paragraph, the term 'condominium management association' means an organization which meets the requirements of paragraph (1) of section 528(c) (other than subparagraph (E) thereof) with respect to a condominium project substantially all of the units of which are used as residences.

''(f) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this subsection) result from such expenditure shall be reduced by the amount of the credit so allowed.

''(g) APPLICATION OF SECTION.—Subsection (a) shall apply to qualified energy efficiency improvements installed during the period beginning on January 1, 2000, and ending on December 31, 2004.''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 23 of such Code is amended by striking ''and section 1400C'' and inserting ''and sections 25B and 1400C''.

(2) Subparagraph (C) of section 25(e)(1) of such Code is amended by striking ''and 1400C'' and inserting '', 25B, and 1400C''.

(3) Subsection (d) of section 1400C of such Code is amended by inserting ''and section 25B'' after ''other than this section''.

(4) Subsection (a) of section 1016 of such Code is amended by striking ''and'' at the end of paragraph (26), by striking the period at the end of paragraph (27) and inserting ''; and'', and by adding at the end the following new paragraph:

''(28) to the extent provided in section 25B(f), in the case of amounts with respect to which a credit has been allowed under section 25B.''.

(5) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. Energy efficiency improvements to existing homes.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 1999.

SEC. 9. CREDIT FOR ENERGY EFFICIENCY IMPROVEMENTS BY SMALL BUSINESSES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by inserting after section 45C the following new section:

"SEC. 45D. ENERGY EFFICIENCY IMPROVEMENTS BY SMALL BUSINESSES.

''(a) IN GENERAL.—For purposes of section 38, in the case of an eligible small business, the energy efficiency improvement credit determined under this section for the taxable year is an amount equal to 20 percent of the basis of each qualified energy efficiency improvements placed in service during such taxable year.

''(b) LIMITATIONS.—

''(1) MAXIMUM CREDIT.—The credit allowed by this section for the taxable year shall not exceed $2,000.

''(2) COORDINATION WITH REHABILITATION AND ENERGY CREDITS.—For purposes of this section—

''(A) the basis of any property referred to in subsection (a) shall be reduced by that portion of the basis of any property which is attributable to qualified rehabilitation expenditures (as defined in section 47(c)(2)) or to the energy percentage of energy property (as determined under section 48(a)), and

''(B) expenditures taken into account under either section 47 or 48(a) shall not be taken into account under this section.

''(c) DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE SMALL BUSINESS.—The term 'eligible small business' means any person engaged in a trade or business if the average annual gross receipts of such person (or any predecessor) for the 3-taxable-year period ending with such prior taxable year does not exceed $10,000,000. Rules similar to the rules of paragraphs (2) and (3) of section 448(c) shall apply for purposes of the preceding sentence.

''(2) QUALIFIED ENERGY EFFICIENCY IMPROVEMENTS.—The term 'qualified energy efficiency improvements' means any energy efficient property the installation of which, by itself or in combination with other such property, is certified to improve the annual energy performance of the structure to which it relates by at least 30 percent, if—

''(A) such property is installed in or on a structure located in the United States,

''(B)(i) the construction, reconstruction, or erection of such property is completed by the taxpayer, or

''(ii) such property which is acquired by the taxpayer if the original use of such property commences with the taxpayer,

''(C) depreciation (or amortization in lieu of depreciation) is allowable with respect to such property, and

''(D) such property reasonably can be expected to remain in use for at least 5 years. Such certification shall be made by the contractor who installed such property, a local building regulatory authority, or a qualified energy consultant (such as a utility or an accredited energy rating system provider).

''(3) ENERGY EFFICIENT PROPERTY.—The term 'energy efficient property' means—

''(A) any energy efficient building envelope component, and

''(b) any energy efficient heating, cooling, or water heating appliance.

''(d) APPLICATION OF SECTION.—Subsection (a) shall apply to property placed in service during the period beginning on January 1, 2000, and ending on December 31, 2004.''.

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code (relating to current year business credit) is amended by striking ''plus'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', plus'', and by adding at the end thereof the following new paragraph:

''(13) in the case of an eligible small business (as defined in section 45D(c)), the energy efficiency improvement credit determined under section 45D.''.

(c) CREDIT ALLOWED AGAINST REGULAR AND MINIMUM TAX.—

(1) IN GENERAL.—Subsection (c) of section 38 of such Code (relating to limitation based on amount of tax) is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL RULES FOR SMALL BUSINESS ENERGY EFFICIENCY IMPROVEMENT CREDIT.—

''(A) IN GENERAL.—In the case of the energy efficiency improvement credit—

''(i) this section and section 39 shall be applied separately with respect to the credit, and

''(ii) in applying paragraph (1) to the credit—

''(I) subparagraph (A) thereof shall not apply, and

''(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the energy efficiency improvement credit).

''(B) ENERGY EFFICIENCY IMPROVEMENT CREDIT.—For purposes of this subsection, the term 'energy efficiency improvement credit' means the credit allowable under subsection (a) by reason of section 45D.''.

(2) CONFORMING AMENDMENT.—Subclause (II) of section 38(c)(2)(A)(ii) of such Code is amended by inserting ''or the energy efficiency improvement credit'' after ''employment credit''.

(d) LIMITATION ON CARRYBACK.—Subsection (d) of section 39 of such Code is amended by adding at the end the following new paragraph:

''(9) NO CARRYBACK OF ENERGY EFFICIENCY IMPROVEMENT CREDIT BEFORE EFFECTIVE DATE.—No portion of the unused business credit for any taxable year which is attributable to the credit determined under section 45D may be carried back to any taxable year ending before the date of the enactment of section 45D.''.

(e) DEDUCTION FOR CERTAIN UNUSED BUSINESS CREDITS.—Subsection (c) of section 196 of such Code is amended by striking ''and'' at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting '', and'', and by adding after paragraph (8) the following new paragraph:

''(9) the energy efficiency improvement credit determined under section 45D.''.

(f) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 45C the following new item:

''Sec. 45D. Energy efficiency improvements by small businesses.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

H.R. 3822

OFFERED BY: MR. CROWLEY

AMENDMENT NO. 6: Page 8, after line 8, insert the following new section:

SEC. 7. SENSE OF CONGRESS.

It is the sense of the Congress that the President should use authority provided under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) to release petroleum from the Strategic Petroleum Reserve when oil and gas prices in the United States have risen sharply because of international oil price fixing activities, particularly activities by the member nations of OPEC and their allies.

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. CROWLEY

AMENDMENT NO. 7: Page 8, after line 8, insert the following new section:

SEC. 7. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) international oil price fixing results in wide price fluctuations, which are not beneficial to the United States economy;

(2) higher oil and gas prices mean United States consumers pay more for their home heating bills and more for gasoline to drive their cars;

(3) these inflated prices affect all areas of the United States economy, but have a particularly adverse impact on our senior citizens; and

(4) the President should use all powers necessary to reduce United States domestic oil and gas prices when international anticompetitive practices by the member nations of OPEC adversely affect the price paid by American consumers.

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 8: Insert the following after section 6 and redesignate the succeeding section accordingly:

SEC. 7. SUSPENSION OF EXPORTS OF ALASKAN NORTH SLOPE CRUDE OIL.

(a) SUSPENSION.—Effective on the date of the enactment of this Act—

(1) subsection (s) of section 28 of the Mineral Leasing Act (30 U.S.C. 185(s)) shall cease to be effective; and

(2) subsection (d) of section 7 of the Export Administration Act of 1999 (50 U.S.C. App 2406(d)) shall be effective, notwithstanding section 20 of that Act.

(b) ADMINISTRATION.—The President may exercise the authorities he has under the International Emergency Economic Powers Act to carry out subsection (a).

(c) LIFTING OF SUSPENSION.—If the President determines that the United States is not experiencing a shortage of foreign crude oil and an inflationary impact due to the demand for foreign crude oil, subsections (a) and (b) shall cease to apply 30 calendar days after the President submits that determination to the Congress.

H.R. 3822

OFFERED BY: MR. DINGELL

AMENDMENT NO. 9: Page 8, after line 8, insert the following new section:

SEC. 7. ENERGY POLICY AND CONSERVATION ACT REAUTHORIZATION.

(a) TITLE I.—Title I of the Energy Policy and Conservation Act (42 U.S.C. 6211–6251) is amended—

(1) in section 166 (42 U.S.C. 6246)—

(A) by inserting ''through 2003'' after ''2000''; and

(B) by striking '', to remain available only through March 31, 2000''; and

(2) in section 181 (42 U.S.C. 6251), by striking ''March 31, 2000'' each place it appears and inserting ''September 30, 2003''.

(b) TITLE II.—Title II of the Energy Policy and Conservation Act (42 U.S.C. 6261–6285) is amended—

(1) in section 256(h) (42 U.S.C. 6276(h)), by inserting ''through 2003'' after ''1997''; and

(2) in section 281 (42 U.S.C. 6285), by striking ''March 31, 2000'' each place it appears and inserting ''September 30, 2003''.

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. HOBSON

AMENDMENT NO. 10: At the end of the bill insert the following new section:

SEC. 8. REPEAL OF 1993 INCREASES IN MOTOR FUEL TAXES.

(a) HIGHWAY GASOLINE.—Clause (i) of section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''18.3 cents'' and inserting ''14 cents''.

(b) AVIATION GASOLINE.—Clause (ii) of section 4081(a)(2)(A) of such Code is amended by striking ''19.3 cents'' and inserting ''15 cents''.

(c) DIESEL FUEL AND KEROSENE.—Clause (iii) of section 4081(a)(2)(A) of such Code is amended by striking ''24.3 cents'' and inserting ''20 cents''.

(d) AVIATION FUEL.—Paragraph (1) of section 4091(b) of such Code is amended by striking ''21.8 cents'' and inserting ''17.5 cents''.

(e) FUEL USED ON INLAND WATERWAYS.—

(1) Paragraph (1) of section 4042(b) of such Code is amended by adding ''and'' at the end of subparagraph (A), by striking '', and'' at the end of subparagraph (B) and inserting a period, and by striking subparagraph (C).

(2) Paragraph (2) of section 4042(b) of such Code is amended by striking subparagraph (C).

(f) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 40(e)(1) of such Code is amended by striking ''during which the rates of tax under section 4081(a)(2)(A) are 4.3 cents per gallon'' and inserting ''during which the rate of tax under section 4081(a)(2)(A)(i) does not apply''.

(2) Subparagraph (A) of section 4041(a)(1) of such Code is amended by striking ''or a diesel-powered train'' each place it appears and by striking ''or train''.

(3) Subparagraph (C) of section 4041(a)(1) of such Code is amended by striking clause (ii) and by redesignating clause (iii) as clause (ii).

(4) Subclause (I) of section 4041(a)(1)(C)(ii) of such Code, as redesignated by paragraph (3), is amended by striking ''7.3 cents'' and inserting ''3 cents'' and by striking ''4.3 cents per gallon'' and inserting ''zero''.

(5) Subsection (a) of section 4041 of such Code is amended by striking paragraph (3).

(6) Subparagraph (C) of section 4041(b)(1) of such Code is amended by striking all that follows ''section 6421(e)(2)'' and inserting a period.

(7) Subparagraph (B) of section 4041(a)(2) of such Code is amended by striking all that follows clause (i) and inserting the following new clauses:

''(ii) 10.4 cents per gallon in the case of liquefied petroleum gas, and

''(iii) 9.1 cents per gallon in the case of liquefied natural gas.''

(8) Paragraph (3) of section 4041(c) of such Code is amended to read as follows:

''(3) TERMINATION.—The rate of the taxes imposed by paragraph (1) shall be zero after September 30, 2007.''

(9) Subsection (d) of section 4041 of such Code is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) DIESEL FUEL USED IN TRAINS.—There is hereby imposed a tax of 0.1 cent per gallon on any liquid other than gasoline (as defined in section 4083)—

''(A) sold by any person to an owner, lessee, or other operator of a diesel-powered train for use as a fuel in such train, or

''(B) used by any person as a fuel in a diesel-powered train unless there was a taxable sale of such fuel under subparagraph (A).

No tax shall be imposed by this paragraph on the sale or use of any liquid if tax was imposed on such liquid under section 4081.''

(10) Clauses (i) and (ii) of section 4041(m)(1)(A) of such Code are amended to read as follows:

''(i) 7 cents per gallon on and after the date of the enactment of this clause and before October 1, 2005, and

''(ii) zero after September 30, 2005, and''.

(11) Subsection (c) of section 4081 of such Code is amended by striking paragraph (6) and by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively.

(12) Paragraphs (1) and (2) of section 4081(d) of such Code are amended to read as follows:

''(1) IN GENERAL.—The rates of tax specified in clauses (i) and (iii) of subsection (a)(2)(A) shall be zero after September 30, 2005.

''(2) AVIATION GASOLINE.—The rate of tax specified in subsection (a)(2)(A)(ii) shall be zero after September 30, 2007.

(13) Subsection (f) of section 4082 of such Code is amended by striking ''section 4041(a)(1)'' and inserting ''subsections (d)(3) and (a)(1) of section 4041, respectively''.

(14) Paragraph (3) of section 4083(a) of such Code is amended by striking ''or a diesel-powered train''.

(15) Subparagraph (A) of section 4091(b)(3) of such Code is amended to read as follows:

''(A) The rate of tax specified in paragraph (1) shall be zero after September 30, 2007.''

(16) Paragraph (1) of section 4091(c) of such Code is amended—

(A) by striking ''14 cents'' and inserting ''9.7 cents'',

(B) by striking ''13.3 cents'' and inserting ''9 cents'',

(C) by striking ''13.2 cents'' and inserting ''8.9 cents'',

(D) by striking ''13.1 cents'' and inserting ''8.8 cents'', and

(E) by striking ''13.4 cents'' and inserting ''9.1 cents''.

(17) Subsection (c) of section 4091 of such Code is amended by striking paragraph (4), and by redesignating paragraph (5) as paragraph (4).

(18) Subsection (b) of section 4092 of such Code is amended by striking ''attributable to'' and all that follows and inserting ''attributable to the Leaking Underground Storage Tank Trust Fund financing rate imposed by such section. For purposes of the preceding sentence, the term 'commercial aviation' means any use of an aircraft other than in noncommercial aviation (as defined in section 4041(c)(2)).''

(19) Subparagraph (B) of section 6421(f)(2) of such Code is amended by striking ''and,'' and all that follows and inserting a period.

(20) Paragraph (3) of section 6421(f) of such Code is amended to read as follows:

''(3) GASOLINE USED IN TRAINS.—In the case of gasoline used as a fuel in a train, this section shall not apply with respect to the Leaking Underground Storage Tank Trust Fund financing rate under section 4081.''

(21) Subparagraph (A) of section 6427(b)(2) of such Code is amended by striking ''7.4 cents'' and inserting ''3.1 cents''.

(22) Paragraph (3) of section 6427(l) of such Code is amended to read as follows:

''(3) REFUND OF CERTAIN TAXES ON FUEL USED IN DIESEL-POWERED TRAINS.—For purposes of this subsection, the term 'nontaxable use' includes fuel used in a diesel-powered train. The preceding sentence shall not apply to the tax imposed by section 4041(d) and the Leaking Underground Storage Tank Trust Fund financing rate under section 4081 except with respect to fuel sold for exclusive use by a State or any political subdivision thereof.''

(23) Paragraph (4) of section 6427(l) of such Code is amended by striking ''attributable to'' and all that follows through the period and inserting ''attributable to the Leaking Underground Storage Tank Trust Fund financing rate imposed by such section.''

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(h) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before the date of the enactment of this Act, tax has been imposed under section 4081 or 4091 of the Internal Revenue Code of 1986 on any liquid, and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale,

there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before the date which is 6 months after the date of the enactment of this Act, based on a request submitted to the taxpayer before the date which is 3 months after such date of enactment, by the dealer who held the liquid on such date of enactment, and

(B) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this subsection.

(i) EXCLUSION OF EFFECTS OF THIS SECTION FROM THE PAYGO SCORECARD.—Upon the enactment of this Act, the Director of the Office of Management and Budget shall not make any estimates of changes in receipts under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

H.R. 3822

OFFERED BY: MR. LARSON

AMENDMENT NO. 11: Page 8, after line 8, insert the following new section:

SEC. 7. OIL PRICE SAFEGUARDS.

(a) DRAWDOWN OF STRATEGIC PETROLEUM RESERVE.—Section 161(d) of the Energy Policy and Conservation Act (42 U.S.C. 6241(d)) is amended by adding at the end the following:

''(3) REDUCTION IN SUPPLY CAUSED BY ANTICOMPETITIVE CONDUCT.—

''(A) IN GENERAL.—For the purposes of this section, in addition to the circumstances set forth in section 3(8) and in paragraph (2) of this subsection, a severe energy supply interruption shall be deemed to exist if the President determines that—

''(i) there is a significant reduction in supply that—

''(I) is of significant scope and duration; and

''(II) has caused a significant increase in the price of petroleum products;

''(ii) the increase in price is likely to cause a significant adverse impact on the national economy; and

''(iii) a substantial cause of the reduction in supply is the anticompetitive conduct of 1 or more foreign countries or international entities.

''(B) DEPOSIT AND USE OF PROCEEDS.—Proceeds from the sale of petroleum drawn down pursuant to a Presidential determination under subparagraph (A) shall—

''(i) be deposited in the SPR Petroleum Account; and

''(ii) be used only for the purposes specified in section 167.''.

(b) REPORTING AND CONSULTATION REQUIREMENTS.—If the price of a barrel of crude oil exceeds $25 (in constant 1999 United States dollars) for a period greater than 14 days, the President, through the Secretary of Energy, shall, not later than 30 days after the end of the 14-day period, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Commerce of the House of Representatives a report that—

(1) states the results of a comprehensive review of the causes and potential consequences of the price increase;

(2) provides an estimate of the likely duration of the price increase, based on analyses and forecasts of the Energy Information Administration;

(3) provides an analysis of the effects of the price increase on the cost of home heating oil; and

(4) states whether, and provides a specific rationale for why, the President does or does not support the drawdown and distribution of a specified amount of oil from the Strategic Petroleum Reserve.

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. GARY MILLER OF CALIFORNIA

AMENDMENT NO. 12: Page 8, after line 8, insert the following new section:

SEC. 7. OIL PRODUCTION REPORT.

The Secretary of Energy, in conjunction with the Administrator of the Environmental Protection Agency, shall, not later than September 30, 2000, transmit to the Congress a report on all possible means of protecting the national security of the United States by increasing domestic oil production without harming the environment.

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. NETHERCUTT

AMENDMENT NO. 13: Page 7, strike line 21 and all that follows through line 8 on page 8.

H.R. 3822

OFFERED BY: MR. NETHERCUTT

AMENDMENT NO. 14: Page 8, line 3, after ''assistance'' insert ''(other than assistance consisting of agricultural commodities, medicine, or medical devices)''.

Page 8, after line 8, insert the following:

(d) DEFINITIONS.—As used in subsection (c):

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(3) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

H.R. 3822

OFFERED BY: MR. NETHERCUTT

AMENDMENT NO. 15: Page 8, after line 8, insert the following (and redesignate the subsequent section accordingly):

SEC. 7. TERMINATION OF SANCTIONS.

Any reduction, suspension, or termination of assistance that is imposed pursuant to section 6(c) shall terminate not later than 2 years after the date on which the reduction, suspension, or termination, as the case may be, became effective.

H.R. 3822

OFFERED BY: MR. SALMON

AMENDMENT NO. 16: Page 8, insert the following after line 8 and redesignate the succeeding section accordingly:

SEC. 7. BLOCKING OF ASSETS.

(a) PRESIDENTIAL AUTHORITY.—The President may exercise the authorities under the International Emergency Economic Powers Act without regard to section 202 of that Act to block property in which any country that is determined under section 5 to be engaged in oil price fixing to the detriment of the United States economy has any interest.

(b) SUBSEQUENT DETERMINATION OF OIL-PRICE FIXING.—Not later than 6 months after the report is transmitted under section 4, the President shall determine and report to the Congress, with respect to each country described in section 4(1), whether or not, as of the date the President makes the determination, that country is engaged in oil price fixing to the detriment of the United States economy. The President shall include in the report the basis for each such determination.

(c) MANDATORY BLOCKING OF ASSETS.—The President shall exercise the authorities under the International Emergency Economic Powers Act without regard to section 202 of that Act (50 U.S.C. 1701) to block all property in which any country that is determined under subsection (b) to be engaged in oil price fixing to the detriment of the United States economy has any interest.

(d) POSTING OF BLOCKED PROPERTY.—The Secretary of the Treasury shall publish online a list of all property blocked pursuant to this section.

(e) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to violations of any license, order, or regulation issues under subsection (a) or (c).

H.R. 3822

OFFERED BY: MR. SALMON

AMENDMENT NO. 17: Page 8, insert the following after line 8 and redesignate the succeeding section accordingly:

SEC. 7. BLOCKING OF ASSETS.

(a) PRESIDENTIAL AUTHORITY.—The President may exercise the authorities under the International Emergency Economic Powers Act without regard to section 202 of that Act to block property in which any country that is determined under section 5 to be engaged in oil price fixing to the detriment of the United States economy has any interest.

(b) SUBSEQUENT DETERMINATION OF OIL-PRICE FIXING.—Not later than 6 months after the report is transmitted under section 4, the President shall determine and report to the Congress, with respect to each country described in section 4(1), whether or not, as of the date the President makes the determination, that country is engaged in oil price fixing to the detriment of the United States economy. The President shall include in the report the basis for each such determination.

(c) MANDATORY BLOCKING OF ASSETS.—The President shall exercise the authorities under the International Emergency Economic Powers Act without regard to section 202 of that Act (50 U.S.C. 1701) to block all property in which any country that is determined under subsection (b) to be engaged in oil price fixing to the detriment of the United States economy has any interest.

(d) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to violations of any license, order, or regulation issues under subsection (a).

H.R. 3822

OFFERED BY: MR. SALMON

AMENDMENT NO. 18: Page 8, insert the following after line 8 and redesignate the succeeding section accordingly:

SEC. 7. BLOCKING OF ASSETS.

(a) PRESIDENTIAL AUTHORITY.—The President may exercise the authorities under the International Emergency Economic Powers Act without regard to section 202 of that Act to block property in which any country that is determined under section 5 to be engaged in oil price fixing to the detriment of the United States economy has any interest.

(b) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to violations of any license, order, or regulation issues under subsection (a).

H.R. 3822

OFFERED BY: MR. SHERWOOD

AMENDMENT NO. 19: Page 8, after line 2, insert the following (and conform subsequent section numbers accordingly):

SEC. 7. REPORT BY SECRETARY OF ENERGY ON REDUCING OIL PRICE FIXING AND UNITED STATES DEPENDENCE ON FOREIGN OIL.

Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit a report to the Congress recommending both short-term and long-term solutions by which the United States can reduce oil price fixing and United States dependence on foreign oil. Such report shall include—

(1) an analysis of options for—

(A) sales or exchanges of crude oil from the Strategic Petroleum Reserve established under part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6232 et seq.); and

(B) increasing efficiency in energy utilization;

(2) a plan for increasing natural gas supply to markets in the northeastern United States; and

(3) an evaluation of how the United States can increase domestic crude oil production to alleviate risks to national security due to oil price fixing and dependence on foreign oil.

H.R. 3822

OFFERED BY: MRS. THURMAN

AMENDMENT NO. 20: Add at the end thereof the following new title:

TITLE II—ENERGY EFFICIENT TECHNOLOGY TAX INCENTIVES

SEC. 201. SHORT TITLE.

This Act may be cited as the ''Energy Efficient Technology Tax Act''.

SEC. 202. CREDIT FOR CERTAIN ENERGY-EFFICIENT PROPERTY USED IN BUSINESS.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 48 the following new section:

''SEC. 48A. ENERGY CREDIT.

''(a) IN GENERAL.—For purposes of section 46, the energy credit for any taxable year is the sum of—

''(1) the amount equal to the energy percentage of the basis of each energy property placed in service during such taxable year, and

''(2) the credit amount for each qualified hybrid vehicle placed in service during the taxable year.

''(b) ENERGY PERCENTAGE.—

''(1) IN GENERAL.—The energy percentage shall be determined in accordance with the following table:

''Column A—Description	Column B—Energy Percentage	Column C—Period	
		For the period:	
In the case of:	The energy percentage is:	Beginning on:	Ending on:
Solar energy property (other than elected solar hot water property and photovoltaic property) and geothermal energy property	10 percent	1/1/2000	no end date
Elected solar hot water property	15 percent	1/1/2000	12/31/2004
Photovoltaic property	15 percent	1/1/2000	12/31/2006
20 percent energy-efficient building property	20 percent	1/1/2000	12/31/2003
10 percent energy-efficient building property	10 percent	1/1/2000	12/31/2001
Combined heat and power system property	8 percent	1/1/2000	12/31/2002.

''(2) PERIODS FOR WHICH PERCENTAGE NOT SPECIFIED.—In the case of any energy property, the energy percentage shall be zero for any period for which an energy percentage is not specified for such property under paragraph (1).

''(3) COORDINATION WITH REHABILITATION.—The energy percentage shall not apply to that portion of the basis of any property which is attributable to qualified rehabilitation expenditures.

''(4) TRANSITIONAL RULES.—Rules similar to the rules of section 48(m) (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of this subsection.

''(c) MAXIMUM CREDIT FOR CERTAIN PROPERTY.—In the case of property described in the following table, the amount of the current year business credit under subsection (a) for the taxable year for each item of such property with respect to a building shall not exceed the amount specified for such property in such table:

Description of property:	**Maximum allowable credit amount is:**
Elected solar hot water property	$1,000.
Photovoltaic property with respect to which the energy percentage is greater than 10 percent	$2,000.
20 percent energy-efficient building property:	
fuel cell described in subsection (e)(3)(A)	$500 per each kw/hr of capacity.
natural gas heat pump described in subsection (e)(3)(D)	$1,000.
20 percent energy-efficient building property (other than a fuel cell and a natural gas heat pump)	$500.
10 percent energy-efficient building property	$250.

''(d) ENERGY PROPERTY DEFINED.—

''(1) IN GENERAL.—For purposes of this subpart, the term 'energy property' means any property—

''(A) which is—

''(i) solar energy property,

''(ii) geothermal energy property,

''(iii) 20 percent energy-efficient building property,

''(iv) 10 percent energy-efficient building property, or

''(v) combined heat and power system property,

''(B)(i) the construction, reconstruction, or erection of which is completed by the taxpayer, or

''(ii) which is acquired by the taxpayer if the original use of such property commences with the taxpayer,

''(C) with respect to which depreciation (or amortization in lieu of depreciation) is allowable, and

''(D) which meets the performance and quality standards (if any), and the certification requirements (if any), which—

''(i) have been prescribed by the Secretary by regulations (after consultation with the Secretary of Energy or the Administrator of the Environmental Protection Agency, as appropriate), and

''(ii) are in effect at the time of the acquisition of the property.

''(2) EXCEPTION.—Such term shall not include any property which is public utility property (as defined in section 46(f)(5) as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990). The preceding sentence shall not apply to combined heat and power system property.

''(e) DEFINITIONS RELATING TO TYPES OF ENERGY PROPERTY.—For purposes of this section—

''(1) SOLAR ENERGY PROPERTY.—

''(A) IN GENERAL.—The term 'solar energy property' means equipment which uses solar energy—

''(i) to generate electricity,

''(ii) to heat or cool (or provide hot water for use in) a structure, or

''(iii) to provide solar process heat.

''(B) ELECTED SOLAR WATER HEATING PROPERTY.—

''(i) IN GENERAL.—The term 'elected solar water heating property' means property which is solar energy property by reason of subparagraph (A)(ii) and for which an election under this subparagraph is in effect.

''(ii) ELECTION.—For purposes of clause (i) and the energy percentage specified in the table in subsection (b)(1), a taxpayer may elect to treat property described in clause (i) as elected solar water heating property.

''(C) PHOTOVOLTAIC PROPERTY.—The term 'photovoltaic property' means solar energy property which uses a solar photovoltaic process to generate electricity.

''(D) SWIMMING POOLS, ETC., USED AS STORAGE MEDIUM.—The term 'solar energy property' shall not include a swimming pool, hot tub, or any other energy storage medium which has a function other than the function of such storage.

''(E) SOLAR PANELS.—No solar panel or other property installed as a roof (or portion thereof) shall fail to be treated as solar energy property solely because it constitutes a structural component of the structure on which it is installed.

''(2) GEOTHERMAL ENERGY PROPERTY.—The term 'geothermal energy property' means equipment used to produce, distribute, or use energy derived from a geothermal deposit (within the meaning of section 613(e)(2)), but only, in the case of electricity generated by geothermal power, up to (but not including) the electrical transmission stage.

''(3) 20 PERCENT ENERGY-EFFICIENT BUILDING PROPERTY.—The term '20 percent energy-efficient building property' means—

''(A) a fuel cell that—

''(i) generates electricity and heat using an electrochemical process,

''(ii) has an electricity-only generation efficiency greater than 35 percent, and

''(iii) has a minimum generating capacity of 5 kilowatts,

''(B) an electric heat pump hot water heater that yields an energy factor of 1.7 or greater,

''(C) an electric heat pump that has a heating system performance factor (HSPF) of 9 or greater and a cooling seasonal energy efficiency ratio (SEER) of 15 or greater,

''(D) a natural gas heat pump that has a coefficient of performance of not less than 1.25 for heating and not less than 0.70 for cooling,

''(E) a central air conditioner that has a cooling seasonal energy efficiency ratio (SEER) of 15 or greater, and

''(F) an advanced natural gas water heater that has an energy factor of at least 0.80.

''(4) 10 PERCENT ENERGY-EFFICIENT BUILDING PROPERTY.—The term '10 percent energy-efficient building property' means—

''(A) an electric heat pump that has a heating system performance factor (HSPF) of 7.5 or greater and a cooling seasonal energy efficiency ratio (SEER) of 13.5 or greater,

''(B) a central air conditioner that has a cooling seasonal energy efficiency ratio (SEER) of 13.5 or greater, and

''(C) an advanced natural gas water heater that has an energy factor of at least 0.65.

''(5) COMBINED HEAT AND POWER SYSTEM PROPERTY.—

''(A) IN GENERAL.—The term 'combined heat and power system property' means property comprising a system—

''(i) which uses the same energy source for the simultaneous or sequential generation of electrical power, mechanical shaft power, or both, in combination with the generation of

steam or other forms of useful thermal energy (including heating and cooling applications),

''(ii) which has an electrical capacity of more than 50 kilowatts or a mechanical energy capacity of more than 67 horsepower or an equivalent combination of electrical and mechanical energy capacities,

''(iii) which produces—

''(I) at least 20 percent of its total useful energy in the form of thermal energy, and

''(II) at least 20 percent of its total useful energy in the form of electrical or mechanical power (or a combination thereof), and

''(iv) the energy efficiency percentage of which exceeds 60 percent (70 percent in the case of a system with an electrical capacity in excess of 50 megawatts or a mechanical energy capacity in excess of 67,000 horsepower, or an equivalent combination of electrical and mechanical energy capacities).

''(B) SPECIAL RULES.—

''(i) ENERGY EFFICIENCY PERCENTAGE.—For purposes of subparagraph (A)(iv), the energy efficiency percentage of a system is the fraction—

''(I) the numerator of which is the total useful electrical, thermal, and mechanical power produced by the system at normal operating rates, and

''(II) the denominator of which is the lower heating value of the primary fuel source for the system.

''(ii) DETERMINATIONS MADE ON BTU BASIS.—The energy efficiency percentage and the percentages under subparagraph (A)(iii) shall be determined on a Btu basis.

''(iii) INPUT AND OUTPUT PROPERTY NOT INCLUDED.—The term 'combined heat and power system property' does not include property used to transport the energy source to the facility or to distribute energy produced by the facility.

''(iv) ACCOUNTING RULE FOR PUBLIC UTILITY PROPERTY.—In the case that combined heat and power system property is public utility property (as defined in section 46(f)(5) as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990), the taxpayer may only claim the credit under subsection (a)(1) if, with respect to such property, the taxpayer uses a normalization method of accounting.

''(v) DEPRECIATION.—No credit shall be allowed for any combined heat and power system property unless the taxpayer elects to treat such property for purposes of section 168 as having a class life of not less than 22 years.

''(f) QUALIFIED HYBRID VEHICLES.—For purposes of subsection (a)(2)—

''(1) CREDIT AMOUNT.—

''(A) IN GENERAL.—The credit amount for each qualified hybrid vehicle with a rechargeable energy storage system that provides the applicable percentage of the maximum available power shall be the amount specified in the following table:

''Applicable percentage		Credit amount is:
Greater than or equal to—	Less than—	
5 percent	10 percent	$ 500
10 percent	20 percent	$1,000
20 percent	30 percent	$1,500
30 percent		$2,000

''(B) INCREASE IN CREDIT AMOUNT FOR REGENERATIVE BRAKING SYSTEM.—In the case of a qualified hybrid vehicle that actively employs a regenerative braking system which supplies to the rechargeable energy storage system the applicable percentage of the energy available from braking in a typical 60 miles per hour to 0 miles per hour braking event, the credit amount determined under subparagraph (A) shall be increased by the amount specified in the following table:

''Applicable percentage		Credit amount increase is:
Greater than or equal to—	Less than—	
20 percent	40 percent	$ 250
40 percent	60 percent	$ 500
60 percent		$1,000

''(2) QUALIFIED HYBRID VEHICLE.—The term 'qualified hybrid vehicle means an automobile that meets all applicable regulatory requirements and that can draw propulsion energy from both of the following on-board sources of stored energy:

''(A) A consumable fuel.

''(B) A rechargeable energy storage system.

''(3) MAXIMUM AVAILABLE POWER.—The term 'maximum available power' means the maximum value of the sum of the heat engine and electric drive system power or other non-heat energy conversion devices available for a driver's command for maximum acceleration at vehicle speeds under 75 miles per hour.

''(4) AUTOMOBILE.—The term 'automobile' has the meaning given such term by section 4064(b)(1) (without regard to subparagraphs (B) and (C) thereof). A vehicle shall not fail to be treated as an automobile solely by reason of weight if such vehicle is rated at 8,500 pounds gross vehicle weight rating or less.

''(5) DOUBLE BENEFIT; PROPERTY USED OUTSIDE UNITED STATES, ETC., NOT QUALIFIED.—No credit shall be allowed under subsection (a)(2) with respect to—

''(A) any property for which a credit is allowed under section 25B or 30,

''(B) any property referred to in section 50(b), and

''(C) the portion of the cost of any property taken into account under section 179 or 179A.

''(6) REGULATIONS.—

''(A) TREASURY.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection.

''(B) ENVIRONMENTAL PROTECTION AGENCY.—

''(A) TREASURY.—The Administrator of the Environmental Protection Agency shall prescribe such regulations as may be necessary or appropriate to specify the testing and calculation procedures that would be used to determine whether a vehicle meets the qualifications for a credit under this subsection.

''(7) TERMINATION.—Paragraph (2) shall not apply with respect to any vehicle placed in service during a calendar year ending before January 1, 2003, or after December 31, 2006.

''(g) SPECIAL RULES.—For purposes of this section—

''(1) SPECIAL RULE FOR PROPERTY FINANCED BY SUBSIDIZED ENERGY FINANCING OR INDUSTRIAL DEVELOPMENT BONDS.—

''(A) REDUCTION OF BASIS.—For purposes of applying the energy percentage to any property, if such property is financed in whole or in part by—

''(i) subsidized energy financing, or

''(ii) the proceeds of a private activity bond (within the meaning of section 141) the interest on which is exempt from tax under section 103,

the amount taken into account as the basis of such property shall not exceed the amount which (but for this subparagraph) would be so taken into account multiplied by the fraction determined under subparagraph (B).

''(B) DETERMINATION OF FRACTION.—For purposes of subparagraph (A), the fraction determined under this subparagraph is 1 reduced by a fraction—

''(i) the numerator of which is that portion of the basis of the property which is allocable to such financing or proceeds, and

''(ii) the denominator of which is the basis of the property.

''(C) SUBSIDIZED ENERGY FINANCING.—For purposes of subparagraph (A), the term 'subsidized energy financing' means financing provided under a Federal, State, or local program a principal purpose of which is to provide subsidized financing for projects designed to conserve or produce energy.

''(2) BUSINESS USE.—The rule similar to the rule of section 25(B)(d)(5)(B) shall apply for purposes of determining the business use of a vehicle.

''(3) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of this section.

''(4) DOUBLE BENEFIT.—Property which would, but for this paragraph, be eligible for credit under more than one provision of this section shall be eligible only under one such provision, the provision specified by the taxpayer.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 48 of such Code is amended to read as follows:

''SEC. 48. REFORESTATION CREDIT.

''(a) IN GENERAL.—For purposes of section 46, the reforestation credit for any taxable year is 10 percent of the portion of the amortizable basis of any qualified timber property which was acquired during such taxable year

and which is taken into account under section 194 (after the application of section 194(b)(1)).

''(b) DEFINITIONS.—For purposes of this subpart, the terms 'amortizable basis' and 'qualified timber property' have the respective meanings given to such terms by section 194.''.

(2) Subsection (d) of section 39 of such Code is amended by adding at the end the following new paragraph:

''(9) NO CARRYBACK OF ENERGY CREDIT BEFORE EFFECTIVE DATE.—No portion of the unused business credit for any taxable year which is attributable to the energy credit determined under section 48A may be carried back to a taxable year ending before the date of the enactment of section 48A.''.

(3) Paragraph (3) of section 50(c) of such Code is amended by adding at the end the following flush sentence:

''In the case of the energy credit, the preceding sentence shall apply only to so much of such credit as relates to solar energy property and geothermal property (as such terms are defined in section 48A(e)).''.

(4) Subclause (III) of section 29(b)(3)(A)(i) of such Code is amended by striking ''section 48(a)(4)(C)'' and inserting ''section 48A(g)(1)(C)''.

(5) Subparagraph (E) of section 50(a)(2) of such Code is amended by striking ''section 48(a)(5)'' and inserting ''section 48A(g)(3)''.

(6) Subparagraph (B) of section 168(e)(3) of such Code is amended—

(A) in clause (vi)(I)—

(i) by striking ''section 48(a)(3)'' and inserting ''paragraphs (1) and (2) of section 48A(e)'', and

(ii) by striking ''clause (i)'' and inserting ''paragraph (1)(A)'', and

(B) in the last sentence by striking ''section 48(a)(3)'' and inserting ''section 48A(d)(2)''.

(7) Subparagraph (E) of section 168(e)(3) of such Code is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by inserting after clause (iii) the following new clause:

''(iv) any combined heat and power system property (as defined in section 48A(e)(5)) for which a credit is allowed under section 48A and which, but for this clause, would have a recovery period of less than 15 years.''.

(8) The table contained in subparagraph (B) of section 168(g)(3) of such Code is amended by adding at the end the following:

''(E)(iv) ..... 22''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 48 and inserting the following new items:

''Sec. 48. Reforestation credit.

''Sec. 48A. Energy credit.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 1999, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 203. EXTENSION OF CREDIT FOR QUALIFIED ELECTRIC VEHICLES.

(a) EXTENSION OF CREDIT FOR QUALIFIED ELECTRIC VEHICLES.—Subsection (f) of section 30 of such Code (relating to termination) is amended by striking ''December 31, 2004'' and inserting ''December 31, 2006''.

(b) REPEAL OF PHASEOUT.—Subsection (b) of section 30 of such Code (relating to limitations) is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(c) NO DOUBLE BENEFIT.—

(1) Subsection (d) of section 30 of such Code (relating to special rules) is amended by adding at the end the following new paragraph:

''(5) No credit shall be allowed under subsection (a) with respect to any vehicle if the taxpayer claims a credit for such vehicle under section 25B(a)(1)(B) or 48A(f).''.

(2) Paragraph (3) of section 30(d) of such Code (relating to property used outside United States, etc., not qualified) is amended by striking ''section 50(b)'' and inserting ''section 25B, 48A, or 50(b)''.

(3) Paragraph (5) of section 179A(e) of such Code (relating to property used outside United States, etc., not qualified) is amended by striking ''section 50(b)'' and inserting ''section 25B, 48A, or 50(b)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SEC. 204. MODIFICATIONS TO CREDIT FOR ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.

(a) EXTENSION.—Paragraph (3) of section 45(c) of the Internal Revenue Code of 1986 (relating to qualified facility) is amended by striking ''July 1, 1999'' and inserting ''July 1, 2004''.

(b) QUALIFIED FACILITIES INCLUDE ALL BIOMASS FACILITIES.—

(1) IN GENERAL.—Paragraph (1) of section 45(c) of such Code (relating to definition of qualified energy resources) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B), and by inserting after subparagraph (B) the following:

''(C) biomass (other than closed-loop biomass).''.

(2) BIOMASS DEFINED.—Paragraph (2) of section 45(c) of such Code is amended to read as follows:

''(2) BIOMASS.—

''(A) IN GENERAL.—The term 'biomass' means—

''(i) closed-loop biomass, and

''(ii) any solid, nonhazardous, cellulosic waste material, which is segregated from other waste materials, and which is derived from—

''(I) any of the following forest-related resources: mill residues, precommercial thinnings, slash, and brush, but not including old-growth timber,

''(II) waste pallets, crates, and dunnage, and landscape or right-of-way tree trimmings, but not including unsegregated municipal solid waste (garbage) and post-consumer wastepaper, or

''(III) agriculture sources, including orchard tree crops, vineyard, grain, legumes, sugar, and other crop by-products or residues.

''(B) CLOSED-LOOP BIOMASS.—The term 'closed-loop biomass' means any organic material from a plant which is planted exclusively for purposes of being used at a qualified facility to produce electricity.''.

(c) ELECTRICITY PRODUCED FROM BIOMASS CO-FIRED IN COAL PLANTS.—

(1) CREDIT AMOUNT.—Paragraph (1) of section 45(a) of such Code (relating to general rule) is amended by inserting ''(1.0 cents in the case of electricity produced from biomass co-fired in a facility which produces electricity from coal) after ''1.5 cents''.

(2) QUALIFIED FACILITY.—Paragraph (3) of section 45(c) of such Code (relating to definitions) is amended by striking the period at the end and inserting the following: '', and any facility using biomass other than closed loop biomass to produce electricity which is owned by the taxpayer and which is originally placed in service after June 30, 1999.''.

(3) ADJUSTMENT FOR INFLATION.—

(A) IN GENERAL.—Paragraph (2) of section 45(b) of such Code (relating to credit and phaseout adjustment based on inflation) is amended by striking ''1.5 cent amount'' and inserting ''1.5 and 1.0 cent amounts''.

(B) BASE YEAR FOR INFLATION ADJUSTMENT FACTOR.—Subparagraph (B) of section 45(d)(2) of such Code (relating to inflation adjustment factor) is amended by adding at the end the following new sentence: ''In the case of the 1.0 cents amount in subsection (a), the first sentence of this subparagraph shall be applied by substituting '1999' for '1992'.''.

(d) CREDIT NOT TO APPLY TO ELECTRICITY SOLD TO UTILITIES UNDER CERTAIN CONTRACTS.—Subsection (b) of section 45 of such Code (relating to limitations and adjustments) is amended by adding at the end the following new paragraph:

''(4) CREDIT NOT TO APPLY TO ELECTRICITY SOLD TO UTILITIES UNDER CERTAIN CONTRACTS.—

''(A) IN GENERAL.—The credit determined under subsection (a) shall not apply to electricity—

''(i) produced at a qualified facility placed in service by the taxpayer after June 30, 1999, and

''(ii) sold to a utility pursuant to a contract originally entered into before January 1, 1987 (whether or not amended or restated after that date).

''(B) EXCEPTION.—Subparagraph (A) shall not apply if—

''(i) the prices for energy and capacity from such facility are established pursuant to an amendment to the contract referred to in subparagraph (A)(ii),

''(ii) such amendment provides that the prices set forth in the contract which exceed avoided cost prices determined at the time of delivery shall apply only to annual quantities of electricity (prorated for partial years) which do not exceed the greater of—

''(I) the average annual quantity of electricity sold to the utility under the contract during calendar years 1994, 1995, 1996, 1997, and 1998, or

''(II) the estimate of the annual electricity production set forth in the contract, or, if there is no such estimate, the greatest annual quantity of electricity sold to the utility under the contract in any of the calendar years 1996, 1997, or 1998, and

''(iii) such amendment provides that energy and capacity in excess of the limitation in clause (ii) may be—

''(I) sold to the utility only at prices that do not exceed avoided cost prices determined at the time of delivery, or

''(II) sold to a third party subject to a mutually agreed upon advance notice to the utility.

For purposes of this subparagraph, avoided cost prices shall be determined as provided for in section 292.304(d)(1) of title 18, Code of Federal Regulations, or any successor regulation.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by this section shall apply to taxable years ending after June 30, 1999.

(2) ADJUSTMENT FOR INFLATION.—The amendments made by subsection (c)(3) shall apply to taxable years ending after December 31, 1999.

SEC. 205. CREDIT FOR CERTAIN NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

''SEC. 25B. NONBUSINESS ENERGY PROPERTY.

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

''(A) the applicable percentage of residential energy property expenditures made by the taxpayer during such year,

''(B) the credit amount (determined under section 48A(f)) for each vehicle purchased during the taxable year which is a qualified hybrid vehicle (as defined in section 48A(f)(2)), and

''(C) the credit amount specified in the following table for a new, highly energy-efficient principal residence:

''New, Highly Energy-Efficient Principal Residence:	Credit Amount:
30 percent property	$1,000.
40 percent property	$1,500.
50 percent property	$2,000.

''(2) APPLICABLE PERCENTAGE.—

''(A) IN GENERAL.—The applicable percentage shall be determined in accordance with the following table:

''Column A—Description	Column B— Applicable Percentage	Column C—Period	
		For the period:	
In the case of:	The applicable percentage is:	Beginning on:	Ending on:
20 percent energy-efficient building property	20 percent	1/1/2000	12/31/2003
10 percent energy-efficient building property	10 percent	1/1/2000	12/31/2001
Solar water heating property	15 percent	1/1/2000	12/31/2006
Photovoltaic property	15 percent	1/1/2000	12/31/2006.

''(B) PERIODS FOR WHICH PERCENTAGE NOT SPECIFIED.—In the case of any residential energy property, the applicable percentage shall be zero for any period for which an applicable percentage is not specified for such property under subparagraph (A).

''(b) MAXIMUM CREDIT.—

''(1) IN GENERAL.—In the case of property described in the following table, the amount of the credit allowed under subsection (a)(1)(A) for the taxable year for each item of such property with respect to a dwelling unit shall not exceed the amount specified for such property in such table:

"Description of property item:	**Maximum allowable credit amount is:**
20 percent energy-efficient building property (other than a fuel cell or natural gas heat pump)	$500.
20 percent energy-efficient building property:	
fuel cell described in section 48A (e)(3)(A)	$ 500 per each kw/hr of capacity.
natural gas heat pump described in section 48A (e)(3)(D)	$1,000.
10 percent energy-efficient building property	$ 250.
Solar water heating property	$1,000.
Photovoltaic property	$2,000.

''(2) COORDINATION OF LIMITATIONS.—If a credit is allowed to the taxpayer for any taxable year by reason of an acquisition of a new, highly energy-efficient principal residence, no other credit shall be allowed under subsection (a)(1)(A) with respect to such residence during the 1-taxable year period beginning with such taxable year.

''(c) DEFINITIONS.—For purposes of this section—

''(1) RESIDENTIAL ENERGY PROPERTY EXPENDITURES.—The term 'residential energy property expenditures' means expenditures made by the taxpayer for qualified energy property installed on or in connection with a dwelling unit which—

''(A) is located in the United States, and

''(B) is used by the taxpayer as a residence.

Such term includes expenditures for labor costs properly allocable to the onsite preparation, assembly, or original installation of the property.

''(2) QUALIFIED ENERGY PROPERTY.—

''(A) IN GENERAL.—The term 'qualified energy property' means—

''(i) energy-efficient building property,

''(ii) solar water heating property, and

''(iii) photovoltaic property.

''(B) SWIMMING POOL, ETC., USED AS STORAGE MEDIUM; SOLAR PANELS.—For purposes of this paragraph, the provisions of subparagraphs (D) and (E) section 48A(e)(1) shall apply.

''(3) ENERGY-EFFICIENT BUILDING PROPERTY.—The term 'energy-efficient building property' has the meaning given to such term by paragraphs (3) and (4) of section 48A(e).

''(4) SOLAR WATER HEATING PROPERTY.—The term 'solar water heating property' means property which, when installed in connection with a structure, uses solar energy for the purpose of providing hot water for use within such structure.

''(5) PHOTOVOLTAIC PROPERTY.—The term 'photovoltaic property' has the meaning given to such term by section 48A(e)(1)(C).

''(6) NEW, HIGHLY ENERGY-EFFICIENT PRINCIPAL RESIDENCE.—

''(A) IN GENERAL.—Property is a new, highly energy-efficient principal residence if—

''(i) such property is located in the United States,

''(ii) the original use of such property commences with the taxpayer and is, at the time of such use, the principal residence of the taxpayer, and

''(iii) such property is certified before such use commences as being 50 percent property, 40 percent property, or 30 percent property.

''(B) 50, 40, OR 30 PERCENT PROPERTY.—

''(i) IN GENERAL.—For purposes of subparagraph (A), property is 50 percent property, 40 percent property, or 30 percent property if the projected energy usage of such property is reduced by 50 percent, 40 percent, or 30 percent, respectively, compared to the energy usage of a reference house that complies with minimum standard practice, such as the 1998 International Energy Conservation Code of the International Code Council, as determined according to the requirements specified in clause (ii).

''(ii) PROCEDURES.—

''(I) IN GENERAL.—For purposes of clause (i), energy usage shall be demonstrated either by a component-based approach or a performance-based approach.

''(II) COMPONENT APPROACH.—Compliance by the component approach is achieved when all of the components of the house comply with the requirements of prescriptive packages established by the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, such that they are equivalent to the results of using the performance-based approach of subclause (III) to achieve the required reduction in energy usage.

''(III) PERFORMANCE-BASED APPROACH.—Performance-based compliance shall be demonstrated in terms of the required percentage reductions in projected energy use. Computer software used in support of performance-based compliance must meet all of the procedures and methods for calculating energy savings reductions that are promulgated by the Secretary of Energy. Such regulations on the specifications for software shall be based in the 1998 California Residential Alternative Calculation Method Approval Manual, except that the calculation procedures shall be developed such that the same energy efficiency measures qualify a home for tax credits regardless of whether the home uses a gas or oil furnace or boiler, or an electric heat pump.

''(IV) APPROVAL OF SOFTWARE SUBMISSIONS.—The Secretary of Energy shall approve software submissions that comply with the calculation requirements of subclause (III).

''(C) DETERMINATIONS OF COMPLIANCE.—A determination of compliance made for the purposes of this paragraph shall be filed with the Secretary of Energy within 1 year of the date of such determination and shall include the TIN of the certifier, the address of the building in compliance, and the identity of the person for whom such determination was performed. Determinations of compliance filed with the Secretary of Energy shall be available for inspection by the Secretary.

''(D) COMPLIANCE.—

''(i) IN GENERAL.—The Secretary of Energy in consultation with the Secretary of the Treasury shall establish requirements for certification and compliance procedures after examining the requirements for energy consultants and home energy ratings providers specified by the Mortgage Industry National Accreditation Procedures for Home Energy Rating Systems.

''(ii) INDIVIDUALS QUALIFIED TO DETERMINE COMPLIANCE.—Individuals qualified to determine compliance shall be only those individuals who are recognized by an organization certified by the Secretary of Energy for such purposes.

''(D) PRINCIPAL RESIDENCE.—The term 'principal residence' has the same meaning as when used in section 121, except that the period for which a building is treated as the principal residence of the taxpayer shall also include the 60-day period ending on the 1st day on which it would (but for this subparagraph) first be treated as his principal residence.

''(d) SPECIAL RULES.—For purposes of this section—

''(1) DOLLAR AMOUNTS IN CASE OF JOINT OCCUPANCY.—In the case of any dwelling unit which if jointly occupied and used during any calendar year as a residence by 2 or more individuals the following shall apply:

''(A) The amount of the credit allowable under subsection (a) by reason of expenditures made during such calendar year by any of such individuals with respect to such dwelling unit shall be determined by treating all of such individuals as 1 taxpayer whose taxable year is such calendar year.

''(B) There shall be allowable with respect to such expenditures to each of such individuals, a credit under subsection (a) for the taxable year in which such calendar year ends in an amount which bears the same ratio to the amount determined under subparagraph (A) as the amount of such expenditures made by such individual during such calendar year bears to the aggregate of such expenditures made by all of such individuals during such calendar year.

''(2) TENANT-STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—In the case of an individual who is a tenant-stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such individual shall be treated as having made his tenant-stockholder's proportionate share (as defined in section 216(b)(3)) of any expenditures of such corporation.

''(3) CONDOMINIUMS.—

''(A) IN GENERAL.—In the case of an individual who is a member of a condominium management association with respect to a condominium which he owns, such individual shall be treated as having made his proportionate share of any expenditures of such association.

''(B) CONDOMINIUM MANAGEMENT ASSOCIATION.—For purposes of this paragraph, the term 'condominium management association' means an organization which meets the requirements of paragraph (1) of section 528(c) (other than subparagraph (E) thereof) with respect to a condominium project substantially all of the units of which are used as residences.

''(4) JOINT OWNERSHIP OF ENERGY ITEMS.—

''(A) IN GENERAL.—Any expenditure otherwise qualifying as a residential energy property expenditure shall not be treated as failing to so qualify merely because such expenditure was made with respect to 2 or more dwelling units.

''(B) LIMITS APPLIED SEPARATELY.—In the case of any expenditure described in subparagraph (A), the amount of the credit allowable under subsection (a) shall (subject to paragraph (1)) be computed separately with respect to the amount of the expenditure made for each dwelling unit.

''(5) ALLOCATION IN CERTAIN CASES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if less than 80 percent of the use of an item is for nonbusiness purposes, only that portion of the expenditures for such item which is properly allocable to use for nonbusiness purposes shall be taken into account. For purposes of this paragraph, use for a swimming pool shall be treated as use which is not for nonbusiness purposes.

''(B) SPECIAL RULE FOR VEHICLES.—For purposes of this section and section 48A, a vehicle shall be treated as used entirely for business or nonbusiness purposes if the majority of the use of such vehicle is for business or nonbusiness purposes, as the case may be.

''(6) DOUBLE BENEFIT; PROPERTY USED OUTSIDE UNITED STATES, ETC., NOT QUALIFIED.—No credit shall be allowed under subsection (a)(1)(B) with respect to—

''(A) any property for which a credit is allowed under section 30 or 48A,

''(B) any property referred to in section 50(b), and

''(C) the portion of the cost of any property taken into account under section 179 or 179A.

''(7) WHEN EXPENDITURE MADE; AMOUNT OF EXPENDITURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an expenditure with respect to an item shall be treated as made when the original installation of the item is completed.

''(B) EXPENDITURES PART OF BUILDING CONSTRUCTION.—In the case of an expenditure in connection with the construction of a structure, such expenditure shall be treated as made when the original use of the constructed structure by the taxpayer begins.

''(C) AMOUNT.—The amount of any expenditure shall be the cost thereof.

''(8) PROPERTY FINANCED BY SUBSIDIZED ENERGY FINANCING.—

''(A) REDUCTION OF EXPENDITURES.—For purposes of determining the amount of residential energy property expenditures made by any individual with respect to any dwelling unit, there shall not be taken in to account expenditures which are made from subsidized energy financing (as defined in section 48A(g)(1)).

''(B) DOLLAR LIMITS REDUCED.—The dollar amounts in the table contained in subsection (b)(1) with respect to each property purchased for such dwelling unit for any taxable year of such taxpayer shall be reduced proportionately by an amount equal to the sum of—

''(i) the amount of the expenditures made by the taxpayer during such taxable year with respect to such dwelling unit and not taken into account by reason of subparagraph (A), and

''(ii) the amount of any Federal, State, or local grant received by the taxpayer during such taxable year which is used to make residential energy property expenditures with respect to the dwelling unit and is not included in the gross income of such taxpayer.

''(e) BASIS ADJUSTMENTS.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property, the increase in the basis of such property which would (but for this subsection) result from such expenditure shall be reduced by the amount of the credit so allowed.''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 1016 of such Code is amended by striking ''and'' at the end of paragraph (26), by striking the period at the end of paragraph (27) and inserting ''; and'', and by adding at the end the following new paragraph:

''(28) to the extent provided in section 25B(e), in the case of amounts with respect to which a credit has been allowed under section 25B.''.

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. Nonbusiness energy property.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures after December 31, 1999.

Page 2, after line 5, insert **''TITLE I—OIL PRICE REDUCTION''.**

Page 2, line 6, strike ''2'' and insert ''101''.

Page 5, line 4, strike ''3'' and insert ''102''.

Page 5, line 16, strike ''4'' and insert ''103''.

Page 6, line 10, strike ''section 5'' and insert ''section 104''.

Page 6, line 12, strike ''5'' and insert ''104''.

Page 6, line 15, strike ''section 4'' and insert ''section 103''.

Page 6, line 17, strike ''section 4(1)'' and insert ''section 103(1)''.

Page 6, line 21, strike ''6'' and insert ''105''.

Page 6, line 24, strike ''section 4'' and insert ''section 103''.

Page 7, line 3, strike ''section 5'' and insert ''section 104''.

Page 8, line 2, strike ''section 4'' and insert ''section 103''.

Page 8, line 7, strike ''section 5'' and insert ''section 104''.

Page 8, line 9, strike ''7'' and insert ''106''.

Page 8, line 10, strike ''Act'' and insert ''title''.

H.R. 3822

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 21: Page 8, after line 2, insert the following new section:

SEC. 7. CIVIL PENALTY FOR UNREASONABLE PRICE INCREASE FOR CRUDE OIL, RESIDUAL FUEL OIL, OR REFINED PETROLEUM PRODUCTS.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Secretary of Energy shall issue regulations that—

(1) apply to all crude oil, residual fuel oil, or refined petroleum products that are sold in the United States;

(2) prohibit any unreasonable price increase for such products by an energy-producing company (as defined in section 205(h)(6) of the Department of Energy Organization Act (42 U.S.C. 7135(h)(6))); and

(3) impose a civil penalty of not more than $100,000,000 for each unreasonable price increase.

(b) UNREASONABLE PRICE INCREASE DEFINED.—For purposes of this section, the term ''unreasonable price increase'' means any price increase that exceeds any concurrent increase in the production or operation costs of the energy-producing company that are directly related to the products being sold.

(c) DETERMINATION OF UNREASONABLE PRICE INCREASE.—The Administrator of the Energy Information Administration shall determine at least annually whether any energy-producing company has implemented an unreasonable price increase in violation of regulations issued under subsection (a).

Page 8, line 3, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 22: Page 8, after line 8, insert the following new section:

SEC. 7. CIVIL PENALTY FOR UNREASONABLE PRICE INCREASE FOR CRUDE OIL, RESIDUAL FUEL OIL, OR REFINED PETROLEUM PRODUCTS.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Secretary of Energy shall issue regulations that—

(1) apply to all crude oil, residual fuel oil, or refined petroleum products that are sold in the United States;

(2) prohibit any unreasonable price increase for such products by an energy-producing company (as defined in section 205(h)(6) of the Department of Energy Organization Act (42 U.S.C. 7135(h)(6))); and

(3) impose a civil penalty of not more than $100,000,000 for each unreasonable price increase.

(b) UNREASONABLE PRICE INCREASE DEFINED.—For purposes of this section, the term ''unreasonable price increase'' means

any price increase that exceeds any concurrent increase in the production or operation costs of the energy-producing company that are directly related to the products being sold.

(c) DETERMINATION OF UNREASONABLE PRICE INCREASE.—The Administrator of the Energy Information Administration shall determine at least annually whether any energy-producing company has implemented an unreasonable price increase in violation of regulations issued under subsection (a).

Page 8, line 9, redesignate section 7 as section 8.

H.R. 3822

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 23: Page 8, after line 8, insert the following new section:

SEC. 7. CIVIL PENALTY FOR UNREASONABLE PRICE INCREASE FOR CRUDE OIL, RESIDUAL FUEL OIL, OR REFINED PETROLEUM PRODUCTS.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Secretary of Energy shall issue regulations that—

(1) apply to all crude oil, residual fuel oil, or refined petroleum products that are sold in the United States;

(2) prohibit any unreasonable price increase for such products by an energy-producing company (as defined in section 205(h)(6) of the Department of Energy Organization Act (42 U.S.C. 7135(h)(6))); and

(3) impose a civil penalty of not more than $100,000,000 for each unreasonable price increase.

(b) UNREASONABLE PRICE INCREASE DEFINED.—For purposes of this section, the term ''unreasonable price increase'' means any price increase that exceeds any concurrent increase in the production or operation costs of the energy-producing company that are directly related to the products being sold.

(c) DETERMINATION OF UNREASONABLE PRICE INCREASE.—The Administrator of the Energy Information Administration shall determine at least annually whether any energy-producing company has implemented an unreasonable price increase in violation of regulations issued under subsection (a).

Page 8, line 9, redesignate section 7 as section 8.

S. 1287

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 1: At the end of the bill, add the following new section:

SEC. . No foreign nuclear waste shall be allowed to enter the United States or to be deposited or stored in, on, or under the soil or waters of the United States.

United States of America

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

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Senate

The Senate met at 10:04 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, the Most Reverend Roger L. Kaffer, Auxiliary Bishop, Joliet, IL.

We are glad to have you with us.

PRAYER

The guest Chaplain, the Most Reverend Roger L. Kaffer, offered the following prayer:

Let us pray:

God bless our Senators,
Leaders we love.
Stand beside them and guide them,
Day and night with Your light from above.
From Rhode Island to Nevada,
To the Rockies, white with snow,
God help our Senators,
Your will to know;
God help our Senators
In wisdom grow.

God bless our Senators,
Women and men.
Give them courage and patience
To share insights again and again.
Father, no one has all answers
But together help them find
Answers that come from You
To those not blind.
In God we trust and pray:
Teach us Your mind.

Life, justice, liberty,
Happiness, too,
Founding Fathers have taught us.
God-endowed, these are ours to pursue.
When our Senate meets in session
To determine what is best,
God bless our Senators,
In truth's great quest.
God bless our Senators,
North, South, East, West.

Through Christ Our Lord. In the name of the Father and of the Son and of the Holy Spirit. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PETER FITZGERALD, a Senator from the State of Illinois, 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.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Illinois is recognized.

BISHOP ROGER L. KAFFER

Mr. FITZGERALD. Mr. President, I wish to speak for a couple of moments about our guest Chaplain, Bishop Roger Kaffer from Joliet, IL, who just gave the opening prayer.

Bishop Kaffer is an old friend of my family. In fact, he went to grade school and to high school with my mother back in Joliet, IL—St. Raymond's grade school and Joliet Township high school. He is now the Auxiliary Bishop in the Joliet diocese outside of Chicago, IL.

I thank him for his prayer and welcome him to the Senate. We very much appreciate it.

I thank the Chair.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The Senator from Missouri is recognized.

SCHEDULE

Mr. ASHCROFT. Mr. President, today the Senate will be in a period of morning business until the Senate recesses for the weekly party conference lunches from 12:30 to 2:15 p.m. When the Senate reconvenes, it will begin consideration of H.R. 5, the Social Security earnings legislation. Under a previous agreement, there will be approximately 4 hours of debate with three amendments in order to the bill. Any necessary votes on those amendments will occur this afternoon with a vote on final passage to occur on Wednesday morning. For the remainder of the week, the Senate may begin consideration of the crop insurance legislation or any other legislative or Executive Calendar items available for action.

I thank my colleagues for their attention.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

READY TO PROCEED

Mr. REID. Mr. President, I know the Senator from Missouri wants to speak in morning business.

We are ready to proceed on the issues that have been outlined. We are anxious to get to the Social Security earnings limit withdrawal. Also, we are anxious and look forward to the budget debate which will take place, we hope, next week. We must keep our eyes on the prize, and that is to do something about the $5 trillion debt that has accumulated, recognizing that is necessary for a tax cut for everybody in America.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period of time for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak for up to 10 minutes each. Also, under the previous order, the Senator from Missouri, Mr. ASHCROFT, is now recognized to speak for up to 15 minutes.

The Senator from Missouri.

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

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REPEAL OF SOCIAL SECURITY EARNINGS LIMIT

Mr. ASHCROFT. Mr. President, as has been noted, we will be dealing today with the repeal of the Social Security earnings limit. I think individuals on both sides of the aisle are eager to deal with this kind of legislation.

What is the earnings limit? The earnings limit is simply a way of saying that if citizens between 65 and 69 years of age earn over a modest amount of money when they earn outside income by working, the Government deducts from their Social Security $1 for every $3 they earn; that is, for $1 over $17,000, the Government reduces the benefits $1 for every $3 of earnings.

This makes it very difficult for a number of people who are between 65 and 70 years of age, who want to be able to sustain themselves, who want to be able to help their families, who want to be able to remain independent and not dependent on Government. Yet Government has this rather onerous discriminatory effect on their work habits. It says if you earn money, we are going to take money away from what you have previously earned as a Social Security benefit.

The earnings test is a misguided and outdated relic of a time when jobs were scarce, unemployment was high, when people did not live as long and healthy lives as they do today. It is clearly a disincentive for seniors to work. By telling seniors if they work hard and earn money, we will just take it away from them or we will deduct it from their Social Security, we are saying: Seniors need not apply; seniors need not aspire to a better life; seniors need not expect to remain independent—all of which are the wrong statements for us to be making to our seniors.

There are a great number of seniors who are working anyhow and paying a penalty for working. It seems strange that in a country that needs workers, we are asking people to pay a high penalty for working: 1.2 million working seniors are penalized now; 17,523 working seniors in Missouri suffer losses in their Social Security as a result of their industry, their willingness to work. But the actual number of seniors affected by this pernicious idea of discriminating against seniors in the workplace is much greater than this 1.2 million nationwide or 17,523 in the State of Missouri. There are millions of seniors who choose not to work or choose to work only a small amount because they don't want to work in such a way that it will erode, undercut, undermine, or diminish their Social Security income.

Keeping seniors out of our workforce has a serious consequence. It is against our best interest to remove the kinds of things seniors bring to the workforce. They are great workers. They are skilled workers. They are workers of value and experience. The current unemployment rate of 4 percent indicates to us that we need skilled and experienced workers. Seniors are highly valuable members of the workforce. Their continuing contributions are crucial. The only limit to what they have to offer is the earnings limit. We should not limit what good people can offer to this country.

I have spent quite a bit of time in my home State of Missouri talking with constituents. There are real life examples. Beverly Paxton from Belton, MO, who represents the Green Thumb organization, says hundreds of seniors would be eager to work without the earnings test. Furthermore, some don't try to work for fear that the Social Security Administration might take benefits away. Seniors don't want to have to visit a CPA to find out whether if they go to work they will lose benefits or be taxed at such a high rate that working will actually end up costing them money.

Many more limit their hours to avoid the Social Security earnings test and its application which would result in the deduction of Social Security benefits. A manufacturer from Belton, MO, said to me: Seniors work until they reach the income limit. Then they tell the employer: I won't be here next week; I will see you next January.

Well, what does this do to our situation where we want people to be able to work with continuity and our manufacturers and our enterprises to be able to provide service with continuity?

Here we have an employer who is left in the lurch, having to absorb training costs or heavy overtime costs because we have said to seniors: You cannot work on a regular basis if that regular basis carries you over the income limit. These decisions of people working for quite a bit of time and then precipitously dropping off or being underemployed by not working very much throughout the entire year are based on the arbitrary earnings test limit of the Social Security Administration which says if you pass a certain limit, we will start deducting from your Social Security check. Even when seniors work around the test, they suffer unexpected costs.

C.D. Clark from Florissant, MO, had earned $25,000 before trying to limit earnings to protect himself from the test. He had planned to work only 8 months so his Social Security benefits would not be cut; he would get himself down under the limit. The Social Security Administration, however, assumed he would earn the same amount, the $25,000 he had earned previously, and withheld his Social Security checks from January through March of this year. When Mr. Clark complained to the Social Security Administration that he had not reached the income limit of $17,000, he was told: We like to get our money up front—as if Social Security was their money, as if it were not a benefit for which Mr. Clark had paid years and years of taxes.

Not only do we find people harmed financially, but seniors express to me over and over again that their physical and mental well-being is pinned upon their ability to keep working. In St. Joseph, MO, working is a mental health issue. Seniors who don't work often lose their sense of self-worth. This point was not only made to me in my visit to St. Joseph but across the State. In Joplin, for example, I was given the same information.

To the extent that the earnings test keeps as many as 200,000 Missouri seniors from working, it harms the mental well-being of those 200,000 Missouri seniors who would like to be active. Over and over again, this was a refrain I heard from seniors: We want to work; we want to be active; we need to be.

The earnings test can threaten lives in other ways as well. Lois Murphy of St. Louis is 65 and works part-time as a registered nurse in the operating room at St. John's Mercy Medical Center. The hospital suffers from a labor shortage and needs help from women like Mrs. Murphy who are experienced, willing, and dedicated to work. She limits her hours because of the earnings limit. This takes a skilled, experienced, and needed worker out of the hospital, out of the capacity of caring for other individuals.

Mrs. Murphy wrote to me:

> The $17,000 limit a person could earn plus the small Social Security check is not enough to live comfortably and enjoy your senior years.

Mrs. Murphy neatly summarized this issue in one simple sentence:

> I think if a senior citizen at age 65 is willing to work, they should be able to earn a lot more or not have a limit.

Well, I believe Mrs. Murphy is right. Seniors should have the freedom to earn if they choose. The problem is that they don't have that choice. We must send the earnings test into retirement. We should retire the earnings test, not force the retirement of our senior citizens.

One of the business owners and operators I talked to put it this way: Seniors are able to work pretty aggressively through most of the year until they get up to the brink of the Christmas season when they really are needed. Then when they are intensely needed, the test kicks in and they have to check out.

Many seniors who want to work don't work because of the costs imposed by the earnings test. Take, for example, a senior in the 28-percent tax bracket. The earnings test kicks in. One out of every $3 is taken away from Social Security. That turns out to be another tax of roughly 33 percent.

Then if you add the 7.65-percent Social Security tax on the people, and a State income tax of, say, 6 percent, you get up to a 74- to 80-percent combined tax load on a working senior citizen. If they have any expenses of going to and from work, or wardrobe expenses associated with work, it could well be that the senior citizen actually loses money. The Government is so aggressive in reducing their ability to earn. The earnings test is pernicious and discriminatory toward seniors.

This is something we ought to address. I am delighted that the House has done so and that the President has signaled his agreement with what the House has done. I have been working on this since I came to the Senate in 1995. I voted to substantially increase the limit in 1997. I called for the elimination of the test and cosponsored legislation that would get rid of the test.

This year, I have introduced legislation that would eliminate the test. My bipartisan legislation has 43 cosponsors, including the entire majority leadership. There are a number of others, organizations and all, who have endorsed this concept, including Green Thumb, 60+, the Seniors Coalition, National Association of Home Builders, National Taxpayers Union, the U.S. Air Force Sergeants Association, Americans for Tax Reform, CapitolWatch, National Tax Limitation Committee, United Seniors Association, United Seniors Health Cooperative, and the U.S. Chamber of Commerce.

The point is, the House of Representatives recognized the value of this concept and unanimously voted to eliminate the earnings limit. The President has indicated he would sign clean legislation, unencumbered by extraneous amendments. I believe we should follow the lead of the House and do what the President is asking us to do—to deliver this measure which would eliminate the earnings test. It is something I have been working on now for years. It is a counterproductive, unfair penalty. I believe that, because the President is prepared to sign it, the Senate now needs to move forward and eliminate this out-of-date and costly impediment, this discrimination, this very serious problem for our seniors, which prohibits our culture from having the benefit and value of the best effort of many of our very best workers.

With that in mind, I look forward to the debate later today. I am pleased to have had this opportunity to address this issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is now in a period of morning business.

THE JUVENILE JUSTICE CONFERENCE

Mr. LEAHY. Mr. President, I will speak on a matter involving the juvenile justice conference—or, perhaps more accurately, I should say the lack of a conference on the juvenile justice bill. It is a matter that concerns me greatly because I was the floor leader on this side and the distinguished Senator from Utah was the floor leader on the other side when we had over a week of debate on the juvenile justice bill. We had a very solid debate. We then passed the bill with 73 votes in the Senate. It went to conference, and it was like going into the Bermuda Triangle; we haven't seen it since.

Actually, this Congress has kept the country waiting too long for action on juvenile justice legislation and has kept the country waiting too long on sensible gun safety laws. We are fast approaching the first-year anniversary of the shooting at Columbine High School in Littleton, CO. It has been 11 months since 14 students and a teacher lost their lives in that terrible tragedy on April 20, 1999. It has been 10 months since the Senate passed the Hatch-Leahy juvenile justice bill. As I said before, it was an overwhelming vote of 73–25.

Our bipartisan bill includes modest—and I believe effective—gun provisions. It has been 9 months since the House of Representatives passed its own juvenile crime bill, which was on June 17, 1999. Then the leadership in the Congress delayed action on calling a conference all summer. It has been 8 months since the House and Senate juvenile justice conference met for the first and only time. The Republican majority in the Congress convened the conference on August 5, 1999. They did that less than 24 hours before the Congress adjourned for a month's vacation.

Now, you don't have to be a cynic to recognize this for what it was. It was a transparent ploy to deflect criticism for delay, but also to make sure the conference could not do anything. They would not have enough time to prepare comprehensive juvenile justice legislation to send to the President before school began in September. But we did have time to do it before children went back to school in January. We didn't do that. Now I wonder if we will ever do it.

The Senate and House Democrats have been ready for months to reconvene the juvenile justice conference. We have told the Republicans we would meet with them on a minute's notice. We want to work with Republicans to craft an effective juvenile justice conference report that includes reasonable gun safety provisions. But even though the Senate passed this legislation by a 3-to-1 majority, no conference; the Republican leadership has decided not to act.

I think this is particularly shameful because the Congress has spent more time in recess than in session during the last meeting of this conference. Think about that. We have been out on vacation more time than we have actually been here working since we had that last conference. Let's take a couple days off one of these recesses and have a conference.

Two weeks ago, the President invited House and Senate members of the conference to the White House, both Republicans and Democrats. He urged us to proceed to the conference and to have final enactment of legislation before the anniversary of the Columbine tragedy. Unfortunately, the Republican majority has rejected the President's plea for action. I think more than rejecting the President's plea for action, they have rejected the American people's plea.

On April 22 of last year, barely 2 days after the killings at Columbine High School, I came to the Senate to urge action. I praised the Democratic leader, Senator KENNEDY, and others for their thoughtful comments on these matters and for reaching out to the families of those who were killed that week. At that time, almost a year ago, I urged the Senate to rededicate itself to the work of assisting parents, teachers, the police, and others in stemming school violence. I suggested that S. 9, the Safe Schools, Safe Streets, and Secure Borders Act of 1999, provided a good place to start.

Responding to our efforts to turn the Senate's attention to the problems of school violence, on April 27 the Republican leader came to the floor and said if we withheld for 2 weeks, he could provide a legislative vehicle ''that we could take up, and the Senate would then have an opportunity for debate, have amendments, and have votes.''

Senator LOTT returned to the floor the following day to repeat his commitment to provide the Senate with the ''opportunity to debate and vote on those issues dealing with school violence.'' To Senator LOTT's credit, he proceeded to S. 254, the juvenile justice bill, which was then pending on the Senate calendar, and he did that on May 11. We then had 2 weeks of real debate on it—one of the few we have had recently—and then the Senate worked its way through this bill. The Hatch-Leahy juvenile justice legislation, which passed the Senate on May 20, passed with a strong bipartisan majority and 73 votes, with both Democrats and Republicans voting for it. No one should forget it was a Republican majority that decided to make the juvenile justice legislation the vehicle for the antiviolence amendments adopted by the Senate last May. Three-quarters of the Senate voted for our legislation.

Following the action by the other body, I urged a prompt conference on the juvenile justice legislation. I took the unusual step of coming to the Senate to propound a unanimous consent request to move to conference on the legislation, which initially encountered Republican objections. But eventually this request provided a blueprint for moving the Senate to agreeing to conference on July 28 of last year.

Unfortunately, that conference was convened for only a single afternoon—not with votes but of speeches. Democrats in both the House and Senate tried to offer motions about how to proceed to begin some of the discussion. But that was ruled out of order by the Republican majority.

Then I spoke on the floor several times last year—on September 8, September 9, and October 21—urging the majority to reconvene the juvenile justice conference. I joined with fellow Democrats to request, both in writing and on the floor, the majority to let us

finish our work on the conference and then send a good bipartisan bill to the President. On October 20, 1999, all the House and the Senate Democratic conferees sent a letter to Senator HATCH and Congressman HYDE calling for an open meeting of the juvenile justice conference. The following year, on March 3, 2000, after yet another shocking school shooting involving 6-year-old classmates in Michigan, Representative CONYERS and I wrote again to Senator HATCH and Congressman HYDE requesting an immediate meeting of the conference. The response has been resounding silence.

Two weeks ago, I felt honored to be invited to a White House summit by the President of the United States. I joined Senator HATCH, Congressman HYDE, and Congressman CONYERS in an Oval Office meeting with the President—a very substantive meeting. It went on well over an hour on what was a very busy day for the President. He urged the reconvening of the conference. He urged action by the Congress to send him a comprehensive bill before the 1-year anniversary of the Columbine tragedy. I met with the President again that evening. He said again: Please, will you just meet and send me a bill, especially before the 1-year anniversary of Columbine. His entreaties, which I thought were well intentioned and were done seeking bipartisan support, were rebuffed. No conference has been scheduled.

This is only the latest in a long series of delays that have plagued this legislation. We had to overcome technical obstacles and threatened filibusters just to begin the juvenile justice conference, and, unfortunately, I see no sign of abating the delays. We worked hard on the Hatch-Leahy juvenile justice bill, S. 254, and passed it by a vote of 73 to 25, but we cannot get a conference.

What I worry about is the impression we give the country. We will stand here and debate symbolism. We will take long recesses. We will talk about everything but the thing that is on the minds of parents and schoolchildren.

I am blessed with representing a State that I believe has the lowest crime rate in the Nation. We are a State where most of us don't even lock our doors. But it is interesting, when I go to schools in my State and talk to parents, to teachers, and to the children, they worry. Then I go into some of these other larger, urban States, and the concern is enormous.

We have become a terribly violent nation notwithstanding that the vast majority of Americans are good and law-abiding people. I come from a State where a majority of the people own firearms. I own many myself. We don't have gun control laws in our State. We teach people to respect the weapons they have. But the people in Vermont have the same sense of revulsion that I do when they see some of these shootings and they see a Congress unwilling to even stand up to a powerful gun lobby.

Can anybody forget what was probably one of the most terrible pictures I have seen, and terrible in what it said, at the Jewish day center in California where a man went in attacking and shooting? You remember the photograph of the heavily armed police officers leading the little children out across the street. Every one of us has children and has been with children. We have seen them in grade school with a teacher leading the group of children. All the children hold hands. They hold hands with the teacher. And what a happy, cheerful time: We are going to recess. We are going to class. We are going to learn. And they are protected and safe because they are with their teacher or their parents. But this time police officers led these children. They did not know what was going on with the heavily armed officers bringing them to safety. The police officers must have children of their own, or grandchildren of their own, and were thinking about what was going on.

These are images that frighten people in this country. It is reasonable that they are frightened. We ought to respond. We are talking about a juvenile justice bill that has a whole lot of things way beyond any question of gun control. It has in it only modest gun control. It closes some loopholes in the law where you can't go to a flea market in the middle of a Saturday afternoon, and buy a gun without a real check on your background.

We have an opportunity in the conference to cut through partisan differences to make a difference in the lives of our children and families. We need to meet in the conference to debate our motions, and vote them up or vote them down, but at least meet and vote. We are paid to vote yes or no. We are not paid to pass the buck. That is what is happening here.

I don't know what my friends on the Republican side worry about. There are more of them than there are of us. They control the schedule. They have the votes. They can vote down anything they want. The procedural hurdles and the delays that plague this legislation are simply because of the opposition of the gun lobby to any new firearm safety laws.

Unfortunately, the leadership is being held hostage by the extreme views of the NRA and other special interests. If they really wanted to pass effective juvenile justice reforms and protect our children against gun violence, they could do it tomorrow. The President would sign the Hatch-Leahy bill in a second if it reached his desk.

Last year, the Y2K Act conference only took 2 weeks to complete, and a bill was sent to the President to provide legal protections for business—legal protections, as it turned out, that they didn't need. But when it comes to protecting our children where there is a real need, we can't act unless the NRA tells us we are allowed to act. That is wrong.

I didn't come to the Senate to have any group or any special interest group on the right or the left tell me what I can do or not do. Only the voters of my State can make a decision that they don't like the way I vote. They can throw me out. But we should not allow this great body to be held hostage by special interest groups—no matter how many Members they have, no matter how much money they spend on television, or no matter how outrageous a claim they make.

I have stood on this floor many times, but some of the proudest times I have had in public service were as a prosecutor in law enforcement. Let's listen to our Nation's law enforcement officers. They say pass a strong and effective juvenile justice bill. Ten national law enforcement organizations, representing thousands of law enforcement officers, have endorsed the Senate-passed gun safety amendment. They support loophole-free firearm laws.

I remind Senators of the time Members of this Congress turned their back on police officers when the NRA said don't ban cop-killer bullets. Do you remember that? Law enforcement said: Wait a minute. We put our lives on the line for you. How about protecting us?

Here are the organizations that have endorsed the gun-safety amendment and that support loophole-free firearm laws:

The International Association of Chiefs of Police, the International Brotherhood of Police Officers, Police Executive Research Forum, Police Foundation, Major Cities Chiefs, Federal Law Enforcement Officers Association, National Sheriffs Association, National Association of School Resource Officers, National Organization of Black Law Enforcement Executives, Hispanic American Police Command Officers Association.

These law enforcement officers need help in keeping guns out of the hands of people who should not have them. I am not talking about people who use guns for hunting and sport but about criminals and unsupervised children. These organizations want Congress to move.

We recognize there is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. We have an obligation to do our part. It is time to act.

This list represents organizations that endorse the Senate-passed gun safety amendments. These are not organizations that take a pie-in-the-sky attitude. These organizations represent people who work in an increasingly violent society, putting their lives on the line to protect all Americans, just as the police officers in the Capitol put their lives on the line every day to protect everyone. Since I have been here two have died doing that.

These organizations ask: Will you at least stand up for us as we stand up for the quarter billion Americans?

I see the distinguished senior Senator from Rhode Island on the floor, Mr. REED. I applaud Senator JACK REED for his resolution for the juvenile justice conference to report a final bill by April 20 of this year, the 1-year anniversary of the Columbine High School shooting.

I am proud to cosponsor this resolution. I am proud to work with my good friend. I admire him for his initiative. I yield the floor to the distinguished senior Senator from Rhode Island.

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

Mr. REED. I commend the Senator from Vermont for his eloquence and his passionate support of this vital legislation. It is vital to the children and to the families of this country.

As the Senator pointed out, it has been 11 months since the tragic incident at Columbine High School. Last April 20, we witnessed with horror and revulsion an attack on children who were just going to school. The entire country stood up as one and said: We have to do something. We have to stop this senseless gun violence. We have to create a country in which easy access to firearms and the resulting violence is something of the past.

However, it has not stopped. The violence continues every day with tragic consequences throughout this country—in Seattle, WA; in Atlanta, GA; in Los Angeles, CA; in Honolulu, HI; in Ft. Worth, TX; in Sidney, OH; in Wilkinsburg PA; in Mount Morris township in Michigan; and thousands of other places where, regrettably and tragically, gun violence is so common in this country that it doesn't make the front page because the incidents aren't that graphic or that violent.

The first anniversary of the tragedy at Columbine High School is just around the corner, April 20. Still, the conference committee on juvenile justice has not yet discharged their duty and sent back a bill that contains common, safe, gun safety measures that were passed by this Senate. In fact, as the Senator from Vermont pointed out, the committee has met only once, last August. For 8 months we have waited. We have waited; the American people have waited. We have waited for commonsense protections that have been frustrated and thwarted by the Republican leadership at the behest of the NRA. They have ignored the will of the American people and the overwhelming desire of the American people to protect the safety of their children and the safety of their communities.

I believe the American people have waited long enough. Today, along with my colleagues, Senator BOXER of California, Senator LEAHY, and others, I will introduce a sense-of-the-Senate resolution calling for the juvenile justice conferees to complete and submit the conference report before April 20, the first anniversary of the Columbine shooting, and to include in this conference report the amendments passed by this Senate seeking to limit access to firearms by juveniles, by convicted felons, and by other persons.

Will the passage of this legislation stop gun crime in this country? No, it won't. But it will represent a step forward to impose reasonable controls on the easy access to firearms for those who should not have them: Children, criminals, those whose mental capacity is diminished enough so they resort to violence with these weapons.

Within the core of this juvenile justice legislation are simple, commonsense approaches to ensure we have a safer society: Closing the gun show loophole, requiring safety locks to be sold with handguns, banning the importation of large capacity ammunition clips, and outlawing juvenile possession of assault weapons.

We will bring common sense to our gun laws with these measures and, hopefully, reduce the avalanche of violence that is engulfing so many in this society.

In my home State of Rhode Island, in the city of Providence alone, 26 people were murdered in 1999. That is up from 15 in 1998. Firearms were used in the vast majority of the killings in both years: 19 out of the 26 people who were killed last year were killed with firearms, 11 of the 15 the year before. And Providence, my capital, is a small city of roughly around 200,000 people.

Last year, when we were talking about Columbine High School, if any Member came to this floor and said: I predict a 6-year-old child will walk into first grade and kill another 6-year-old child with a handgun, we would have been lambasted as extremists, hysterical, provocateurs, irresponsible, reckless. Guess what. It happened. Incidents such as that happen each and every day.

Just a few weeks ago in Providence, RI, two young boys were rough-housing with each other—a 17-year-old and a 13-year-old friend—doing what boys have been doing for a long, long time. They were razzing each year, wrestling with each other, seeing who was the most tough. They went on and on and on. One of them got frustrated. Now, when I was younger, that frustration might have led to a punch in the nose, a bloody nose, and some hard feelings, but that was all. Somebody in the crowd had a gun and this young boy recklessly and without thought grabbed that gun just to show how tough he was, pointed the gun at the 13-year-old, pulled the trigger, thinking nothing would happen, and shot that 13-year-old in the head. That shooter, that young man—not a criminal, just a kid rough-housing around in the neighborhood—was so overcome with remorse that he fled to an adjacent backyard and shot himself in the head.

That is gun violence in America today. That is the cost of easy access to firearms. These aren't criminals. These were kids doing something stupid. But because they had guns, it resulted in death and destruction.

We are not kids here. We are supposed to be adults. We are supposed to be responsible. We are supposed to represent the best values and ideals of this country. That means we must stand up and vote on measures such as this juvenile justice bill.

I ask on behalf of the 12 children killed each day by gun violence that we bring this conference bill back to this floor with those reasonable gun control measures included. Someone has to speak for them. Someone must speak for them. Someone must demand these measures come before the Senate.

We cannot continue to listen to the siren song of the NRA in this Chamber. We cannot be hypnotized by all the spin and the hype and all the misinformation and misdirection. We have to respond to the reality of kids easily getting handguns and unwittingly and, tragically, killing each other.

We have a country in which the homicide rate by handguns far surpasses that of any other country in the world. In Japan, in 1996, there were 15 people killed with handguns, in a country of 126 million people. That is 1 person in every 8.4 million. The ratio in the United States? One person out of every 27,000. What is the difference? Cultural? Genetic? Demographic? They have gun laws that make it difficult for anyone and everyone, willy-nilly, to own handguns.

It is the same story the world over. Canada, perhaps the country closest to us in culture, in demographics and ethnicity, is also a country that had a great frontier, a country that had the same kind of challenges we had opening up their great west. It is a country of outdoors men and women; it is a country, in many respects, with the same cultural values we have. Yet in that country, in 1996, 106 people were killed out of a population of 30 million. That is 1 person in every 284,000—many, many, many times fewer people killed by gun violence in a country so similar to ours. The difference? Once again, they have sensible laws that govern access to handguns.

We could go on and on. But as long as a criminal can walk into a gun show and buy a gun without a background check and walk out before any type of check can be done, as long as kids can get access to firearms without safety locks on them so they can use them, as we have seen happen too often, as long as it is harder for a kid to open a bottle of aspirin than it is to shoot a gun, because we have childproof tops on aspirin containers, we are going to have these problems.

It is our responsibility to act. It is our responsibility to stand up. We have not done that. Time is drawing close to April 20, 1 year after Columbine. I cannot think of a better way, not only to memorialize the victims of that shooting but to give meaning to that senseless tragedy, than for this body and the House to send to the President a gun control measure that will provide the sensible, reasonable controls that are so critical.

I see the Senator from California. There is no one in this body who is not only sensitive but more forcefully engaged in this effort than my friend and colleague, Senator BOXER, someone who I am proud to say will cosponsor this resolution, someone I am proud to say will continue her valiant efforts to lead the way for sensible gun control in this country.

I yield the floor.

Mrs. BOXER. Mr. President, how much time remains in the morning business period?

The PRESIDING OFFICER (Mr. ENZI). Thirty minutes remains under the control of Senator DURBIN.

Mrs. BOXER. I will take 60 seconds at this time, and then I will yield to Senator DASCHLE, who will speak on his leader time. I am so proud he has come over to the floor.

I wish to say in this minute, before my friend from Rhode Island leaves, what an amazing addition he is to this Senate. I say that from the bottom of my heart. I served with him in the House and he was a great House Member. I predict he has an unbelievable future in the Senate. Why do I say that? Because he has courage, because he has conviction. He is not afraid to take the floor on issues that are difficult; to take on, perhaps, some of the special interests that, believe me, do not take kindly when you stand up and speak from your heart about issues that impact on their bottom line. In this case, it is the bottom line of groups out there that want us to take no action against gun violence.

We have a plan. We have a great plan that passed the Senate. It is endorsed by so many law enforcement groups and the vast majority of the American people. I can think of no more appropriate speaker than our Democratic leader to tie the pieces together and to talk about why the time is ripe.

I did offer a similar resolution to that of Senator REED. I am proud to cosponsor his. It got 49 votes—49–49. We didn't know that or Vice President Gore would have broken the tie. Next time we will be ready.

I yield the floor, and I will reclaim it when my leader is finished.

Mr. DASCHLE. Mr. President, I will use my leader time and allocate that time to my comments on the floor this morning.

Let me begin by acknowledging, as well, the extraordinary leadership, not only of Senator REED, but of Senator BOXER. Everything Senator BOXER has said about Senator REED is a view that I think is shared by Republicans and Democrats alike. He has come to the Senate and in a very short period of time established himself as an authority on a number of key issues, including education and defense matters, as well as now, on neighborhood safety. I applaud him again for taking the leadership, as he has.

Senator BOXER, on this, as well as on so many other issues, comes to the floor, grinds it out, and speaks as passionately and as eloquently as anybody in this Chamber. It is an extraordinary privilege to work with her as well.

I have heard the proposal made by the Senator from Rhode Island that we set for ourselves a date by which we must act with respect to juvenile safety, and that we choose a date that we all ought to remember—April 20th. Last year, that date, the date of the Columbine tragedy, triggered our commitment to better safety and prompted the Senate to act. We left with an expectation that, as a result of that action in the Senate, things were going to happen, that we could send a message of hope to the people of Colorado and to the people of this Nation that we will not tolerate the violence that exists in this country. We sent the message that we will respond to tragedy with careful, commonsense approaches that will make schools and neighborhoods safer, such as balanced gun legislation. That is what we said and that is how we voted. We are on record as having supported such commonsense legislation.

In poll after poll, it is remarkable the degree to which the American people support the actions taken by the Senate and the amendments offered by our Democratic colleagues. It is overwhelming.

There has been a sea change, an attitudinal progression on this issue in the country—a sea change. I represent a Western State where, after you are born, on your first or second birthday, virtually, you get a shotgun—because that is what we do. I am proud I have shotguns. I love to go hunting. I love to walk and take in nature in all of its splendor in the fall. That is part of the culture of the West. It is a part of the culture of growing up in South Dakota of which I am very proud and I love. I will defend it, and I will work to ensure that my children and grandchildren and great grandchildren have these same experiences.

But there is a difference. That difference is becoming even more extraordinarily evident as we read about experiences such as we read this morning in the Washington Post, an agonizing description of what kind of setting created this despicable act in Michigan. A young boy, 6 years old, takes a gun, walks into a school full of children, his school, picks out a girl, says, ''I don't like you,'' and shoots her to death. That story generated a front page article and a spread, inside the paper, of two full pages—and it should have. Why? Because this incident illustrates the magnitude of the torturous existence that now is becoming more and more prevalent all across this country in schools and in neighborhoods.

But you could put that kind of story on the front page of the Washington Post every single day. It happened in Michigan, but it happened yesterday somewhere else. It happened in Rhode Island shortly after that. It happens every day. Those of us who appreciate the culture of a good pheasant hunt recognize there is a huge difference between that and the disastrous consequences of this proliferation of guns that now has become a real threat to the safety and well-being of children in virtually every school in America today.

All the Senator from Rhode Island is suggesting is that at long last we say: Look, we've talked enough. Let's act. We took the first step last May. We expected that we would take additional steps. We have not. We have talked. We have positioned. We have wrung our hands in agony as one shooting after another has been pasted on the pages of every single newspaper in the country.

The litany of additional Columbines has continued all across the country. These new shootings may not have claimed as many lives. But they are tragedies nonetheless. They ought to trigger action.

Let us act. Let us meet in conference and work through our differences so that we can finally say: We are not only going to talk about this. We are going to do something about it.

We recognize that passing the modest gun safety measures in the Juvenile Justice report will not completely solve the problem of gun violence. There may be other things that can be done. I am very grateful to HUD Secretary Andrew Cuomo, and others in the administration, for having worked out a remarkable and historic new agreement with Smith & Wesson.

What a statement: for Smith & Wesson to acknowledge that guns are inherently dangerous, and that they are going to do something about it. Regardless of what their motivation may be, the fact is, they are going to do something about it. In making this commitment, they are setting a precedent. I would love to see every gun manufacturer follow Smith & Wesson's lead. It is common sense.

I have long admired President Ford, for many reasons. My admiration for him increased again this past week when he spoke about the need for this Congress to respond in a commonsense way to the gun violence that is claiming too many of our children.

The American people are looking to us. They want to know that we hear them. They want us to give them some hope that we can solve the real problems facing families and communities—not only in Columbine, but in South Dakota, Michigan, Rhode Island, California, and all across America. The American people want to know that our democratic process works.

In these days before the first anniversary of the Columbine tragedy, we ought to take President Ford's wise counsel to heart. For the sake of our children, we need to come together and pass common-sense gun safety laws.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mrs. BOXER. Mr. President, I thank my Democratic leader for his comments and his continual leadership on

the gun issues that impact the people of our Nation.

I want to set into the RECORD a series of facts, a series of statistics, a series of numbers. I know sometimes when you lay down a series of numbers such as this, people's eyes glaze over and they lose track of what you are talking about.

I urge everyone listening to this to think not about the numbers so much as the people behind the numbers.

In the year 1997, which is the last year for which we have statistics, 32,436 people died from gunshots in America—more than 32,000 people. I want everyone to think about what it would mean to you if any of these 32,000 people were from one of your families, what it would mean to you if it was your dad, if it was your mom, if it was your child, if it was your grandma, if it was your grandpa.

Twelve children die every single day from gunfire. Actually, if you average it out, it is between 12 and 13 children under the age of 18—each and every day.

Our children are dying. And what are we doing? We are dithering around doing nothing about it.

I understand that this week we are going to take up a flag desecration amendment. There are those who believe we need to protect the flag by authoring an amendment changing the Bill of Rights for the first time in our history to specifically spell out an antidesecration flag amendment. I will be supporting a statute, a bill, to protect the flag. I do not think we need to go to such a step as amending the Bill of Rights. But be that as it may, flag desecration is an issue.

In over 200 years, there has been an average of one flag desecration a year, and we are acting again. Mr. President, 32,436 people died in 1997—in 1 year—and we are doing nothing. Why can't we protect the flag and take care of protecting the people? Why can't we protect the desecration of the flag by a statute that is easy to do and then bring up the juvenile justice bill and protect the thousands of people who are dying each and every year? What about the desecration of the children, of the families?

In the 11 years of the Vietnam war—one of the most tragic periods in our history—58,168 fine, wonderful, glorious Americans died in combat. There is a number, a number that is enshrined on the wall on that beautiful memorial down here that we all go to often—and we should go to often—to pay our respects. It was a war that destroyed so many families; and so many veterans who came back then committed suicide because of that war. It was a time in our history when our country came to its knees; 58,168 Americans died in Vietnam over an 11-year period. Let me tell you how many Americans have died over an 11-year period from gunshots not related to any war: 395,441 Americans.

Mr. President, 58,168 Americans died in the Vietnam war; 395,441 Americans died from gunshots in an 11-year period. What are we doing about it? Nothing. That is the equivalent of almost seven Vietnam wars over an 11-year period. What are we doing about it? Nothing.

We hear the NRA President say: We should do nothing. His answer is give more guns to people.

For every American who dies from gunfire, another three are injured.

Over that 11-year period, we have almost a million people injured from gunfire. They could be paralyzed. These could be very serious injuries, and sometimes they are. Fifty people killed or injured in school shootings in America in the last year. Thirty-one percent of children age 12 to 17 know of someone their age who is carrying a gun—gun-packing children. We are to blame. They are not to blame. We are the grown-ups. We set the rules. This is a society of law and order. What are we doing about it in the Senate? Nothing.

Fifty percent of children age 9 to 17 are worried about dying young. What kind of America do we have now? When I was growing up, I didn't think I was going to die young. I thought I was going to go to school, get an education, have a family, work, have a life of fulfillment. I never thought for one minute that that could all be ended by a gunshot from a friend, a classmate on the street, in a McDonald's, in a drive-by shooting, road rage.

We had better face our problems. We have the greatest country in the world, but we have problems. We need to face them. We are not here to ignore problems. We are not here to say everything is great. We need to act on our problems. This is a problem.

Listen to the law enforcement groups that back us on this when we say bring out the juvenile justice bill.

The juvenile justice bill; that is the one bright spot. We passed it in a bipartisan fashion about a month after Columbine, with AL GORE casting a tie-breaking vote on one of the most important amendments. This is what we passed.

We closed the gun show loophole—Senator LAUTENBERG's amendment—that allowed criminals to walk into a gun show and simply get it. He could be crazy. He could be a felon. He could be intending to kill people on the street, to kill people in a school, to harm himself. He could walk into a gun show without having a background check. But if he went into a gun store, he would have to have a background check. All we did was close that loophole. What is the Senate doing about it now? Nothing. It is languishing in the committee.

We banned the importation of high-capacity clips which are used in semiautomatic assault weapons. That was Senator FEINSTEIN's amendment, a very important amendment.

We prohibit the domestic manufacture of those clips, but the importation continues. These clips are coming in. We simply say: End that importation. We passed that.

We passed the Kohl amendment requiring that child safety locks be sold with every handgun.

We passed the Boxer amendment which required the Federal Trade Commission and the Attorney General to study the extent to which the gun industry markets its products to juveniles. These companies are manufacturing guns that resemble toys, that are sold to youngsters and get them interested.

We made it illegal with the Ashcroft amendment to sell or give a semiautomatic assault weapon to anyone under the age of 18.

Five amendments, we passed them in a bipartisan way. They went off to conference, and they have been languishing for now 9 or 10 months. It is the same with Senator REED's amendment.

It is time to stop the dithering. It is time to stop bowing to the National Rifle Association and bowing to the gun lobby. It is time to stand up and be courageous, bring those amendments forward, protect our children, and stop the carnage that is happening in our country.

Who supports these five sensible gun control amendments? Senator LEAHY, in his wonderful opening remarks today, put them forward: The International Association of Chiefs of Police, International Brotherhood of Police Officers, Hispanic American Police Command Officers Association, Police Executive Research Forum, Police Foundation, Major Cities Chiefs, Federal Law Enforcement Officers Association, the National Sheriffs Association, the National Association of School Resource Officers, the National Organization of Black Law Enforcement Executives.

We cannot have a more diverse group of law enforcement.

We have five important, sensible gun control laws that passed the Senate, that went into a conference committee.

If one reads how a bill becomes law, they know how it is done: A bill has to pass the House; a bill has to pass the Senate. The juvenile justice bills passed both bodies. You then go to the conference committee. Both sides sit across from each other and talk about what belongs in the bill. They bring the bill forward, and we vote up or down. This bill has languished for 10 months.

Now, what is some good news? Senator DASCHLE alluded to the Smith & Wesson agreement. Smith & Wesson is the largest manufacturer, if not one of the largest, of handguns. They have made an agreement as part of a lawsuit because gun manufacturers are now being sued for these deaths. They have agreed that all their handguns and pistols will now be shipped with child safety devices. Within 2 years, the handguns will be manufactured with internal locks. If a child picks up a gun and they don't know the combination, they will not be able to turn and hurt anyone—sensible.

Within 1 year, all pistols will be designed so they can't be readily operated by a child under the age of 6. Handguns must pass a performance test. That gets to a bill I have about banning junk guns. They will drop these guns down. They will see if they go off. A lot of these handguns are so cheaply made, they fire when you don't want them to, and when you need them to, they jam up. They are not good products. They are junk guns. Smith & Wesson is going to put forward a test.

Every handgun will be designed with a second hidden serial number so they can be traced in a crime—another very important point. The company will sell only to authorized distributors and authorized dealers who adhere to a strict code of conduct. That means they will perform the background check. They will make sure the person coming in is not inebriated, is not high on drugs, doesn't have a criminal record, isn't under age. They will not sell any gun at any gun show unless every seller at the gun show conducts a background check. They will not sell their guns until that background check is completed, and they say it may well take 3 days.

They will not sell any high-capacity magazines or semiautomatic assault weapons. They will not sell products to anyone who has not taken a certified firearms safety course. And Smith & Wesson dealers will only allow purchasers to take one gun with them at a time.

They will have to wait a couple of weeks before they get their other gun. The company will devote 2 percent of its revenues to development of smart guns and within 3 years the smart gun technology, which allows only the authorized person to shoot it, will be in place. All new models will not be able to accept magazines with a capacity of over 10 rounds. There will be an oversight commission to enforce this, which will include representatives from the city and State governments, and one from the gun industry.

So what I have laid out in this presentation, first of all, is the facts on violence in America—irrefutable facts. I give these facts out and my colleagues come up and say: Could this be true? Could it be true that in 11 years more than 300,000 Americans have been killed by gun violence? Could it be true that every day 12 or 13 children are killed?

They can't believe it. And we send the facts to the Centers for Disease Control. We send them to the people who keep these terrible statistics, and they come back to me and say: Senator, you are right. We doubted you. We are sorry. We can't believe this is happening in America today. But it is.

So we have laid out the data, the facts on gun violence in America. We have laid out the five gun provisions languishing in the conference. Commonsense gun control that passed this Senate in a bipartisan way is suddenly being smothered over there in the conference committee, and we can't get it to the floor of the Senate and the House.

Day after day we read about 6-year-olds shooting 6-year-olds, 10-year-olds shooting 10-year-olds, 12-year-olds shooting 12-year-olds.

We don't deserve to be here if we don't do this. We don't deserve to be here, let alone be reelected, if we don't do this. The Vietnam war brought the country to its knees. We lost 58,000 people-plus in that war. It was a most tragic period of time. I remember that time. But we now have 300,000 people-plus dying from guns in an 11-year period compared to 58,000, and we sit here dithering around doing nothing while law enforcement tells us to please act. ''We are outgunned,'' they tell us. ''We are losing people. We are losing this war.'' We have a war in our streets. I laid out the organizations that are backing these five sensible amendments.

Finally, I laid out the good news of the Smith & Wesson agreement. I call on every single gun company that wants to stay in business to go ahead and duplicate what Smith & Wesson has done. I thank them for acting. They are taking the heat for acting. I think Senator DASCHLE is right. Maybe they acted only because they had a lawsuit. Maybe they acted only because they thought they would go bankrupt if they didn't act and people would continue to sue them. The fact is, they acted; they acted on each and every point we have made on this Senate floor.

So, yes, we are going to see flag desecration brought up. We know over the last 200 years there has been one flag desecration a year on average, while every day 12 children are killed by guns; and over the past 11 years 300,000-plus Americans have been killed, and we do nothing. The juvenile justice bill is languishing—languishing—in the committee. I call on the Senators who are in charge of that conference—and they are my friends—to break the log-jam and bring this legislation to the Senate floor. It passed with a bipartisan vote. Overwhelmingly, people want us to do it.

The Smith & Wesson agreement proves the point that the time is ripe for these measures. I say if we do it, we will be proud; we will have done something to protect our children, protect our people, protect our communities, and turn around a blight on our country at a time of great prosperity and great hope.

I see the Senator who has done such an amazing job in the Presidential race. I welcome him back. I thought the issues he raised were vital. I am glad to see him back, and as a result of his appearance on this floor, I am happy to yield at this time.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank my colleague from California for her kind remarks. I appreciate, obviously, the time that I was able to spend in her great State. I hope she appreciates the economic input that our campaign made, and I hope I can get some rebate from the numerous campaign commercials we purchased in her State. I thank her for the hospitality shown to me by all of the citizens of the State of California.

KOSOVO

Mr. MCCAIN. Mr. President, this Friday marks the first anniversary of NATO's air campaign to drive Serbian forces out of Kosovo. I want to speak briefly this morning about the current situation that, regrettably, remains, in the words of the respected newsmagazine, The Economist, ''a mess.''

Reports over the weekend that General Reinhardt, the KFOR commander, believes that peacekeeping troops will likely need to remain in Kosovo for ten years or more have, I am sure, given my colleagues more than just cause to worry over the wisdom of our continued involvement there. That is more than understandable, given the divisions among NATO peacekeepers, and our allies' frustrating reluctance to meet their commitments to the international police force in Kosovo; considering the U.N.'s predictable difficulty in rebuilding something approaching normal civilian live where ethnic hatreds are as deep-seated as ever; and considering that the malevolent Mr. Milosevic continues to make trouble whenever and wherever he can.

Surely, the United States needs to be much more forceful with some of our allies who assume that the United States will always compensate for the deficiencies of their resolve and accept a greatly disproportionate share of the burden of stabilizing the Balkans. Most importantly, we must insist, and I emphasize that verb, that we have the full support of our peacekeeping partners in opposing Serbian efforts to foment further violence in Mitrovica and elsewhere. One of our allies sometimes appears to act, in defiance of the facts on the ground and the dictates of conscience, as a protector of Serb aggressors. Our other allies in KFOR should help us persuade our badly mistaken friend that such an attitude is a terrible impediment to KFOR's success.

This does not mean that the United States must end or threaten to end in the near term our participation in KFOR. Despite the unacceptable circumstances of the weak and endangered peace in Kosovo, it is infinitely preferable to the widespread atrocities committed during the course of Serbian aggression, atrocities that would surely reoccur were NATO to fail in our current mission. But our partners in peace can be persuaded by strong American leadership that the American people will not tolerate indefinitely Europe's inadequate commitment to peace and stability in their own backyard.

Mr. President, I do not mean to overlook or minimize in my discussion the

challenges to peace created by ethnic Albanian extremists. We must be resolute in opposition to any threats wherever they occur. But it is a grave mistake to forget that nearly all the violence and instability afflicting the Balkans over the last decade originated in the unspeakable inhumanity of Belgrade's aggressors.

The problems in the Balkans are, for the most part, attributable to the Serbian regime, led by an indicted war criminal who continues to hold onto power despite overwhelming public sentiment against him. At any time, he can be expected to foment conflict in Kosovo, Montenegro, or in Bosnia. That the domestic opposition to him has been divided and anemic does not detract from the legitimacy of those who seek his removal from power. In every respect, his is the rogue regime that constitutes the greatest threat to regional peace, just as Saddam Hussein does in the Persian Gulf and Kim Jong Il does in the Korean Peninsula.

The Senate's passage last November by unanimous consent of the Serbian Democratization Act was an illustration of the extent of Congress' commitment to democratic change in Serbia as the necessary condition to lasting stability in the region. We should never forget that, for all the long and sad history of conflict in the Balkans, it was only when dictatorial regimes sought to exploit ethnic divisions did conflict overwhelm peace. The recent election of a liberal government in Croatia has greatly benefited the situation in Bosnia. Only through similar change in Serbia will a lasting peace begin in Yugoslavia. United States policy in the Balkans, and in Yugoslavia in particular, must be focused on affecting the democratic transformation of Serbia that the Serbian people themselves desire.

Final passage of the Serbian Democratization Act will be an important step in the right direction. In the meantime, there must be no lifting of the sanctions on Serbia, and no repetition in Montenegro of what occurred in Kosovo—vague and unbelieved threats to prevent the kind of ethnic cleansing we are now spending billions of dollars to reverse.

In the days ahead, Mr. President, I hope to work again with my colleagues and with the administration to help focus United States policy on achieving the goals in the Balkans that are important to protecting both America's interests and values in Europe.

Finally, on a personal note, if I may, Mr. President, as has probably been noted occasionally, I have been absent from the Senate for some time. I will not burden my colleagues with a full discussion of how I spent my time away and what I learned from the experience. Nor do I think the floor of the U.S. Senate is the proper place to discuss in detail my personal feelings or political plans. However, Mr. President, I would like to say a few words about the great privilege we all share, the privilege of serving the greatest nation in history.

I have enjoyed that privilege since I was 17 years old, and I consider myself fortunate beyond measure to have done so. This country and her causes are a blessing to mankind, and they honor all of us who work to make America an even better place, and America's example a greater influence on human history. I felt that way before I ran for President, and I feel that way today. And although I have lost my bid to be President, I will never lose my appreciation for the honor of serving America in any capacity, and for the good will and confidence of the people of Arizona who allow me to serve in the U.S. Senate, a body that has seen the honorable service of so many more distinguished Americans than the flawed man who addresses you now.

I have nothing but gratitude to the American people for the privilege of serving them and for their consideration of my candidacy for President. I have incurred a debt to them that I doubt I can ever fully repay. But I intend to do what I can, working with my congressional colleagues, Republicans and Democrats, to help bring about the changes to the practices and institutions of our democracy that they want and deserve.

These reforms, Mr. President, are not ends in themselves. They are means to a much more important end. They are intended to sustain America's pride in the way we govern ourselves, and in the end to remind us all, those of us lucky enough to serve and those who elect us, what a special thing it is to be an American. I was reminded of that every single day of this campaign by Americans, those who supported me and those who did not, who wanted little for themselves individually, but simply for our country to remain, what she's always been, ''the last, best hope of earth.'' I will never forget it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWNBACK. 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. BROWNBACK. Mr. President, what is the parliamentary situation? Are we in morning business?

The PRESIDING OFFICER. Under the previous order, the Senator from Kansas has up to 30 minutes.

THE MARRIAGE PENALTY TAX

Mr. BROWNBACK. Mr. President, what I want to spend some time on this morning is a very important matter that is coming up before the Senate shortly—a taxation issue the House has already passed. It is a tax a number of us have been working to get rid of for years. We are within sight of getting that done now, but we do have to get it done. People in this body could still block it from happening. I want to make sure we get it through, and that is the elimination of the marriage penalty tax.

I have spoken about it on the floor a lot of times, perhaps too many. But we are so close to finally getting this done for the 21 million American couples who pay this tax that we really just have to see it through. What I am most fearful of is, once we get the bill out of the Finance Committee—they are working on it now, to eliminate this marriage penalty tax—it will come through the Finance Committee, it will be a good bill, it will do much to eliminate the marriage penalty tax—not all of it but much of it—but we will get it up on the floor and someone will say, ''No, I don't want to get it through,'' or, ''Yes, I agree with you, but it has to have this rider dealing with pharmaceuticals for Medicare patients,'' or dealing with minimum wage or dealing with some other issue that is extraneous to this important signal we send to America.

I want us to get this bill through this Congress. It has cleared the House. The House has done its job. It is now in the Finance Committee in the Senate. We will soon have it here on the floor. Let's take it up, let's pass it, let's give it to the President, and do it before April 15 so the President can have that, so we can give some notion of relief to working couples across this country.

Senator ASHCROFT and I and Senator HUTCHISON of Texas have been working on this issue for some time. This past week, while we were not in session, Senator ASHCROFT and I held a press conference in Kansas City. We had four couples from Kansas who are currently paying the marriage penalty tax. They think it is ridiculous. They think it is a bad signal we send. One gentleman there, one husband, stated he and his wife did not get married for 2 years because of the marriage penalty tax. They were in college at the time. They knew they wanted to get married, but they thought, they could not afford to do this because they would have to pay roughly, in their case, about $600 more a year in taxes if they got married. They were in college and they said: We can't afford it; $600 is important; we cannot afford to do this. So they didn't. But they were not happy they were forced by their Tax Code not to get married.

You would think, actually, we would be giving them $600 to get married. This is a positive institution. It is something that is important for the country. It is a clear signal of support for family values, which we all say we are for. We ought to at least send that positive signal, but we don't. Those are four families, each of them who could use the average of $1,400 a year that most couples pay in a marriage penalty.

Those are only four, though, in Kansas. I want to show with this chart, we

actually have 259,000 couples who are paying this marriage penalty tax. What we are talking about eliminating is this portion of it, the marriage penalty that actually exists about 66 different places in the Tax Code. So we are going to have a lot of other places we need to ferret this out.

At the end of the day, I hope we sunset this Tax Code, reform the whole thing, go to a flatter, simpler, fairer system. But that is for another time.

I want to point out, for Members or others who are watching, how pervasive this marriage penalty tax is in their States. You can go down any of the States here: In Wyoming, where the Presiding Officer is from, 45,336 couples pay a marriage penalty, a tax on being married. That is in Wyoming. You can go anyplace. In Connecticut, 347,306 couples pay that; in Washington DC, 27,117. Go to the big population States, there are more there: New York, 1.5 million; California, 2.752 million couples paying a marriage penalty tax. It is all across the board, all across the country, that couples, for the privilege of being married, pay this tax.

People know about it. Now we are seeing public opinion polls that show people know they are paying a tax for the privilege of being married. As my colleagues can see, this is not an issue that just affects a few people in a few States; it affects America's working families. It simply must be corrected this year.

I say to my colleagues, do not hook any riders to this bill that will kill it and then say you are for eliminating the marriage penalty tax. If you hook riders to this bill that will kill it, you are against eliminating the marriage penalty tax.

Further, I point out to people, the marriage penalty tax affects America's children. I have many letters from people which demonstrate that. In fact, Gary and Charla Gipson commented in a letter they wrote on this subject:

> If we are really interested in ''putting children first,'' then why would this country penalize the very situation (marriage) where kids do best? When parents are truly committed to each other, through their marriage vows, their children's outcomes are enhanced.

I do not want to take the full length of time to talk about this bill today because we have talked about it enough in the past. But I do want to make sure people understand that this does affect two-wage earner couples making between $20,000 and $75,000 a year.

Clearly, we need to make the elimination of the marriage penalty tax a priority to help all of these families, not just a few. The House bill does much of this. I think we can put forward an even better bill in the Senate that takes away more of the marriage penalty tax than even the House version does.

America's families deserve this break. I would like to be able to tell my families back in Kansas that, yes, this Congress does stand for family values. One of the things we are doing to help support these families is eliminating the marriage penalty tax. It is a good and positive and right signal that we can send at a time we are having so much trouble with families.

I just came from a Commerce Committee hearing where we were talking about and had testimony regarding the impact of interactive violent video games on children. There the concern was the increased level of overall violence in this society, and even the interactive nature of it in video games and its negative impact on children.

Constantly, people in that hearing were saying: I hope parents know what video games their children are playing. We hope the parents are working with their children and communicating on this issue. In each case, they were talking about the role and the need and the importance of parents and their active participation.

What better signal can we send than to say we believe that is true and we are not going to penalize you for being married parents. We are not going to penalize you for being in that situation. We are going to remove this marriage penalty tax and let you keep an average of $1,400 per year. We have a chance to pass this legislation. We have the time to do it. This is the appointed hour for us.

I also want to send a signal to the President that I think we are going to get this bill through this Senate. We have gotten it through the House. I am calling on the President to sign this bill, sign the marriage penalty tax elimination bill, and not to obfuscate the issue or say that it is about something else or it is too expensive. If it is too expensive for Government, imagine how expensive it is for these 21 million American couples who are out there paying this extra tax.

Is it really too expensive for us to invest a little bit of money in these working families to encourage them, to support them, to say they have the most important task in America; that is, raising our next generation? We should be saying to them: You deserve a break today. You deserve to be able to have this support coming to you from this Government instead of being taxed. You should be supported.

If anything, we should subsidize the family situation rather than tax it.

Mr. President, please sign this bill when it gets to you so we can do away with this onerous burden.

There may be other colleagues who will come to the floor later to talk about this issue but at this time that is the extent of my comments on this particular topic.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESCRIPTION DRUG COVERAGE FOR SENIOR CITIZENS

Mr. WYDEN. Mr. President, for the last 3 months I have come to the floor of the Senate on more than 20 occasions to talk about the need for this Congress to pass legislation that would cover senior citizens' prescription drug needs under Medicare. I have said again and again that this country can no longer afford not to cover prescription drugs.

Before we broke for the work period at home, I talked about a case, for example, from Hillsboro, OR, of a senior citizen who had to be placed in a hospital for more than 6 weeks because he could not afford his medicine on an outpatient basis. Just think about that wasted money. The older person could not get help on an outpatient basis for his medicine, and the doctor said we have no choice but to put that person with a leg infection in the hospital so he can get prescription drug coverage under Part A of the Medicare program.

Today, I brought with me a letter from an elderly woman in Phoenix, OR. She receives $1,100 per month in Social Security. Her prescription drug bills run $1,000 a month. She is 74 years old, and she wrote me: What can you do to help?

I think it would be a tragedy for this Congress to not go forward on a bipartisan basis and enact meaningful relief for the Nation's older people who are getting clobbered with these prescription drug bills. Again and again, we are hearing from seniors in these instances where they have been hospitalized because they could not afford their medicine on an outpatient basis, where when they are done paying for their prescription drugs for the month, they have only a couple hundred dollars left to pay for food, heat, and housing. In a country as strong and prosperous as ours, we can't allow this kind of tragedy to continue. I think it is absolutely critical that this be addressed on a bipartisan basis.

For many months now, I have teamed up with the Senator from Maine, Ms. SNOWE, on a bipartisan bill. We use marketplace forces to ensure that older people have bargaining power in the private sector to be in a better position to afford their medicine. Right now, these HMOs get big discounts; they have lots of clout in the marketplace—HMOs and the private sector plans. If you are an older person who walks into a local pharmacy, you in effect have to subsidize those big buyers. You get shellacked twice. Medicare doesn't cover prescription medicine and, in effect, in the marketplace you subsidize the people with clout.

The Snowe-Wyden legislation uses private sector bargaining power, along the lines of what we have in the Congress with the Federal Employees

Health Benefits system, so that the dollars seniors use for private health insurance are pooled, and they have real negotiating power so they are in a position to get more reasonable prices for their medicine.

Some have said we ought to just put the Government in charge of this, sort of have rate regulation. Well, I think that would be a big mistake. The biggest concern I have about that approach is it would cause a lot of cost shifting. You could have the Government be the big kid on the block and drive the system through the Health Care Financing Administration, but you would put all the costs onto somebody who is 27 or 28 and is working hard trying to get ahead, and their prescription drug bill would have gone up because the Congress didn't address this Medicare issue in the right way.

Fortunately—and I think he deserves enormous credit—Senator DASCHLE has been working to try to reconcile the various approaches. He has talked with me about this issue, almost on a daily basis, in an effort to try to have the Senate come together and enact meaningful relief. He stakes out principles that I think can be supported on both sides of the aisle—principles such as making sure the program is voluntary, that no senior citizen be required to do anything; if they wanted to keep their current coverage, they would be allowed to do that. We want to make sure the action we take on prescription drugs is consistent with long-term Medicare reform. I think the approach I have advocated, in terms of creating more choices and more options in the marketplace, is consistent with responsible Medicare reform.

We have talked about bargaining power in the private sector, the way the responsible private insurance companies have acted. I think that is something that will attract Members on both sides of the aisle. I think Senator DASCHLE is absolutely right in terms of trying to bring the Senate together to find the common ground and pass meaningful legislation.

We will have a chance this week to make the first significant step in the Senate toward passing this legislation. As the Budget Committee meets—and I sit on the Budget Committee, and Senator SNOWE sits on the Budget Committee—we will have a chance to ensure that in this budget, which is not just facts and figures but, really, the hopes and aspirations of the American people—we, in effect, set aside the funds needed to go forward and enact a meaningful prescription drug program for the Nation's older people.

I don't want to see this Congress adjourn without making this important addition to the Medicare program. There is not a single expert in the health field—Democrat or Republican—who doesn't believe that if you designed the Medicare program from scratch today, you would not cover prescription drugs. They all think it is something that is essential to meaningful Medicare reform. I intend to keep coming back to this floor again and again and again throughout this session of the Congress to talk about prescription medicine.

For about 7 years, before I had the honor of being elected to the other body, I was director of the Gray Panthers at home. We believed that prescription drug coverage in Medicare was important then. But, frankly, it is vastly more important now because the drugs of this century essentially aren't just drugs that, as we saw back then, are primarily to help people when they are sick; the new drugs are absolutely key to helping folks to stay well. They help folks to lower blood pressure and cholesterol. It is a way to hold down Medicare costs. Because of the result of folks being able to stay healthy, they don't land in the hospital and incur enormous costs that are engendered by Part A of the Medicare program.

I am going to keep coming to the floor of this body to talk about the need for bipartisan action on prescription drugs, to urge the Senate to follow the counsel of Senator DASCHLE. I know Senator SNOWE and others on the other side of the aisle are interested in finding common ground. I am going to keep urging that we work on this issue and not adjourn this session of Congress until we have provided this relief to the Nation's older people. I come again with a whole sheaf of cases of older people who are writing and asking what we can do to help. They are asking Congress to act this year, not put this off until after the election and use it as a political football again.

I think we owe it to the Nation's older people and their families to address this issue, as Senator DASCHLE suggests, in this Congress; that we come together as Members of the Senate to make this improvement to the Medicare program that is long overdue. I intend to keep coming back to the floor of this body again and again and again reading these direct and very poignant accounts about why this coverage is so important until we get this legislation enacted.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, at 12:31 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 2000

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 5, which the clerk will report.

The assistant legislative clerk read the title as follows:

A bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, before proceeding to the opening statements, I yield to Senator GREGG who will speak briefly on his proposed amendment. I yield 10 minutes to the Senator.

Mr. GREGG. Mr. President, I appreciate the courtesy of the Senator from Delaware allowing me to proceed out of order. I very much appreciate that generosity on his part. I also appreciate his courtesy as we develop this piece of legislation and congratulate the Senator for bringing it to the floor.

Repealing the earnings limitation is a very important step to assist people who have reached eligibility age for retirement to have a better lifestyle. It allows them to work harder, work longer, work at their option versus at the Government's option, and keep the proceeds of what they earn versus losing it because of this artificial reduction in their benefits, which is presently the law under the earnings limitation test.

It is a very appropriate piece of legislation. It is one which I fully congratulate the chairman of the Finance Committee for authoring and bringing forward, and it is something which I have strongly supported for many years. In fact, yesterday I spoke at some length relative to a bill that has been introduced by myself and a number of other Members of the Senate, including members of the Finance Committee, Senator KERREY, Senator BREAUX, Senator GRASSLEY, Senator THOMPSON, and Senator ROBB, along with Senator THOMAS. That piece of legislation is a comprehensive attempt to reform Social Security, to make it solvent for the next 100 years. As part of that comprehensive reform, we included the earnings limitation repeal, which is very appropriate legislation.

However, I do think if it were being done in a perfect world it would be done in a comprehensive reform of the entire Social Security system because we well know Social Security is facing disastrous consequences beginning in the year 2008 when the baby boom generation retires, followed closely by the year 2014 when the system actually starts to run a cash deficit and is aggravated to the point of crisis by the period 2020 to 2040 when we actually run up an absolutely massive deficit which will have to be passed on to the younger generation through tax increases or through a cut to the benefits of the older generation, but it would be a deficit in the vicinity of $7 trillion under the present benefit structure.

We need to address that. We need to address the whole issue of Social Security reform, in my opinion. That is why

I have worked with Members of the Senate to draft this comprehensive bill.

As I said, one element of the comprehensive bill is the repeal of the earnings limitation. That is a very appropriate step and one which should have been taken many years ago, that will be very beneficial for our Nation as our population and the demographics of our population ages so people, as they become older but are still living longer, will have the opportunity to participate in the workforce, be productive citizens without being penalized by the Government and having some of their benefits taken away under Social Security.

As part of the earnings limitation repeal, I wanted to introduce an amendment to address some of the issues of transparency, of disclosure, of telling people in America in plain English what the Social Security system's present economic status is and what it is going to be in the future. The proposal I was going to offer was basically a mirror of the proposal which came out of the professional group which oversees reviewing the Social Security Administration, the Technical Panel on Assumptions and Methods of the Social Security Advisory Board, a board put together as an arm of the Social Security Administration to come up with ideas for how to improve the Social Security Administration.

They came up in November of 1999 with a whole series of proposals as to information that should be made available to the American public. It was not complicated information, and in fact they stressed it should be put forward in plain English terms so Americans everywhere could understand the status of the Social Security system.

But it was important information, such as:

What will the program cost each year? We should know that as an American people.

What is the projected cash-flow deficit in the program? That is another very important fact we should know in deciding how we are going to deal with Social Security.

What are the benefits the system can actually fund? I cannot think of any information that would be more important than that.

What is the impact of all of this on the overall Federal budget? That is another very important point of information.

All this information should be made available to the American public. That is why the Technical Panel on Assumptions and Methods of the Social Security Advisory Board recommended this type of disclosure occur. So my amendment was going to make as part of the law a commitment we would make those disclosures to the American people through the auspices of the Social Security Administration. It is basic information, critical information for people making informed decisions.

Regretfully, I tell the American people that we have a very big problem coming. Maybe there was some resistance because if that type of information were available, people would start scratching their heads, saying, ''Gee, we do have a big problem; maybe we should address it.'' That is the goal I have, obviously—to use this information to energize action and move this Congress, and especially the White House, down the road of substantively addressing the whole Social Security issue rather than this narrow question of the earnings limitation question.

However, having stated the outline of the amendment and having gone into much more depth yesterday, I have been working with the chairman, and he has agreed, to try to work this type of language into some other process where it will not complicate his life on this bill but where it will still be language which will at some point become law and which will effectively address the issues raised by the Social Security Advisory Board so we can get full disclosure to the American people.

I very much appreciate the chairman's commitment to work with me on this. As a result, I have decided not to offer this amendment.

I believe the chairman has requested I yield to him the time which would have been available under my amendment.

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

The Senator from New York.

Mr. MOYNIHAN. Mr. President, I wonder if I could detain the distinguished Senator from New Hampshire for just a moment to say how very much I agree, and I am sure this side agrees, with the points he has made, as the chairman has indicated.

In August of 1994, legislation reestablished the Social Security Administration as an independent agency. It had all but got lost in the Department of Health and Human Services. In the Congressional Directory there were more than 200 names between the name of the Secretary and the name of the Social Security Commissioner. It was very much an agency far down and with no real independence. It is now an independent agency. It has a trustees' report that comes out every year—the trustees being the Secretaries of the Treasury, of Labor, of Health and Human Services, the Commissioner of Social Security and two public trustees. It has the Social Security Advisory Board.

Now, after many years, we are sending out each year to every citizen over 25 a statement of how much they have paid into the system and what they could expect to receive as a benefit at the age of retirement and such like—information nobody ever had before. You could get it, but you had to know where to look for it. The kind of openness Senator GREGG speaks of continues this disposition. I hope we will reinforce it. I certainly think we could have language in our report commenting in this regard. I congratulate the Senator for what he has said.

Mr. GREGG. If the Senator from New York will yield, I appreciate those comments. I know the efforts which have been made by the Senator from New York, trying to make the Social Security system solvent. I greatly admire them.

I would say, this information would be in addition to the information that is already available. The Senator from New York makes the point, people are now told how much they should receive in benefits. What they are not told and what this information would tell them is, where are we going to get the money and what are the shortfalls in the Federal Government that will be created by paying those benefits, and isn't that what you should be worried about as a recipient: Where is the money going to come from?

Mr. MOYNIHAN. A fair point.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I thank Senator GREGG for his statement. I express my appreciation to Senator MOYNIHAN for his statement as well. I look forward to working with the Senator from New Hampshire as well as the ranking member on how to provide the information needed to allow a clear and concise understanding of Social Security. We look forward to proceeding ahead with this proposal.

Mr. President, I ask unanimous consent the remaining time allotted for debate on the GREGG amendment be equally divided, under the control of the two managers.

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

Mr. ROTH. Mr. President, today is a great day for millions of seniors, for their families, and for their employers. The Senate will vote shortly to repeal a provision in the Social Security law that discourages seniors from working, the so-called earnings limit. Repealing this earnings limit is an important step in preparing Social Security for the 21st century.

Social Security is a marvelous program. Now and in the future, both for today's seniors and for our children, Social Security is the foundation of a secure retirement for most Americans. Social Security has lifted millions from poverty and is especially important to women. But the Social Security earnings limit discourages seniors from working. Seniors can have their benefits reduced by as much as one-third as long as they work. As a result, many seniors choose to cut back their hours or stop working altogether.

The fact is, the earnings limit is a part of a bygone era. It is the product of the Great Depression, a time when folks believed that an individual should retire completely and make room for others to work. It is antiquated and antiproductive.

Although Congress has made the earnings limit less onerous over the years, it has worked only too well. In the early 1950s, almost 50 percent of men over age 65 were working. Today,

it is only 17 percent. These numbers are even lower for women. But in the new economy we realize the importance of men and women remaining productive participants in our workforce. In the new economy, we appreciate skill and experience.

Abolishing the earnings limit is not only good for seniors, it is good for America. It is good employment and economic policy. It is also good government. It will improve public service by the Social Security Administration.

Repealing the earnings limit will help strengthen the retirement security of Americans by giving seniors a choice of working longer and saving more.

As Americans live longer, work will likely be more and more important to the financial security of seniors, again, especially for women. Also, seniors who work may be better able to voluntarily delay their Social Security benefits. As a result, they will receive a larger check when they do elect benefits, in effect, by banking those benefits.

Repealing the earnings limit is good employment and economic policy. We live in a world of great new potential and exciting changes. The Internet—the communications revolution—is creating huge new opportunities. Breakthroughs in biotechnology promise longer and healthier lives.

Among all this change, however, there is one constant: Our success as a nation depends on the hard work and talent of our people. Today, we understand economic growth is a function of the number of workers and the productivity of each worker. As a nation, we benefit from more workers, not fewer.

According to Federal Reserve Chairman Alan Greenspan, we are beginning to suffer from a serious worker shortage that threatens our economic expansion. In just 5 years—in 2005—when baby boomers reach retirement age, we will need more older Americans working just to maintain the Nation's labor force.

We do not need disincentives that discourage some of our Nation's most experienced workers from working. Abolishing the earnings limit will allow us to protect the Nation's economic gains of the past 17 years. It will not only help to raise the standard of living for many of our seniors but help keep the strongest economic growth in our lifetime on track. This is a win-win situation.

Repealing the earnings limit has one other very important value: Improving public service by the Social Security Administration. Administering the earnings limit is complex; it is difficult. It costs something close to $100 million per year and is the culprit in the vast majority of Social Security benefit payment errors. These payment errors are a huge source of frustration to seniors. With this legislation, we will now be avoiding that.

Let me also note that there are no long-term costs associated with this bill. No senior receives any greater amounts of benefits. Rather, we simply provide seniors with greater choice over when they receive these benefits.

I am very proud of what the Senate Finance Committee and the Senate itself has been able to accomplish over the past 5 years. We have balanced the budget and have begun to pay down the public debt. We have strengthened Medicare and expanded health care, especially for children and people with disabilities. We have provided new educational opportunities. We have fixed a broken welfare system. We have cut taxes. We have reformed the IRS. We have protected the Social Security trust fund.

With the passage today of the Social Security earnings limit repeal, we will add one more significant accomplishment to this list. Without question, there is still much to do on Social Security reform. But this legislation is a clear and vivid demonstration that we can work together in a bipartisan way to achieve lasting and valuable changes in Social Security.

In closing, let me note that the President has asked for a clean bill, one without extraneous amendments. With the exception of the managers' amendment, which fixes a technical problem with the House bill, we intend to provide that.

I urge all my colleagues to support this bill, to sweep away the earnings limit—a relic of the Depression—and to move Social Security into the 21st century.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, it is a special joy for this Senator, in his last months of his last term, to rise on this subject in perfect unity with the chairman. I will make remarks out of habit and custom perhaps, but I could not say anything better than has been said. I endorse it completely.

The House has done us a service in sending us a bill which we have been working on for years. Just 4 years ago, we increased the earnings limit to where it would be $30,000 by the year 2002. But now this gets rid of it. It is an anachronism. As the chairman said, when we enacted Social Security, unemployment was 25 percent. Sir, it is now 4 percent. The range of skills in our economy was wholly different then. Coal mines were no place for 70-year-olds; computer terminals are. It is as simple as that.

An absolutely important, central point to make is, the repeal of the earnings test has no long-run cost. All of the foregone benefits of continued work were made up later when retirement came, or at age 70. As the chairman has accurately said, calculating that makeup can be fantastically complex and has been costly.

It is the one complaint citizens have with Social Security. They believe they are not getting what is theirs. The adjudication and so forth is a needless waste and an expensive one. With this legislation, the problem will be behind us.

Repealing the earnings test, for those reaching normal retirement, will increase outlays by $19.4 billion over 6 years and $20.3 billion over 11 years, but this is simply the up-front costs of a long-term absolute even outcome. Extra benefits will not be paid because over time it will be, as you can say, a wash. The advantages are so much greater to pass this now when we have some comfort in our budgetary surplus in the Social Security trust fund. It is the right thing to do.

I say, and I think so would my revered chairman, that we would prefer to abolish all earnings tests for all retired workers. Right now, people can retire at age 62 and receive benefits, and there is a corresponding diminishment thereafter. We could get rid of all that very readily. But it is not before us today. Sufficient unto this day is the work we will have done.

I will leave it there, sir. I have some comments, but I will not go much further.

There are those who say: If you let people retire early at a lower level of benefit, they will do so. Then, later on their spouses will be deprived, and so forth. That is an argument I am not sure is appropriate to social insurance.

It is a fact that three-quarters of all persons now retire before age 65, which argues, I think—and I don't know why we can't learn more about this; we can if we would try—that Americans are pretty well off. They are in a position to do so, and they opt for it. We must keep in mind we are talking about social insurance. It is not for us to judge the behavior of the citizens who have paid into a system and are being paid back by it.

I think the finest summation of this was made by Winston Churchill in 1911. He was then a member of Parliament from the Liberal Party, and it fell to him to manage, as we are managing here, a system of unemployment insurance which we would get to in 1935 as a title in the Social Security Act. It took us another generation.

Churchill at that time was met with the argument that if you gave unemployed workers a benefit, an insurance benefit—they would pay into the system, the employer and the workers—that they would spend the money on drink. He said: ''Well, yes, perhaps; it's their money.'' He was not one much given to the ''nanny state,'' as I think the term was in these years.

It is not for us to judge how wisely people will exercise their options. They are their options. Today we have freed up the system, making it more comprehensible and saving a lot of administrative effort that is really, again, not productive.

I look forward to a good debate. I see my friend from Nebraska on the floor. He has been hugely influential in the discussion and debate about these matters in years past. I know he will be now. I look forward to listening with close attention to his comments.

With that, I thank the chairman once again and yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, did the chairman rise to speak again?

Mr. ROTH. We did have Senator KYL coming down to speak next, going back and forth.

Mr. KERREY. Is he arriving here imminently?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KERREY. 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. KERREY. Mr. President, I intend to vote for this piece of legislation. I think it is good and needed legislation. But I don't think anybody should be deluded as to why we are taking it up.

I remember the Boskin Commission. A number of years ago there was a question as to whether or not the CPI was overstating the actual cost of living for seniors who were eligible either for an old age, a survivor, or a disability payment. There was a question as to whether or not it was overstated. So we impaneled this commission to evaluate whether or not it was overstated. They came back and said, yes, it was overstated by a point, 1.1.

Out of 535 Members of Congress, maybe 20 people declared they were willing to vote for a 1.1-percentage reduction. If Boskin had come back and said it was understated by a point, there would have been 535 votes for it just like that. Nobody would have minded messing with the Bureau of Labor Statistics. Nobody would have cited philosophy, et cetera.

We are a Congress that has been talking about Social Security reform, saving Social Security first. The President had a year's worth of discussions. We have been talking about this for several years now. It is not rocket science. Social Security is not a difficult problem to figure out. It is not like health care. Medicare is very complicated. Teenage violence is very complicated, as is the disintegration of the family. There are a lot of issues which are so complicated that it is hard to come up with an answer. But this one is not.

What happened is, from 1983 until approximately 12 months or so ago, the Social Security system was generating some assistance to us in reducing the size of our deficit. So when the Social Security transaction to purchase bonds occurred and the Treasury ended up with some cash, they used the proceeds to pay for general services of the Government. Very few people objected to that, so long as it was helping us.

Well, now we are into a surplus. All of a sudden you can't do that anymore. All of a sudden we find ourselves in a position to be able to take care of the earnings test.

I will make it clear. I am for ending the earnings test. The Senator from New York and I have a piece of legislation that will eliminate the earnings test all the way to 62. Our proposal brought a problem to the surface. This bill has not been heard by the Finance Committee. We have not considered some of the problems that may be created as a consequence of taking this action.

Members should understand that the earnings test isn't just a deduct. It is also an add-on to future benefits. That is why it doesn't cost us anything over 20. Over 10, it costs us $22 billion. Over 10 years, this proposal costs us $22 billion. If I came down and proposed a $22 billion add-on for Americans under the age of 5, there would be a budget point of order offered against it. But because it is for Americans over the age of 65, for some reason, there is silence on that point.

I can't quite figure it out. Maybe a colleague will be able to tell me why no budget point of order was filed against a proposal to spend $22 billion more on people over the age of 65, where there would be if one were to be filed on people under the age of 5. I am sure there is an explanation for it. I am not smart enough to be able to figure it out.

A consequence of this is going to be largely good. Under Social Security, we have an old age, a survivor, a disability, and a medical benefit called Medicare and Medicaid. The old age benefit is the one to which we are referring. I believe Americans who are over the age of 65—that is who this affects. Eighty percent of all new beneficiaries take Social Security benefits at 62, 63, and 64. So this affects the 20 percent who wait until 65. They are going to have to measure whether or not this is going to be good for them. For most of them, it will be good. For most of them, they will be able to say: Well, I am not likely to be living long enough to benefit from the ''add-back'' that is going to occur later. So perhaps I am going to come out money ahead.

Again, understand that the earnings test doesn't only have a subtract. It adds back in future years.

One of the interesting things is, when we have proposed to eliminate the earnings test at 62, 63, and 64, some people have come forward and said that that could increase the number of women who are living in poverty because they are going to calculate that that add-back later on is more beneficial to them than the elimination of the earnings test at 62, 63 and 64. I don't know if that is going to happen for people age 65, 66, and 67. It may. There may be some for whom the earnings test is not a benefit. The committee hasn't heard it.

It is politically popular. It passed the House, I believe, unanimously. It will pass the Senate 100–0 as well. There will be nary a dissenting vote when it goes through the Senate. But it has not been heard by committee. It was heard by the Ways and Means Committee. It was not heard by the Finance Committee. It has a lot of political steam behind it.

This is a good thing to put on an add. This is a good thing to say you support. It is very difficult to be against this proposal.

I point out, again, we have not done comprehensive reform of Social Security. People under the age of 40 are going to pay a terrible price for that. We have an unprecedented demographic problem. It is not comparable to the problem the Senator from New York faced in 1983 when Social Security was fixed once before. The last time, we fixed Social Security for a number of reasons. The political environment has changed. I can't imagine enacting what was enacted in 1983, given the current political climate, which is essentially: I want to fix the problem, but I am against any increase in taxes or any cuts in benefits. If you can give me a good solution for Social Security that doesn't increase taxes or doesn't cut benefits, I am for it. Otherwise, don't sign me up for anything.

Well, we would not have enacted the 1983 reforms if that was the standard we used to guide us. The problem we face in the future is not the same as the problem we faced in 1983. It is a demographic problem that is unprecedented in this country—a doubling of the number of beneficiaries. We are going to have a very steady increase in the number of people in the workforce of 7 or 8 million people working over the next 30 years, 40 million new beneficiaries. It is not likely that the baby boomers will come to Congress and ask for less. They are probably going to ask for more and say Boskin was wrong, that the CPI should be increased by two or three points because they have lots of things they want to buy.

Postponing this problem makes it difficult for us to stand before an audience of people under 40 and say we care about them, because they are going to face a tremendous problem. I heard the Senator from New York mention this change in the law that we had 2 years ago, where the Social Security Administration sent out a notice that wasn't accurate. They should have sent out one to everybody under 40 which said under current law you have a 33-percent cut in benefits heading your way. They did not disclose that. They presumed in that notice that Congress was going to increase the taxes by 50 percent. Well, I daresay if you came to the floor of the Senate now and offered an amendment to increase the payroll tax by a point, you would be lucky to get a half dozen votes.

I think this is a good piece of legislation. It is long overdue. The distinguished chairman described it accurately. I think, for the most part, it is going to be beneficial to people over the age of 65. Though I think there will unquestionably be some, as there would be 62, 63, and 64, who, as a consequence of not getting that add-back later on, may find themselves actually not being helped as much as we think.

I will support the underlying legislation and look forward at a later point in this debate to offering an amendment.

Mr. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Arizona, Mr. KYL.

Mr. KYL. Mr. President, let me express my appreciation to Senators ROTH and MOYNIHAN, and especially to Senators BOB KERREY and JUDD GREGG for their efforts. This is clearly an idea where the time has come. My colleagues are correct to emphasize that saving Social Security for the future will require us to put aside the prospect of partisan gain for the good of the country and of our senior citizens. I respect the point they have made.

I hope the step we are taking today, which could not be taken without a bipartisan consensus, bodes well for future reform of Social Security. I am quite pleased to see that the Senate is on the verge of taking this momentous action of eliminating the earnings test for those between the ages of 65 and 69. It is a step that is long overdue.

Many of us have been calling for the repeal of this test for many years. In fact, the occupant of the Chair and I were part of the 100th class of Republicans in the House of Representatives who made repealing this earnings test one of our projects. We have been at this for a long time. When I came to the Senate, I joined Senator JOHN MCCAIN, who has been a champion for this cause, in introducing the Senior Citizens' Freedom to Work Act in the opening days of the 106th Congress. When we did that, I wondered whether it would fare any better than when we had offered it in the past. Now, at long last, we have forged a bipartisan consensus for taking action which even includes the President, and relief is finally in sight for working seniors.

I have always believed it just wasn't right to impose steep taxes on people who tried to work after reaching retirement age. It isn't right that under current law seniors between the ages of 65 and 69 lose a dollar for every $3 they earn above the threshold of $17,000. In fact, last year, 800,000 seniors lost a portion of their benefit because of this unfair tax. It isn't right that, combined with regular income taxes, and the taxation of Social Security benefits, the earnings test subjects some working seniors to an effective marginal tax rate of more than 100 percent. That is not right.

We all know this earnings test was created during the Depression era when policymakers felt an urgent need to give opportunities to young workers by encouraging seniors to leave the workforce. Today, America faces an extraordinarily tight labor market and seniors are living longer, more productive lives.

In that context, a policy that penalizes our most experienced citizens for their hard work is not just unfair, it is counterproductive. America needs the skills and knowledge senior citizens have acquired, especially in today's competitive global marketplace.

I believe repealing the earnings test also affirms our commitment to the values of self-help and personal responsibility.

After working to accomplish this repeal throughout my entire time in the Congress, I am very pleased to note that we are so close to completing the job today. Again, my compliments to all those people who have worked so hard to make this a reality.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROTH. 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. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Arizona, Mr. MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank Senator ROTH for his leadership and stewardship of this important legislation.

Obviously, I urge my colleagues to support swift passage of this much needed legislation to eliminate the unfair and discriminatory Social Security earnings test.

For over a decade, I and a few staunch supporters have been fighting to eliminate the earnings test that penalizes senior citizens who want or need to work. We began our battle in 1989 and have offered legislation in each of the last six Congresses to repeal the earnings test. In the beginning, we had only a few allies, notable amongst which was the National Committee to Preserve Social Security and Medicare, which has been at the forefront of this effort, as have my dear friends JOHN KYL and MIKE DEWINE.

I am pleased now that so many Members from both sides of the aisle, as well as President Clinton, understand that senior citizens have a right to work without being penalized for doing so. With this recent groundswell of support, we can finally eliminate this penalty on our Nation's hard-working senior citizens.

I ask unanimous consent that a letter from the National Committee to Preserve Social Security and Medicare in support of this legislation be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1)

Mr. MCCAIN. Mr. President, most Americans are shocked and appalled when they discover that older Americans are penalized for working. Americans should never be penalized or discouraged from working. Yet that is exactly what the Social Security earnings test does. The earnings test punishes Americans between the ages of 65 and 70 who want to remain productive after they reach retirement age and are eligible to receive Social Security benefits.

The Earnings Test mandates that, for every $3 earned by a retiree over the earnings limit, the retiree loses $1 in Social Security benefits. This is clearly age discrimination, and it is very wrong. Due to this cap on earnings, our senior citizens, many of whom exist on fixed, low incomes, are burdened with a 33.3 percent tax on their earned income. When this is combined with Federal, State, local and other Social Security taxes, it amounts to an outrageous 55 to 65 percent tax bite.

In 1996, Congress passed and President Clinton signed into law the Senior Citizens Right to Work Act. This legislation took a step in the right direction by gradually increasing the $11,250 earnings limit to $30,000 by the year 2002. This year, the earnings limit is $17,000. But an individual who is struggling to make ends meet with just their Social Security benefits plus $17,000 a year in earned income should not be faced with an effective marginal tax rate that exceeds 55 percent.

The Social Security Earnings Test is a relic of the Great Depression, designed to move older people out of the workforce and create jobs for younger workers. Today's booming economy, with the lowest unemployment rate in three decades, can support full employment for both young and old. In addition, experts are predicting a labor shortage as the ''baby boom'' generation ages, with our elderly population growing much faster than the number of younger workers entering the workforce. According to the U.S. Chamber of Commerce, ''retaining older workers is a priority in labor intensive industries, and will become even more critical by the year 2000.'' The Social Security Earnings Test is counter-productive because it discourages these willing, diligent older Americans from staying in the workforce.

Our senior citizens can continue to make valuable contributions to our economy. Often, their knowledge and experience compliments or exceeds that of younger employees. Tens of millions of Americans are over the age of 65, and together they have over a billion years of cumulative work experience.

More importantly, many of the older Americans penalized by the Earnings Test need to work in order to cover their basic expenses, including food, housing, and medicine. Many seniors do not have significant savings or a private pension. For this reason, low-income workers are particularly hard-hit by the Earnings Test.

In fact, wealthy seniors, who have lucrative investments, stocks, and substantial savings, are not affected by the earnings limit. Their supplemental ''unearned'' income is not subject to the earnings threshold.

Finally, let me stress that repealing the burdensome and unfair Earnings

Test will not further jeopardize the solvency of the Social Security Trust Funds. Those who claim otherwise are engaging in cruel scare tactics. The Social Security benefits working seniors lose due to the Earnings Test penalty are benefits they earned by contributing to the system throughout their working years. In fact, studies indicate that repealing the Earnings Test would actually result in a net increase of $140 million in federal revenues because more seniors would be earning wages and paying taxes, including payroll taxes that would go into the Social Security Trust Fund.

Repealing the Earnings Test is very important to the financial security of many of our nation's seniors. But let me take this opportunity to remind my colleagues of the very precarious financial condition of the entire Social Security system and the urgent need for a serious, bipartisan effort to reform and revitalize this cornerstone of many Americans' retirement planning.

My colleagues must recognize that repealing this onerous tax on our nation's senior citizens is an important step toward a fairer, flatter, simpler tax code. The 44,000-page Code is a cornucopia of favors for special interests and a chamber of horrors for average Americans. It penalizes people for getting married and for wanting to pass along the fruits of their labors to their children. It is overly complex and burdensome.

We should act now to eliminate the loopholes and subsidies for corporations and special interests. We should act now to eliminate the onerous marriage penalty, reduce estate and gift taxes, and encourage families to save and invest for their future priorities, such as college and health care needs. We should begin the march toward a fairer, flatter tax system by expanding the 15 percent tax bracket to allow more Americans to pay taxes at the lowest rate. Combined with the repeal of the Social Security Earnings Test, these and other changes to the tax code would provide much-needed tax relief to those who need it most—our nation's low- and middle-income senior citizens and families.

The only way to achieve real reform of the Social Security system is to work together in a bipartisan manner.

I am speaking specifically of the leadership of the Senator from New York, Mr. MOYNIHAN. I can think of no greater gift to the American people than to act on this issue before Senator MOYNIHAN leaves this body. It's time to abandon the irresponsible game of playing partisan politics with Social Security. Democrats will have to stop using the issue to scare seniors into voting against Republicans. Republicans will have to resist using Social Security revenues to finance tax cuts. And both parties must stop raiding the Trust Funds to waste retirement dollars on more government spending. We must face up to our responsibilities, not as Republicans or Democrats, but as elected representatives of the American people with a common obligation to protect their interests.

We have an obligation to ensure that Social Security benefits are paid as promised, without putting an unfair burden on today's workers. Experts agree that the only way to save Social Security without cutting benefits or raising payroll taxes is to allow every American to invest a portion of their Social Security savings in private, higher-yielding accounts. I believe a good start would be to let each person invest about 20 percent of what they pay in payroll taxes in a personal retirement account. These personal accounts would be controlled by the individual, and the individual would be able to monitor the growth of their investment. An added benefit is that each account would be a ''personal lockbox'' that could no longer be used by Congress for pork-barrel projects.

In the near term, there is a cost to moving funds out of the Trust Funds into these private accounts, and we must set aside the funds necessary to pay promised benefits while the personal accounts of workers are maturing. Simply locking up the Social Security surplus that comes from payroll taxes—a considerable accomplishment in and of itself—is not enough to save Social Security. We will need between $5 and $7 trillion in additional funding over the next 50 years to keep the current system running. I believe we must start now by reserving 62 percent of the non-Social Security budget surplus to shore up the Trust Funds while we begin to implement a plan for personal retirement accounts.

By passing this important legislation to repeal the Social Security Earnings Test, we have the opportunity to restore to our nation's seniors the right to work without penalty to ensure their financial security. But this is just the first step. We must work together to develop fair and effective reforms that will preserve and protect the Social Security system for current and future retirees, while allowing all Americans, particularly low- and middle-income individuals, the opportunity to share in the great prosperity that our nation enjoys today.

I thank the Senator from Delaware for his leadership. I especially thank the Senator from New York for his courageous leadership in suggesting a viable and important way to save Social Security, along with the Senator from Nebraska, Mr. KERREY. I tell the Senator from New York that I talked about it during this entire campaign. It resonates, people want it, and we ought to enact it.

I thank the Chair.

Mr. MOYNIHAN. Mr. President, I yield another 15 minutes to the Senator from Arizona.

(Laughter.)

Mr. MCCAIN. Mr. President, I would like, if the Senator from New York will allow me, 1 more minute.

Mr. MOYNIHAN. Of course. Please.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I say to the Senator from New York that all over in this campaign I talked about the leadership of Senator MOYNIHAN of New York, Senator KERREY of Nebraska, and their proposals, which met with some derision in some quarters. But the fact is, when you consult the experts, they will tell you this is really the only way we can allow people to invest their retirement funds in a personal savings account over which they then will have control. But we need to get money into the fund in order to allow them to do that.

I think the Senator from New York has made an enormous contribution. I hope we can join together in a bipartisan fashion and enact that proposal. It may not be a perfect proposal; there may be some changes that need to be made on it; but the heart of it is the solution to the Social Security crisis, which we all know is coming beginning in the year 2014.

I thank my colleague from New York.

I yield the floor.

EXHIBIT 1

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC, March 20, 2000.

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

DEAR SENATOR MCCAIN: On behalf of its millions of members and supporters, The National Committee to Preserve Social Security and Medicare thanks you for your leadership on earnings limit repeal. We are truly grateful for your committed efforts on behalf of senior Americans.

Senator McCain, I remember when we began the battle to eliminate the unfair Social Security earnings limit more than a decade ago. At that time, we had just a few allies in Congress. You immediately recognized the inherent unfairness of punishing seniors who, either out of necessity or choice, continued to work after reaching the normal retirement age.

We are quite pleased to see so many members of Congress now willing to fight for seniors' freedom to work. With this newfound support, the egregious earnings test will likely be eliminated for those who have attained normal retirement age.

The members of the National Committee to Preserve Social Security and Medicare are delighted that passage of earnings limit repeal now seems imminent. Thank you again, Senator McCain, for your determined efforts and tenacious commitment. Without your hard work over the years, I doubt that we would be facing victory on this important issue.

Sincerely,

MARTHA A. MCSTEEN,
President.

Mr. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Delaware and the Senator from New York for their leadership on this issue, finally getting it to the floor in this form. I think it is very clear we are going to pass it and give the needed relief to our senior citizens.

I could not go forward without mentioning my colleague, Senator MCCAIN. Senator MCCAIN received a huge welcome back to the Senate. No one has forgotten what has happened in the last 3 months. I think a great impact has been made on the politics of our country. I think the contribution made by Senator MCCAIN will resonate for a long time to come. He has brought new people into the process. He has shown what courage is. He has given people an idea of what courage and serving one's country can do. I think he has added tremendously to the process. Our Republican caucus met at noon, and he got the longest standing ovation he probably ever will get. Certainly it was heartfelt. I think everyone is very glad we are going to have him back and working with Members to put together many of the reforms about which we have been speaking.

It happens that the bill we are discussing today was originally introduced by Senator MCCAIN. He was the first to introduce the bill to repeal the earnings test on Social Security benefits.

In 1935, when Social Security was passed, we had a very different senior citizen population and a very different need in our country. People didn't live as long. They were not as healthy. They were not as vigorous. They didn't want to work, by and large, after the age of 65. Today, if people want to work after the age of 65, they have contributed to Social Security all their lives, and they decide they want to take their benefits, what happens? They get docked. For every dollar over $17,000 a Social Security recipient receives, they lose $3 in their Social Security benefits.

Today is not 1935. Today people are vigorous. Many people want to work. Many people want to supplement their incomes. We also have a need for more workers in this country. We have very low unemployment. Our high-tech companies are asking people to come back to work. They need skilled workers. Our service industry is burgeoning. It needs skilled workers. This group of senior citizens is among the best in our country, and they now have a surtax because they receive Social Security benefits.

Let me give an example. If someone earns $26,000 a year and they are on Social Security, they lose $3,000 of their benefits. The average Social Security recipient receives $9,600 in benefits. So one-third of their benefits is lost if they go to work.

What Senator MCCAIN said is very important. The people to whom this matters most are the people who need it. It is not the person who has been fortunate in life and has investments; they are not worried about the $9,600 or $12,000 in Social Security benefits. It is the person who is living on $26,000 or $30,000 a year who wants to be able to work to add a little extra cushion. That is what was intended under Social Security; that would be a baseline. Hopefully, one would have the ability to have savings to add to their retirement security. Some people have not gotten the savings so they want to work.

There is no reason in today's good times to severely penalize a solid worker, someone we actually need for our economy.

I thank Senator ROTH from Delaware and Senator MOYNIHAN from New York for bringing this bill to the floor. Senator ASHCROFT has been a great leader, as well as Senator MCCAIN. Many have worked together on this.

The bottom line is, this is an idea where the time has passed. It hasn't come, it has gone. We should have done this years ago. We have chipped away at it. We are on a roll right now to take that earnings test up to $30,000 from $17,000. That is not good enough. We can eliminate it. This is the right thing to do. This is the time to do it. We have a burgeoning economy. We need the workers. We need the high-tech employees. We need these solid citizens in our economy. If they want to be here, they should have the choice.

I urge our colleagues to pass this quickly. I hope we can pass it cleanly, get it to the President, and give these people the opportunity to make their choices in their senior years.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I first thank the Senator from Texas for her more than generous remarks to our committee. We appreciate that.

I believe now a distinguished member of the committee about whom Senator MCCAIN was speaking a moment ago, the Senator from Nebraska, has an amendment to offer. I believe there is an hour.

AMENDMENT NO. 2885

(Purpose: To redesignate the term for the age at which an individual is eligible for full, unreduced old-age benefits)

Mr. KERREY. I send an amendment to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. KERREY] proposes an amendment numbered 2885.

Mr. KERREY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

The amendment is as follows:

At the end add the following:

SEC. . REDESIGNATION OF TERM FOR AGE AT WHICH AN INDIVIDUAL IS ELIGIBLE FOR FULL, UNREDUCED OLD-AGE BENEFITS.

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended—

(1) by striking ''retirement age'' each place it appears and inserting ''the age of eligibility for full, unreduced old-age benefits'';

(2) by striking ''early retirement age'' each place it appears and inserting ''the age of earliest eligibility for old-age benefits''; and

(3) by striking ''delayed retirement'' each place it appears and inserting ''delayed entitlement for old-age benefits''.

(b) CONFORMING AMENDMENT.—Section 202(q)(9) of the Social Security Act (42 U.S.C. 402(q)(9)) is amended by striking ''early retirement'' and inserting ''early entitlement for old-age benefits''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

Mr. KERREY. I understand under a previous unanimous consent the vote will occur at 4 o'clock. Is that correct?

Mr. MOYNIHAN. That is entirely agreeable to us.

Mr. ROTH. We are happy to have the vote at 4 o'clock. There is no unanimous consent stated.

Mr. KERREY. I am not sure I will take a full 30 minutes on my side. Let me describe the amendment first and see where it goes.

My amendment is essentially a conforming amendment. It is an amendment that conforms a change we are about to make with the change in the language relating to earnings that occur between age 65 and 69.

Senator MOYNIHAN and I have a proposal to eliminate the earnings test from 62 to 65. Some groups are opposed because they are concerned that for low-income working women there could be an increase in the number of women who are under the poverty guidelines as established by the Federal Government. It is an interesting fact. I am not sure of the validity of the forecast.

We are changing the program from a retirement program to an old-age program. I support that change. To change Social Security so that it is no longer a retirement-based program is very important.

Since 1935, we have either said to workers: You have to retire before you are eligible; or we have said: If you continue to work, there will be a penalty that will occur as a consequence of whatever earnings you have.

That is what we are trying to eliminate.

My amendment is a fairly simple, straightforward amendment. I don't know that I need to talk a great deal about it. It merely inserts language that makes it clear that full or semi-retirement is no longer required to collect benefits, that what is necessary is to merely meet a tested age—62, 63, 64, and on and on—and for those currently affected by the earnings test, for 65 through 69, there will no longer be a test of earnings and a deduct that will occur.

But, in addition to eliminating the earnings test, we are also fundamentally changing the old-age benefit part of the Social Security program, I believe in a way that is constructive, that will change the program from a retirement-based program to a program based on a test of age.

I am attempting with this amendment to merely bring the language of the law in conformance with what we will be doing with the underlying provision, which is to say you no longer have to retire and have little earned income in order to receive benefits. All

you have to do under this program is meet a test of age. That one dollar for three dollars—up to $17,000 of income—deferrment of benefits will no longer occur—from 65 to 69.

I support the underlying bill. This amendment will bring the language of the law in conformance to what the underlying bill does.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROTH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROTH. Madam President, I ask unanimous consent the vote occur on or in relation to the pending Kerrey amendment at 4 p.m. and the time between now and the vote be equally divided in the usual form.

I further ask unanimous consent that passage of H.R. 5, as amended, occur at 10 a.m. on Wednesday, March 22, and that paragraph 4 of rule XII be waived.

Finally, I ask unanimous consent the time between 9:45 a.m. and 10 a.m. on Wednesday be equally divided between the chairman and ranking minority member of the Finance Committee for closing remarks on the Social Security earnings bill.

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

Mr. ROTH. In light of this agreement, I announce on behalf of the leadership the 4 p.m. vote today will be the last vote of the day.

Mr. MOYNIHAN. Mr. President, I see the Senator from Nebraska would like to resume his discourse.

The PRESIDING OFFICER (Mr. CRAIG). The Senator from Nebraska.

Mr. KERREY. Mr. President, I am going to speak until Senator ROBB gets down to the floor.

As I said earlier, I support the elimination of the earnings test from 65 to 69, and believe the amendment I have offered would be a positive conforming change that will make it clear, regarding Social Security at age 65, there is no longer a requirement to be retired. That is what the current law says, you have to be retired. ''Retirement benefit at normal retirement age'' is how it is described in the statute. My amendment would conform the changes we are making in H.R. 5 to alter the program that reduces benefits according to income from one that would no longer offer that reduction to beneficiaries.

Beneficiaries evaluate their income versus what Social Security is going to do all the time. One of the interesting things about the program is to observe that nearly 80 percent of beneficiaries take an early benefit. They have a 20-percent reduction in benefits.

The baby boomers may come in here 15 years from now and want to get rid of that, for all I know, but right now it is a 20-percent reduction in benefits. Mr. President, 80 percent of Americans, when they become eligible for the old age benefit, will opt to take that 20-percent reduction—not all of them are doing it at 62—some are taking a smaller cut in benefits at 63 or 64—because they calculate the benefits will be greater than retiring at 65 if they survive for 10 years. There is a lot of thinking that goes on, including with the earnings test, the calculation of what the deduction will mean and what the add-back will provide in future years.

I would like to spend a little time again, until Senator ROBB gets down here, to talk about the underlying problem. The earnings test elimination bill, the legislation we are going to pass 100–0 tomorrow, does address one of the problems, though it only addresses it partially. It addresses the earnings test imposed from age 65 to 69. It does not address the earnings test imposed from age 62 to 64. But there are other problems that the status quo creates for future beneficiaries. We need to think about it that way. I would like to show my colleagues the ways delaying reform will cause future workers and beneficiaries to suffer.

The biggest problem with delaying reform is that it forces hard working, lower and middle class Americans to bear a disproportionate share of the burden of debt reduction—the same people who bore a disproportionate share of the great deficit reductions in 1980s and 1990s. People being paid by the hour are now being told we are going to use a significant portion of their FICA taxes—which are supposed to be dedicated to benefit payments—to pay down debt. That is basically what this phrase ''saving Social Security'' means when you examine it more closely.

It is true the debt will be nearly eliminated by 2013 if we use all of the surpluses to pay down debt—but then it goes right back up again in the 2020s to fund Social Security benefits for the baby boomers. So, if you are under the age of 15 today, when you become eligible you are looking at debt levels that will be somewhere between two and three times what they are today. So the do-nothing plan, taking no action at all—there are still 500 Members of Congress who have not signed onto a specific piece of legislation—results in a substantial increase in the debt out into the future.

The other thing that could happen in the future a consequence of this huge demographic bulge of baby boomers is a massive payroll tax increase or a cut in benefits. The baby boom generation will start retiring in 2010. There will be a 40-million-person increase in the number of beneficiaries from 37 to 77, but only a 7 or 8 million person increase in the number of people who are working.

Social Security is essentially a tax on people who are working, transferred in a progressive fashion to people who are eligible as a consequence of meeting a test of age, survivorship, or disability. It is a progressive transfer program. We have a trust fund that accumulates as a reserve against contingencies but it is a pay-as-you-go program. It is a tax that is transferred in a very progressive fashion. Indeed, that 12.4-percent tax today, along with the tax on income and the interest that is earned on the debt that is paid with income taxes, there is about $150 billion more—$550 billion of total income coming into the Social Security system this year against about $400 billion in checks that are written to pay for it.

That reserve builds up over time. I will not go into that particular problem, but anytime you have to convert any of those bonds, you have to use income taxes to convert the bond. Starting in about 2014, we will have to start drawing the trust funds down with additional infusions of income tax into the program.

What does this all mean for today's workers? If you are under the age of 40—there are approximately 150 million Americans under the age of 40—you are looking at the following problem: Congress will either have to reduce your benefits by 33 percent or Congress will have to enact a payroll tax increase of about 50 percent to accommodate the demand that will be there, the liability that will be there, under current law.

Obviously, a tax increase of that magnitude seems unacceptable. But this is what current law calls for. So if you are a Member of Congress that supports the do-nothing approach, you support a 33-percent cut in benefits or a 50-percent increase in taxes.

The reason I mention that is that with the plan I have introduced with Senator MOYNIHAN, the plan we have introduced with Senators BREAUX, GREGG, and ROBB, I have received a lot of attacks. People say: You are reducing benefits out in the future. How dare you reduce benefits out in the future, let alone suggest we need some additional revenue with tax increases?

None of the proposals out there have called for massive tax increases. Our proposal has a 2-percent reduction in the payroll tax, but it is funded with offsets in benefits out in the future, as well as increased benefits coming from the individual accounts—

Mr. MOYNIHAN. Will the Senator yield?

Mr. KERREY. Yes.

Mr. MOYNIHAN. Two percentage points?

Mr. KERREY. Two percentage points, that is correct. Not 2 percent of the 12.4; but 2 percentage points overall, from 12.4 to 10.4 percent. Under current law, a substantial increase in the publicly-held debt will occur.

In addition, there is a problem with the existing program in that low-income-earning beneficiaries do not have enough of their income replaced by the current benefit formulas. The Social Security reform proposal that I have

introduced with a bipartisan group of Senators increases benefits for low income workers by changing these benefit formulas.

I hear lots of my colleagues, especially on this side of the aisle, talk a lot about the rich getting richer and the poor getting poorer. It is true that the gap is widening, but if you want to solve the problem, you cannot do it just by increasing the minimum wage or increasing the earned-income tax credit. You have to change the law so people of all incomes have the opportunity to generate wealth. The current Social Security program does not offer that opportunity. Our proposal would.

Finally, there is growing intergenerational inequity in our Federal budget. We may not be spending too much on people over age 65 today. But by the time I am eligible for Social Security, and the cohort coming right behind me—the baby boomers—in my view, we will be.

So colleagues understand, today if you take all Federal and State funding on people over the age of 65 and the people under the age of 18—that is State and Federal spending—we spend three times as much on people over age 65 as we do on people under the age of 18.

Again, I do not think it is too much today. I do not think we are spending an excessive amount today. But spending on seniors continues to increase. The year-to-year spending increases are getting larger. Again, nobody should suffer the illusion of where this money comes from. It comes from a tax on wages on today's workers.

If we underinvest in the skills and the training and the education of these kids, which in my view we are, in favor of politically popular moves that spend more and more money on people over the age of 65—and understand, there are 50 percent more Americans under the age of 18 than over the age of 65—if we continue to do that for very long, when we get to the year 2030 there will only be two workers per retiree. If I get to pick Warren Buffett and Bill Gates, I am in good shape. But I don't. I pick an average. One of the things we need to consider, as well, is the do-nothing plan is heading in a direction of creating, in my view, substantial intergenerational inequities in the Social Security program itself.

Social Security and Medicare are popular because they currently have some semblance of generational equity. People of all ages support Social Security and Medicare because they see them as a fair social contract. But in 10 or 15 years from now, my view is, looking at the numbers, and with there likely to be a decreasing number of young people, they are not going to have to be told by politicians, they are going to look at the contract and say: Wait a minute, this deal is not very good for me. They are not going to like it and will rise up and get angry about it.

For these reasons, I would argue that the status quo plan offered by the do-nothing caucus is dangerous. What we need is a comprehensive reform plan—that is bipartisan in nature—to finally fix the problems in the Social Security.

Obviously, the elimination of the earnings test is a very popular Social Security reform measure. The other ones are unpopular but require difficult votes in order to make the changes. I hope that we, at some point, are able to come together to solve the larger problem of Social Security that exists in all these different ways.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I thank the Senator from Nebraska once again and say I regret he was necessarily away from the floor when the Senator from Arizona spoke almost precisely in your terms, and spoke about the legislation you have offered, and said, yes, it would often produce derision when you talked about it on the campaign trail—we know a little bit about derision, both of us do—but he said a bipartisan solution is necessary and possible. If we cannot see it coming, we will be remembered for not having done so.

I see that my friend, the distinguished Senator from Virginia, is on the floor.

Would the Senator like 5 minutes?

I yield 5 minutes to the Senator from Virginia—more if he requires it.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I thank the distinguished Senator from New York. I am delighted to join, as I just mentioned to him, the ''amen'' chorus.

I rise to support my friend from Nebraska in his continuing effort to strengthen Social Security for the long term. I commend him for his tireless work on behalf of the seniors of this country, as well as their children and grandchildren, as he fights to both strengthen Social Security and lessen the burden of debt we leave to future generations.

I share Senator KERREY's frustrations over the failure of this body to strengthen Social Security. I am pleased we can now afford to repeal the earnings test. I fully support this bill. But this is only one of many steps that need to be taken. We cannot continue to deal with a program as large and as vital as Social Security on a piecemeal basis. We owe both our seniors and our children so much more.

The facts are simple. By the year 2013, payroll taxes we collect will not be sufficient to pay for Social Security payments. By the year 2034, the program will only be able to pay for 72 cents out of every dollar of benefits we have promised senior citizens in America. Worst of all, these figures are based on our economy continuing to click along at the same pace it is right now. If we have a sudden downturn or period of stagnation, we will be in trouble much sooner.

It is time to start telling the American people the truth. If we do not strengthen our Social Security program, we will have to either cut benefits or increase payroll taxes—or both. We cannot afford to let that happen.

Even worse, from my perspective, the bills would have to be paid by our children and grandchildren. They deserve a better legacy from us than a mountain of debt.

The good news is, slowly but surely, we are making progress. In the past several years, we have been able to remove the Social Security trust fund surplus from the calculation of the onbudget surplus. While I am pleased we have taken this first step toward fiscal responsibility, we need to do much more. Setting aside the surplus in the Social Security trust fund is prudent, but it does not take care of the underlying and very fundamental problems.

Now is the time to act. We need to strengthen the Social Security program so today's senior citizens get the benefits they have been promised. We need to strengthen the Social Security program so our children and grandchildren are not unfairly burdened with our debt. We need to do more. I support what we are doing today, but we need to do more.

I conclude my remarks by thanking the distinguished senior Senator from New York, who is, regrettably, in the judgment of many of us, going to be retiring from this institution, and the distinguished senior Senator from Nebraska, who, equally regrettably, is going to be retiring from this institution. Both will be sorely missed.

With that, I yield the floor.

Mr. MOYNIHAN. I thank the Senator most sincerely.

Mr. ROTH. Mr. President, I yield 5 minutes to Senator HAGEL.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I add my thanks to the distinguished chairman of the Finance Committee and the ranking member, Mr. MOYNIHAN. And I tag on to what my friend and colleague, Senator ROBB, said regarding the loss to this body and to America as we find Senators MOYNIHAN and KERREY serving their last year in the Senate. In a narrow, parochial sense, Mr. KERREY's impending retirement makes me the new senior Senator from Nebraska. However, I would have gladly put that aside for the interest of our senior Senator from Nebraska staying on, as well as Mr. MOYNIHAN, who adds the kind of enlightenment, enhancement, and leadership to an issue that is so critical to this country and to our future.

With that, I, too, rise in support of H.R. 5, the Senior Citizens' Freedom to Work Act of 2000. I am also a cosponsor of the Senate companion bill, S. 2074, the Social Security Earnings Test Elimination Act.

I think it is appropriate this afternoon to acknowledge our friend and colleague, Senator MCCAIN, who has recently rejoined the Senate after his odyssey throughout America over the

last few months. Senator MCCAIN was an early sponsor of repealing the Social Security earnings test and fought hard and provided essential leadership early on. I acknowledge Mr. MCCAIN's early leadership on this issue.

We have heard today how this legislation will repeal the Social Security earnings test, which is a disincentive for seniors to work by reducing seniors' Social Security benefits according to the amount of income they earn. We know this legislation will allow seniors between the ages of 65 and 70 to go back to work or continue to work and not worry about being penalized for their productivity or losing their Social Security benefits.

As America moves into the new century, it will need more workers in the workforce, not less. Productive capacity is the engine that drives economic growth. That means we must have skilled workers and managers and experienced workers and managers. The passage of this bill helps America with this great challenge. It will help America retain this vital resource of skilled and experienced workers and managers.

However, this legislation will not fix Social Security. It will not fix our long-term workforce challenge. The solvency of Social Security is one of the great challenges facing America today. We must reform Social Security or it will not be there for future generations. We know the figures.

In 1999, there were 35 million Americans, 13 percent of total population, 65 years of age or older. By the year 2030, there will be 70 million Americans, 20 percent of the total population, who will be 65 years of age or older. In 2010, the first group of the 76 million baby boomers will become eligible for Social Security benefits. And in 2030, the number of workers paying into Social Security per beneficiary, as Senator KERREY has acknowledged, will drop to 2 from the present 3.3.

With this increasing number of beneficiaries and a smaller workforce contributing to the Social Security system, if Congress does not enact reform, Social Security benefit payments will begin to exceed the taxes collected in the year 2014. My colleagues who have spoken before me on the floor this afternoon have pointed out in rather significant clarity the consequences of that.

I don't have all the answers to what we must do, but I am sure of one thing—this Congress needs to act sooner rather than later. We must reform Social Security and improve it for future generations.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. HAGEL. I ask for an additional 1 minute.

Mr. ROTH. One minute.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. I thank the Chair.

We know there is an anticipated projection of a $2.3 trillion surplus in Social Security trust funds over the next 10 years. But we do know that if, in fact, we are to reform Social Security, whatever projected surplus occurs must remain in Social Security. Second, we must reform Social Security in a way that starts to develop personal wealth. Personal retirement accounts would harness the power of private markets and compounding interest, providing a much higher rate of return on each individual's investment. This also gives ownership to each individual, meaning choices and more responsibility for their own economic future.

The changes we make to Social Security should not affect current or soon-to-be beneficiaries. We can create a system that still provides a safety net for those who are most vulnerable in society but offers younger workers the opportunity to create wealth and save for their futures.

Finally, the Social Security system we now have affects all Americans. It will continue to affect all Americans. The decisions we make today will profoundly affect the lives of all Americans. We must not squander the time we now have to deal with the solvency of Social Security.

I strongly urge my colleagues to vote in favor of the passage of this relevant, important, and timely legislation.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may offer an amendment.

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

AMENDMENT NO. 2886

Mr. ROTH. Mr. President, I submit a managers' amendment on behalf of myself and Senator MOYNIHAN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. ROTH], for himself and Mr. MOYNIHAN, proposes an amendment numbered 2886.

Mr. ROTH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Senior Citizens' Freedom to Work Act of 2000''.

SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking ''the age of seventy'' and inserting ''retirement age (as defined in section 216(l))'';

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking ''the age of seventy'' each place it appears and inserting ''retirement age (as defined in section 216(l))'';

(3) in subsection (f)(1)(B), by striking ''was age seventy or over'' and inserting ''was at or above retirement age (as defined in section 216(l))'';

(4) in subsection (f)(3), by striking ''age 70'' and inserting ''retirement age (as defined in section 216(l))'';

(5) in subsection (h)(1)(A), by striking ''age 70'' each place it appears and inserting ''retirement age (as defined in section 216(l))''; and

(6) in subsection (j)—

(A) in the heading, by striking ''Age Seventy'' and inserting ''Retirement Age''; and

(B) by striking ''seventy years of age'' and inserting ''having attained retirement age (as defined in section 216(l))''.

SEC. 3. NONAPPLICATION OF RULES FOR COMPUTATION OF EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) IN GENERAL.—Section 203(f)(8) of the Social Security Act (42 U.S.C. 403(f)(8)) is amended by adding at the end the following new subparagraph:

''(E) Notwithstanding subparagraph (D), no deductions in benefits shall be made under subsection (b) with respect to the earnings of any individual in any month beginning with the month in which the individual attains retirement age (as defined in section 216(l)).''.

(b) CONFORMING AMENDMENT.—Section 203(f)(9) of the Social Security Act (42 U.S.C. 403(f)(9)) is amended by striking ''and (8)(D),'' and inserting ''(8)(D), and (8)(E),''.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c), in the last sentence, by striking ''nor shall any deduction'' and all that follows and inserting ''nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60.''; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: ''(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60,''.

(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by striking ''or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit'' and inserting ''or, if so entitled, did not receive benefits pursuant to a request by such individual that benefits not be paid''.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to taxable years ending after December 31, 1999.

Mr. ROTH. Mr. President, let me briefly describe the managers' amendment. This amendment would fix a technical problem with the House bill that would inadvertently impose a more stringent earnings limit on certain Social Security beneficiaries age 64 than provided under current law.

I ask unanimous consent that a description of the amendment be printed in the RECORD.

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

DESCRIPTION OF THE MANAGERS' AMENDMENT

The Managers' amendment would make a technical correction to H.R. 5, the ''Senior

Citizens Freedom to Work Act'', that abolishes the Social Security earnings limit for Social Security beneficiaries ages 65–69. As written, the House bill would impose a more stringent earnings limit on certain Social Security beneficiaries who are age 64 than provided under current law after 2000.

CURRENT LAW

Under current law, there are two earnings limits, one that applies to Social Security beneficiaries ages 62–64, the other to beneficiaries ages 65–69. In 2000, under the earnings limit for beneficiaries 62–64, a beneficiary has his or her Social Security benefits reduced by $1 for every $2 in earnings over $10,080. For beneficiaries 65 to 69, benefits are reduced by $1 for every $3 in earnings over $17,000; this threshold rises to $25,000 in 2001 and $30,000 in 2002. There is no earnings limit for beneficiaries over age 70.

Eligibility for the 65–69 earnings limit is determined by the calendar year in which that beneficiary turns 65, regardless of the month in which the beneficiary actually turns 65. Thus, for example, in 2000 a beneficiary who turns 65 in December would have the 65–69 earnings limit apply to him or her throughout the entire calendar year of 2000. Eligibility for the age 62–64 earnings limit, and for no limit at age 70, begins with the month a beneficiary turns 62 or 70.

HOUSE BILL

H.R. 5 would abolish the earnings limit for beneficiaries above the ''normal retirement age'' (currently age 65). However, effective 2001, under H.R. 5, a beneficiary would not be eligible for the age 65 earnings limit (i.e., no earnings limit) until the month in which that person reaches age 65. Otherwise, the age 62–64 earnings limit would apply. Thus, a beneficiary who turned 65 in December 2001 would have an earnings limit for most of 2001 of $10,440, which is substantially less than current law ($25,000).

SENATE MANAGERS' AMENDMENT

The manager's amendment would make a technical correction to H.R. 5 to continue permanently the current law practice that for the year in which a Social Security beneficiary reaches the normal retirement age (currently age 65), the current law age 65–69 earnings limit applies until the month in which the beneficiary reaches the normal retirement age (age 65). When the beneficiary reaches the normal retirement age, the earnings limit would no longer apply.

Mr. ROTH. Mr. President, I yield back all time on this side.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, may I express the gratitude I have, and I am sure our revered chairman has, for our staff who worked this out. It was not easy. It was a weekend's work at a minimum, which sounds simple when so described, to try to get it into legislative language. But it was necessary. It is understood on the House side that, yes, that was a mistake we had not realized or we had not taken care of. So we now have done so.

I yield the floor.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2886) was agreed to.

AMENDMENT NO. 2885

Mr. ROTH. Mr. President, what is the order of business?

The PRESIDING OFFICER. There are 12 minutes remaining on the Kerrey amendment.

Mr. MOYNIHAN. Mr. President, I see the distinguished Senator from Indiana has risen. Does he wish to speak?

Mr. ROTH. Mr. President, I was going to make a statement first.

Mr. MOYNIHAN. The Senator from Delaware will speak and then 5 minutes, or such as remains, will be yielded to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I begin by recognizing the important contributions of Senator KERREY, both to the Finance Committee and to the Senate. In particular, he is a unique and important voice in the national debate on Social Security and Medicare reform. He has taken thoughtful but not always popular positions on how these programs should be reshaped, both to better serve our Nation's seniors and to ensure that these programs can be sustained.

Indeed, much of the current debate over Social Security reform dates to 1993, when Senator KERREY conceived and then later chaired the Bipartisan Commission on Entitlement and Tax Reform. On the Finance Committee, his energy and expertise are highly regarded by his colleagues.

Having said that, I must oppose this amendment. I understand why Senator KERREY has offered it. And on a more appropriate bill, I might support it. Certainly, as a nation, we need to rethink carefully what we mean by retirement. However, I believe instead we should act to move this legislation to the President as quickly as possible. That means no other amendments other than the managers' amendment, which fixes a technical problem of the House bill.

I have received a letter from Chairman ARCHER and Congressman RANGEL saying that any other extraneous amendments will require a conference. Needless to say, other issues might be raised in the conference.

Mr. President, I trust my friend from Nebraska will understand why I oppose this amendment. I hope he will accept my pledge to continue to work with him on these important issues.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I yield 5 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 5 minutes.

Mr. BAYH. Mr. President, I thank the Senator for his indulgence. This is my first opportunity to point to the fact that Senator MOYNIHAN's mother was a longtime resident of our State. We are very proud of that fact, and I am pleased to note it today. Our colleague, Senator GREGG, is not with us, but I thank him for his leadership on this issue. It is not surprising to me that a former Governor is leading the way on a matter of such importance in terms of fiscal responsibility. Likewise, I commend our colleague, Senator KERREY. I am not the least bit surprised that someone whose courage has been tested on the field of battle also has the courage to address one of the foremost challenges of our time—a challenge that is important to the future of our country, yet escapes the ability of many politicians to address. I salute Senator KERREY for his leadership on this very important issue.

I, too, rise in support of the cause of repealing the earnings test limit on the Social Security benefits. It is the right thing to do at this time with unemployment being so low and the economy so strong. This will inject much needed talent on the part of senior workers into the economy. It is only right that if people are living longer, we should enable them to earn more to support themselves. Since it doesn't have a long-term fiscal impact, it is the right thing to do from that standpoint.

On this particular bill and on this particular vote, no profiles in courage will be written on the floor of the Senate today. I am concerned and I add my voice to others—a growing chorus—in calling for meaningful reform in the Social Security system and to ensure its long-term financial viability.

The trends are disturbing. Over the last 40 years, the percentage of our Federal budget that has now gone to entitlement expenditures has doubled from about a third of Federal expenditures to two-thirds. Some projections are accurate. In the coming decades, fully 100 percent of Federal expenditures may be comprised of entitlements, leaving nothing left for things such as education, the environment, children's issues, health care, or national defense—literally nothing but entitlements, as important as they may be.

Clearly, this is a course that we cannot sustain forever. Likewise, I note that the percentage of Federal revenues raised through taxes funding entitlements has also doubled over the last 20 years, from 16 percent to fully one-third of Federal revenues now raised from payroll taxes. These taxes are regressive in nature and fall heavily and disproportionately on the middle class.

I believe in the importance of investment in education, science, research, and other important areas of our national budget, and it is because I believe in the importance of tax relief for the middle class that I believe very strongly we must embrace the cause of meaningful reform of entitlements in general, and particularly Social Security, if we are going to enable ourselves to meet these other important challenges as well.

This is something that should unite the right and the left. Those on the right should be concerned about a return to the days of debt and deficit spending and the corresponding slowdown in economic growth that would inevitably result. Those on the right should be concerned about an increasing percentage of our Federal budget basically being put on fiscal autopilot.

Those on the left should be concerned about shoring up and preserving not just temporarily, but in the long run, a fundamental part of our Social safety net, the Social Security system, a legacy of which we can rightfully be proud. And those on the left should also be concerned about maintaining the discretionary ability to invest in the other important things that will make our country a more prosperous and decent place in the years to come.

Despite this seeming ground for compromise between the left and right, too often a consensus evades us. It is difficult in a democracy to make hard choices. Yet our constituents have a right to expect no less from us. It takes wisdom and courage on the part of those proposing this reform, forbearance upon our political opponents' part, and ultimately wisdom and understanding on the part of the American people.

I wish to close my remarks by commending those who have risen to speak out in favor of the cause of meaningful entitlement reform. It is essential not only to preserving the benefits for those we claim to champion today; it is also important for proving the efficacy of our democratic institutions on the threshold of the 21st century. I thank my colleagues for their courage in taking up this issue. Senator KERREY's voice will be missed in the years to come. I hope to add mine in my own humble way, and ultimately we will achieve this objective. I thank Senator MOYNIHAN and yield the floor.

Mr. MOYNIHAN. Mr. President, the chairman has very generously agreed to allow the Senator from Nevada to speak for 5 minutes. That would perhaps run us over the 4 o'clock time set for the vote. I ask unanimous consent for an extra 2 minutes in that regard.

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

The Senator from Nevada is recognized.

Mr. BRYAN. Mr. President, I express my appreciation to a very distinguished and fair chairman and the ranking member for accommodating this Senator.

I rise in strong support of the Senior Citizens' Freedom to Work Act, bipartisan legislation to repeal the Social Security earnings limit.

For a number of years, I have joined with my colleague, Senator MCCAIN, in efforts to repeal this unfair penalty. In my judgment, this legislation is long overdue. The earnings limit has unfairly penalized Social Security recipients who have chosen to continue to work and discouraged others from remaining in the workforce and contributing to our country's economic growth.

It is confusing to beneficiaries and it is difficult to administer. It is time to repeal the earnings limit and thus allow Social Security recipients who continue to work to do so without a reduction in their benefits.

It becomes very clear that the time has come to revoke this unjustified policy when we consider why it was imposed in the first instance. The Social Security earnings test was a Depression-era policy, originating nearly 70 years ago as a mechanism to cope with the high levels of unemployment. Our country now faces a very different dilemma—a tight labor market in many areas, including my own State of Nevada, which makes it difficult to recruit qualified employees.

It is simply illogical to prevent those who are willing and able to do so from joining the economy by working in areas that desperately need their talents. While many people choose to retire from their jobs at the traditional age of 65, or earlier, more and more workers want to continue working well into their late sixties and into their seventies.

One of the incentives, of course, for working beyond retirement age is the greater financial security that their additional income provides. However, for people between the ages of 65 and 70, the financial benefits of staying in the workforce are diminished by the unjustified earnings limit. Too many seniors, especially those with high medical bills, struggle on their very limited incomes. The last thing they need is a Government-imposed penalty.

Currently, for every $3 a worker aged 65 to 70 earns above $17,000, the worker's Social Security benefit check is reduced by $1. That is quite a disincentive to working. At a time when we put great emphasis on all Americans joining the workforce, it makes little sense to discourage employment for a large, experienced, and valuable segment of our population.

It is also important to note that the repeal does not adversely affect the long-term financial health of the Social Security trust fund. Eventually, the Social Security Administration would actually save money because it would not have to administer the complicated earnings test.

This, then, is a win-win situation for all involved. Seniors can continue to work and earn income without their previously earned Social Security benefits being unfairly reduced while the Government is minimally affected.

Our colleagues in the House of Representatives have recently voted unanimously to pass this legislation. It is now our turn to do so, and I hope the Senate will act swiftly to enact this legislation to repeal this unfair penalty.

I yield the floor.

Mr. MOYNIHAN. I yield 30 seconds to the Senator from Nebraska.

Mr. KERREY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KERREY. Mr. President, my amendment is merely a conforming amendment. If you support the underlying amendment, which changes Social Security from a retirement program to a program that simply has a test of age as opposed to a status of work, I urge colleagues to make this change. It will make it a lot easier to do reform in the future. It has nothing to do with moving the eligibility age; that stays the same. The amendment substitutes the words ''old age'' and ''age test'' for the word ''retirement.'' So they will no longer be required to retire in order to be eligible for this benefit.

The PRESIDING OFFICER (Mr. GORTON). The question is on agreeing to the Kerrey amendment.

Mr. ROTH. Mr. President, I would like to expedite the consideration of this amendment. But it is important that we move ahead with the legislation so that it can be referred expeditiously to the President. For that reason, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Hampshire (Mr. GREGG) is necessarily absent.

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

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—55

Abraham	Enzi	Nickles
Allard	Fitzgerald	Roberts
Ashcroft	Frist	Roth
Bennett	Gorton	Santorum
Bingaman	Gramm	Sessions
Bond	Grams	Shelby
Brownback	Grassley	Smith (NH)
Bunning	Hatch	Smith (OR)
Burns	Helms	Snowe
Campbell	Hutchinson	Specter
Chafee, L.	Hutchison	Stevens
Cochran	Inhofe	Thomas
Collins	Jeffords	Thompson
Conrad	Kyl	Thurmond
Coverdell	Lott	Voinovich
Craig	Lugar	Warner
Crapo	Mack	Wellstone
DeWine	McConnell	
Domenici	Murkowski	

NAYS—44

Akaka	Feinstein	Lieberman
Baucus	Graham	Lincoln
Bayh	Hagel	McCain
Biden	Harkin	Mikulski
Boxer	Hollings	Moynihan
Breaux	Inouye	Murray
Bryan	Johnson	Reed
Byrd	Kennedy	Reid
Cleland	Kerrey	Robb
Daschle	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Landrieu	Schumer
Durbin	Lautenberg	Torricelli
Edwards	Leahy	Wyden
Feingold	Levin	

NOT VOTING—1

Gregg

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, following my brief remarks and the remarks of Senators BAUCUS, BUNNING, and GRAHAM, in that order, I ask unanimous consent that all time be yielded back on the pending Social Security bill and there then be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. COVERDELL. I encourage any Members who wish to speak on the Social Security issue to do so in morning business following the unanimous-consent agreement just propounded.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I join in the request of the Senator from Georgia. Other fair matters have arisen that require our chairman and ranking member to be, in effect, in a meeting. Therefore, we are leaving the floor open and encourage all who wish to speak to come and do so.

Mr. COVERDELL. I thank the Senator from New York.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, it is interesting that so much of our labor law dates back to the mid-1930s. H.R. 5 is a measure that deals with modernizing attitudes about work habits and workers and bringing them into the new century.

It was in 1935, during the Great Depression, that it was decided to discourage people who were 65 and older from working. That was done by saying: If you do work, we can't keep you from working, but for every $3 you earn, we are going to take $1 of it, or charge you a surtax of 33 percent. It was a very arduous and imposing tax on individuals on Social Security.

There are a number of major changes that have occurred in the workplace, but two I emphasize have become uniquely significant for this group of workers, age 65 to 69.

No. 1, the United States is effectively unable to fill its workplace. We deal with that issue on a daily basis. We need workers. We need people who are highly trained, who have developed an expertise, as senior workers have done. And we need them to stay in the workplace, if we are going to fill the American workplace.

The second issue that has created a very serious and significant change is that many of these workers must do so in order to keep up with the financial pressures of this time, with the increase in costs of medicine and other matters dealing with senior years.

It is inherently unfair to tax these earnings over $17,000 and to punish people for entering the workplace when, indeed, we want them to enter the workplace; we want them to stay in the workplace. They are no longer keeping somebody else from getting a job. We can walk down any street in America today and see: ''Now hiring.'' ''Now hiring.'' Company after company in our country cannot find sufficient workers.

We also don't have to spend much time in an audience anywhere in America that we do not hear a senior object to the fact that if he or she believes they must continue to work or want to work, they are so deeply penalized by Federal tax law. By repealing the earnings limit, we will be providing tax relief to about 1.2 million seniors in America between the ages of 65 and 69. It will amount to about $23 billion—not a small number—over 10 years.

This is the right thing to do, and it is the right time to do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I rise in support of H.R. 5, the Senior Citizen's Freedom to Work Act. I am a cosponsor of the Senate version of this bill, S. 2074.

The earnings test, to remind my colleagues, is a Depression-era holdover which reduces Social Security benefits for working retirees. When Social Security began 65 years ago, its creators hoped older workers would withdraw from the work force and make more room for younger workers. This was back in the 1930s, in the Depression.

So they reduced retiree's Social Security benefits according to a formula, which today causes the loss of $1 in benefits for every $3 earned over $17,000 for those between the ages of 65 and 69.

While this might have made sense during the Great Depression, which at its peak saw one out of every four Americans without jobs, driving older workers out of the workforce simply does not reflect the needs of today's America. Americans today are retiring sooner, and the number of employed males over the age of 65 has fallen from 47 percent 50 years ago to less than 17 percent today. In addition, we all know the solvency of the Social Security Trust Funds is threatened because our society is aging. In 1950, there were 17 people in the workforce for every person drawing Social Security benefits. By 1999, this number had dropped to less than 4 people working for every one person drawing benefits. And under the intermediate projections of the Social Security trustees, this number will drop even further, to less than 2 people working for every one beneficiary by 2075.

In today's era of low unemployment, it simply makes no sense to penalize retirees who want to continue working. And as we look at the continued graying of our society throughout the 21st century, it will become even more critical to eliminate disincentives to work for this growing segment of our population.

Working seniors are a vital employee pool for America's businesses. We need the experience they bring from a lifetime of learning to help train our younger workers. And many seniors need the income that comes from these jobs to help make ends meet. The earnings test especially hurts senior citizens who face heavy medical bills or other expenses in caring for a spouse or other family members. Yet over 630,000 seniors today are receiving reduced Social Security benefits simply because they want or need to work. And there is no way to know how many more only work part of the year because they don't want to earn more than the $17,000 limit.

We should recognize that enacting this legislation is not without its tradeoffs. Those who have their benefits reduced because of the earnings test today receive higher lifetime benefits after they turn 70. For some retirees, this tradeoff could cost them in the long run. But for seniors who are having trouble making ends meet today, the promise of higher benefits after they turn 70 seems hollow indeed.

So I am glad that we are finally at least taking this first step toward restructuring the Social Security system to face the realities of our workforce in the 21st century. I am also glad, that even in this highly charged political climate, Democrats and Republicans can still find some issues that we can agree on.

I hope we can continue to look for more issues like this as the session continues. Putting aside our political differences for the good of the American people, after all, is what the public wants.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I rise in strong support of H.R. 5, the Senior Citizens Freedom to Work Act, and the repeal of the Social Security earnings limit.

This is a day that many of us have worked toward for a long time, and the sooner we can pass this bill and send it in to the President, the better. Our seniors deserve it.

I think by now we all know how the earnings limit works. It penalizes seniors between 65 and 70 who receive Social Security benefits but also continue working. For every $3 they earn over the earnings limit, they lose $1 in benefits. Under current law, in 2000 the limit is $17,000. It rises to $25,000 next year, $30,000 in 2002, and with inflation after that.

The earnings limit is a Depression era relic whose time has come and long gone. It first became law back in the 1930's when Social Security was started, and was passed by Congress as a way to encourage seniors to retire so that their jobs could be taken by younger, unemployed workers.

At a time when our economy was fighting for its life, and unemployment was close to 25 percent, an earnings limit might have seemed like a good idea. Now when unemployment is threatening to dip below 4 percent and many of our nation's employers are

clamoring for more workers, it's clear that the earnings limit has outlived whatever usefulness it once might have had.

From time to time over the years, Congress has looked at changing the earnings limit. In fact, several times we did tweak it here and there by raising the income level. But, like a vampire, the earning limit has been hard to kill altogether—it continued to threaten seniors and their livelihoods.

Now we have the opportunity to get rid of the earnings limit altogether. I say that it's time to drive a stake through the heart of the earnings limit once and for all.

Mr. President, I was privileged to serve in the other body as the chairman of the Social Security Subcommittee for 4 years, and before that as the Ranking Member for 4 years. It was my bill that we passed in the 104th Congress that lifted the earnings limit to its current level of $30,000 from what was then $11,250.

If we could have repealed it altogether, we would have. But the budget landscape was different back then. We were still looking at huge deficits, and we were using Social Security surpluses to finance general government programs.

Now things are different. We have budget surpluses across the board, and we can focus on doing the right thing for seniors irrespective of other spending and tax needs. Our economic prosperity has handed us a golden opportunity to repeal the earnings limit. Times have changed for the better.

I know there are others in Senate who have worked on this issue for years. But, for my colleagues who have not lived with legislation to repeal the earnings limit as long as some of us, let me just briefly describe for them what it has been like over the past 14 years for those of us who have been trying to pass legislation.

In 1987, those of us who had just been elected to the House for the 100th Congress adopted as a project the repeal of the earnings limit. And at least 11 bills were introduced in Congress to lift or repeal the limit altogether, and we worked the issue hard. But, nothing happened. It was like banging your head against a wall.

Then during the 101st Congress, then-Congressman Denny Hastert, and another 100th congressional class member, introduced a bill to repeal the limit and got 267 cosponsors in the House. Again, nothing happened.

In the 102d Congress, we managed to get 278 supporters in the House to support our bill to lift the earnings limit. We talked up the issue constantly. Still, nothing.

So we kept plugging along, and once again in the 103d Congress, we introduced a bill and signed up over a majority of the House—225 Members—on our legislation. But, guess what? Nothing happened.

Then something did happen. In 1994, Republicans took control of Congress. And in 1995, as part of the Contract with America, we passed legislation to lift the earnings limit to its current annual level of $30,000. This was one of the most popular bills we passed that year, and I was proud to be the lead sponsor.

But, we still weren't finished because this proposal was part of larger legislation that was vetoed by President Clinton as part of his government shutdown strategy. He said he liked the earnings limit repeal, but he vetoed the bill anyway.

So we were back at Square One. But, we took the President at his word that he liked the earnings limit repeal, so after the veto we quickly passed a stand-alone bill in the House to increase the earnings limit in late 1995. The next March, we included it in must-pass legislation to lift the Federal Government's debt ceiling, and it was signed into law.

In all, it took almost 10 years to raise the earnings limit, so I hope my colleagues keep this in mind now that we have a chance to act quickly to get rid of the limit altogether.

Mr. President, people are living longer and longer. And many of them want to work after they turn 65. They want to work longer, and they can do more. Why on earth should we penalize them—by taking benefits they have already paid for—for doing that?! It just doesn't make sense to pay them with one hand, and to rob them with the other.

The average life expectancy for women in America is almost 80 now. For men, it's getting close to 75. That's a big increase from must a few decades ago when we passed Social Security and the earnings limit.

Now, many seniors want, and need, to work for income after they officially retire. Social Security and pensions sometimes aren't enough, and if seniors want to feather their nests with a salary, more power to them.

I urge my colleagues to vote for this bill. Not only will seniors thank us, we can take heart in knowing that the Congressional Budget Office tells us that we will even save $700 million in Social Security administrative costs by repealing the earnings limit. There are 800 employees at SSA who help administer the earnings limit. After this bill becomes law, they will be freed to perform other tasks for the Social Security Administration.

We have the opportunity to do away with the earnings limit altogether, and I say ''the sooner the better.'' I can't think of one good reason not to pass this bill immediately, and get it down to the White House as soon as possible. It's good policy, it's good politics and it's the right thing to do for our seniors and our country.

Mr. KENNEDY. Mr. President, today, the Senate is making an important reform in Social Security which will benefit hundreds of thousands of senior citizens each year. Because of the action we are taking today, those between the ages of 65 and 69 who continue to work will no longer have a portion of their Social Security benefits withheld. The ''earnings test'' in current law reduces the Social Security benefits of those in the 65 to 69 age group by $1 for every $3 they earn annually over $17,000. It affects nearly eight hundred thousand men and women each year. It unfairly denies them a portion of the Social Security benefits which they have earned by a lifetime of hard work. Once this bill is signed into law, these seniors will receive the full benefits to which they are entitled whether or not they choose to remain in the workforce after age 65. President Clinton has urged Congress to repeal the earnings limit, and he will sign the bill as soon as it reaches his desk. Repeal of the earnings limit is the right thing for us to do, and now is the time for us to do it.

The concept of an earnings limit goes back to the Depression era when Social Security was first enacted. At that time, unemployment was high and it was hoped that the creation of Social Security would encourage older workers to retire and create openings for younger men and women who desperately needed jobs. The employment picture today is dramatically different. We face a shortage of skilled workers and our economy can benefit from the continued participation of older workers in the workforce. Their experience and sound judgment is a national resource. Men and women in their late sixties are healthier than in generations past and the majority of jobs no longer involve physical exertion. Those who choose to work beyond age 65 should not have financial barriers erected in their paths. The earnings limit in current law is such a barrier and it should be removed without further delay.

The most important aspect of repealing the earnings limit is that it will increase the freedom of senior citizens to work or retire as they choose. When to retire is an intensely personal decision—influenced by the individual's health, the financial needs of their family, their career interests, and the nature of the work that is available to them. The rules of Social Security should not restrict a senior's range of choice. Those who decide to continue working after age 65 and those who decide to retire should be treated equitably. Both groups should be eligible to receive the full Social Security benefits they have earned.

In 1996, I was pleased to join with my Senate colleagues in voting to raise the earnings limit gradually over the succeeding five years. Because of that amendment, the financial burden on thousands of senior citizens has already been reduced. With enactment of this legislation, which I wholeheartedly support, the burden of the earnings limit will be completely eliminated, so that all seniors receive full Social Security benefits, whether or not they remain in the workforce after age 65. They have earned it.

Several of my colleagues have used this legislation as an opportunity to voice their perspective on the future of Social Security, and they have painted a bleak picture. I strongly disagree with their characterizations.

Social Security is fundamentally sound. It has sufficient resources to fully fund current benefits for 35 years. Due to the gradual aging of the American population, Social Security will begin to experience a revenue shortfall after 2035. However, if we plan for the future by addressing this problem in the near term, that revenue shortfall can be eliminated with relatively minor adjustments to the system. The benefit expectations of future recipients can be preserved, and the solvency of Social Security insured for future generations.

We need to preserve the program as an inflation adjusted guaranteed benefit for those who depend on it to pay for the basic necessities of life. For two-thirds of America's senior citizens, Social Security retirement benefits provide more than half their annual income. For 42 percent of them, it constitutes more than three-quarters of their income. Social Security enables millions of elderly to spend their retirement years in security and dignity. Without Social Security, half the nation's elderly would be living in poverty. Converting a portion of Social Security into private investment accounts, as some have suggested, would be much too risky for elderly men and women who have no other source of financial security.

The major proposals which would direct a portion of each worker's payroll taxes into private accounts would all reduce the level of guaranteed Social Security benefits substantially. Whether or not a retiree made up those lost dollars would depend on factors largely beyond his or her control. Workers who reach retirement age during an economic downturn cannot simply delay their retirement indefinitely until the market goes up. Private accounts, subject to the ups and downs of the stock market, are fine as a supplement to Social Security. But, they are no substitute for Social Security.

President Clinton's budget proposal would use the debt service savings which will result from paying down the national debt over the next fifteen years to extend the life of the Social Security Trust Fund. Since the current Social Security surplus is being used to pay down the debt, it is appropriate for the Social Security Trust Fund to receive the resulting savings. More than half of the projected shortfall in the Trust Fund over the next 75 years could be eliminated by adopting this policy. If we dedicated all of the savings in debt service costs to the Social Security Trust Fund, the solvency of the system would be extended to beyond 2050, fully providing for the retirement of the baby boom generation.

We need to address the long term financial problems of Social Security in a way which keeps faith with the historic mission of the program—to provide senior citizens with a guaranteed, inflation adjusted benefit which will enable them to live in security and dignity.

I urge all my colleagues to support the Senior Citizens Freedom to Work Act. Repeal of the earnings limit will enable those who remain in the workforce beyond age 65 to receive the full Social Security benefits they have earned. It will greatly help these working seniors and it will strengthen our overall economy. It is the right thing to do.

Mr. JEFFORDS. Mr. President, I rise today to support elimination of the Social Security earnings test for individuals who have attained Social Security retirement age—currently age 65. Currently, if these retirees work, their Social Security benefits are reduced $1 for every $3 of earnings above $17,000 per year. This is an unfair result for many older Americans who are receiving Social Security benefits after a lifetime of work but who must continue to work to supplement their retirement income. In my own state of Vermont, many people work beyond age 65. They should not have to give up a portion of their hard-earned Social Security benefit because they need to take a job.

The earnings test can also be a problem for employers. Older workers are often in demand by employers because of their expertise and an overall tight labor market. The reduction in Social Security benefits can be a barrier to older workers reentering the workforce.

The earnings test presents a special problem for small business owners receiving Social Security benefits. Small business owners are subject to both the dollar earnings test and a self-employment test that can involve an extensive audit to establish their level of earnings. Eliminating the earnings test will also eliminate the need for these audits. And removing the incentive for older small business owners to retire could mean continued employment opportunities in their businesses for other older workers.

There has been an earnings test for Social Security benefits since the Social Security Act was passed in 1935, during the Great Depression. The earnings test originally was a way to encourage older workers to retire, to free up jobs for younger workers.

The earnings test has always been unpopular, especially with those age 65 and older. In response, Congress has changed the earnings test provisions several times over the years—increasing the amount a benefit recipient can earn without a benefit reduction. The earnings limit for those age 65 and older currently is $17,000 and rises to $25,000 in 2001 and to $30,000 beginning in 2002. It provides a higher earnings limit and smaller reduction for older benefit recipients—$1 for each $3 of annual earnings over $17,000 for those age 65–69, compared to $1 for each $2 of earnings over $10,080 for those age 62–64—and lowering the age at which an individual can work without suffering a benefit reduction to age 70 from age 72. It is time now to further lower that age to the Social Security retirement age, so that once a worker reaches that age—currently 65—the worker's Social Security benefit will not be reduced, no matter how much the worker earns.

We have before us legislation to eliminate the earnings test for individuals at Social Security retirement age. I have cosponsored Senator ASHCROFT's bill, S. 2074, and we have the House-passed bill, H.R. 5. These bills would free the approximately 800,000 Social Security benefit recipients currently ages 65 through 69 from the current law that reduces, and in some cases eliminates, their Social Security benefits if they work and earn above the earnings test. I urge my colleagues to act quickly to make this legislative change for older working Americans.

Mr. ASHCROFT. Mr. President, this morning I spoke in morning business on the repeal of the Social Security Earnings Limit, an onerous tax burden on seniors who want to continue working. This afternoon, while we are discussing the bill, I would like to re-emphasize my support for repealing this unfair test.

Earnings test is a misguided and outdated relic of the Great Depression—when jobs were scarce, unemployment high, and people did not live as long and healthy lives as they do today.

By limiting the amount a person 65–69 can earn, it provides a disincentive for seniors to work. For every dollar a senior aged 65–69 earns over $17,000, the government reduces benefits by $1 for each $3 of earnings.

This test penalizes 1.2 million working seniors nationwide, and 17,523 working seniors in Missouri suffer. The actual number of seniors affected is far greater, though, as millions of seniors choose not to work, or limit their earnings because of the penalty.

The effect of this test is to keep seniors out of the workforce, and it has serious consequences. More workers create more jobs, not fewer jobs. With our current unemployment rate of 4 percent—we need skilled and experienced workers.

Unfortunately, the earnings limit keeps too many qualified, experienced seniors out of the workforce. Seniors have the skills, integrity, work ethic, and experience that make them highly valuable members of the workforce. Their continuing contributions are crucial. The only limit to what they have to offer is the earnings limit.

Recently, I spent some time with constituents in Missouri, and found many seniors in my home State of Missouri are harmed by the earnings test. Beverly Paxton from Belton, who works with ''Green Thumb'' to find jobs for seniors, told me that hundreds of seniors would be eager to work without the earnings test. Furthermore,

some don't try to work for fear that the Social Security Administration might take their benefits away. Seniors don't want to visit a CPA to find out if they will lose benefits.

In addition, many more seniors limit their hours to avoid the test. A manufacturer in Belton told me that some seniors work until they reach eligibility, then tell the employer: ''I won't be here next week, I'll see you next January.'' This leaves employers in the lurch, having to absorb training costs or heavy overtime costs. These decisions based on the earnings test impose productivity costs on the economy.

Even when seniors work around the test, they suffer unexpected costs. C.D. Clark, from Florissant, Missouri, and who has since moved to Kentucky, had earned $25,000 before trying to limit earnings to protect himself from the test. This year, he planned to only work 8 months so that his Social Security benefits would not be cut.

The Social Security Administration, however, assumed he would earn the same amount, and withheld his Social Security checks from January through March of this year. When Mr. Clark complained to the SSA that he had not yet earned $17,000, he was told, ''We like to get our money up front.''

I recently received a letter from Lois Murphy of St. Louis, who is 65, and works part time as an RN in the operating room at St. John's Mercy Medical Center. The hospital suffers from a labor shortage, and needs help from women like Mrs. Murphy, who are experienced and willing to work. But she limits her hours because of the earnings limit, taking a skilled, experienced—and needed—worker out of the hospital.

In her letter, Mrs. Murphy wrote: ''The $17,000 limit a person could earn plus the small Social Security check is not enough to live comfortably and enjoy your senior years.'' Mrs. Murphy neatly summarized this issue in one simple sentence: ''I think if a senior citizen at age 65 is willing to work, they should be able to earn a lot more or not have a limit.'' I believe that Mrs. Murphy is right. Seniors should have the freedom to earn if they choose. But the problem is that they don't have that choice. We must send the earnings test into retirement.

I have been working on this since I came to the Senate. In 1995, I voted to substantially increase the limit. In 1997, I called for the elimination of the test and cosponsored legislation that would get rid of it. This year, I have introduced legislation that would eliminate the test. My bipartisan legislation has 43 cosponsors, including the entire majority leadership.

Organizations that support me on this include: Green Thumb, 60+, the Seniors Coalition, National Association of Home Builders, National Taxpayers Union, the U.S. Air Force Sergeants Association, CapitolWatch, Americans for Tax Reform, the U.S. Chamber of Commerce, the National Tax Limitation Committee, and the United Seniors Association.

It is time to eliminate this counterproductive and unfair penalty. The House has already acted. The President is prepared to sign this. Thanks to the hard work of Chairman ROTH, who is managing this bill, the Senate is now ready to pass the earnings test repeal as well. I urge my colleagues to join us in support of this measure, and grant seniors the opportunity to earn freely in their golden years.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Social Security Earnings Test Elimination Act of 2000, which I have cosponsored.

The earnings limit is the amount of money a Social Security recipient can earn without having a portion of his or her benefits deferred. Currently, that limit is $17,000 per year for retirees between the ages of 65 and 69. For every $3 in earnings above that limit, these seniors have $1 in benefits deferred.

I believe that this is grossly unfair. Last year, my colleague from Iowa, Senator GRASSLEY, and I proposed lifting the Social Security earnings test on retirees between the ages of 65 and 69. We did not propose outright elimination because we did not think, at that time, that the surplus would be large enough to sustain elimination. Now, a year later—and thanks to our continued economic boom—I believe it is possible to eliminate the earnings test outright, and still adhere to a responsible and fiscally sound budget.

Over 1 million seniors nationwide face this earnings test. My own state, California, has more seniors affected by the earnings test than any other state: 161,000, according to the Bureau of the Census.

For these 161,000 Californians—and hundreds of thousands of others all across this country—this legislation represents an important step in removing the unfair burden that the earnings test places on them simply because they wish to continue working. As President Clinton said in his February 29 letter to House leaders:

> We should reward every American who wants to and can stay active and productive.

For example, a letter I received from the American Health Care Association holds:

> The nursing facilities we represent make a concerted effort to employ senior citizens to care for their peers. They're reliable and honest workers, who have compassion for those in their care. We have had difficulty hiring or retaining these employees because of the threat of losing Social Security benefits after their annual earnings have passed $17,000.

Elimination of the earnings test is important not just to those retirees who want to continue to work, but to those who need to continue to work and who are currently faced with an Hobson's choice: Continue to work and have Social Security benefits reduced, or stop working and rely only on Social Security for retirement security. For all too many of these retirees—over half of those helped by this legislation have incomes under $45,000 per year, including Social Security—both of these choices leave them financially squeezed. For women, who are twice as likely as men to retire in poverty, this is an especially important issue.

This legislation offers a third choice: Continue to work and continue to receive those Social Security benefits.

Moreover, I believe that elimination of the Social Security earnings test is warranted because the original logic of the earnings test no longer holds. Congress imposed the earnings test to provide a ''disincentive'' to older workers to continue to work, so as to make room for younger workers during the Great Depression. In our new, twenty-first century economy, unemployment is at historic lows and firms are nearly desperate for workers.

I do not believe that passage of this legislation will address many long-term problems regarding the solvency of the Social Security system. We have much work remaining on that score. But for the hundreds of thousands of seniors who either need or want to continue to work past age 65, this legislation represents an important step in creating a fairer and more secure retirement. I urge my colleagues to support passage of the Social Security Earnings Test Elimination Act of 2000.

Mr. SMITH of New Hampshire. Mr. President, as a cosponsor of this important legislation, I believe the time has come for us to put an end to the Social Security earnings test.

Our seniors have worked hard to build a life for their families and have given up a great deal to provide a future for all of us. They have made sacrifices far beyond what has been required of most of us.

And yet, many in Washington and in the White House have sought to reward seniors by snatching more and more of their hard-earned dollars.

Unfortunately, staying in the work force is often not a choice, but a necessity. Many seniors are forced to work either for survival or because they must supplement their meager monthly Social Security check.

Seniors should not be punished for simply trying to make it to the end of the month.

This bill represents the first step in reversing many of the punitive taxes we have levied on both seniors and working families across America.

I ask my colleagues to vote in favor of this monumental legislation.

Every year, about 800,000 seniors suffer the affects of the Social Security earnings test—many of whom can barely afford the month's rent or proper meals.

Under the current law, recipients of Social Security between the ages of 65 and 69 can only earn up to $17,000 without penalty.

However, any income in excess of $17,000 would have the Federal Government taking $1 for every $3 they earn.

This means that the Federal Government is imposing a marginal tax rate

of 33 percent on the poorest segment of our society. But it does not stop there.

Andrew Quinlan, executive director of Capital Watch correctly states:

> To further add insult to injury, workers must also pay a host of taxes on the original dollar, which may raise their marginal income tax rate to greater than that of sports stars and Wall Street high rollers.

Sandra Butler, president of United Seniors Association echoes that thought:

> The punitive nature of the Earnings Limit is obvious; By itself, the Earnings Limit imposes a 33 percent marginal tax rate on seniors.

Ms. Butler continues:

> In combination with federal income and payroll taxes, the Earnings Limit forces seniors to pay higher marginal tax rates than millionaires. This is unconscionable.

I must agree. Some seniors could be looking at a marginal tax rate of 59 percent. This tax is unconscionable. But as Machiavellian as that may sound, it gets worse for seniors who are forced or choose to retire early.

Seniors who retire between the ages of 62–65 have $1 for every $2 they earn in excess of $10,080 confiscated from their check. Translation: Uncle Sam is taking half of every dollar earned from those who can least afford it.

Established during the depression of the 1930's, the earnings test was meant to discourage older workers from re-entering the labor force and taking jobs from younger workers.

However, with the extremely tight labor pool available to employers today, it makes sense to access the experienced, productive, and valuable work force seniors represent.

Gerald Howard, senior vice president with the National Association of Home Builders agrees.

He says:

> Because the skills of decades ago are no longer taught in current education and training programs, home builders recognize the special need to keep and utilize the unique talents of retirees.
>
> For our nation's home builders, retaining skilled retirees is important in meeting our workforce needs.

According to the Department of Labor, 240,000 new workers must be recruited and trained each year to meet the Nation's growing demands in the building industry alone. However, these requirements are not being met.

And it is not limited to the building industry. All sectors are feeling the pinch.

Dr. Charles Roadman, president and CEO of American Health Care Association has urged the President and the Vice President to ''take bold action to ease the shortage of skilled nursing professionals that has reached epidemic levels'' by supporting the Congress in their effort to eliminate the earning penalty.

If we wish to continue growing the economy, we must free up those with the experience and know-how to meet countries employment needs—our seniors.

Unfortunately, the Social Security earnings test serves as a disincentive for those who may wish to work. This disincentive effect is magnified when viewed on an after-tax basis.

Senior citizens who work stand to lose a substantial percentage of their Social Security benefits due to the Social Security earnings test.

In addition to the earning test tax, they must also continue to pay Social Security taxes, and, most likely, other Federal and State income taxes as well.

The Social Security earnings test forces senior citizens to avoid work, seek lower paying work, or get wages ''under the table,'' turning honest folks who are just trying to get by into common criminals.

The Social Security earnings test is unfair and inappropriate. It imposes a form of ''means test'' on retirement benefits.

Social Security benefits have been earned by a lifetime of contributions to the program. American workers have been led to regard Social Security as a government-run savings plan.

Indeed, their acceptance of the near 15-percent Social Security payroll tax has been predicated on the belief that they will get their money back at retirement.

Thus, most Americans do not accept the rationale that the return of their money should be decreased just because they continue to work.

Additionally, the Social Security earnings test discriminates against senior citizens who must work in order to supplement their benefits.

Clearly, the Social Security earnings test is inequitable to our Nation's senior citizens who are in the greatest need of extra income.

In addition to being complicated and difficult for folks to understand, the Social Security earnings test is complex and costly for the Government to administer.

For example, the test is responsible for more than one-half of retirement and survivor program overpayments.

Elimination of the earnings test would help minimize administration expenses, and recipients would be less confused and less tempted to cheat on reporting their earnings.

Finally, repealing the Social Security earnings test would greatly aid our country's economy. Our senior would be likely to work more and the American economy would benefit from their experience and skills.

The combined increase in the amounts that they would pay in Social Security and other taxes, as well as the additional contribution to our gross domestic product, would largely offset the increase in benefit payments.

For decades, our senior citizens have worked and dutifully. They have paid their share into the Social Security retirement account and it is only fair that they receive their Social Security benefits in full when they retire.

I ask my colleagues to join me in passing this legislation.

Mr. CRAPO. Mr. President, I rise today in support of H.R. 5, the Senior Citizens' Freedom to Work Act. This bill, which unanimously passed the House of Representatives on March 1, would end the practice of withholding a portion of Social Security benefits simply because a beneficiary chooses to work beyond the statutory retirement age.

The Social Security earnings test has always been one of the most illogical aspects of the Social Security system. Under current law, a beneficiary between the ages of 65 and 69 may only earn up to $17,000 without losing benefits. After that amount, $1 of Social Security benefit is lost for every $3 of earnings.

Throughout my tenure in Congress, I have supported efforts to minimize the effect of the earnings test. For example, in 1998, I supported the Taxpayer Relief Act which would have raised the level of exempt income to $39,750 in 2008. Unfortunately, the 105th Congress adjourned before the Senate could consider this legislation. While raising the earnings limit would have been a step in the right direction, a total elimination of the earning test is clearly the right thing to do.

The Social Security Administration estimates that 800,000 beneficiaries are affected by the earnings test. People spend a lifetime putting that money into their Social Security accounts and they ought to have full access to it without limiting their other opportunities for making an income. The present system is holding them down, it is holding the economy down, and it should be changed. It is wrong to withhold any portion of a benefit that was duly earned by years of work and contributions to the system. Social Security was not meant as a single source of retirement income. Why then does the government penalize those seniors who choose to earn additional income through work? This is especially confusing in a time of low unemployment when companies are desperately looking for skilled and experienced employees. Government should encourage self-sufficiency, not penalize it.

I am pleased that H.R. 5 will be brought to a vote shortly. I am a cosponsor of a similar bill introduced by Senator ASHCROFT. These bills would completely eliminate the earnings test for Social Security recipients who have reached retirement age, allowing them to earn outside income without a reduction in benefits. What we have now is a disincentive for people to work who want to continue to contribute to our growing economy. Any meaningful reform of Social Security should preserve the system and allow those who want to work to continue to do so. This measure is the right thing to do and is long overdue.

I congratulate the House of Representatives on its unanimous passage of this bill and am encouraged that President Clinton has voiced his support for the bill. I would also like to thank Senator ASHCROFT for his leadership on this issue. I urge my colleagues

to join me in passing this bill and restoring a measure of fairness for senior citizens.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Thank you, Mr. President.

Mr. President, in 1991, I spent one of my monthly workdays at a Winn-Dixie grocery store in Santa Rosa County, FL. I worked as a bagger standing at the end of the checkout line putting the groceries of the customers of that store into a paper or plastic bag they had selected and then taking it out to their car.

The man I worked with throughout that day was Jim Young. Jim has a history that is typical of many retired Americans. He had worked both in a military and a civilian capacity. He had looked forward to his retirement time in a place of paradise and came to a place where he thought he could find paradise. Unfortunately, Jim had a few difficulties that had the effect of necessitating he seek employment in order to supplement his retirement income. It was then that he encountered the restrictions on earnings after retirement and the impact that this was about to have on his Social Security. Jim, therefore, had to go through an elaborate process of adjusting his work schedule so as to minimize the adverse effect of the earnings limit on his total income and to be able to fashion his way through what he found to be an inexplicable restriction on his capacity to work, make a contribution, and supplement his income.

It was that experience with Jim as much as anything that caused me to be interested in the issues before us today. I am pleased to have played a role in the 1996 action which was described by our colleague from Kentucky, which substantially raised the cap on earnings to its current $17,000 and gave significant relief to people such as Jim Young.

Today, we are finishing the job. With the passage of this legislation, we will eliminate any earnings restraint on Social Security retirement income. We will no longer be shackled by a 1930s concept that we have to discourage older workers from continuing their productive lives in order to open up positions for younger workers. If there ever was a time in our Nation's history where that concept has been rendered an anachronism, it is at the beginning of the 21st century. We need the productive talent of Americans such as Jim Young. We need to encourage people to think they will be able to extend their period of working and contributing to our Nation's economy as long as it is in their interest to do so, and not by applying arbitrary restraints to their earnings in the form of a penalty against their Social Security income.

I will be very pleased tomorrow when we vote on what I anticipate will be an overwhelming majority in favor of eliminating this 1930s dinosaur which still occupies too big a space in the living room of Social Security.

I wish to use this opportunity to talk about another dinosaur that is occupying too much space. That is the dinosaur of an excessive focus on Social Security as we think about the retirement lives of older Americans. In fact, Social Security is becoming a declining portion of the total revenue of retired Americans, and will continue to decline as a portion of their income for the foreseeable future.

Retirement in America is today based on a three-legged stool. Those three legs are employer-sponsored retirement plans, individual savings, and Social Security.

I believe, rather than talking about the issue of Social Security reform, what we should be talking about is the issue of retirement security reform so we can focus on all of the relevant components of the retirement package upon which most Americans rely. We need to add a fourth component to this discussion; that is, a much more intense effort at encouraging Americans to plan for their retirement.

It has been said—and not only in jest—that most Americans spend more time planning a 2-week summer vacation than they do the 15, or 25, or more years they will live in retirement. That may have been a practice that was acceptable when retirement was not as complex as it is today, when retirement did not involve as much self-responsibility as it does today, when retirement did not include as many facets, from long-term care to providing for your physical health and well-being.

I believe these four components—employer-sponsored retirement plan reform, encouragement of individual savings, strengthening Social Security, and the promotion of preretirement planning—are the basis of an American national effort at enhanced retirement security. The goal of that enhanced retirement security should be to place all Americans in a position to be able to, with reasonable assurance, anticipate that they will have in retirement a significant percentage of their preretirement income. Many have suggested that the appropriate goal would be 75 percent of preretirement income as the reasonable attainable goal of America.

What do we need to do in order to reach a 75-percent goal? Soon I will be introducing legislation that will encompass the subjects of employer-sponsored retirement plans, individual savings, strengthening Social Security, and the promotion of preretirement plans.

This afternoon, in the context of the elimination of one old attitude from our Social Security system; that is, the necessity to cap the earnings of retirees, I will lay out a few comments about the elimination of another old attitude, that the only thing we need to focus on is Social Security reform. We need to focus on employer-sponsored retirement plans, particularly as they relate to small businesses.

In my State, in the last 5-plus years, we have added well over 1 million new jobs. Most of those new jobs have come from businesses that employ less than 25 people. In fact, over 70 percent of the new jobs in America are from small businesses with less than 25 employees. It is exactly those small businesses that are the least likely to have an employer-sponsored retirement plan.

I believe—and so does Senator GRASSLEY of Iowa, with whom I have worked closely on these matters—that the principal focus of our attention needs to be to encourage small businesses to provide pension benefits for their employees. We introduced legislation to this end. That legislation, styled as S. 741, contains the following components:

It expands coverage by providing incentives for small businesses to begin offering pension coverage.

As an example, it will assist small businesses in paying some of the start-up costs in the establishment of a pension plan. It increases portability, making it easier for employees to move retirement money from one plan to another as they change jobs. We know today the average American will work at seven jobs during the course of their working lifetime. They need to be able to carry their pension benefits from one job to the next.

S. 749 strengthens pension security and enforcement. It reduces red tape associated with pension plans and has its own encouragement for retirement education.

The second thing we need to do is to assist Americans with their retirement savings. Again, the focus is on Americans who work for smaller businesses where most of the new jobs are being created, and Americans who have not had a tradition of saving as part of their retirement security.

The President has proposed a program in which the Federal Government provides matching contributions for lower and moderate-income families who save for retirement. The structure of this utilizes existing savings vehicles such as IRAs, or individual retirement accounts, and 401(k)s. Rather than creating new government-run accounts, we utilize the structure in which many Americans already have started the process of saving for retirement.

There would be economic incentives provided to lower income families to encourage their employers to offer these plans. Employers are finding in this very tight job market that they need to provide incentives to retain their current workforce and attract new workers. It is hoped by encouraging more employers to provide retirement savings accounts such as IRAs and 401(k)s that it will make it more attractive for persons to work for those employers.

We are suggesting there should be some modifications of the current IRAs and 401(k)s, particularly in two areas. One, we propose to restrict the ability to withdraw funds from the 401(k)s or IRAs. There are many important, legitimate, credible reasons why a person

would want to withdraw money from their retirement accounts—to buy a new home, finance education, or deal with an unexpected health emergency. However, if too many of those allowances for withdrawal are legalized we could end up with many Americans having a hollowed-out retirement account. They have a retirement account in substance, but the resources have been withdrawn for purposes earlier in their lifetime. We want to give the maximum assurance that if the Federal Government is going to be supplementing retirement accounts, the funds will end up financing retirement.

We also propose to restrict the investment options in order to maximize the fund safety. Retirement accounts are not intended to be casinos. They are accounts with substantial emphasis on security and predictability so that people will have a sense of confidence in their retirement years.

The third element is Social Security, its solvency and safety. In my opinion, Social Security should be thought of as the safety net underneath individual savings and employer-based pension systems. It is the ultimate and final source of retirement security. For that reason, I believe Social Security should continue to be what it has been since its inception—a defined benefit plan. That is a plan in which Americans will have a high degree of confidence as to what that check will be every month from Social Security. Social Security is not the place to be encouraging excessive speculation. There are other opportunities where people can engage in speculation if they wish to use their retirement as a means of attempting to expand their net worth. I do not believe Social Security is the place to do so. Social Security provides 67 percent of America's single-person households with one-half or more of their income; Social Security provides 44 percent of the multiperson households with one-half or more of their income.

However, Social Security is facing serious challenges. We are all familiar with the demographics. Over the next 20 or 30 years, the number of persons drawing Social Security will approximately double from its current 40 million. The 1999 Social Security trustees report stated that the Social Security program lacks the resources necessary to meet its contractual obligations over the next three generations. Using the trustees' immediate forecast, Social Security revenue will fall short of the amount needed to fund existing committed benefits by as much as 15 percent.

I believe there are a number of reforms we need to make in the Social Security system in order to strengthen it and to assure that the contract which exists between the Government of the United States of America and the citizens of the United States of America can and will be honored. One proposal which has been made by the President which I strongly support is the concept that we ought to allocate a portion of the non-Social Security surplus to help meet this pending shortfall in the Social Security trust fund.

What is the justification for using non-Social Security surplus to strengthen Social Security? Almost every Member of Congress has now accepted enthusiastically the principle that all of the Social Security surplus should be used to pay down the national debt as a means of strengthening our ability to meet our Social Security obligations. I certainly join those strong supporters of that fiscally prudent practice and principle. It is estimated we will have approximately $2 trillion of Social Security surplus over the next 15 to 20 years. If we maintain our discipline and use those funds to pay down that portion of the national debt which is held by the public, when fully reduced we will find an annual interest savings—assuming interest rates are approximately what they are today—of about $120 billion a year that we will not have to pay in interest because we have used that Social Security surplus to pay down the debt currently held by the public.

I believe all or a substantial portion of that $120 billion of interest savings ought to go into the Social Security trust fund. It was the Social Security trust fund and its surpluses, the additional amount paid by working American men and women, which made it possible to use the Social Security to pay down the national debt. Why isn't it justified, why isn't it both legally and morally appropriate, to then have a portion of those interest savings—I personally advocate all of those interest savings—to then be used to strengthen the very Social Security system which has made that debt reduction possible?

The fourth component of a national program of retirement security is to promote greater preretirement planning. There is going to be much greater individual responsibility for preparation for retirement for this and future generations of Americans. They need to be encouraged and given the means by which to make intelligent decisions, intelligent decisions occurring almost immediately as they enter the workforce so they will be as well prepared as possible for their retirement years. These decisions are going to be complex. They will require changes in attitude, in lifestyle. They will particularly require a greater focus on savings rather than consumption.

I believe, for instance, we should consider using the Social Security notices, which are now going to be provided on an annual basis to all future Social Security recipients, as a window so Americans can see the kind of information they will need to make good choices on a whole array of issues that will affect their status in retirement, from purchasing long-term care insurance—which I hope we will soon make more affordable by changes in the tax law—to steps they should take to assure their physical, emotional, and mental health in their retirement years as well as decisions which affect their finances in retirement.

So these are the four components of a 21st century approach to Americans in retirement. I look forward to soon returning to the Senate floor to introduce this legislation and to speak on it in somewhat greater detail. I encourage my colleagues to take an interest in this important subject, and I invite them to join me.

Again, I am enthusiastic about the action we are about to take in which we eliminate an anachronism from the 1930s which continues to be part of our Social Security system in the 21st century. I hope we will soon be prepared to take strong action to deal with some of the old attitudes that retirement was only Social Security, an attitude which also is an anachronism of the 1930s that continues to have too much saliency in the 21st century.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise in support of the legislation being discussed today to be more fair to our senior citizens, to encourage them to work. I hope final passage will be voted on tomorrow.

I always like to follow the Senator from Florida because it gives me an opportunity to thank him for the cooperation he has given me in our work on some of the other legs of the retirement income stool. We think of Social Security as one of those, another is savings, and the other one is pensions. He and I have worked closely together in a bipartisan way to formulate pension legislation to encourage savings, to encourage employers to have established pension systems, and particularly to encourage the self-employed and smaller corporations to set up pension systems. So I thank him for that.

This legislation might not be considered part of the three-legged stool we always talk about of income security for retirement—Social Security, pensions, and private savings—but it is an opportunity for people who want to work, to work without penalty. That obviously is a very strong component, and heretofore there has been a disincentive to that activity. This eliminates that disincentive.

If I could sum up, I see at least two perspectives to this legislation.

One, as a matter of public policy in America, we should not have disincentives to productivity. Obviously, when you earn over a certain amount of money as a senior citizen drawing Social Security and you have to pay back $1 out of every $3, that is a disincentive to work. We ought to eliminate that disincentive.

A second factor is to judge people in American society on the basis of their competence and their merit and not on the basis of some arbitrary age, based on a policy that was thought good for the 1930s. Today we would not think it was good even for the 1930s. It does not

consider people's competence because the policy that was set up 65 years ago was, when you got to be 65, you were shoved out into the street to make room for younger people to come into the workforce. That was wrong.

The third thing about this legislation is the high rate of taxation. People who earn over this amount of money have to pay back $1 out of every $3 they earn over a certain amount. That is a very high marginal tax rate, maybe the highest marginal tax rate of any American.

Consider, if you earn over $17,000, you pay back $1 out of every $3. Consider also that you are already reporting, if you are earning over a certain income, 85 percent of your Social Security to be taxed a second time. It was taxed when you earned it in your working years; then consider that you pay income tax; then, last, you pay the same payroll tax everybody else pays. You can get such high marginal tax rates that it is almost a laugh to call it taxation. You should call it confiscation. Confiscation of resources in our system of government is not legitimate. It is a disincentive to productivity.

At a time in our Nation's history when we are experiencing unprecedented prosperity, we are also experiencing a shortage of experienced labor. The national unemployment rate is 4.1 percent, the lowest level in 30 years. In my home State of Iowa, it is even lower. Iowa's unemployment rate is 2.2 percent. The legislation we are debating would help alleviate some of the skilled labor shortage by removing a disincentive for older Americans to remain in the workforce if they, of their own free will, want to stay in the workforce.

The bill before us would eliminate the cap on earnings for Social Security beneficiaries between the ages of 65 and 69. Under current law, those beneficiaries have their benefits cut by $1 for every $3 they earn over that $17,000. I have already referred to that.

This benefit cut applies, of course, only to earned income. An individual could still have savings, or income from pensions, totaling any amount and continue to collect full Social Security benefits. The difference between earned and so-called unearned income does not detract from the injustice of the current Social Security and tax policy. That is why this law must be repealed. It sends a wrong message that productivity among our older citizens should be discouraged.

I would like to give some examples of people from whom I have heard in my own State who are hurt by this earnings limit.

A person by the name of Delaine Jones is working in Glenwood, IA. He is 65 years old. He understands he may live for another couple of decades and may not always be able to work. He would like to earn as much as he can while he is able to, so he can financially prepare for a high quality of life later in his life.

Then we have Sherman and Nancy Sorem of Marshalltown, IA. They were affected by the earnings limit last year.

Sherman worked for 35 years for Fisher Controls, a major corporation in Marshalltown, IA. When that corporation downsized, he retired from his position as office manager of the accounting department. However, because of his expertise, he was called back each year to help out and to advise and consult with the department.

Last year, Fisher Controls needed his expertise for a longer period of time than ever before. Unfortunately, Mr. Sorem could not continue working because he would have worked long enough to earn above the earnings limit. He and Nancy were frustrated. He could not justify losing his Social Security benefits by his continued work.

Ron Ballinger, a third person I have heard from, works for a financial processing company in Cedar Rapids, IA. He worked full time last year and was interested in working part time this year. However, he will have to officially retire in April because he will have earned up to the cap on earnings.

According to the Social Security Administration, almost 800,000 older Americans nationwide have their benefits cut because of the earnings limit. Mr. President, 800,000 people face the same issue as the three Iowans to whom I have referred. Keep in mind, that statistic does not reveal anything about how many of our older citizens do not remain in or go back to the workforce at all because they cannot afford a cut in benefits.

I have received letters and phone calls from all over Iowa and all over the country because in my position as chairman of the Senate Aging Committee, they write to me about their concerns even though I am not their Senator. These letters and phone calls are from older people discouraged by the earnings limit.

Their hard-earned Social Security benefits are cut by $1 for every $3 they earn. They see it as a tax on their continued productivity. I see it as unfair and, if I might say, even un-American. This very country of ours, particularly at this time of low unemployment, and particularly when you consider the globalization of our economy, needs skilled labor, skilled workers, people who are skilled because of a lifetime of work in a certain profession.

What happens if we do not fill that skilled labor void? We lose productivity. Then we lose our global competitive edge. Where can we look for skilled labor? We have qualified people who want to work, our older citizens. We cannot afford to lose their expertise and skills.

A letter I received from the U.S. Chamber of Commerce states:

> American business is facing a severe worker shortage in many sectors and areas of the country. Jobs are going unfilled, especially those positions that require skilled workers. By removing the disincentive to work, this legislation allows seniors to apply their lifetime of valuable knowledge and experience to the business world and fill some of these positions.

Recognizing the need to encourage seniors to remain in the workforce is not a new idea. In fact, a report on Future Directions for Aging Policy was published in May of 1980 by the House of Representatives Select Committee on Aging, the Subcommittee on Human Services. At that time, I happened to serve as ranking Republican on that subcommittee when I was a Member of the other body.

I would like to read from the Future Directions for Aging Policy from 21 years ago. I refer to page 3 of the report summary:

> At the base of such a service approach must lie an economic strategy. We have sketched such an economic base in Appendix 5. It is designed to coalesce around work and income. Tomorrow's seniors will want to work (trends toward early retirement are already reversing according to a recent Lou Harris poll), will be capable of working, and will need to work.

I remind you, this was 20 years ago that Congress said this.

> Inflation's effect on fixed incomes will see to that. Public policy will have to create opportunities to work, both by removing barriers of age discrimination and by stimulating private sector employment of seniors. Moreover, income earned will have to be preserved for much longer than ever before, necessitating major reforms of America's pension systems.

That is something I have referred to that the Senator from Florida and I have been working on, as well.

> Social Security and Supplemental Security Income, because these are the backbone of our present economic strategy, will probably have to be restructured in the future.

I think we have known for a long time that what we are finally about to do must be done. I am glad it is being done. The earnings test, enacted as part of the original Social Security Act passed in 1935, is outdated.

Sixty years ago, our country was in the midst of a depression. One in five people eligible to work was unemployed. The original law meant to discourage older Americans who were eligible to collect benefits from taking jobs younger people could fill. But that situation has changed—as unjustified as it was at the time—so our public policy today needs to be changed.

Because of my position as chairman of the Aging Committee, more acutely than others, I recognize the changing role of senior citizens in our society. This generation of older Americans has different responsibilities than past generations. We have seen a sharp rise in the number of grandparents who are raising their grandchildren. Furthermore, it is far more common for people to live into their eighties and nineties. Some of these very old Americans depend on their children who are often in their sixties to help care for them and pay for their at-home expenses, medical bills, groceries, and a host of other

expenses. Eliminating the Social Security earnings limit will help raise the standard of living for these families.

While fixing this inequity in the retirement system will give fair treatment to those ages 65 to 69 who have paid into the program during their working years, I do not stand here and say that it is going to address Social Security's long-term demographic challenges.

When the baby boom generation comes on board, the revenue and benefit structure will not be able to sustain the obligations under current law. That is why I have worked with six of my Senate colleagues—Senators JUDD GREGG, BOB KERREY, JOHN BREAUX, FRED THOMPSON, CRAIG THOMAS, and CHUCK ROBB—to craft bipartisan Senate reform legislation.

Our bill, the Bipartisan Social Security Act, which happens to be S. 1383, is the only reform legislation which has been put forth in the Senate which would make the Social Security trust fund permanently solvent—meaning, as you have to look out 75 years, under existing law, to project its solvency, our legislation has been declared to accomplish that by the General Accounting Office. In fact, it is the only one before the Congress that does that.

I will continue to press ahead and work to build a consensus among our colleagues to save Social Security and achieve long-term solvency for generations to come.

We, as a Congress, must recognize that even in this era of surpluses—meaning budget surpluses—there are serious long-term financial problems facing Social Security. These problems do not go away because we have a surplus and a good economy. The longer we wait to address reform of Social Security, the more difficult the problems will be to address, and the less time the baby boom generation will have to prepare.

As a nation, we have an evolving definition of what it means to be old. Americans are living longer and in better health. The traditional retirement age comes too soon for older people who want to or need to work past age 65. Some people want to retire; some people want to leave the workforce. Obviously, this legislation does not affect that decision of theirs. They can still do it. But if you want to contribute, if you want to remain productive, if you want to be in the workforce, by golly, through this legislation, we say we would love to have you do that. We remove economic disincentives to your doing that that are presently in the law.

I yield the floor.

Mr. BROWNBACK. Mr. President, I rise to address the body on the Social Security Earnings Test Elimination Act.

This is a good time. We are finally going to do something good for America's senior citizens. Americans should be free to work if they choose. With passage of this bill, we will help elderly Americans stay in the workforce longer. It should be their choice, not the Government's coercion, that determines whether they stay in that workforce a longer period of time.

They have spent a lifetime paying into the Social Security trust fund. It is simply not fair to deprive them of their Social Security benefits simply because they choose to stay in the workforce longer or choose to begin working again after retirement. That is common sense to me, and that is why this bill has so much appeal.

Particularly at a time when the cost of living is increasing, it is important to allow our seniors who choose to work or those who are forced to work because of rising prices to do so without being penalized.

I will talk about a particular individual in Kansas whom I had the privilege of meeting a month ago. His name is Ron Frampton, from Kingman, KS. He has farmed with his family most of his life. I met him when I was touring the Mize Manufacturing Company, a small manufacturer in Kingman, KS. Mr. Frampton came up to me as I was walking through the production line and asked me if we were going to eliminate the Social Security earnings test. I said I thought we were going to get the bill through. He said: Good; I need it.

Then he related to me his situation. He had worked on a family farm, was born on the farm and worked there all his life. Then in the 1980s, when we had a hard financial downturn for agriculture, he got caught in that downturn. His savings for his entire family were wrapped up in this farm. That is where he plowed all of his income, all of his savings, back into the farm. When the economy moved against him in the 1980s, he lost the farm and, thus, a big part of his life, a big part of his family, a big part of his sense of being. He also lost his retirement security that he had outside of Social Security. His retirement savings were that farm.

Now he has to work. He doesn't have the savings on which he had counted. He has to be able to work, and he needs the Social Security income as well. This bill helps Ron Frampton and his family in Kingman, KS. It addresses that need. It says if he needs to work, he wants to work, let him work, and don't penalize him for doing it.

This bill allows people older than 65 and younger than 70 to earn income without losing their Social Security benefits. That is as it should be. It is an important bipartisan measure that passed overwhelmingly in the House and, I expect, will pass overwhelmingly in the Senate. It sends an important and positive signal to America's retired workers who have spent their lives working to make this country better. We need this for America's seniors.

I am delighted we are going to pass this bill for all the seniors in the country but particularly for Mr. Frampton and for his family.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. SMITH of Oregon). Under the previous order, there will now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

ACKNOWLEDGMENT OF SENATOR MIKE CRAPO'S 100TH PRESIDING HOUR

Mr. LOTT. Mr. President, today, I have the pleasure to announce that another freshman has achieved the 100 hour mark as presiding officer. Senator MIKE CRAPO is the latest recipient of the Senate's coveted Golden Gavel Award.

Since the 1960's, the Senate has recognized those dedicated Members who preside over the Senate for 100 hours with the Golden Gavel. This award continues to represent our appreciation for the time these dedicated Senators contribute to presiding over the U.S. Senate—a privileged and important duty.

On behalf of the Senate, I extend our sincere appreciation to Senator CRAPO and his diligent staff for their efforts and commitment to presiding duties during the 106th Congress.

TRIBUTE TO MAJOR GENERAL WILLIAM F. MOORE, UNITED STATES AIR FORCE

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize and say farewell to a Mississippi native and distinguished Air Force officer, Major General William F. Moore, upon his retirement from the Air Force after more than thirty years of commissioned service. Major General Moore has served with distinction, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided to the Air Force and the Nation.

Major General Moore graduated from the U.S. Air Force Academy and received his commission in 1969. Since then, Major General Moore's assignments have made untold contributions to national security. Upon graduation from the Air Force Academy, General Moore served with the Drone and Remotely Piloted Vehicles System Program Office, Aeronautical Systems Division, at Wright Patterson Air Force Base, Ohio. In his next assignment, General Moore served in the Office of the Deputy Chief of Staff for Development Plans, Headquarters Air Force Systems Command, Andrews Air Force Base, Maryland. In 1976, General Moore was selected to attend and received a Master's Degree in Business Administration from the Air Force Institute of Technology, Wharton School of Finance and Commerce, University of Pennsylvania, in Philadelphia.

General Moore's next assignments were as Executive Office and Project Officer with the Peacekeeper ICBM Engineering Directorate, Ballistic Missile

Office at Norton Air Force Base, California, and as Director of Program Control, Joint System Program Office for the Advanced Medium Range Air-to-Air Missile, at Eglin Air Force Base, Florida. In 1985 General Moore was selected for the prestigious Air War College at Maxwell Air Force Base, Alabama. Following completion of the Air War College, General Moore was the Director of Cost, Office of the Deputy Chief of Staff for Comptroller, Headquarters Air Force Systems Command, Andrews Air Force Base, Maryland, and then the Small ICBM Deputy Program Director at Norton Air Force Base.

In 1989 General Moore attended the Program Manager's Course at the Defense Systems Management College, Fort Belvoir, Virginia. General Moore then returned to the Small ICBM Program as the Program Director. He then served as the Deputy Director of Strategic, Special Operation Forces and Airlift Programs, Office of the Assistant Secretary of the Air Force for Acquisition, the Pentagon, Washington, D.C. In 1992, General Moore was assigned as the Vice Commander of the San Antonio Air Logistics Center. In 1993 General Moore was promoted to Brigadier General.

In 1994, General Moore served as the Program Executive Officer for Bombers, Missiles and Trainers, Office of the Assistant Secretary of the Air Force for Acquisition, the Pentagon, Washington, D.C. In 1995, General Moore became the Director of Special Programs in the Office of the Secretary of Defense. In this capacity, he was responsible for coordinating the planning, budgeting, and management of extremely sensitive Department of Defense special access classified programs. In 1997, General Moore received his second star, in 1998, was assigned as the Deputy Director for the newly formed Defense Threat Reduction Agency (DTRA). As the Deputy Director of DTRA, General Moore held and excelled in one of the most complex and challenging assignments in the Department of Defense—the creation of DTRA. DTRA was created, in the words of the Secretary of Defense: ''to fill a major void in the defense of the nation against weapons of mass destruction''. Established by a Defense Reform Initiative in November 1997, General Moore led the successful accomplishment of a vital and monumental strategic task—consolidation into one organization the bulk of DoD's arms control, cooperative threat reduction, and technology security regimes, as well as weapons of mass destruction (WMD) related research development test and evaluation (RDT&E) programs. DTRA also coordinates and prioritizes Chemical/Biological programs for the Joint Staff, and provides an integrated national architecture for response to WMD threats to civil and military populations; and is a full partner with the Departments of Energy, Justice and State to provide national deterrence for WMD.

General Moore is a fully certified acquisition professional whose awards include two Defense Distinguished Service Medals, the legion of Merit with oak leaf cluster, the Defense Meritorious Service Medal, the Air Force Commendation Medal with two oak leaf clusters, the National Defense Service Medal with service star, the Armed Forces Expeditionary Medal, and the Vietnam Service Medal.

During his long and distinguished career, General Moore served the nation with excellence and distinction. He is a visionary leader, and a true warrior who has had a profound impact on the United States Air Force, and made significant contributions to the strategic defense of the United States and its allies.

General Moore will retire from the Air Force on May 1, 2000, after more than thirty years of exceptionally distinguished service. On behalf of my colleagues on both sides of the aisle, I would like to recognize General Moore's accomplishments and his service. Congratulations on the completion of a long and distinguished career.

COUNTERINTELLIGENCE REFORM ACT OF 2000

Mr. SHELBY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated March 10, 2000, to Senators LOTT and DASCHLE from myself and Senator BRYAN regarding S. 2089, the Counterintelligence Reform Act of 2000.

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

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, March 10, 2000.

Hon. TRENT LOTT,
Majority Leader,
Hon. THOMAS A. DASCHLE,
Minority Leader,
U.S. Senate, Washington, DC.

SENATORS LOTT AND DASCHLE: It is our understanding that S. 2089, the Counterintelligence Reform Act of 2000, contains provisions affecting intelligence activities and programs. As you know, these are issues of significant interest to, and clearly within the jurisdiction of, the Select Committee on Intelligence. Therefore, pursuant to Section 3(b) of Senate Resolution 400 of the 94th Congress, we hereby request that S. 2089 be referred to our Committee for consideration.

Sincerely,

RICHARD C. SHELBY,
Chairman.
RICHARD H. BRYAN,
Vice Chairman.

H.R. 1000, FAA REAUTHORIZATION

Mr. HATCH. Mr. President, last week the Senate acted resoundingly and passed the critically needed conference report for funding the Federal Aviation Administration (FAA). I commend the efforts of our majority leader, Senator LOTT, the Appropriations Committee chairman, Senator STEVENS, and Budget Committee chairman, Senator DOMENICI. My colleagues here and over in the House have worked hard to arrive at this consensus. Both as a Senator and frequent flyer, I appreciate their efforts.

At this time, I would like to reiterate several points I made during last year's debate in the Senate having to do with allowing exemptions to the current perimeter rule at Ronald Reagan Washington National Airport. I believe that the conference report balances the interests of states inside the perimeter with those of us from Western States who lack convenient access to Reagan National.

I know my colleagues are aware of my support for efforts to ensure that these limited exemptions must benefit citizens throughout the West. I believe we must make it clear that these limited number of exemptions should not be awarded solely or disproportionately to one carrier. I fully anticipate that the Department of Transportation will ensure that the maximum number of cities benefit from these slots.

While I would have preferred to eliminate the perimeter rule altogether, which I believe would have substantially improved access to the West, I am hopeful that DOT will ensure that small and midsized communities in West, especially in the Northern tier, have improved access through hubs like Salt Lake City.

I believe an important component of aviation reform is to improve air service for communities that have not experienced the benefits of deregulation to the extent large markets have. Today, Utahns must double or even triple connect to fly into Reagan National. I look forward to working with my colleagues and the DOT to ensure that citizens in the west have improved access and a variety of options when they travel.

LEVEL III DIRECT ACCESS

Mr. SARBANES. Mr. President, I would like to clarify an important issue contained in the conference agreement on S. 376, the satellite reform bill, with respect to ''Level III direct access.''

The conference agreement provides authority for so-called ''Level III direct access''—which is the ability of customers other than INTELSAT signatories to enter into agreements with INTELSAT for ordering, receiving and paying for space segment capacity—but it says nothing about the signatory fee that COMSAT is entitled to receive from direct access users as determined by the FCC's direct access order made effective December 6, 1999. I understand it is the intent of the conferees to preserve this signatory fee to compensate COMSAT for the costs it incurs as the U.S. signatory to INTELSAT during its brief transition to a procompetitive privatization.

Nothing in the conference agreement is intended to vacate the FCC's ''Level III direct access'' order made effective December 6, 1999, including its assessment of a signatory fee to be charged

to direct access users to offset COMSAT's signatory costs. I would also add that Congress is addressing direct access to INTELSAT before it privatizes. After privatization, when INTELSAT become a commercial company like any other, it can make whatever business decisions it wants with respect to marketing or distribution arrangements—again, just as other companies do. Once privatized, the government should not be interfering, let alone dictating, these arrangements one way or another.

EDUCATING OUR CHILDREN

Mrs. LINCOLN. Mr. President, I rise today to talk about an issue of paramount importance to this nation, how we educate our children.

We in the Senate have the difficult task before us of passing legislation that re-authorizes the Elementary and Secondary Education Act which determines how the Federal Government allocates money to our public schools.

Unfortunately, all signs from the Committee point to yet another political stalemate and neither side appears to be pushing any closer toward common ground.

In hopes of breaking this unproductive dynamic, I have joined with a group of my moderate Democratic colleagues here in the Senate to promote a ''Third Way'' on ESEA, one that synthesizes the best ideas of both sides into a whole new approach to federal education policy.

We are calling this bill the ''Three R's'' and it is a bold effort at streamlining numerous Federal education programs and refocusing federal resources on raising academic achievement. This blueprint will give more funding and flexibility to local school districts, in exchange for greater accountability.

Mr. President, today I would like to specifically talk about the component of the bill that focuses on teacher quality. We call our bill the ''Three R's'' and a similar acronym can apply to our efforts to improve teacher quality. Our plan can best be summed up by ''Four R's'': recruiting, retention, resources, and above all . . . RESPECT.

The difficulty schools experience today in recruiting and retaining quality teachers is one of the most enormous obstacles facing our education system. We cannot expect students to be successful if they don't work with quality teachers; and we can't expect quality teachers to stay in the profession if they don't get adequate training, resources or respect.

Most experts agree that teacher quality is as important as any other factor in raising student achievement. The legislation we are introducing today would consolidate several teacher training initiatives into a single formula grant program for improving the quality of public school teachers, principals and administrators.

This proposal would increase professional development funding by 100 percent to $1.6 billion annually and target that funding to the neediest school districts. In my home State of Arkansas, this will mean an additional $12 million for teacher quality initiatives.

In addition, the ''Three R's'' would give States and school districts more flexibility to design effective teacher recruitment and professional development initiatives to meet their specific needs.

One overreaching goal we propose today is to require that all teachers be fully-qualified by 2005. Even the best teachers can't teach what they don't know or haven't learned themselves. To be successful, we must work harder to reduce out-of-field teaching and require educators to demonstrate knowledge and understanding of the subjects they teach.

I have the highest respect for the teachers, principals, and superintendents who dedicate their talent and skills everyday to prepare our children for tomorrow. I think they have some of the hardest, and most important, jobs in the world. Our Nation's future, in large part, depends on the work that they do. Our teacher quality proposal is an example of how combining the concepts of increased funding, targeting, flexibility and accountability, we can join with state and local educators to give our children a high-quality education every child deserves.

I hope this plan will serve as a blueprint to improving public education as we enter into what is sure to be a lengthy and contentious ESEA debate.

ST. PATRICK'S DAY STATEMENT BY THE FRIENDS OF IRELAND

Mr. KENNEDY. Mr. President, last week, the Friends of Ireland in Congress released its annual St. Patrick's Day Statement. The Friends of Ireland is a bipartisan group of Senators and Representatives opposed to violence and terrorism in Northern Ireland and dedicated to a United States policy that promotes a just, lasting and peaceful settlement of the conflict, which has taken more than 3,100 lives over the past 30 years.

I believe this year's Friends of Ireland Statement will be of interest to all of our colleagues who are concerned about this issue, and I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT BY THE FRIENDS OF IRELAND, SAINT PATRICK'S DAY 2000

On this first St. Patrick's Day of the new millennium, the Friends of Ireland in the United States Congress join 45 million Irish-Americans of both traditions in celebrating the unique bonds between our two nations. We send greetings to the President of Ireland, Mary McAleese and warmly welcome the Taoiseach, Bertie Ahern, on his third St. Patrick's Day visit to Washington. We share the hopes of the Irish people that the current impasse in the Northern Ireland peace process will be broken soon.

We are deeply troubled by the suspension of the democratically elected Government of Northern Ireland by the British Government and the stalemate over decommissioning. We urge all political leaders in the North to recommit themselves to the spirit and letter of the Good Friday Agreement. We have provided strong and consistent support throughout the peace process to all parties committed to peace, and we reaffirm our commitment to the full implementation of the Agreement.

The Good Friday Agreement was endorsed decisively by the people of Ireland both North and South with majorities from both traditions. It is a mandate given to those working on behalf of peace, justice and the creation of a new beginning in Northern Ireland. Successful implementation is predicated on the concurrent resolution of all the interdependent aspects of the Agreement. The successful implementation of the agreement must be the clear goal for all who want to consolidate the progress that has been made and to avoid the danger of failure for yet another generation in Northern Ireland.

At this time, the institutions of devolved government are suspended. The suspension was not caused by any failure of the institutions themselves, nor by any violation of the Agreement, but by an internal political crisis focused on the issue of decommissioning. We encourage the political leaders to bridge this crisis of confidence and secure the reinstatement of the institutions as soon as possible. Their absence creates a gap which the enemies of peace can and will exploit. It is vital that they are not permitted to succeed. The ongoing cease-fires are major confidence building measures, and it should be made clear that any return to violence is not an option. We condemn unequivocally all acts of violence.

We call on all sides to implement additional confidence building measures. Root causes of violence—prejudice, religious intolerance and sectarianism—must also be eliminated. The nationalist and unionist communities must see that politics is working and believe their future can rest with the actions of their democratically elected representatives in the Assembly.

The issue of confidence in the integrity of the democratic institutions set up under the Good Friday Agreement must not be seen as confined to the agenda of any one side. It is a shared requirement which all have a vital stake in restoring. Each party is committed under the Agreement to ensure the viability and effective operation of the political process pledged in the Agreement by persuading those who hold weapons that such weapons can have no role whatsoever in a democratic system.

In spite of discouraging setbacks, we believe that a way forward can be found on this difficult issue by building on the progress already made. We welcome the acknowledgment by the IRA that ''the issue of arms needs to be dealt with in an acceptable way and this is a necessary objective of a genuine peace process.'' We also welcome the work in identifying and advancing the context where this goal can most successfully be achieved. We consider a crucial test to be whether the electorate in Northern Ireland can be reassured that their democratic wishes will not be undermined by actual or threatened recourse to guns from any side.

We believe there is now an acceptance of this fundamental principle across the entire political spectrum which offers a basis for reaching an accommodation, provided the parties approach it in a spirit of reciprocal action, and with sensitivity about the real constraints on each side and the need for skillful and patient management of these constraints. We urge renewed dialogue in

this spirit using the Independent Commission headed by General de Chastelain. The paramilitaries must put weapons beyond use and make progress on the decommissioning issue.

The British Government must reasonably scale down its military presence in the North. We also give particular importance to the timely implementation of the Patten Report, including the urgent appointment of an Oversight Commissioner and assistants, the early publication of a detailed implementation plan, and the speedy passage of legislation. We believe the publication of the Criminal Justice Review should begin a program of significant reforms. We support changes that ensure a police force with representation from both communities and a criminal justice system which will command loyalty from all people living in Northern Ireland. These are the essential ingredients necessary in the creation of a just and peaceful society.

We also note the importance of moving forward on human rights and equality issues under the Agreement. This includes the creation of a Bill of Rights for Northern Ireland and the obligation to promote equal opportunity. We emphasize the continuing need to demonstrate public commitment to human rights and accountability through the establishment of independent inquiries into the Finucane, Nelson and Hamill cases.

We support the initiative taken by the Irish and British Prime Ministers at the beginning of this month to launch a round of intensive consultations to restore the institutions of the Good Friday Agreement and deal with the arms issues as quickly as possible.

Over this St. Patrick's Day period, we will be urging all the leaders from Northern Ireland to recognize the importance of what is at stake, the danger of delay, and the need for a genuine and sincere collective effort to overcome these last remaining obstacles to the full implementation of the Good Friday Agreement. All Friends of Ireland in the United States stand ready to help in any possible way.

FRIENDS OF IRELAND EXECUTIVE COMMITTEE

House

Dennis J. Hastert
Richard A. Gephardt
James T. Walsh

Senate

Edward M. Kennedy
Daniel Patrick Moynihan
Christopher J. Dodd
Connie Mack

CBO COST ESTIMATE—H.R. 150

Mr. MURKOWSKI. Madam President, at the time Senate Report No. 150 was filed, the Congressional Budget Office report was not available. I ask unanimous consent that the report which is now available be printed in the CONGRESSIONAL RECORD for the information of the Senate.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 15, 2000.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 150, the National Forest Education and Community Purpose Lands Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter, who can be reached at 226–2860.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, MARCH 15, 2000

H.R. 150.—NATIONAL FOREST EDUCATION AND COMMUNITY PURPOSE LANDS ACT

(As reported by the Senate Committee on Energy and Natural Resources on March 9, 2000)

CBO estimates that enacting H.R. 150 would have no significant impact on the federal budget. Because the legislation would affect offsetting receipts (a form of direct spending), pay-as-you-go procedures would apply; however, CBO estimates that any such effects would total less than $500,000 each year. H.R. 150 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. H.R. 150 would benefit some local governments by giving them the opportunity to acquire National Forest land for public schools at a nominal cost.

H.R. 150 would authorize the U.S. Department of Agriculture (USDA) to lease or convey land in the National Forest System (NFS) to state and local governments for educational, recreational, and other public purpose uses. State and local governments would pay USDA a nominal amount for use of the land, with the federal government retaining any mineral rights. Under the legislation, USDA could transfer only parcels of land where the value to the state or local government of the proposed use exceeds that of continued federal ownership. If used for any unauthorized purpose, the land would revert to the federal government. The legislation generally would require USDA to notify an applicant within 120 days of receiving an application as to whether the land will be leased or conveyed, or provide a written explanation as to why such a determination has not been made.

CBO estimates that enacting H.R. 150 could result in forgone offsetting receipts if USDA would have sold one or more of the leased or transferred parcels at fair market value under current law. CBO estimates that any such loss of receipts from land sales would total less than $500,000 each year. Even through we expect state and local governments would desire the opportunity to lease or acquire valuable NFS land at substantially discounted rates, such land is rarely sold under current law. As a result, we estimate that enacting the bill would not result in any significant loss of federal receipts. Additionally, CBO estimates that any increase in receipts from leasing or transferring NFS land under H.R. 150 would also total less than $500,000 a year.

On May 5, 1999, CBO prepared a cost estimate for H.R. 150, a bill to authorize the Secretary of Agriculture to convey Natural Forest System lands for educational purposes, and for other purposes, as ordered reported by the House Committee on Resources on April 28, 1999. These two versions of the legislation are similar and the estimated costs are the same.

The CBO staff contact is John R. Righter, who can be reached at 226–2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

DCA PERIMETER RULE

Mr. BAUCUS. Mr. President, I rise today to speak about the DCA Perimeter Rule and its impact on the West. This is very important to me because it affects western States, like Montana.

I support the recent conference provisions that allow exemptions to the current perimeter rule at Ronald Reagan Washington National Airport. The Conferees should be commended for working to create a process that balances interests of Senators from states inside the perimeter and those of us who are from western states that do not have convenient access to National Airport.

Right now passengers from small and medium-sized communities in the West are forced to make double and sometime even triple connections to fly to National Airport, or any other Washington airport. Let me talk for a minute about my home state of Montana. It takes an entire day to get from Washington to Montana or visa versa. In order to fly into Montana you need to fly in to Salt Lake, or Denver, or one of the other western hubs and wait for one of the two or three 60 passenger flights that flies into Montana that day.

This is true for small communities throughout the West, especially in the Northwest corner that use hubs like Salt Lake City.

The conference report has the potential to improve access throughout the West. I believe it is important that the Department of Transportation ensure that this benefit is not limited to a few large cities which already have a variety of options for flying to Washington.

By enforcing this rule we are making access to DC easier for western states. The nation's Capital should be accessible without hassle to the entire country. I do not like the fact that if someone from my home state of Montana wants to come here to talk to their nations representative that they need to spend an entire day traveling, and waiting in airports for a connection.

My support for this effort dates back to when this legislation was first introduced. I want to ensure that these limited exemptions benefit the people of the West. I want to make it very clear that the limited number of exemptions should not be awarded to any one airport or airline. I hope, and expect that the Department of Transportation will ensure that the 12 slots granted by the conference are distributed proportionally, so that as many cities in the West, and especially the Northwest can benefit.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 20, 2000, the Federal debt stood at $5,728,253,942,273.38 (Five trillion, seven hundred twenty-eight billion, two hundred fifty-three million, nine hundred forty-two thousand, two hundred seventy-three dollars and thirty-eight cents).

Five years ago, March 20, 1995, the Federal debt stood at $4,842,720,000,000 (Four trillion, eight hundred forty-two billion, seven hundred twenty million).

Ten years ago, March 20, 1990, the Federal debt stood at $3,020,566,000,000 (Three trillion, twenty billion, five hundred sixty-six million).

Fifteen years ago, March 20, 1985, the Federal debt stood at $1,707,839,000,000 (One trillion, seven hundred seven billion, eight hundred thirty-nine million).

Twenty-five years ago, March 20, 1975, the Federal debt stood at $505,392,000,000 (Five hundred five billion, three hundred ninety-two million) which reflects a debt increase of more than $5 trillion—$5,222,861,942,273.38 (Five trillion, two hundred twenty-two billion, eight hundred sixty-one million, nine hundred forty-two thousand, two hundred seventy-three dollars and thirty-eight cents) during the past 25 years.

ADDITIONAL STATEMENTS

RECOGNIZING THE 44TH ANNIVERSARY OF TUNISIAN INDENPENDENCE

• Mr. ABRAHAM. Mr. President, I rise today in celebration of the 44th anniversary of Tunisian independence. On March 20, Tunisia—one of America's oldest allies—will mark its 44th year of independence, but our two nations have been sharing the ideals of freedom and democracy for a much longer time.

In 1797, our two nations signed a treaty calling for ''perpetual and constant peace.'' Indeed, for the past 200 years, our two nations have enjoyed such a friendship. Whether protecting Mediterranean shipping lanes against Barbary pirates, opposing the Nazi war machine in North Africa, or supporting Western interests during the cold war, the United States could count on Tunisia. More recently, Tunisia displayed great courage in urging other Arab nations to seek an accord with Israel. Tunisia has built on that pioneering stand by playing an important role as an honest and fair broker at delicate points in the Middle East peace process.

By adopting progressive social policies that feature tolerance for minorities, equal rights for women, universal education, a modern health system, and avoiding the pitfall of religious extremism that has tormented so many other developing countries. Tunisia has built a stable, middle-class society. In stark contrast to its two neighbors, Tunisia has been a quiet and wonderful success. In fact, Tunisia became the first nation south of the Mediterranean to formally associate itself with the European Union.

Tunisia has been a model for developing countries. It has sustained remarkable economic growth, and undertaken reforms toward political pluralism. It has been a steadfast ally of the United States and has consistently fought for democratic goals and ideals. Tunisia has responded to President Dwight D. Eisenhower's request to consider the United States as ''friends and partner'' in the most effective way—by its actions.

In commemoration of 44 years of independence for Tunisia, I urge my colleagues to reflect on our strong commitment to Tunisian people, who are still our friends and partners in North Africa.•

TRIBUTE TO MICHAEL S. MCGILL

• Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to my longtime friend and Chief of Staff, Michael S. McGill. I have known Mike for nearly two decades and have had the privilege of working with him when I was Mayor of San Francisco and during my tenure in the U.S. Senate. I have a great respect and appreciation for Mike, who has devoted his life to public service and served the state of California with excellence and honor.

Mike earned a B.S. in business administration at the University of Kansas, and is still an avid Jayhawks fan. He earned his Master's in political science at the University of Texas, which prepared him for a long and distinguished career in public service. In 1967, Mike joined the U.S. Department of State as a Foreign Service Officer and was assigned to the Model Cities Program in Fort Worth, Texas. There he committed his time and energy to issues affecting urban communities.

After moving to San Francisco in 1972, Mike developed a passion for water policy, the issue area in which he has provided me with indispensable knowledge and advice. He served for three years as executive director of the Bay Area Economic Forum, and for seven years as executive director of the San Francisco Planning and Urban Research Association (SPUR). As head of SPUR, he faced competing agricultural, urban, and environmental interests, but he was able to mediate these differences to the benefit of California.

Since 1993, Mike has served as my Chief of Staff. He has done an outstanding job. He has managed my five Senate offices, which serve more than 32 million constituents. This in itself is a tremendous undertaking, and I am proud to say that Mike has succeeded in ensuring that the people of California are served with care, compassion, and efficiency.

As the cornerstone of my staff for the past seven years, Mike's dedication and integrity have earned him the respect of everyone he has worked with and advised. His door is always open, because no issue is too big or too small for Mike's attention and guidance.

In particular, Mike's advice in approaching and solving the water issues that impact California has been invaluable. In my state, water is our lifeblood, and this has made it a contentious issue. I have been thankful to have Mike's experience and insight on an issue that is by no means an easy one.

In my office, we can count on Mike and his wealth of knowledge that ranges from politics to baseball to American history. He and his wife Mary enjoy traveling throughout the country, visiting presidential homes and Civil War battlefields. He is also a dedicated father to two wonderful daughters, Deidre and Erin, who are proud of his accomplishments.

Mike will be leaving my office to return to one of his passions, urban planning, this time at the General Services Administration. There he will work in the Public Buildings Service, managing and preserving historic buildings and landmarks. I have no doubt that Mike will be an asset to the GSA, just as he has been to my office.

It is with sadness, but also great pride, that we bid farewell to Mike McGill. He has been a true friend and a valued advisor throughout the years. Mike is one of California's treasures, and he will be sorely missed.•

RECOGNITION OF MIKE BUCK, ENUMCLAW HIGH SCHOOL TEACHER

• Mr. GORTON. Mr. President, two weekends ago I had the pleasure of joining a unique group of volunteers and high school students in Enumclaw, WA, in the first steps toward restoring a forested wetland on Newaukum Creek.

This project is sponsored by the city of Enumclaw and the Mid-Puget Sound Fisheries Enhancement Group (MPSFEG). MPSFEG and the city of Enumclaw have entered into an agreement for the group to remove nonnative vegetation and plan various native wetland species. The group will monitor the project for 3 years to ensure success of the project.

MPSFEG's Troy Fields and Fiona McNair were kind enough to explain the challenges facing Newaukum creek salmon, and how restoring such wetlands will increase water quality and habitat, and therefore increase the chances of young fish surviving.

MPSFEG is joined in this effort by a group of enterprising students from Enumclaw High school, led by their teacher Mike Buck. Mr. Buck has used many different sites in the watershed including this one as an outdoor laboratory for his science classes. Projects have included water quality and stream insect monitoring and restoration.

Mike's approach to teaching is unique, and one that I am wholly impressed with. He has taken it upon himself to involve these young people in science-based restoration projects where they can best witness the results of their efforts—in their own backyard.

It is for this reason that I was proud to award Mike Buck with an Innovation in Education award for excellence and creativity in hands-on science learning. This project is yet another example of why decisions affecting our children's education should be made locally, not in Washington DC. No federal bureaucrat could understand the

difficult prospects Newaukum Creek salmon face in their return home to spawn. And no federal bureaucrat could successfully turn that challenge into an educational opportunity that also works for returning salmon as Mike Buck has.

Therefore, I propose to my colleagues here in the Senate that this successful venture is further proof that local educators will be able to make the best decisions about the unique needs of their students.●

THE HONORABLE JOHN J. CALLAHAN AWARDED THE GAUDETE MEDAL FROM SAINT BONAVENTURE UNIVERSITY

● Mr. MOYNIHAN. Mr. President, I rise to pay tribute to Justice John J. Callahan, New York's longest serving Judge on the Supreme Court Appellate Division, Fourth Department. For 21 years he epitomized the honor and dignity to which all of us engaged in the political life of our nation should aspire.

What an exemplary alumni Saint Bonaventure University has chosen on which to bestow this prestigious tribute. The Gaudete Medal is awarded to leaders who have exemplified the philosophy of St. Francis of Assisi in their professional and personal lives. This spirit has been evident in Justice Callahan's dedication to his court, community, family, and his inspiring courage in spite of personal suffering.

To begin, one must know that Jack is a fellow Irish-American and the great and indispensable achievement of the Irish is that they made it American to be ethnic. He has contributed significantly to the Irish-American community in Buffalo. On the contribution of the Irish I have written:

> What did the Irish do? First, they stayed in the cities, remaining highly visible. Next, they kept to their faith. Thus the Roman Catholic Church became a major American institution. Then they went into politics.

St. Bonaventure University has seen fit to honor a gentleman and a patriot. I knew of Jack's dedication to the Navy or should I say the Silent Service from working with him on numerous projects for the City of Buffalo, his cherished home. As a result of his tireless efforts all were successes.

It was back in 1978, at Jack's request, that I wrote to W. Graham Clayton who was the Secretary of the Navy at the time, to urge the Navy to name a submarine in honor of the Queen City of the Lakes. A nuclear powered attack submarine, the SSN 715 was christened the *Buffalo* in 1983 with the Judge, his wife Lillian, and their son Thomas, then a Midshipman at Annapolis, looking on. There hadn't been a ship named for Buffalo since 1922.

As a submarine veteran of World War II, the Judge felt that it was imperative that a decommissioned World War II type submarine be an integral part of the Buffalo & Erie County Naval & Servicemen's Park. A park that he himself helped make a reality. The USS *Croaker* is docked on the Buffalo River at the foot of Main Street in no small part to Judge Callahan's efforts. Some 20 of Jack's shipmates from the USS *Sterlet* SS 392 joined together to reminisce about their combat days in the Pacific theater aboard the USS *Croaker* 1996. As one who served in the Pacific theater, I can attest to the existence of a special camaraderie that unites those at sea for months at a time.

After returning from the war, Jack continued his education with the help of the G.I. Bill, as did I. Jack earned his undergraduate degree in Business Administration from St. Bonaventure University in 1951 and a Judicial Doctorate from the University of Buffalo Law School in 1954. Jack was honored by his alma mater, the University of Buffalo, with the Distinguished Alumni Award for the Judiciary in 1989.

The son of Irish immigrants from County Kerry, Judge Callahan possesses an exemplary work ethic and ability to endure any trial. Jack and Lillian Hart Callahan will be married for 40 years this July and from their union has come eight children and soon to be nine grandchildren. They have been truly blessed.

Thomas and Mary Bridget Callahan, Jack's parents, saw that their six children received a Catholic education through the Great Depression. Jack and Lillian made the opportunity for Catholic education available to their children and were sure to stress the value of such a privilege. Those efforts were not in vain. Their sons John Joseph Jr. and Patrick Francis are physicians. Appropriately, Patrick Francis, named in honor of St. Francis of Assisi, graduated from Saint Bonaventure University. Thomas, Timothy, and Michael all graduated from the United States Naval Academy. Not to be outdone—their three daughters; Mary Catherine Malley is a corporate attorney with Hodgson Russ Andrews Woods & Goodyear in Buffalo, Maureen Gallagher is a dentist, and Kathleen is my Deputy Press Secretary. I should thank Jack and Lillian for loaning her to me.

His legal background is both extensive and impressive. Judge Callahan practiced law as a trial lawyer in Buffalo for 20 years and served as a confidential clerk to New York State Supreme Court Justice Ann Mikol. He was elected to the New York State Supreme Court in 1975 and appointed to the Appellate Division by my good friend Governor Hugh Carey in 1979.

In his exceptional judicial career he has sat on approximately 20,000 cases. This past fall the Judge was honored by the Catholic Lawyers Guild as the recipient of the St. Thomas More Award which was given for his outstanding service to the legal community and the community at large.

It is with great pleasure that I join his family and many friends from Saint Bonaventure University and Buffalo to applaud this truly remarkable man.●

TRIBUTE TO MAUREEN NEUBERGER

● Mr. SMITH of Oregon. Mr. President, each of us who are privileged to serve in this chamber are well aware of the history of the Senate and the contributions of those who came before us. I am mindful every day that I serve in the seat held for thirty years by Mark Hatfield.

Another who held this seat with distinction from 1960–1967 was Maureen Neuberger, who was the first woman ever to represent Oregon in the United States Senate, and the third woman in history to serve here. Mrs. Neuberger passed away last week at the age of 94, and I rise today to pay tribute to this remarkable Oregonian.

Oregon is a state known for its pioneers and trailblazers, and Maureen Neuberger was no exception. She began her political career in 1950 at a time when women in public office were very much a novelty. Upon her election to the Oregon State House of Representatives, she became one half of a truly historic couple. Her husband, Dick Neuberger, was serving in the Oregon State Senate, and they became the first couple in United States history to serve together in a state legislature.

Maureen continued to serve in the legislature even after her husband was elected to the United States Senate in 1954. Upon his death in 1960, Maureen was elected to the United States Senate in her own right.

During her years in this chamber, Senator Neuberger earned a reputation as an advocate for consumer rights. She sponsored legislation creating warning labels on cigarette packages, challenged the meat-packing industry for artificially adding water to hams, and exposed bedding manufacturers who sold flammable blankets.

She chose to retire from the Senate after serving one term, but remained active through service on presidential commissions and teaching at universities. Throughout her life, she also served as a mentor and role model to Oregon women from both political parties who entered the public service arena.

As my State's largest newspaper, The Oregonian, editorialized about Senator Neuberger:

> Only 27 women have served in the Senate in U.S. history. She was third. The ones who served after (her)—including the nine who serve today—might not have been there at all if Maureen Neuberger had not helped pave the way.

I was privileged to meet Senator Neuberger during my service in the Oregon State Senate. I recall her as a gracious and straight talking person who never lost her interest in the issues of the day. Both Oregon and America are better for her life and service.●

INGVALD BERNARD JACOBSEN'S 90TH BIRTHDAY

● Mr. ASHCROFT. Mr. President, I rise today to give honor to Ingvald Bernard

Jacobsen, Uncle Barney, who will be celebrating his 90th birthday on March 25th. He is the first born of Gina Brathen Fyhrie Jacobsen and Peder Jacobsen.

Although Mr. Jacobsen was born in Racine, Wisconsin, due to the death of his grandmother, he and his family moved to Norway. While a young boy in Norway, Ingvald learned the value system he has maintained for the past 90 years through a strong belief in the Bible by which his mother and grandfather lived. He became a Christian at his mother's knee before starting school and has been a walking example of what it is to be Christian all his life: never the preacher, always the doer of kind deeds for others, expecting nothing in return for those kind acts.

Mr. Jacobsen's early years were lean on material things and long on the hard work of a farm and a life on the seas helping to earn the family living. He attended school three days a week and completed his education by age 14. He was confirmed in the small Lutheran church on a Norwegian island, and still uses the New Testament he was presented with that day in 1924.

After returning to the United States in 1928, Mr. Jacobsen's first job was landscaping the new golf course in Forest Hills, New Jersey, where he worked with his father. When that job was completed, he moved to Chicago. Thereafter, he had many jobs that led to a position at Northwestern University lasting 25 years.

In 1935, Mr. Jacobsen joined a fraternal order called Sons of Norway, a group of Norwegian immigrants that got together for fellowship. This fellowship grew by leaps and bounds all around the world and has become a vehicle for keeping the old traditions of Norway alive, as well as the language. He has held every office possible in his local lodge and district and served as an international director for eight years, a great honor for him. Because of his faithfulness and hard work throughout the Norwegian community in the Midwest, King Olav V awarded him the King Olav medal in 1973.

Throughout his years in the Chicago area, Mr. Jacobsen gave of himself above and beyond the call of duty. At Trinity Lutheran Church, he sang in the choir, greeted people at the door with a warm welcome, and was in charge of the coffee hour and Easter breakfast for years. He picked up countless children for Sunday School and led the Boy Scout troop in the church. Every year near Christmas time, he saw to it that the residents of the Norwegian home for the elderly in Chicago had a traditional cod-fish dinner. He chose the fish, picked it up, peeled the potatoes, and than poached the fish and saw that it was served to every person. His reward came in the form of tins of fresh, Norwegian homemade cookies baked by the ladies auxiliaries of these homes.

Mr. Jacobsen was asked to serve on the Tall Ship committee when in 1976 the Norwegian Tall Ship *Christian Radich* came to Chicago to celebrate the 200-year anniversary of our country's birth. He was also a member of the select few who greeted King Olav V in Chicago in 1975, when the 150th anniversary of a sailing vessel finally made it to Chicago from Norway. He was honored by traveling the city with King Olav V, spending many days and hours in his company including a large dinner attended by dignitaries from around the world.

After the death of his wife, Bernie Lars, Mr. Jacobsen sold his home and built a beautiful addition to his daughter's home. Since 1997, following a successful battle with cancer, he has resided with his granddaughter, Solveig, in Illinois part of the year and with his oldest daughter, Carolyn, and her husband in the mountains of North Carolina during the remainder of the year.

Mr. Jacobsen will be celebrating his 90th birthday with countless friends and relatives, including five who will come from Norway. Grateful people filled with joy and happy memories of this gentle giant—he still stands tall at 6 feet 3 inches—will gather to honor and thank him. I join those many friends and relatives in wishing him a joyous and rich celebration.●

RECOGNITION OF IRISH-AMERICAN HERITAGE MONTH

● Mr. GRAMS. Mr. President, I rise today in recognition of Irish-American Heritage Month and take this occasion to salute the generations of Irish descendants who have helped my home state of Minnesota grow and prosper.

When millions of Irish men, women, and children fled their homeland and the great potato famine that gripped Ireland beginning in the 1840s, they looked to America as a place of abundant food, freedom, and opportunity.

Most came here with little, yet the riches they have given back to this country and our state cannot be measured.

At the urging of Archbishop John Ireland, early leader of the Minnesota Catholic Church, many of those first immigrants became employees of the Great Northern Railroad and settled in Minnesota, along the railroad lines heading toward Montana. Since then, our Irish-American population has flourished; surveyed for the 1990 census, 574,183 Minnesotans claimed at least some Irish ancestry.

During Irish-American Heritage Month, and on the occasion of Saint Patrick's Day, I salute Minnesota's ''sons and daughters of Ireland'' and offer to our large and enthusiastic Irish community the heartfelt words of the familiar Irish blessing:

May the road rise up to meet you,
May the wind be always at your back,
May the sun shine warm upon your face,
And the rains fall soft upon your fields,
And until we meet again, may God hold you in the palm of His hand.●

JOHN J. LESSNER'S 100TH BIRTHDAY

● Mr. ABRAHAM. Mr. President, I rise today to recognize Mr. John J. Lessner, resident of Lapeer, MI, who on March 10th of this year celebrated his 100th birthday. It is my pleasure to honor him not only for having reached this landmark birthday, which is quite an accomplishment in itself, but also, and I think more importantly, for having lived his life in a manner truly worthy of commendation.

One of Mr. Lessner's favorite sayings is ''Work-a-Million,'' and he has certainly lived by this virtue. For thirty-nine years he worked as a high-school teacher and coach, for thirty-seven years a football and basketball official, he sold world-book encyclopedias for twenty-four years, worked at the H.C. Frick Coal Mine and Monogahela Railroad for fifteen summers, spent nine years working towards his M.A. in Education, which he received from West Virginia University in 1953, spent six years constructing a home for his family and himself, spent three years playing fullback for the Brownsville (PA) Independence Football Team, and all this after he began his adult life by serving his country for a year in the U.S. Army.

On top of all this, Mr. Lessner, somehow found the time to be not only an active community member, but a community leader. He helped organize and develop two Parent Teacher Associations, in Greene County, PA, and Washington County, PA. He served as the first, twelfth and twenty-fifth president of the Greensboro Lions Club in Greensboro, PA. During World War II, he served as the Air Raid Warden for Brownsville, PA. And every Sunday, for eighteen years, he volunteered his time as a Sunday School Superintendent at Christian Church in Brownsville, PA, and then later at Mapletown Methodist Church in Mapleton, PA.

Most important to Mr. Lessner, though, has always been his family. He now resides in Lapeer, MI, with his son Jack, the eldest of his two children. He moved to Lapeer from Monroeville, PA, where he lived near his daughter, Maryjane. And undoubtedly one of his greatest days came on December 27, 1979, when he and his wife, Doris Steeves, celebrated their fiftieth wedding anniversary.

This may be selfish on my part, but as I read the biography of Mr. Lessner, my only wish was that he had spent more of his one-hundred years in Michigan. His is a brand of remarkable that, unfortunately, you do not run into everyday. Regardless, John J. Lessner is a true role model, and we are glad to have him now. So, on behalf not only of myself but also of all my Michigan constituents, I would like to wish Mr. Lessner a happy 100th birthday, and I hope that there are many more to celebrate in the future.●

TRIBUTE TO J.W. ''BUD'' FORRESTER

● Mr. SMITH of Oregon. Mr. President, ''To live fully,'' said Oliver Wendell Homes, ''is to be engaged in the passions of one's time.''

Those words came to mind with the recent passing of the remarkable Oregon journalist, J.W. ''Bud'' Forrester. Mr. Forrester's family and friends can take solace in the fact that here was a man who truly lived a full life, for here was a man who dedicated himself to the passions of our time.

As a journalist, Bud Forrester earned a reputation as one of the best newspaper editors in my state. Whether at the helm of the Daily Astorian, or my home town newspaper, the East Oregonian, Bud Forrester called them like he saw them, and could always be counted on to stand up for what he believed was right for his community and his state.

That same commitment and common sense were also provided to countless boards and commissions, on which Bud Forrester served throughout his life. President of the Columbia River Maritime Museum, member of the State Board of Higher Education, member of the Oregon Land Conservation and Development Commission, unofficial advisor to Senators and Governors, community fund raiser and philanthropist extraordinaire—the list of Bud Forrester's contributions go on and on.

I consider myself very privileged to have known Bud Forrester, and know that his legacy of being engaged on the passions of our time will continue in the hands of his son, Steve, who serves as Editor and Publisher of the Daily Astorian.

The bottom line is that Oregon is a better place because of Bud Forrester. I join with countless others in my state in extending my sympathies to the Forrester family, and in paying tribute to a true original who indeed lived life fully.●

SILEX ASSEMBLY OF GOD CHURCH DEDICATION

● Mr. ASHCROFT. Mr. President, I rise today to congratulate and honor Silex Assembly of God in Silex, Missouri. On March 26th, they will be dedicating their new church building. This dedication and celebration is a tribute to God's faithfulness to the congregation, which began gathering together in 1942. It is also a tribute to their labor of love and personal generosity, led by Pastor and Mrs. John Pool.

Pastor Pool, who retired in 1985, agreed to step up to the pulpit again when the Silex church called upon him to lead them. Now, at age 81, he and the congregation have built their new church themselves, with volunteer labor and sacrificial contributions of time and money. Mrs. Pool has helped feed the volunteer groups day after day. Their devotion to Christ brings honor to the name of the Lord.

I join those gathered for this wonderful occasion, including the Pool's five children and most of their grandchildren, in bringing best wishes for a memorable celebration as Silex Assembly of God renews its commitment to the redemptive mission of Christ. May God bless this ministry with many more years of celebration.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–8012. A communication from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Appeals Regulations and Rules of Practice-Case Docketing'' (RIN2900–AJ72), received March 16, 2000; to the Committee on Veterans' Affairs.

EC–8013. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Public Information; Communications with State and Foreign Government Officials'' (Docket No. 98N–0518), received March 16, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8014. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Paper and Paperboard Components'' (Docket No. 95F–0065), received March 16, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8015. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of violations of the Anti-Deficiency Act by Air Force personnel; to the Committee on Appropriations.

EC–8016. A communication from the Legislative Liaison, U.S. Trade and Development Agency transmitting, pursuant to law, the report of a prospective funding obligation; to the Committee on Appropriations.

EC–8017. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (PA–127–FOR), received March 20, 2000; to the Committee on Energy and Natural Resources.

EC–8018. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Subscription Power Sales to Customers and Customer's Sales of Firm Resources'', received March 16, 2000; to the Committee on Energy and Natural Resources.

EC–8019. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Federalism; Intergovernment Consultation'', received March 16, 2000; to the Committee on Energy and Natural Resources.

EC–8020. A communication from the General Counsel, Federal Energy Regulatory Commission transmitting, pursuant to law, the report of a rule entitled ''Order on Rehearing (Order No. 2000–A); This Order on Rehearing Provides Clarification to the Final Rule on Regional Transmission Organizations (Order No. 2000)'' (RIN1902–AB77), received March 16, 2000; to the Committee on Energy and Natural Resources.

EC–8021. A communication from the Chairman, Federal Election Commission transmitting, pursuant to law, the report of a rule entitled ''Filing Copies of Reports and Statements with State Officers'', received March 17, 2000; to the Committee on Rules and Administration.

EC–8022. A communication from the Director, Corporate Audits and Standards, General Accounting Office transmitting, pursuant to law, the report on the financial statements of the Capitol Preservation Fund for fiscal years 1998 and 1999; to the Committee on Rules and Administration.

EC–8023. A communication from the Chairman, Federal Election Commission transmitting, pursuant to law, a report of proposed legislation; to the Committee on Rules and Administration.

EC–8024. A communication from the Executive Assistant to the Secretary, Smithsonian Institution transmitting the report of the draft minutes of the January 24, 2000 meeting of the Board of Regents; to the Committee on Rules and Administration.

EC–8025. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the Anthrax vaccine and adverse-event reporting; to the Committee on Armed Services.

EC–8026. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the TRICARE Prime Remote program; to the Committee on Armed Services.

EC–8027. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the ongoing evaluation of the effectiveness of TRICARE; to the Committee on Armed Services.

EC–8028. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the provision of dental care to dependents 18 years and younger, of members of the Uniformed Services; to the Committee on Armed Services.

EC–8029. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report entitled ''Congressionally Directed Medical Research Programs: Breast Cancer Research Program; Prostrate Cancer Research Program; and Defense Health Research Program''; to the Committee on Armed Services.

EC–8030. A communication from the Alternate OSD Federal Register Liaison Officer, Department of Defense transmitting, pursuant to law, the report of a rule entitled ''Collection from Third Party Payers of Reasonable Costs of Healthcare Services'' (RIN0790–AG51), received March 16, 2000; to the Committee on Armed Services.

EC–8031. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–8032. A communication from the Administrator, U.S. Agency for International Development, transmitting the FY 2001 Annual Performance Plan; to the Committee on Foreign Relations.

EC–8033. A communication from the Administrator, U.S. Agency for International Development, transmitting the FY 1999 Annual Performance Report; to the Committee on Foreign Relations.

EC–8034. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of proposed Technical Assistance Agreements and Manufacturing License Agreements with Russia; to the Committee on Foreign Relations.

EC–8035. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–8036. A communication from the President of the United States of America, transmitting, pursuant to the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, the report of all Federal agency climate change programs and activities; to the Committee on Foreign Relations.

EC–8037. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''List of Approved Spent Fuel Storage Casks: TN–32 Addition'' (RIN3150–AG18), received March 17, 2000; to the Committee on Environment and Public Works.

EC–8038. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Contiguous U.S. District Population Segment of the Canada Lynx, and Related Rule'' (RIN1018–AF03), received March 20, 2000; to the Committee on Environment and Public Works.

EC–8039. A communication from the Chief, Endangered Species Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; 90-Day Findings for a Petition to List North American Populations of Smalltooth Sawfish as Endangered under the Endangered Species Act'' (RIN0648–XA49), received March 20, 2000; to the Committee on Environment and Public Works.

EC–8040. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Organobromine Production Wastes; Identification and Listing of Hazardous Wastes; Land Disposal Restrictions; Listing of CERCLA Hazardous Substances, Portable Quantities; Final Rule'' (FRL #6560–4), received March 16, 2000; to the Committee on Environment and Public Works.

EC–8041. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Effluent Limitations Guidelines, Pretreatment Standards and New Source Performance Standards for the Builders' Paper and Board Mills Point Source Category; Technical Amendment; Removal'' (FRL #6562–3), received March 16, 2000; to the Committee on Environment and Public Works.

EC–8042. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Monterey Bay Unified Air Pollution Control District, San Joaquin Unified Air Pollution Control District, Santa Barbara County Air Pollution Control District, South Coast Air Quality Management District, CA 224–0213a & 224–0213b'' (FRL #6549–7), received March 16, 2000; to the Committee on Environment and Public Works.

EC–8043. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon'' (FRL #6544–2), received March 16, 2000; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–437. A joint resolution adopted by the General Assembly of the State of Illinois relative to the national agricultural policy; to the Committee on Agriculture, Nutrition, and Forestry.

POM–438. A joint resolution adopted by the Legislature of the State of Washington relative formula grants for gifted and talented education programs; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT MEMORIAL 8019

Whereas, every child is unique and deserves a stimulating and challenging education regardless of ability; and

Whereas, true equity involves providing an appropriate education to every learner; and

Whereas, our nation's diverse student population includes academically gifted boys and girls from every region and from all ethnic, cultural, and socioeconomic backgrounds; and

Whereas, gifted children are unusually swift and efficient learners in their areas of strength and therefore require in those domains a different pace, depth, and level of education than is ordinarily provided at their age; and

Whereas, being gifted doesn't automatically make these children better students, however, gifted students learn faster and in different ways than typical students, causing special educational needs; and

Whereas, only in conjunction with appropriate school challenges can gifted children realize their enormous potential contribution to our society and its citizens; and

Whereas, a nation seeking to provide for world class education cannot afford to exclude its most capable students from appropriate and equitable opportunities for educational growth in the classroom; and

Whereas, Congress has sent a message about the importance of gifted student success by funding the Javits Program of research and demonstration services with an emphasis on underserved groups;

Now, therefore, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully entreat that Congress continue to help meet the unique special needs of gifted students by including formula grants to states for gifted and talented education programs (HR 637 and S 505) in its consideration of the reauthorization of the Elementary and Secondary Education Act.

Be it Resolved, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

SENATE JOINT MEMORIAL 8019

POM–439. A concurrent resolution adopted by the General Assembly of the State of Indiana relative to reauthorization of the Ryan White Comprehensive AIDS Resources Emergency Act (CARE); to the Committee on Health, Education, Labor, and Pensions.

CONCURRENT RESOLUTION

Whereas, in Indiana, as of January 1, 2000, more than 10,000 cases of the expanding epidemic known as AIDS—Acquired Immune Deficiency Syndrome—have been reported;

Whereas, the State of Indiana created a Division of HIV/STD within the Department of Health, to proactively address issues relating to HIV/AIDS, and which office now directly administers the expenditure of Federal and State funds to combat the disease;

Whereas, due to advancements in pharmaceutical therapies and an increasing focus on early intervention and treatment, the number of individuals living with HIV disease has grown significantly; the progression from HIV to an AIDS diagnosis for many has slowed considerably as a result of these therapies;

Whereas, it is estimated that more than 6,000 residents of Indiana are currently living with HIV disease;

Whereas, it is estimated that an additional 1,300 or 21 percent, of Hoosiers with HIV disease are unaware of their diagnosis, and hundreds of individuals know that they are HIV-positive but are not receiving care regularly;

Whereas, it is estimated by the Centers for Disease Control and Prevention that there are 40,000 new HIV infections in the United States each year;

Whereas, HIV/AIDS in Indiana disproportionately impacts communities of color, gay and bisexual men and women, as well as economically-depressed and other underserved communities;

Whereas, in 1999 the rate of HIV disease among Whites was 7 per 100,000, while the rate among Hispanics was 19.3 per 100,000, and the rate among African Americans was 44 per 100,000;

Whereas, in 1999 the rate of HIV disease among White males was 13 per 100,000, while the rate among Hispanic males was 29.9 per 100,000, and the rate among African American males was 59.8 per 100,000;

Whereas, in 1999 the rate of HIV disease among White females was 1.3 per 100,000, while the rate among Hispanic females was 8.4 per 100,000, and the rate among African American females was 29.8 per 100,000;

Whereas, the rate of HIV disease among African American females more than doubled compared to the rate among White females from 1998 to 1999;

Whereas, as many as 16 percent of new HIV infections occur in people under age 25, and one in eight are in young people under age 22;

Whereas, young adults ages 20–29 represent 20% of reported AIDS cases, but represent 38% of newer cases of HIV infection;

Whereas, increasingly, some individuals with HIV disease have also been diagnosed with substance abuse and/or mental illness (dual diagnosis);

Whereas, substance abuse is a factor in well over 50% of HIV infections in some United States cities;

Whereas, Indiana looks to the Federal Government to assist the State in meeting the expanding health care and social services needs of the people living with HIV disease;

Whereas, the Ryan White Comprehensive AIDS Resource Emergency (CARE) Act was first adopted by Congress in 1990;

Whereas, the Ryan White CARE Act expires on September 30, 2000;

Whereas, since its inception, the Ryan White CARE Act has ensured the delivery of vital medical care and treatment and essential support services to thousands of Hoosiers, including medical examinations, laboratory procedures and evaluations, pharmaceuticals, dental care, case management, transportation, housing, legal assistance, benefits education and assistance, treatment education and adherence, and mental health counseling;

Whereas, in more recent years the State has developed the Health Insurance Assistance Program, (HIAP), using a portion of

Ryan White CARE Act dollars to purchase comprehensive health insurance policies for hundreds of Hoosiers through the Indiana Comprehensive Health Insurance Association (ICHIA), Indiana's high risk insurance pool, at roughly one-half of the cost of providing medical and pharmaceutical services under the State's Early Intervention Program (EIP) and AIDS Drug Assistance Program (ADAP);

Whereas, under Federal law, the Ryan White CARE Act is designated as the provider of last resort; therefore, it is recognized as the critical safety net program for low-income uninsured or underinsured individuals;

Whereas, the Federal Budget for Fiscal Year 2000 contains increased funding for the Ryan White CARE Act, and Indiana is expected to receive $7,813,713 beginning April 1, 2000;

Whereas, funding under Title II of the Ryan White CARE Act pays for care, treatment and social services;

Whereas, over 80% pay for life-extending and life-saving pharmaceuticals under Indiana's AIDS Drug Assistance Program (ADAP) and for comprehensive health insurance policies under Indiana's Health Insurance Assistance Program (HIAP);

Whereas, title III of the Ryan White CARE Act provides funding to public and private nonprofit entities in Indiana for outpatient early intervention and primary care services;

Whereas, the goal of the Ryan White CARE Act Special Projects of National Significance (SPNS) Program (Part F) is to advance knowledge about the care and treatment of persons living with HIV/AIDS by providing time-limited grants to assess models for delivering health and support services;

Whereas, SPNS projects have supported the development of innovative service models for HIV care to provide legal, health and social services to communities of color, youth, hard to reach populations, and those with dual diagnoses in Indiana; and

Whereas, the Midwest AIDS Training and Education Center (MATEC) is funded as part of Part F of the Ryan White CARE Act, and in Indiana, MATEC trains clinical health care providers provides consultation and technical assistance, and disseminates ever-changing information for the effective management of HIV disease; Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly affirms its support of the Ryan White CARE Act, and urges the Congress of the United States to expeditiously reauthorize the Act in order to ensure that the expanding medical care and support services needs of individuals living with HIV disease are met.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to the President and Vice President of the United States, the Senate Majority and Minority Leaders, the Speaker of the House of Representatives and the House Minority Leader, the Chairpersons and Ranking Minority Members of the Senate Health, Education, Labor and Pensions, Appropriations, and Budget Committees, and to the Chairpersons and Ranking Minority Members of the House Commerce, Appropriations, and Budget Committees, and to each Senator and Representative from Indiana in the Congress of the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. LIEBERMAN (for himself, Mr. BAYH, Ms. LANDRIEU, Mrs. LINCOLN, Mr. KOHL, Mr. GRAHAM, Mr. ROBB, and Mr. BREAUX):

S. 2254. A bill to amend the elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. McCAIN:

S. 2255. A bill to amend the Internet Tax Freedom Act to extend the moratorium through calendar year 2006; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself and Mr. McCONNELL):

S. 2256. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws; to the Committee on the Judiciary.

By Mr. BREAUX:

S. 2257. A bill to extend the temporary suspension of duty on Diiodomethyl-p-tolylsulfone; to the Committee on Finance.

By Mr. BREAUX:

S. 2258. A bill to extend the temporary suspension of duty on B-Bromo-B-nitrostyrene; to the Committee on Finance.

By Mr. TORRICELLI:

S. 2259. A bill to amend title 28, United States Code, to divide New Jersey into 2 judicial districts; to the Committee on the Judiciary.

By Mr. COVERDELL:

S. 2260. A bill to allow property owners to maintain existing structures designed for human habitation at Lake Sidney Lanier, Georgia; to the Committee on Environment and Public Works.

By Mr. SARBANES (for himself, Mr. ROBB, Ms. MIKULSKI, Mr. BAYH, and Mr. LIEBERMAN):

S. 2261. A bill to encourage the formation of industry-led training consortia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT (for himself, Mr. MURKOWSKI, Mr. CRAIG, Mr. COVERDELL, Mrs. HUTCHISON, and Ms. COLLINS):

S. 2262. A bill to amend the Internal Revenue Code of 1986 to institute a Federal fuels tax holiday; read the first time.

By Mr. LOTT:

S. 2263. A bill to amend the Internal Revenue code of 1986 to institute a Federal fuels tax holiday; read the first time.

By Mr. ROCKEFELLER (for himself, Mr. JEFFORDS, and Mrs. HUTCHISON):

S. 2264. A bill to amend title 38, United States Code, to establish within the Veterans Health Administration the position of Advisor on Physician Assistants, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. HUTCHISON (for herself, Mr. BREAUX, Mr. LOTT, Mr. BROWNBACK, Mr. BINGAMAN, Mr. GRAMM, Mr. THOMAS, and Mr. INHOFE):

S. 2265. A bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself, Mr. DASCHLE, Mr. LEAHY, Mr. LAUTENBERG, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr. KOHL, Mr. TORRICELLI, Mr. LEVIN, Mrs. BOXER, Mr . ROBB, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. BIDEN, Mr. BYRD, Mr. KERRY, Mr. REID, Mr. INOUYE, Mr. BRYAN, and Mr. BINGAMAN):

S. Res. 276. A resolution to express the sense of the Senate that the conferees on the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act should submit the conference report on the bill before April 20, 2000, and include the gun safety amendments passed by the Senate; to the Committee on the Judiciary.

By Mr. REED (for himself, Mrs. MURRAY, and Mr. SMITH of New Hampshire):

S. Con. Res. 97. A concurrent resolution expressing the support of Congress for activities to increase public awareness of multiple sclerosis; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself, Mr. BAYH, Ms. LANDRIEU, Mrs. LINCOLN, Mr. KOHL, Mr. GRAHAM, Mr. ROBB, and Mr. BREAUX):

S. 2254. A bill to amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Health, Education, Labor and Pensions.

PUBLIC EDUCATION REINVESTMENT, REINVENTION, AND RESPONSIBILITY ACT

Mr. LIEBERMAN. Mr. President, I rise today to offer a new plan for Federal education spending to refocus our national education policy on helping states and local school districts raise academic achievement for all children, putting the priority for federal programs on performance instead of process, and on delivering results instead of developing rules.

In broad terms, the public Education Reinvestment, Reinvention, and Responsibility Act—better known as the ''Three R's''—calls on states and local districts to enter into a new compact with the federal government to work together to strengthen standards and improve educational opportunities, particularly for America's poorest children. It would provide states and local educators with significantly more federal funding and significantly more flexibility in targeting aid to meet their specific needs. In exchange, it would demand real accountability, and for the first time consequences on schools that continually fail to show progress.

From my visits with parents, teachers, and principals over this past year, it is clear that we as a nation still share a common love for the common school, for its egalitarian mission, for its democratizing force, and for its unmatched role in helping generation

after generation rise and shine. Unfortunately, we are asking schools to do more than they were designed to do, to compensate for disengaged parents and divided communities—for instructing teenage girls on how to raise their children while they try to raise the GPAs, to nourishing the bodies and psyches of grade-schoolers who often begin the day without breakfast or affection, to policing school halls for guns and narcotics.

At the same that schools are trying to cope with these new and complex stresses and strains, we are demanding that they teach more than that have ever taught before in our history. The reality is that in this high-tech, highly-competitive era, there are fewer low-skilled industrial jobs available, and a premium on knowledge and critical thinking, meaning it is no longer enough to provide some kids with just a rudimentary understanding of the basics. Employers and parents alike with better teachers, stronger standards, and higher test scores for all students, as well as state-of the art technology and the Information Age skills to match.

It is a tribute to the many dedicated men and women who are responsible for teaching our children that the bulk of our schools are as good as they are, in light of these intensifying pressures. But the strain is nevertheless building, and with it serious doubts about our public schools and their capability to meet these challenges. Just this fall the Democratic Leadership Council, of which I am proud to serve as chairman, released a national survey showing that two-thirds of the American people believe our public schools are in crisis.

I was surprised by that high percentage, which may be skewed somewhat by lingering shock over the growing incidents of school shootings. But we must admit that our public schools are not working for a lot of our kids. And, as a result, I believe that our public education system is facing an enormously consequential test, which will go a long way toward determining our future strength as a nation. It is a test of our time whether we can reform and in some ways reinvent our public education system to meet these new demands, without compromising the old ideals that have sustained the common school for generations.

For us to pass this test, we have to first recognize that there are serious problems with the performance of many public schools, and that public confidence in public education will continue to erode if we do not acknowledge and address those problems soon. While student achievement is up, we must realize the alarming achievement gap that separates minorities from Whites and low-income students from their more affluent counterparts. According to the state-by-state reading scores of fourth-graders on the National Assessment of Educational Progress, the achievement gap between African American and White students grew in 16 states between 1992 and 1998. The gap between Hispanic and White students grew in nine states over the same period of time. We must also question whether our schools are adequately preparing our youth to enter the global economy when, in international students, U.S. 12th graders score below the international average in mathematics and science compared to 21 other nations.

We also have to acknowledge that we have not done a very good job in recent years in providing every child with a well-qualified teacher, a critical component to higher student achievement. We are failing to attract enough good minds in the teaching profession—one survey of college students in 21 different fields of study found that education majors ranked 17th in their performance on the SAT. We are failing to adequately train enough of these aspiring teachers at education schools—in Massachusetts last year, to cite one particularly egregious example, 59 percent of the 1,800 candidates who took the state's first-ever certification exam flunked a literacy test that the state board of education chairman rated as at ''about the eighth-grade level.'' And, we are failing to deliver teachers to the classroom who truly know their subject matter—our national survey found that one-fourth of all secondary school teachers did not major in the core area of instruction, and that in the school districts with the highest concentration of minorities, students have less than a 50 percent chance of getting a math or science teacher who has a license or a degree in their field.

With that said, we also have to acknowledge that while more money alone wont solve our problems, we cannot honesty expect to reinvent our schools without it either. The reality is that there is a tremendous need for additional investment in our public schools, not just in urban areas but in every kind of community. Thousands of crumbling and overcrowded schools to modernize. Two million new teachers to hire and train. Billions in spiraling special education costs to meet.

We also have to recognize the basic math of trying to raise standards at a time of profound social turbulence that we will need to expend new sums to reach and teach children who in the past we never asked to excel, and who in the present will have to overcome enormous hurdles to do so. I believe any child can learn—any child—and that has been proven over and over again in the best schools in both my home state of Connecticut and in many of America's cities.

There are in fact plenty of positives to highlight in public education today, which is something else that we have to acknowledge, yet too often don't. I have made a concerted effort over the last few years to visit a broad range of schools and programs in Connecticut, and I can tell you that there is much happening in our public schools that we can be heartened by, proud of, and learn from.

There is the John Barry Elementary School in Meriden, Connecticut, which was singled out by the U.S. Department of Education as a Distinguished title I School for its work with disadvantaged students. Like many urban schools, Barry has to contend with a high-poverty, high-mobility student population, but through Reading Recovery and other interventions, Barry has had real success improving the reading skills of many of its students.

There is the Side by Side Charter School in Norwalk, one of 17 charter schools in Connecticut, which has created an exemplary multiracial program in response to the challenge of Sheff v. O'Neill to diminish racial isolation. With the freedom that goes with its charter, Side by Side is experimenting with a different approach to classroom assignments, having students stay with teachers for two consecutive years to take advantage of the relationships that develop, and by all indications it is working quite well for those kids.

And there is the BEST program, which, building on previous efforts to raise teacher skills and salaries, is now targeting additional state aid, training, and mentoring support to help local districts nurture new teachers and prepare them to excel. In this regard Connecticut is far ahead of most of the country in adapting its teacher quality programs to meet today's challenges—setting high performance standards both for teachers and those who train them, helping novices meet those standards, and holding the ones who don't accountable. The result is that Connecticut's blueprint is touted by some, including the National Commission on Teaching and America's Future, as a national model for others to follow.

A number of other states, led by Texas and North Carolina, are moving in this same direction—refocusing their education systems not on process but on performance, not on prescriptive rules and regulations but on results. More and more of them are in fact adopting what might be called a ''reinvest, reinvent, and responsibility'' strategy, by (1) infusing new resources into their public education systems; (2) giving local districts more flexibility; and (3) demanding new measures and mechanisms of accountability, to increase the chances that these investments will yield the intended return, meaning improved academic achievement for all students.

This move to trade flexibility for accountability, and to focus on performance instead of process, is not the definitive answer to passing the test I outlined earlier, of adapting our public schools to the rapidly-changing environment around us. There are obviously other parts of the equation, none more important that parental involvement. Everything we know from research indicates that an engaged parent makes a crucial difference in student achievement, particularly in terms of reading, and we have to do

more to get parents to play a more active role in their children's learning. But when it comes to improving the delivery of public education, the reinvestment and reinvention approach is the best solution I have heard yet, and probably our best hope for extending the promise of equal opportunity into the new century.

In Congress, our opportunity now is with the upcoming reauthorization of the Elementary and Secondary Education Act. Today, nearly $15 billion in Federal aid flows through ESEA programs to states and local education authorities, and other educational entities annually. While this constitutes a minute fraction of all the money spent on public education each year, it is still a lot of money, and past experience shows that Federal money has a habit of influencing local behavior. If we can reformulate the way we distribute those additional dollars, and peg our national programs to performance instead of process, we can go a long way toward encouraging more states and local school districts to reinvest and reinvent public education, while taking more responsibility for its outcomes.

Unfortunately, Congress seems more interested in being an agent of recrimination. We spend most of our time positioning ourselves for partisan advantage rather than trying to fix serious problems. We reduce a complicated issue to a simplistic multiple choice test, forcing a false choice between more spending and programs, or block grants and vouchers. And, the answer we are left with is none of the above.

Mr. President, I am pleased to join my colleagues Senators BAYH, BREAUX, GRAHAM, KOHL, LANDRIEU, LINCOLN, and ROBB in introducing this groundbreaking legislation that signifies that there is a better way, a third way to address education reform. It builds on the progress many states have already made through the standards movements. It calls for streamlining and consolidating the maze of programs under the Elementary and Secondary Education Act into five goal-oriented titles, each with more money and fewer strings attached, and all of them geared toward encouraging innovation, promoting what works, and ultimately raising academic achievement for all students.

We would concentrate our efforts on closing the achievement gap between the haves and have-nots, fostering English proficiency for immigrant children, improving the quality of teaching for all children, promoting choice and competition within the public system, and stimulating innovative and high performance educational initiatives. We would ask the states to set performance standards in each of these areas, and in exchange for the new funding and flexibility we provide, we would hold states accountable for delivering demonstrable results. We would reward success and, for the first time in the history of ESEA, punish chronic failure.

We agree with our Democratic colleagues that we need to invest more resources if we want to meet the new challenges of the new century, and prepare every student to succeed in the classroom. That is why we would boost ESEA funding by $35 billion over the next five years. But we also believe that the impact of this funding will be severely diluted if it is not better targeted to the worst-performing schools and if it is not coupled with a demand for results. That is why we not only increase Title I funding by 50 percent, but use a more targeted formula for distributing these new dollars to schools with the highest concentrations of poverty. And that is why we develop a new accountability system that strips federal funding from states that continually fail to meet their performance goals.

We also agree with our Republican colleagues that federal education programs are too numerous and too bureaucratic. That is why we eliminate dozens of federally microtargeted, micromanaged programs that are redundant or incidental to our core mission of raising academic achievement. But we also believe that we have a great national interest in promoting broad national educational goals, chief among them delivering on the promise of equal opportunity. It is not only foolish, however, but irresponsible to hand out federal dollars with no questions asked and no thought of national priorities. That is why we carve out separate titles in those areas that we think are critical to helping local districts elevate the performance of their schools.

The first would enhance our longstanding commitment to providing extra help to disadvantaged children through the Title I program, while better targeting $12 billion in aid—a 50 percent increase in funding—to schools with the highest concentrations of poor students. The second would combine various teacher training and professional development programs into a single teacher quality grant, increase funding by 100 percent to $1.6 billion annually, and challenge each state to pursue the kind of bold, performance-based reforms that my own state of Connecticut has undertaken with great success.

The third would reform the Federal bilingual education program and hopefully defuse the ongoing controversy surrounding it by making absolutely clear that our national mission is to help immigrant children learn and master English, as well as achieve high levels of achievement in all subjects. We must be willing to back this commitment with essential resources required to help ensure that all limited English proficient students are served.

Under our approach, funding for LEP programs would be more than doubled to $1 billion a year, and for the first time be distributed to states and local districts through a reliable formula, based on their LEP student population. As a result, school districts serving large LEP and high poverty student populations would be guaranteed federal funding, and would not be penalized because of their inability to hire savvy proposal writers for competitive grants.

The fourth would respond to the public demands for greater choice within the public school framework, by providing additional resources for charter school start-ups and new incentives for expanding local, intradistrict choice programs. And the fifth would radically restructure the remaining ESEA and ensure that funds are much better targeted while giving local districts greater flexibility in addressing specific needs. We consolidate more than 20 different programs into a single High Performance Initiatives title, with a focus on supporting bold new ideas, expanding access to summer school and after school programs, improving school safety, and building technological literacy. We increase overall funding by more than $200 million, and distribute this aid through a formula that targets more resources to the highest poverty areas.

The boldest change we are proposing is to create a new accountability title. As of today, we have plenty of rules and requirements on inputs, on how funding is to be allocated and who must be served, but little if any attention to outcomes, on how schools ultimately perform in educating children. This bill would reverse that imbalance by linking Federal funding to the progress states and local districts make in raising academic achievement. It would call on state and local leaders to set specific performance standards and adopt rigorous assessments for measuring how each district is faring in meeting those goals. In turn, states that exceed those goals would be rewarded with additional funds, and those that fail repeatedly to show progress would be penalized. In other words, for the first time, there would be consequences for poor performance.

In discussing how exactly to impose those consequences, we have run into understandable concerns about whether you can penalize failing schools without also penalizing children. The truth is that we are punishing many children right now, especially the most vulnerable of them, by forcing them to attend chronically troubled schools that are accountable to no one, a situation that is just not acceptable anymore. This bill minimizes the potential negative impact of these consequences on students. It provides the states with three years to set their performance-based goals and put in place a monitoring system for gauging how local districts are progressing, and also provides additional resources for states to help school districts identify and improve low-performing schools. If after those three years a state is still failing to meet its goals, the state would be penalized by cutting its administrative funding by 50 percent. Only after four

years of under performance would dollars targeted for the classroom be put in jeopardy. At that point, protecting kids by continuing to subsidize bad schools becomes more like punishing them.

I must address another concern that may be raised that this is a block grant in sheep's clothing. There are substantial differences between a straight block-grant approach and this streamlined structure. First, in most block-grant proposals the accountability mechanisms are vague, weak and often non-existent, which is one reason why I have opposed them in the Senate. Our bill would have tangible consequences, pegged not just to raising test scores in the more affluent suburban areas, but to closing the troubling achievement gap between students in poor, largely minority districts and their better-off peers.

This leads me to another way this bill is different. Unlike many block-grant supporters, I strongly believe that we have a great national interest and a national obligation to promote specific educational goals, chief among them delivering on the promise of equal opportunity, and that is reflected in our legislation. While it makes sense to streamline and eliminate as many strings as possible on Federal aid, to spur innovation and also to maximize the bang for our Federal buck, it does not make sense to hand over those Federal bucks with no questions asked, and thus eliminate the Federal role in setting national priorities. That is why, in the restructuring we have developed, we have maintained separate titles for disadvantaged students, limited English proficient students, teacher quality, public school choice, and high quality education initiatives, all of which, I would argue, are critical to raising academic achievement and promoting equal opportunity. And that is why of the more than $6 billion increase in annual funding I am proposing, $4 billion would be devoted to title I and those students most in need of our help.

It is a fairly common-sense strategy—reinvest in our public schools, reinvent the way we administer them, and restore a sense of responsibility to the children we are supposed to be serving. Hence the title of our bill: the Public Education Reinvention, Reinvestment, and Responsibility Act, or the Three R's for short. Our approach is humble enough to recognize there are no easy answers to turning around low-performing schools, to lifting teaching standards, to closing the debilitating achievement gap, and that most of those answers won't be found here in Washington anyway. But it is ambitious enough to try to harness our unique ability to set the national agenda and recast the federal government as an active catalyst for success instead of a passive enabler of failure.

Mr. BAYH. Mr. President, I rise today to speak on a matter of great importance and urgency to me. We are at a crossroads in American education and that is why I join with my colleagues Senators LIEBERMAN, LANDRIEU, KOHL, LINCOLN, BREAUX, GRAHAM, and ROBB in offering the Public Education Reinvestment, Reinvention, and Responsibility Act.

Since the middle of the 1800s, when Horace Mann and a group of others dedicated our country to the principle that every child should have access to a good public education, we have held that out as an ideal for our country. In the middle 1960s, there was growing recognition that for too many of our children, this principle was really a hollow dream. And so, the Elementary and Secondary Education Act (ESEA) was born. We introduce our version of ESEA today in recognition of the fact that for too many millions of American children the dream of a quality public education is still sorely lacking.

The consequences of any of our children not receiving a quality education are far greater than ever before. For the first time in our nation's history, the growing gap between the educational ''haves'' and ''have nots'' threatens to create a permanent underclass. If we do not address these shortcomings, the knowledge and information gap will lock many of our citizens out of the marketplace and prevent them from accessing opportunity in the New Economy. We stand here today in recognition of the fact that the solutions of the 1960s are inadequate to meet the challenges of the 21st Century and the years beyond. We stand here today to say the status quo is not good enough; that we must do better.

Our legislation proposes dramatic change in a significant rethinking of business as usual when it comes to education policy here in Washington, D.C. We propose a substantial increase in our nation's investment in education, because we recognize that we can't expect our schools, particularly our poorer schools, to get the job done if we don't give them the tools to get the job done. We propose an increase of $35 billion over five years in Federal education spending, a 50 percent increase for Title I funding, 90 percent increase for professional development funding for teachers, over a 30 percent increase for innovative programs, and nearly a doubling in funding for Charter schools and Magnet Schools so as to give parents greater public school choice. This is a significant investment of public dollars.

But we do more than just throw money at the problem, because we know that taxpayers, parents, and most of all our children, have a right to expect more from us. Instead, we focus on accountability. In return for increased investment, we insist upon results. We focus on outcomes, not incomes. No longer will we define success only in terms of how much money is spent, but instead of how much our children know. Can they read and write, add and subtract, know basic science?

No longer will we define accountability in terms of ordering local school districts to spend dollars in particular ways, but instead in terms of whether our children are getting the skills they need to make a successful life for themselves. This is a significant rethinking from the things that have prevailed here in Washington for several decades.

Our proposal also provides a substantial amount of flexibility. We don't agree with our colleagues on the far right in block grants which would allow money to be diverted from public education or to allow dollars to be diverted from focusing on our poorest students. But we do allow for local principals and superintendents to have a much greater say in determining how best to spend those dollars, because we believe that those at the local level who labor in the classrooms and the schools every day, can make those decisions far better than those of us who now work on the banks of the Potomac.

It was Thomas Jefferson who said that a society that expects to be both ignorant and free is expecting something that never has been and never shall be. So we put forward this proposal because we know that the cause of improving public education is critically important to our economy, critically important to the kind of society that we will be, and essential to the vibrancy of our democracy itself.

Mr. KOHL. Mr. President, I rise today as a proud cosponsor of the Public Education Reinvestment, Reinvention, and Responsibility Act of 2000—better known as ''Three R's.'' I have been pleased to work with the education community in Wisconsin, as well as Senator LIEBERMAN and our other cosponsors, on this important piece of legislation. I believe that this bill represents a realistic, effective approach to improving public education—where 90 percent of students are educated.

We have made great strides in the past six years toward improving public education. Nearly all States now have academic standards in place. More students are taking more challenging courses. Test scores have risen slightly. Dropout rates have decreased.

In Wisconsin, educators have worked hard to help students achieve. Fourth-graders and eighth-graders are showing continued improvement on State tests in nearly every subject, particularly in science and math. Third-graders are scoring higher on reading tests. Test results show some improvement across all groups, including African American, disabled, and economically disadvantaged groups.

Unfortunately, despite all of our best efforts, we still face huge challenges in improving public schools. The most recent TIMSS study of students from 41 different countries found that many American students score far behind those in other countries. In Wisconsin, scores in math, science and writing are

getting better but still need improvement. And test scores of students from low-income families, while showing some improvement, are still too low.

Mr. President, I strongly support the notion that the Federal government must continue to be a partner with States and local educators as we strive to improve public schools. As a nation, it is in all of our best interests to ensure that our children receive the best education possible. It is vital to their future success, and the success of our country.

However, addressing problems in education is going to take more than cosmetic reform. We are going to have to take a fresh look at the structure of Federal education programs. We need to let go of the tired partisan fighting over more spending versus block grants and take a middle ground approach that will truly help our States, school districts—and most importantly, our students.

Our ''Three R's'' bill does just that. It makes raising student achievement for all students—and eliminating the achievement gap between low-income and more affluent students—our top priorities. To accomplish this, our bill centers around three principles.

First, we believe that we must continue to make a stronger investment in education, and that Federal dollars must be targeted to the neediest students. A recent GAO study found that Federal education dollars are significantly more targeted to poor districts than money spent by States. Although Federal funds make up only 6–7 percent of all money spent on education, it is essential that we target those funds where they are needed the most.

Second, we believe that States and local school districts are in the best position to know what their educational needs are. They should be given more flexibility to determine how they will use Federal dollars to meet those needs.

Finally—and I believe this is the key component of our approach—we believe that in exchange for this increased flexibility, there must also be accountability for results. These principles are a pyramid, with accountability being the base that supports the federal government's grant of flexibility and funds.

For too long, we have seen a steady stream of Federal dollars flow to States and school districts—regardless of how well they educated their students. This has to stop. We need to reward schools that do a good job. We need to provide assistance and support to schools that are struggling to do a better job. And we need to stop subsidizing failure. Our highest priority must be educating children—not perpetuating broken systems.

Mr. President, I believe the ''Three R's'' bill is a strong starting point for taking a fresh look at public education. We need to build upon all the progress we've made, and work to address the problems we still face. This bill—by using the concepts of increased funding, targeting, flexibility—and most importantly, accountability—demonstrates how we can work with our State and local partners to make sure every child receives the highest quality education—a chance to live a successful productive life. I look forward to working with all of my colleagues on both sides of the aisle, as well as education groups in my State, as Congress debates ESEA in the coming months.

By Mr. MCCAIN:

S. 2255. A bill to amend the Internet Tax Freedom Act to extend the moratorium through calendar year 2006; to the Committee on Commerce, Science, and Transportation.

THE INTERNET TAX FREEDOM ACT OF 2000

Mr. MCCAIN. Mr. President, I am pleased to introduce legislation today to extend the moratorium on Internet taxes through 2006. This will ensure that Internet commerce remains free from burdensome, anticonsumer taxation while we discuss a fair and equitable tax structure for our new economy. This bill simply extends the law passed by Congress and signed by the President in October 1998.

The 1998 legislation imposed a moratorium and provided for a commission to report to Congress. While the Commission has not yet reported its recommendations, it is clear from published reports of their deliberations and from interviews with their members that a clear consensus is not imminent. More discussions and more time is necessary to arrive at a fair conclusion. Although I feel strongly that in the end a permanent moratorium is the best policy, which is why I introduced legislation to impose a permanent ban on Internet taxes, I also have become convinced that we need more time to determine how state and local governments will be affected. We need to consider whether the macroeconomic benefits of the new economy will outweigh the potential losses in direct revenues, how to ensure a level playing field for all venues of commerce, and how to simplify the overwhelming morass of tax rules, regulations and paperwork so that opportunities for new or small businesses are not lost in complex and archaic bureaucracy.

The compromises being discussed by the Commission are a good start to the debate, but more time is necessary to pursue these and other possible options. It is becoming increasingly clear that the answer to taxation of the internet must affect taxation of other commerce media, such as catalog sales, as well. We need to reexamine the level of services which the public wants to be provided by government and determine how to provide necessary revenue to accomplish the people's will. We need to ensure that taxation is not simply imposed to increase government bureaucracy.

Recent studies indicate that state and local governments will not suffer during this interim period. A June 1999 report by the well-known and respected auditing and business consulting firm or Ernst & Young concludes that total sales and use taxes not collected by state and local governments from Internet e-commerce transactions in 1998 amounted to only ''one-tenth of one percent of total state and local sales and use tax collections.'' Another May 1999 analysis of Internet commerce transactions through 2003 by Austan Goolsvee and Jonathan Zittrain, published in the National Tax Journal, predicts ''even with a 70 percent rate of growth in retail e-commerce transactions, a revenue loss of less than 2 percent of sales tax revenue.''

There are multiple reasons for this very marginal impact on state and local revenues. First, most of the e-commerce transactions are wither business-to-business transactions, or for services, such as financial services and travel, which are exempt from sales and use taxes in most states. Ernst & Young estimated only 13 percent of the total e-commerce sales transactions were of a type which would be subject to sales and use taxes if conducted in person.

Second, as pointed out by Austan Goolsbee and Jonathan Zittrain, the Internet is a ''trade creator''—that is, many transactions which occur through e-commerce would not take place at all without the internet.

Third, the Internet does not divert sales only from brick and mortar retailers, but also from mail order catalogs. Those sales are also subject to sales and use tax only where a nexus, a physical presence, in the taxing state.

We are currently seeing a continued rise in state and local revenues. Many states are currently debating how to refund money to their citizens, whether to cut sales taxes or income taxes. Thus, this moratorium should not negatively impact their ability to provide services during the interim.

It is important to look at the full picture here. The Internet is filled with web sites of small businesses which are expanding in ways which would never have before been economically feasible. For example, a small store in a small town which has historically had a limited market for its good now has a website that allows it to market and sell to people all over the country—all over the world. It increases its business and needs to hire more employees, and pays taxes on its increased revenues. The states and local governments benefits, not only from the additional taxes paid on the revenues, but in the economic benefits of additional jobs.

The potential burden of complying with tax regulations and the paperwork involved under current law for as many as 7,500 estimated taxing units in this country would ovrwhelm many businesses, especially small businesses. An example in the March 13, 2000 edition of Interactive Week is instructive. ''If you're a raw peanut, five states would require that sales taxes are paid

on your purchase. If you're roasted, 11 states charge a sales tax. Add some honey to that roasting, and now 21 states say you're taxable. Get drenched in caramel and mixed with caramel-coated popcorn and suddenly you're a snack, and 31 states will call the tax man.''

While I hope that the debate will conclude with a decision to leave the Internet as a ''tax-free-zone,'' I believe that it is important to continue the discussion and to move all stakeholders toward a consensus. This temporary extension of the moratorium already approved by Congress and the President will allow us to do that. This is a good compromise which will serve as a catalyst for consideration of the broader tax policy issues which need to enter into this discussion to ensure a fair and equitable tax system in this country.

I intend to move this bill through committee expeditiously and look forward to debating it on the Senate floor.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2255

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

SECTION 1. INTERNET TAX MORATORIUM EXTENDED THROUGH 2006.

Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 nt) is amended by striking ''3 years after the date of the enactment of this Act—'' and inserting ''on December 31, 2006:'',

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By Mr. BIDEN (for himself and Mr. MCCONNELL):

S. 2256. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws; to the Committee on the Judiciary.

THE STATE AND LOCAL LAW ENFORCEMENT DISCIPLINE, ACCOUNTABILITY AND DUE PROCESS ACT OF 2000

Mr. MCCONNELL. Mr. President, today I rise with Senator BIDEN to introduce the State and Local Law Enforcement Discipline, Accountability and Due Process Act of 2000. American families can turn on the news every night and see the reality of the war against crime and drugs. No one understands the dangers of this battle better than the men and women on the front lines. I'm talking about our nation's police officers.

We have entrusted the difficult work of protecting society to police officers. They know the stress and the strain of walking the daily beat, of being caught in the crossfire in a world of gangs and drugs. They do a very difficult job, and with few exceptions, they do it with honor and skill.

We should always remember that the vast majority of police officers work responsibly and risk their lives for all of us. In the words of one officer, 'the ultimate sacrifice could occur at any time. * * * [The] gangs and criminals have rewritten the rule book.'

To make matters worse, the pressure of crime and drugs—of gangs and thugs—is multiplied by the fear of unjust disciplinary actions. Our law enforcement officers face intrusive investigations into their professional and personal lives—oftentimes at the behest of some recently arrested criminal looking for a payback.

Unfortunately, many police officers are denied the same basic procedural and due process rights that the rest of us enjoy and take for granted. As a result, our officers live in the fear of: being investigated without notice; being interrogated without an attorney; and, being dismissed without a hearing.

We insist that police officers respect the constitutional rights of the citizens they serve. We insist that they adhere to the letter and spirit of our laws. We insist that they respect due process in their work. It is past time for us to give them the same kind of legal rights that every other citizen has come to enjoy. That is why Senator BIDEN and I have introduced this bill.

This bill strikes an important balance: it makes sure every police officer has basic fundamental procedural rights, while at the same time ensuring that citizens have the opportunity to raise legitimate complaints and concerns about police officer accountability.

For example, the bill guarantees due process rights to every police officer subject to investigation for non-criminal disciplinary action. Some of these rights include: the right to be informed of the administrative charges prior to being questioned; the right to be advised of the results of an investigation; the right to a hearing and an opportunity to respond; and the right to be represented by counsel or other representative.

At the same time the bill ensures that legitimate citizen complaints against police officers will be actively investigated, and that citizens will be informed of the progress and outcome of those investigations.

Finally, I must conclude by explaining that this bill is a product of years of input from the men and women who have experienced the daily pressures of police service, and continue to endure them. This legislation has benefitted from the thoughtful ideas and past support of many law enforcement groups, including the Fraternal Order of Police, the National Association of Police Organizations, and the International Brotherhood of Police Officers.

In particular, I am grateful to the contribution made by the Fraternal Order of Police. Over the past 8 years, I have worked closely with the Kentucky FOP to develop and promote this legislation.

The time has come to protect those who protect us. We must give our law enforcement officers the basic and fundamental rights that they desperately need and richly deserve.

By Mr. TORRICELLI:

S. 2259. A bill to amend title 28, United States Code, to divide New Jersey into two judicial districts; to the Committee on the Judiciary.

CREATING A NORTHERN AND SOUTHERN DISTRICT OF NEW JERSEY

● Mr. TORRICELLI. Mr. President, I rise today to introduce a bill that will help bring more criminals to justice and create a better federal judicial system in New Jersey. This legislation will divide the federal District of New Jersey into the Southern and Northern Districts of New Jersey which will enable the federal courts and federal agencies to better serve the approximately 8 million residents of the state. It will also bring much needed federal law enforcement resources to the state, particularly southern New Jersey.

Under the bill, the proposed Southern District of New Jersey would include 8 of the 21 counties in New Jersey and the Northern District of New Jersey would include the remaining 13. The federal courthouses would be located in Camden and Trenton for the Southern District and in Newark for the Northern District. All federal cases arising in the eight-county Southern District would be heard in the federal court in Camden or Trenton and cases from the 13-county Northern District would be heard in Newark. The bill would also result in the creation of several new federal positions for the Southern District including a Clerk of the Court, U.S. Attorney, U.S. Marshal, and a Federal Public Defender, among others.

By creating a new Southern District of New Jersey, more federal crime-fighting resources will be brought to a region which crime statistics reveal is besieged by violent crime. In 1998, southern New Jersey accounted for 25 percent of the state's urban murders, 32 percent of the state's murder arrests and 33 percent of the state's arrests for violent crimes. This initiative will also ensure that crime-fighting decisions are made locally instead of by officials who are based elsewhere in the state and that law enforcement officials in the region will get the resources needed to prosecute crimes effectively and expeditiously.

The creation of two districts will also provide relief from the crush of cases that have crowded the dockets of the federal courts in southern New Jersey and caused a severe backlog in the system. In 1998 alone, 281 federal criminal

cases were filed in federal courts in southern New Jersey and 161 criminal cases were still pending at the end of the year. In that same year, 2,116 civil cases were filed and 1,318 civil cases were pending at the end of the year. Moreover, of the 95 federal judicial districts across the nation, more than half generated fewer criminal and civil cases than southern New Jersey and in some cases with far more federal judicial and law enforcement resources. Currently, only 10 percent of the FBI agents, 15 percent of the United States Marshals and 18 percent of the Drug Enforcement Administration agents in New Jersey are assigned to the region. Of the 119 Assistant United States Attorneys in the state, only 12 are assigned to South Jersey.

Finally, the creation of a new Northern and Southern Districts of New Jersey is warranted based on the sheer size of the state. The current District of New Jersey is the third most populous federal judicial district in the nation. Of the 25 states that have a single federal judicial district, New Jersey has the largest population and more than a dozen states with smaller populations have multiple judicial districts. In fact, with more than 2 million residents in the southern counties, the population of the proposed Southern District of New Jersey would exceed that of almost half of the current judicial districts and the proposed Northern District would rank even higher.

This initiative enjoys broad bipartisan political support in New Jersey, and a similar bill has been introduced and cosponsored in the U.S. House of Representatives by the entire southern New Jersey Congressional delegation. The measure also has strong support in the southern counties and is backed by all eight southern county bar associations, the South Jersey Police Chief's Association, the Chamber of Commerce of Southern New Jersey and various former county prosecutors and former federal law enforcement officials.

While the process of reviewing and deliberating the merits of this legislation will be lengthy and time consuming, this is an idea which is long overdue. The citizens of New Jersey deserve a better federal judicial system and their fair share of federal crime-fighting resources. I look forward to working with my colleagues to secure passage of this legislation.

I ask unanimous consent that a copy of the legislation appear in the RECORD.

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

S. 2259

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

SECTION 1. FINDINGS.

The Congress finds the following:

(1) In 1978, the Judicial Conference of the United States established a procedure for creating new Federal judicial districts, which is still in force. According to the ''Proceedings of the Judicial Conference, September 21–22, 1978'', this procedure requires that 4 principal criteria be taken into consideration in evaluating the establishment of a new Federal judicial district: caseload, judicial administration, geography, and community convenience.

(2) The criterion of ''caseload'' is found to include the total number of Federal court cases and the number of cases per Federal judge, for both civil and criminal Federal cases.

(3)(A) The substantial criminal caseload concentrated in the southern counties of New Jersey requires the creation of a separate judicial district.

(B) 281 Federal criminal cases originated in the 8 southern New Jersey counties in 1998 and were handled by the 5 judges of the Camden vicinage and the 3 judges of the Trenton vicinage.

(C) The criminal caseload in the southern region of New Jersey exceeds that of 51 of the current Federal judicial districts. Only 44 of the 95 Federal district courts have more criminal cases filed than the southern region of New Jersey.

(D) For example, in the Eastern District of Virginia (9 judges), 110 criminal cases were filed in 1998. In the District of Connecticut (8 judges), only 221 criminal cases were filed in 1998.

(4)(A) The substantial civil caseload concentrated in the southern counties of New Jersey requires the creation of a separate judicial district.

(B) 2,116 Federal civil cases originated in the 8 southern New Jersey counties in 1998 and were handled by the 5 judges of the Camden vicinage and the 3 judges of the Trenton vicinage.

(C) The civil caseload in the southern region of New Jersey exceeds that of 52 of the current Federal judicial districts. Only 43 out of the 95 Federal districts have more civil cases filed than this region of the New Jersey District.

(D) For example, in the Southern District of West Virginia, a separate judicial district with 5 judges, only 1,315 civil cases were filed in 1998. The Western District of Tennessee, similarly, with 5 judges, had only 1,581 civil cases filed in 1998.

(5) The criterion of ''judicial administration'' is found to include the backlog of pending cases in a Federal judicial district, which hinders the effective resolution of pending business before the court.

(6)(A) The size of the backlog of pending cases concentrated in the southern counties of New Jersey requires the creation of a separate judicial district.

(B) The number of pending cases in the Camden vicinage of New Jersey exceeds the number of cases pending before entire judicial districts with similar numbers of judges, clearly indicating that southern New Jersey merits a separate Federal judicial district. For example, there are 1,431 civil cases pending before the Camden vicinage, and only 113 of those were commenced in 1999. The Western District of Tennessee, with 5 judges, had only 1,104 civil cases pending in 1998. The Western District of Oklahoma had only 1,359 civil cases pending in 1998 before 6 judges. Finally, there are 161 criminal cases pending before the Camden vicinage, while the entire Southern District of Indiana, with 5 judges, had only 116 criminal cases pending in 1998.

(7) The criterion of ''geography'' is found to mean the accessibility of the central administration of the Federal judicial district to officers of the court, parties with business before the court, and other citizens living within the Federal judicial district.

(8)(A) The distance between the northern and southern regions of New Jersey creates a substantial barrier to the efficient administration of justice.

(B) The distance from Newark, New Jersey to Camden, New Jersey is more than 85 miles.

(C) When a new Federal court district was created in Louisiana in 1971, the distance between New Orleans and Baton Rouge (nearly 80 miles) was cited as a major factor in creating a new district court, as travel difficulties were impeding the timely administration of justice.

(9) The criterion of ''community convenience'' is found to mean the extent to which creating a new Federal judicial district will allow the court to better serve the population and diverse communities of the area.

(10)(A) New Jersey's culturally and regionally diverse population of 8,000,000 citizens, widely distributed across a large State, is inconvenienced by having only 1 judicial district.

(B) Of the 25 States that have only a single Federal judicial district (including Puerto Rico, the United States territories, and the District of Columbia), New Jersey has the highest population.

(C) More than a dozen States have smaller populations than New Jersey, yet they have multiple Federal judicial districts, including Washington, Oklahoma, Iowa, Georgia, West Virginia, and Missouri.

(11) In evaluating the creation of a new Southern District of New Jersey, the Judicial Conference should seek the views of the chief judge of the affected district, the judicial council for the affected circuit court, and the affected United States Attorney as representative of the views of the Department of Justice, as required in the procedure established by the ''Proceedings of the Judicial Conference, September 21–22, 1978''.

SEC. 2. ESTABLISHMENT OF 2 DISTRICTS IN NEW JERSEY.

(a) CREATION.—Section 110 of title 28, United States Code, is amended to read as follows:

''§ 110. New Jersey

''New Jersey is divided into 2 judicial districts to be known as the Northern and Southern Districts of New Jersey.

''Northern District

''(a) The Northern District comprises the counties of Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren.

''Court for the Northern District shall be held at Newark.

''Southern District

''(b) The Southern District comprises the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, and Salem.ER

''Court for the Southern District shall be held at Camden and Trenton.''.

(b) JUDGESHIPS.—The item relating to New Jersey in the table set forth in section 133(a) of title 28, United States Code, is amended to read as follows:

''New Jersey:
''Northern 9
''Southern ..... 8''.

(c) BANKRUPTCY JUDGESHIPS.—The item relating to New Jersey in the table set forth in section 152(a)(1) of title 28, United States Code, is amended to read as follows:

''New Jersey:
''Northern 4
''Southern ..... 4''.

SEC. 3. DISTRICT JUDGES, BANKRUPTCY JUDGES, MAGISTRATE JUDGES, UNITED STATES ATTORNEY, UNITED STATES MARSHAL, AND FEDERAL PUBLIC DEFENDER.

(a) TRANSFER OF DISTRICT JUDGES.—(1) Any district judge of the District Court of New

Jersey who is holding office on the day before the effective date of this Act and whose official duty station is in Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, or Warren County shall, on or after such effective date, be a district judge for the Northern District of New Jersey. Any district judge of the District Court of New Jersey who is holding office on the day before the effective date of this Act and whose official duty station is in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, or Salem County shall, on and after such effective date, be a district judge of the Southern District of New Jersey.

(2) Whenever a vacancy occurs in a judgeship in either judicial district of New Jersey, the vacancy shall first be offered to those judges appointed before the enactment of this Act and in active service in the other judicial district of New Jersey at the time of the vacancy, and of those judges wishing to fill the vacancy, the judge most senior in service shall fill that vacancy. In such a case, the President shall appoint a judge to fill the vacancy resulting in the district of New Jersey from which such judge left office.

(b) TRANSFER OF BANKRUPTCY AND MAGISTRATE JUDGES.—Any bankruptcy judge or magistrate judge of the District Court of New Jersey who is holding office on the day before the effective date of this Act and whose official duty station is in Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, or Warren County shall, on or after such effective date, be a bankruptcy judge or magistrate judge, as the case may be, for the Northern District of New Jersey. Any bankruptcy judge or magistrate judge of the District Court of New Jersey who is holding office on the day before the effective date of this Act and whose official duty station is in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, or Salem County shall, on and after such effective date, be a bankruptcy judge or magistrate judge, as the case may be, of the Southern District of New Jersey.

(c) UNITED STATES ATTORNEY, UNITED STATES MARSHAL, AND FEDERAL PUBLIC DEFENDER.—

(1) THOSE IN OFFICE.—This Act and the amendments made by this Act shall not affect the tenure of office of the United States attorney, the United States marshal, and the Federal Public Defender, for the District of New Jersey who are in office on the effective date of this Act, except that such individuals shall be the United States attorney, the United States marshal, and the Federal Public Defender, respectively, for the Northern District of New Jersey as of such effective date.

(2) APPOINTMENTS.—The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the Southern District of New Jersey. The Court of Appeals for the Third Circuit shall appoint a Federal Public Defender for the Southern District of New Jersey.

(d) PENDING CASES NOT AFFECTED.—This Act and the amendments made by this Act shall not affect any action commenced before the effective date of this Act and pending in the United States District Court for the District of New Jersey on such date.

(e) JURIES NOT AFFECTED.—This Act and the amendments made by this Act shall not affect the composition, or preclude the service, of any grand or petit jury summoned, empaneled, or actually serving in the Judicial District of New Jersey on the effective date of this Act.

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—This Act and the amendments made by this Act shall take effect 180 days after the date of the enactment of this Act.

(b) APPOINTMENTS.—Notwithstanding subsection (a), the President and the Court of Appeals for the Third Circuit may make the appointments under section 3(c)(2) at any time after the date of the enactment of this Act.●

By Mr. COVERDELL:

S. 2260. A bill to allow property owners to maintain existing structures designed for human habitation at Lake Sidney, Georgia; to the Committee on Environment and Public Works.

THE LAKE SIDNEY LANIER HOME PRESERVATION ACT

Mr. COVERDELL. Mr. President, today I rise to introduce legislation that is of the utmost importance to a group of homeowners in my state. They face one of the most chilling scenarios that could confront a property owner—the condemnation and destruction of their home by the federal government without compensation.

The series of events that led to this unfortunate situation began nearly fifty years ago. In 1957, Lake Sidney Lanier was completed by the United States Army Corps of Engineers to serve as a reservoir for Atlanta and as a flood management project for northeast Georgia. Over the years this lake, located near the head of the Chattahoochee and Chestatee Rivers, developed into one of the great landmarks in my state. More importantly, many families have chosen to build homes on property adjacent to the lake.

When the lake is full, water rises to 1,071 feet above sea level. When the lake was completed in 1957, the Corps established a flood control easement, or ''flood line,'' of 1,085 feet above sea level. The Corps decreed that no structures could be built below this line. Unfortunately, the Corps did not make an accurate initial survey of this easement. Between 1967 and 1972, a second survey of the lake was made by foot, and beginning in 1983, yet another survey was begun to determine if private structures were violating the Corps easement. This survey is about halfway complete.

In the meantime, properties which were based upon the early surveys were sold to families looking to build a home along the lake. Many, if not all, of these home owners were unaware of this easement when they purchased property along the lake. Therefore, I believe many homes, which were believed to be compliant with all Corps property lines when constructed, in fact encroach upon the easement. No one is entirely sure how many of the thousands of homes along the lake accidentally encroach on the Corps' easement.

Last year, the Corps began enforcing the easement in some areas. They decreed that homes which violate the easement must be brought into compliance or be destroyed. Now, Mr. President, you and I know very well that it is very difficult to move a house. Therefore, destruction is often the only option for most home owners.

To make matters worse, property owners lack legal recourse. Because they were unaware of the easement requirement, means for dealing with it were not built into their property deeds. In short, numerous home owners face a dire situation should the Corps decide to enforce the easement all around the lake.

To solve this problem, today I introduce the Lake Sidney Lanier Home Preservation Act. It is both simple and fair. My legislation allows home owners who accidentally violated the easement to sign a release exempting them from the Corps requirement. In exchange for this, the home owner surrenders all rights to legal recourse against the United States if the Corps is forced to flood the lake to the easement level. At this point, I would like to point out that Lake Lanier has never approached the 1,085 foot easement line—its historic high was a full seven feet below the flood line, which was recorded in spring 1964. In recent years, the lake has been below full pool almost year round.

Upon enactment of this bill a home owner will have one year to request that the Corps survey their property and determine if they need to seek a waiver. The home owner not the Corps, pays for the survey. If a home is found to be in violation of the easement, the home owner has 90 days to decide whether to seek a release from the easement, or to bring the structure into compliance.

My bill also applies only to homes built or begun prior to January 1, 2000. This will provide closure to this issue and discourage any more homes from being built below the flood line.

Mr. President, I wish there were a simple answer to the dilemma facing home owners along Lake Lanier. While the Corps has a responsibility to fulfill its responsibility to protect citizens in the event of a flood, we simply cannot allow hard working families to lose their homes in response to a hypothetical situation that could never arise.

My colleague in the House of Representatives, Mr. DEAL, introduced companion legislation. It is my hope that we can move the Lake Sidney Lanier Home Preservation Act forward as quickly as possible, and bring peace of mind to home owners caught in a situation beyond their control.

By Mr. SARBANES (for himself, Mr. ROBB, Ms. MIKULSKI, Mr. BAYH, and Mr. LIEBERMAN):

S. 2261. A bill to encourage the formation of industry-led training consortia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

INDUSTRY TRAINING CONSORTIA ACT

● Mr. SARBANES. Mr. President, today, along with several of my colleagues, I am introducing the Industry

Training Consortia Act to provide our nation's workforce with the information technology and computer skills it needs to meet the emerging and rapidly changing requirements of our various technology sectors. The purpose of this legislation is to assist our business sector in establishing a national technology training infrastructure to provide our workforce with the skills it requires to remain competitive in the global, high technology marketplace.

The United States is currently the world's science and technology leader. We have achieved this status largely because we have had the most skilled, innovative, and competitive workforce in the world. Indeed, technical innovation, according to a report by the President's Council of Economic Advisers, has been responsible for more than half of America's productivity growth over the past fifty years. But technology is evolving so rapidly that some of our workers are being left behind. If we fail to keep them honed and highly skilled we risk losing our competitive edge.

Having the appropriate information technology skills is becoming more and more important in all sectors of our economy, not only in the high and biotech industries and the manufacturing sector, but also in the so-called low-tech industries. More than half of the new jobs created between 1984 and 2005 require or will require some education beyond high school. The percentage of workers who use computers at work has risen from 25% to 46% between 1984 and 1993. Moreover, firms today are not only using more technology, but are also reorganizing production processes in new ways, such as cellular production, use of teams, and other high performance structures and methods requiring higher levels and new kinds of skills.

A growing number of industries throughout the country are reporting serious difficulties in hiring workers with appropriate computer and information technology skills. The Bureau of Labor Statistics has estimated that between 1998 and 2008 we will need 2 million more newly trained and skilled Information Technology workers. That's an average of 200,000 additional workers a year.

In my own State of Maryland, we currently face an estimated shortfall of 10–12,000 workers with appropriate technology skills. A Maryland Department of Business and Economic Development survey indicates that 80% of firms which hire manufacturing or skilled trade workers, reported significant difficulty in finding applicants with the required skills for technology intensive jobs. The same survey indicates that more than two-thirds of businesses hiring computer technicians, engineers, analysts, or other technical or laboratory personnel experienced difficulty finding qualified workers. It also mentions that fifty-five percent of firms that hire college-level scientists or technical program graduates reported the same difficulty and that 62% of these firms reported that their need for hiring these types of graduates is expected to increase over the next five years.

While well intentioned, many existing training programs across the country are not structured to address this problem head on, from the perspective of industry. And while some post-secondary training institutions have reached out to industry and become more customer-focused, more still must identify ways to respond directly to the changing skills needs of our employers. Our community colleges, and even four-year colleges and universities, cannot shoulder the entire burden of continually reassessing skill needs and providing up-to-date training and equipment with which to train workers in relevant knowledge and skills. Some colleges and universities have been able to establish partnerships with larger firms that have human resource departments, but building partnerships with small and medium-sized firms has proven more difficult.

Many firms, but particularly small and medium-sized enterprises, have limited capacity to engage in significant and sustained workforce development efforts. Managers and owners of most firms are simply too busy running their business to develop training systems, especially for new or dislocated workers. Firms also often lack information on what kind of training they need and where they can get it. As a result, most forego training initiatives and instead try to hire workers away from other companies in related fields.

And because workers are so mobile, individual employers are reluctant to bear the burden of training employees, whether they are new or incumbent workers, simply due to the likelihood that they will leave to work for a competitor. Without an adequate return on the investment for paying to train their employees, coupled with an increasingly competitive global marketplace, many larger companies have begun to cut back on their in-house training programs.

A unique approach, one flexible enough to address the fluctuations, transitions and emerging needs of our high technology economy is required. In order to train and educate new entrants to the workforce, workers dislocated by economic change, and workers already in the workplace facing increased demands for higher levels of technology related skills, we need an industry driven training infrastructure.

The legislation I am introducing would establish working groups across the country in which employers, public agencies, schools, and workers can pool resources and expertise to train workers for emerging job opportunities and jobs threatened by economic and technological transition. It will help develop targeted consortia of industry, workers and training entities across the country to assess where and what gaps exist and provide the skills that industry and workers require to remain competitive and on the cutting edge.

Specifically, it would authorize a grants program—to be overseen by the Department of Commerce, in consultation with the Department of Labor,—and provide up to a $1 million federal match, for every dollar invested by state and local governments and the private sector for these working groups. The Department of Commerce would be authorized to budget $50 million annually for this purpose and funds would be allocated through a competitive grants process, with each consortia of firms as applicants.

This legislation will allow industries to identify their own skills needs and build these consortia around their common requirements. Alliances would serve to harness the expertise of state and local officials, educational leaders, regional chapters of trade associations and union officials and pool the resources available among these entities. But each group would be predominantly made up of industry, and would be industry driven. Indeed, if we are going to address what is becoming a skills crisis in this country, our businesses must have a leadership role in establishing the means by which we continue to build and upgrade the skills of workers in technology related fields.

Smaller scale versions of the types of skills alliances which my legislation proposes to develop have already shown promise. In Wisconsin, metal-working firms have banded together with the AFL–CIO in a publicly sponsored effort that used an abandoned mill building as a teaching facility, teaching workers essential skills on state-of-the-art manufacturing equipment. Rhode Island helped develop a skills alliance among plastics firms, who then worked with a local community college to create a polymer training laboratory linked to an apprenticeship program that guarantees jobs for graduates. In Washington, DC telecommunications firms donated computers, and helped to set up a program to train public high school students to be computer network administrators and are now hiring graduates of the program at an entry-level salary of $25,000–30,000.

With these grants, this approach can grow and flourish. Each of these initiatives is an investment in our workforce for the 21st Century. If we are to truly transition the U.S. worker to a technology based economy, we must ensure that these best practice examples become standard practice. I urge my colleagues to join me in ensuring the swift enactment of this legislation. I ask unanimous consent that a copy of this legislation be printed in the RECORD.

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

S. 2261

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 ''Industry Training Consortia Act''.

SEC. 2. DEFINITION.

In this Act:

(1) EMPLOYER.—The term ''employer'' includes a business.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

TITLE I—SKILL GRANTS

SEC. 101. AUTHORIZATION.

(a) IN GENERAL.—The Secretary of Commerce, in consultation and coordination with the Secretary of Labor and the Administrator of the Small Business Administration, shall provide grants to eligible entities described in subsection (b). The Secretary shall provide the grants to encourage employers to form consortia to share the cost of providing, and reduce the risk of investing in, employer-led education and training programs for employees that meet employer needs and market demand in specific occupations, for purposes of strengthening United States competitiveness.

(b) ELIGIBLE ENTITIES DESCRIBED.—

(1) IN GENERAL.—An eligible entity described in this subsection is a consortium that—

(A) shall consist of representatives from not fewer than 10 employers (or nonprofit organizations that represent employers) who are in a common industry or who have common skill needs; and

(B) may consist of representatives from 1 or more of the following:

(i) Labor organizations.

(ii) State and local government agencies.

(iii) Education organizations.

(2) MAJORITY OF REPRESENTATIVES.—A majority of the representatives comprising the consortium shall be representatives described in paragraph (1)(A).

(c) PRIORITY FOR SMALL BUSINESSES.—In providing grants under subsection (a), the Secretary shall give priority to an eligible entity if a majority of representatives forming the entity represent small-business concerns, as described in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(d) MAXIMUM AMOUNT OF GRANT.—The amount of a grant provided to an eligible entity under subsection (a) may not exceed $1,000,000 for any fiscal year.

SEC. 102. APPLICATION.

To be eligible to receive a grant under section 101, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

SEC. 103. USE OF AMOUNTS.

(a) IN GENERAL.—The Secretary may not provide a grant under section 101 to an eligible entity unless such entity agrees to use amounts received from such grant to develop an employer-led education and training program (which may be focused on developing skills related to computer technology, computer-based manufacturing technology, telecommunications, and other information technologies) necessary to meet employer needs and market demand in specific occupations.

(b) CONDUCT OF PROGRAM.—

(1) IN GENERAL.—In carrying out the program described in subsection (a), the eligible entity may provide for—

(A) an assessment of training and job skill needs for industry and other employers;

(B) development of a sequence of skill standards that are correlated with advanced industry or occupational practices;

(C) development of curriculum and training methods;

(D) purchase or receipt of donations of training equipment;

(E) identification of education and training providers;

(F) development of apprenticeship programs;

(G) development of education and training programs for incumbent and dislocated workers and new workers;

(H) development of the membership of the entity;

(I) development of internship, field, and technical project experiences; and

(J) provision of assistance to member employers in their human resource development planning.

(2) ADDITIONAL REQUIREMENT.—In carrying out the program described in subsection (a), the eligible entity shall—

(A) provide for development and tracking of performance outcome measures for the program and the education and training providers involved in the program; and

(B) prepare and submit to the Secretary such reports as the Secretary may require on best practices developed by the entity through the education and training program.

(c) ADMINISTRATIVE COSTS.—The eligible entity may use not more than 10 percent of the amount of such a grant to pay for administrative costs associated with the program described in subsection (a).

SEC. 104. REQUIREMENT OF MATCHING FUNDS.

The Secretary may not provide a grant under section 101 to an eligible entity unless such entity agrees that—

(1) the entity will make available non-Federal contributions toward the costs of carrying out activities under section 103 in an amount that is not less than $2 for each $1 of Federal funds provided under a grant under section 101; and

(2) of such non-Federal contributions, not less than $1 of each such $2 shall be from employers with representatives serving on the eligible entity.

SEC. 105. LIMIT ON ADMINISTRATIVE EXPENSES.

The Secretary may use not more than 5 percent of the funds made available to carry out this title—

(1) to pay for Federal administrative costs associated with making grants under this title, including carrying out activities described in section 106; and

(2) to develop and maintain an electronic clearinghouse of information on industry-led training consortia programs.

SEC. 106. INFORMATION AND TECHNICAL ASSISTANCE.

The Secretary shall distribute information and provide technical assistance to eligible entities on best practices developed through the education and training programs.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $50,000,000 for each of the fiscal years 2001, 2002, and 2003.

TITLE II—PLANNING GRANTS

SEC. 201. AUTHORIZATION.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the Secretary of Labor, shall provide grants to States to enable the States to assist employers, organizations, and agencies described in section 101(b) in conducting planning to form consortia described in such section.

(b) MAXIMUM AMOUNT OF GRANT.—The amount of a grant provided to a State under subsection (a) may not exceed $500,000 for any fiscal year.

SEC. 202. APPLICATION.

To be eligible to receive a grant under section 201, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

SEC. 203. REQUIREMENT OF MATCHING FUNDS.

The Secretary may not provide a grant under section 201 to a State unless such State agrees that the State will make available non-Federal contributions toward the costs of carrying out activities under this title in an amount that is not less than $1 for each $1 of Federal funds provided under a grant under section 201.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $50,000,000 for fiscal year 2001.●

By Mr. ROCKEFELLER (for himself, Mr. JEFFORDS, and Mrs. HUTCHISON):

S. 2264. A bill to amend title 38, United States Code, to establish within the Veterans Health Administration the position of Advisor on Physician Assistants, and for other purposes; to the Committee on Veterans' Affairs.

RECOGNITION OF PHYSICIAN ASSISTANTS IN THE DEPARTMENT OF VETERANS AFFAIRS ACT OF 2000

● Mr. ROCKEFELLER. Mr. President, I am proud to introduce today the ''Recognition of Physician Assistants in the Department of Veterans Affairs Act of 2000,'' which I am delighted to cosponsor with Senators JEFFORDS and HUTCHISON. The bill before us would establish within the Veterans Health Administration an advisory position on physician assistants—an action long overdue.

It is baffling to me that the VA—the largest single employer of physician assistants in the country—does not provide direct representation for physician assistants. VA has nearly 1,200 physician assistants working in hospitals and clinics, yet VA is the only federal health care agency that does not have a physician assistant in a leadership role. Skimming through the VA phone directory, we find much needed representation for social workers, dentists, audiologists and speech pathologists, nutritionists, recreational therapists, and nurses. Physician assistants, however, are hidden within the bailiwick of the Chief Consultant for Primary and Ambulatory Care.

This lack of physician assistant leadership has translated into a lack of knowledge about the profession at the national level—which, in turn, has filtered down to the local level. For example, the scope of practice for physician assistants is not uniformly understood in all VA medical facilities and clinics. Practitioners in the field also report confusion regarding such issues as privileging, supervision, and physician countersignature. Some facilities unnecessarily restrict the ability of physician assistants to provide medical care, while others will not hire physician assistants. The unfortunate consequence of these restrictions is to limit veterans' access to quality medical care.

In June 1997, the final report of a work group to explore internal practice barriers for Advanced Practice Nurses,

Clinical Pharmacy Specialists, and Physician Assistants was issued. To date, we have seen no response regarding what VA plans to do to implement the recommendations contained in the report.

Although the work group's report does not contain a specific recommendation for an advisory position, the report clearly states that ''many times unnecessary, inappropriate restrictions have been placed on their [PAs] practice.'' An advisor would be especially helpful in clarifying all issues associated with the profession, including education, qualifications, clinical privileges, and scope of practice. I firmly believe that such an advisor is the key to removing barriers to greater use of these valued health care professionals. I also encourage VA to move ahead with the other recommendations contained in the work group report.

I personally understand the huge importance of physician assistants. My own state of West Virginia is highly dependent upon their expertise. We count on them to provide quality health care in a cost-effective way.

In closing, I thank the Veterans Affairs Physician Assistants Association, which has always provided me with the most up-to-date information about the state of the physician assistant profession. I hope the Committee on Veterans' Affairs will work expeditiously to pass this bill out of committee. Physician assistants—and their patients—are depending upon it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2264

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 ''Recognition of Physician Assistants in the Department of Veterans Affairs Act of 2000''.

SEC. 2. ESTABLISHMENT OF POSITION OF ADVISOR ON PHYSICIAN ASSISTANTS WITHIN OFFICE OF UNDERSECRETARY FOR HEALTH.

(a) ESTABLISHMENT.—Subsection (a) of section 7306 of title 38, United States Code, is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

''(9) The Advisor on Physician Assistants, who shall carry out the responsibilities set forth in subsection (f).''.

(b) RESPONSIBILITIES.—That section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) The Advisor on Physician Assistants under subsection (a)(9) shall—

''(1) advise the Under Secretary for Health on matters regarding the optimal utilization of physician assistants by the Veterans Health Administration;

''(2) advise the Under Secretary for Health on the feasibility and desirability of establishing clinical privileges and practice areas for physician assistants in the Administration;

''(3) develop initiatives to facilitate the utilization of the full range of clinical capabilities of the physician assistants employed by the Administration;

''(4) provide advice on policies affecting the employment of physician assistants by the Administration, including policies on educational requirements, national certification, recruitment and retention, staff development, and the availability of educational assistance (including scholarship, tuition reimbursement, and loan repayment assistance); and

''(5) carry out such other responsibilities as the Under Secretary for Health shall specify.''.●

Mr. JEFFORDS. Mr. President, I am pleased to join Senators ROCKEFELLER and HUTCHISON in the introduction of the Recognition of Physician Assistants in the Department of Veterans Affairs Act of 2000. This legislation will establish a position of advisor on physician assistants within the office of the Undersecretary of Health for Veterans Affairs.

Physician assistant are very valuable members of the VA health care delivery team. But unlike most components of the team, physician assistants have no representative within the VA's Office of the Undersecretary for Health. As the largest employer of physician assistants in the country, the VA will be establishing important precedents as the role of physician assistants evolves over the coming decade. Physician assistants must be part of the discussion and represented at the level where key health care delivery decisions are made.

An advisory position would be established by this legislation to inform the Undersecretary for Health on such matters as optimal utilization of physician assistants by the VA, the advisability of establishing clinical privileges and practice areas, the development of appropriate educational requirements and certification criteria, and other matters.

This representation is critically important at this time. As the VA moves toward Medicare Subvention and the requisite billing expertise, questions will continually arise surrounding the role of physician assistants. There must be consistent input on these matters directly from physician assistants.

I urge my colleagues to carefully consider this legislation and I hope it is quickly enacted into law.

By Mrs. HUTCHISON (for herself, Mr. BREAUX, Mr. LOTT, Mr. BROWNBACK, Mr. BINGAMAN, Mr. GRAMM, Mr. THOMAS, and Mr. INHOFE):

S. 2265. A bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes; to the Committee on Finance.

MARGINAL WELL PRESERVATION ACT OF 2000

Mrs. HUTCHISON. Mr. President, I am pleased today to introduce with my colleague from Louisiana, Senator BREAUX, and the other cosponsors of the bill, the Marginal Well Preservation Act of 2000. This bill represents a necessary and workable proposal to ensure that the United States does not lose even more of its domestic energy production and to help prevent the further escalation of gasoline, diesel, and home heating oil prices for consumers.

Mr. President, just a few days ago, on March 18, President Clinton announced his support of a number of provisions to respond to the recent spike in oil and gasoline prices in America. Among the issues to which he referred, I was most pleased and surprised to hear the president express his support for, quote, 'tax incentives . . . for domestic oil production,' enquote.

Well I for one welcome the President's long overdue endorsement of an issue that I and many other Senators have been promoting, discussing, and introducing legislation on for years. It is unfortunate that the President's newfound support for domestic oil production comes now, rather than a year ago when our domestic producers were being wiped-out by record low oil prices and when communities across Texas and other states were having their economic and tax base decimated. Nevertheless, I do welcome the president's comments, and I urge him to now turn those comments into action.

I publicly urge him and the Treasury Department to pledge to sign into law, and to urge Congress to pass, the bill we are introducing today. Called the Marginal Well Preservation Act of 2000, this bill borrows from legislation I introduced earlier this year to create incentives to keep marginal wells (those producing fewer than 15 barrels per day—and a corresponding level for natural gas) in production during times when oil and gas prices fall below break-even. The bill also contains provisions that the Administration explicitly endorsed over the weekend: the same-year deduction of geological and geophysical (exploratory) and delay rental costs associated with lease development. Taken together, these two provisions will help ensure a minimal level of protection for our nation's independent oil and gas producers and will help prevent America from becoming even more dangerously dependent on foreign oil.

Mr. President, in addition to the President's recent round of proposals, tt seems as if everyone these days has their own ''quick fix'' to address the recent spike in oil and gas prices. But regardless of what short term solutions may be proposed, as America slips further and further into dependence on foreign oil the volatility of oil and gasoline prices is almost certain to get worse. The only logical response to this crisis is to increase our domestic supply of oil and gas.

Much of the estimated 350 billion barrels of our domestic oil reserve lies not on public lands, but on private property where oil and gas production already occurs. Why isn't that oil and

gas being produced? The answer is that much of it is in small pockets and is relatively difficult to retrieve. Such ''marginal well'' production accounts for roughly 20 percent of our domestic oil production, or about as much as we import from Saudi Arabia.

But while these wells are critical to our energy security, they are the most susceptible to oil price crashes, like we saw during 1998 when oil fell below $10 per barrel. During this time we lost over 65,000 American jobs and over 150,000 marginal oil and gas wells. And despite the high price of oil today, the small, independent producers that own the majority of marginal wells cannot assume the economic risk of re-opening them because there is no assurance that the price of oil will not again fall in the near future (see enclosed article).

The Marginal Well Preservation Act will provide a tax credit of $3 per barrel for the first three barrels of production when oil falls to between $17 and $14 per barrel for oil, and a corresponding price for natural gas. This represents the average break-even price for these wells. In states like Texas, where marginal well tax incentives have been enacted, the result has been to keep thousands of wells open that would have been closed, and thousands of American jobs here that would have moved overseas. Such a tax credit at the federal level would reduce our dependence on foreign oil and help us meet our growing demand for natural gas.

If we were to enact the marginal well tax credit today, we would not only ensure a long-term safety net for producers, but we would also create an incentive today to re-open those shut-in wells. In fact, a reasonable estimate is that, within a reasonably short period of time, we could bring half, or 75,000 of those shut-in wells back into production. This would mean an addition of about 250,000 barrels of daily production. Given that America uses 19 million barrels of oil per day this may not seem like much, but when one considers just how tight the supply of oil is today, this relatively small increase in production could have a significant impact in the price of crude oil and oil products like gasoline and diesel fuel.

In addition, Mr. President, this bill brings the U.S. Tax Code in line with the present-day realities of the oil and gas industry by allowing oil and gas exploration (geological and geophysical) costs to be expensed rather than capitalized, and by allowing delay rental lease payments to be deducted in the year in which they are paid, rather than when the oil is actually pumped. The Administration's own endorsement of this measure, which I and others have been promoting for years, should mean it's quick enactment into law, and I hope that it does.

In fact, the Administration estimates that allowing the expensing of exploration costs alone could spur an additional daily production of 126,000 barrels, on top of the roughly quarter million barrels that the marginal well provision would bring back in the near-term. For those keeping score, that totals almost 400,000 barrels of added daily production that can conservatively be expected to result from the passage of this bill. But it must be done soon. We are quickly approaching a $2 per gallon nationwide price for gasoline, and we have not even entered the peak vacation driving season. Americans need relief now, and this bill will give it to them.

Mr. President, this legislation is long overdue, and I appreciate the support of Senator BREAUX and my other colleagues who are cosponsoring the bill. Most importantly, I urge the President and my other colleagues in the Senate, particularly those from non-energy producing states, to join with us in supporting this effort. High prices and low prices are two sides of the same coin, and it is high time we realize that. Price dives are as detrimental to producers as price spikes are to consumers.

We can break this cycle, and we can do it now by passing the Marginal Well Preservation Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2265

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Marginal Well Preservation Act of 2000.''

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. TAX CREDIT FOR MARGINAL DOMESTIC OIL AND NATURAL GAS WELL PRODUCTION.

(a) PURPOSE.—The purpose of this section is to prevent the abandonment of marginal oil and gas wells responsible for half of the domestic production of oil and gas in the United States.

(b) CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.—Subpart D of part IV of subchapter A of chapter 1 (relating to business credits) is amended by adding at the end the following new section:

''SEC. 45D. CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.

''(a) GENERAL RULE.—For purposes of section 38, the marginal well production credit for any taxable year is an amount equal to the product of—

''(1) the credit amount, and

''(2) the qualified crude oil production and the qualified natural gas production which is attributable to the taxpayer.

''(b) CREDIT AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The credit amount is—

''(A) $3 per barrel of qualified crude oil production, and

''(B) 50 cents per 1,000 cubic feet of qualified natural gas production.

''(2) REDUCTION AS OIL AND GAS PRICES INCREASE.—

''(A) IN GENERAL.—The $3 and 50 cents amounts under paragraph (1) shall each be reduced (but not below zero) by an amount which bears the same ratio to such amount (determined without regard to this paragraph) as—

''(i) the excess (if any) of the applicable reference price over $14 ($1.56 for qualified natural gas production), bears to

''(ii) $3 ($0.33 for qualified natural gas production).

The applicable reference price for a taxable year is the reference price for the calendar year preceding the calendar year in which the taxable year begins.

''(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2000, each of the dollar amounts contained in subparagraph (A) shall be increased to an amount equal to such dollar amount multiplied by the inflation adjustment factor for such calendar year (determined under section 43(b)(3)(B) by substituting '1999' for '1990').

''(C) REFERENCE PRICE.—For purposes of this paragraph, the term 'reference price' means, with respect to any calendar year—

''(i) in the case of qualified crude oil production, the reference price determined under section 29(d)(2)(C), and

''(ii) in the case of qualified natural gas production, the Secretary's estimate of the annual average wellhead price per 1,000 cubic feet for all domestic natural gas.

''(c) QUALIFIED CRUDE OIL AND NATURAL GAS PRODUCTION.—For purposes of this section—

''(1) IN GENERAL.—The terms 'qualified crude oil production' and 'qualified natural gas production' mean domestic crude oil or natural gas which is produced from a marginal well.

''(2) LIMITATION ON AMOUNT OF PRODUCTION WHICH MAY QUALIFY.—

''(A) IN GENERAL.—Crude oil or natural gas produced during any taxable year from any well shall not be treated as qualified crude oil production or qualified natural gas production to the extent production from the well during the taxable year exceeds 1,095 barrels or barrel equivalents.

''(B) PROPORTIONATE REDUCTIONS.—

''(i) SHORT TAXABLE YEARS.—In the case of a short taxable year, the limitations under this paragraph shall be proportionately reduced to reflect the ratio which the number of days in such taxable year bears to 365.

''(ii) WELLS NOT IN PRODUCTION ENTIRE YEAR.—In the case of a well which is not capable of production during each day of a taxable year, the limitations under this paragraph applicable to the well shall be proportionately reduced to reflect the ratio which the number of days of production bears to the total number of days in the taxable year.

''(3) DEFINITIONS.—

''(A) MARGINAL WELL.—The term 'marginal well' means a domestic well—

''(i) the production from which during the taxable year is treated as marginal production under section 613A(c)(6), or

''(ii) which, during the taxable year—

''(I) has average daily production of not more than 25 barrel equivalents, and

''(II) produces water at a rate not less than 95 percent of total well effluent.

''(B) CRUDE OIL, ETC.—The terms 'crude oil', 'natural gas', 'domestic', and 'barrel' have the meanings given such terms by section 613A(e).

''(C) BARREL EQUIVALENT.—The term 'barrel equivalent' means, with respect to natural gas, a conversion ratio of 6,000 cubic feet of natural gas to 1 barrel of crude oil.

''(d) OTHER RULES.—

''(1) PRODUCTION ATTRIBUTABLE TO THE TAXPAYER.—In the case of a marginal well in which there is more than one owner of operating interests in the well and the crude oil or natural gas production exceeds the limitation under subsection (c)(2), qualifying crude oil production or qualifying natural gas production attributable to the taxpayer shall be determined on the basis of the ratio which taxpayer's revenue interest in the production bears to the aggregate of the revenue interests of all operating interest owners in the production.

''(2) OPERATING INTEREST REQUIRED.—Any credit under this section may be claimed only on production which is attributable to the holder of an operating interest.

''(3) PRODUCTION FROM NONCONVENTIONAL SOURCES EXCLUDED.—In the case of production from a marginal well which is eligible for the credit allowed under section 29 for the taxable year, no credit shall be allowable under this section unless the taxpayer elects not to claim the credit under section 29 with respect to the well.''

''(c) CREDIT TREATED AS BUSINESS CREDIT.—Section 38(b) is amended by striking ''plus'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', plus'', and by adding at the end the following new paragraph:

''(13) the marginal oil and gas well production credit determined under section 45D(a).''

(d) CREDIT ALLOWED AGAINST REGULAR AND MINIMUM TAX.—

(1) IN GENERAL.—Subsection (c) of section 38 (relating to limitation based on amount of tax) is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL RULES FOR MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—

''(A) IN GENERAL.—In the case of the marginal oil and gas well production credit—

''(i) this section and section 39 shall be applied separately with respect to the credit, and

''(ii) in applying paragraph (1) to the credit—

''(I) subparagraphs (A) and (B) thereof shall not apply, and

''(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the marginal oil and gas well production credit).

''(B) MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—For purposes of this subsection, the term 'marginal oil and gas well production credit' means the credit allowable under subsection (a) by reason of section 45D(a).''

(2) CONFORMING AMENDMENT.—Subclause (II) of section 38(c)(2)(A)(ii) is amended by inserting ''or the marginal oil and gas well production credit'' after ''employment credit''.

(e) CARRYBACK.—Subsection (a) of section 39 (relating to carryback and carryforward of unused credits generally) is amended by adding at the end the following new paragraph:

''(3) 10-YEAR CARRYBACK FOR MARGINAL OIL AND GAS WELL PRODUCTION CREDIT.—In the case of the marginal oil and gas well production credit—

''(A) this section shall be applied separately from the business credit (other than the marginal oil and gas well production credit),

''(B) paragraph (1) shall be applied by substituting '10 taxable years' for '1 taxable years' in subparagraph (A) thereof, and

''(C) paragraph (2) shall be applied—

''(i) by substituting '31 taxable years' for '21 taxable years' in subparagraph (A) thereof, and

''(ii) by substituting '30 taxable years' for '20 taxable years' in subparagraph (B) thereof.''

(f) COORDINATION WITH SECTION 29.—Section 29(a) is amended by striking ''There'' and inserting ''At the election of the taxpayer, there''.

(g) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following item:

''Sec. 45D. Credit for producing oil and gas from marginal wells.''

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to production in taxable years beginning after December 31, 1999.

SEC. 3. ELECTION TO EXPENSE GEOLOGICAL AND GEOPHYSICAL EXPENDITURES AND DELAY RENTAL PAYMENTS.

(a) PURPOSE.—The purpose of this section is to recognize that geological and geophysical expenditures and delay rentals are ordinary and necessary business expenses that should be deducted in the year the expense is incurred.

(b) ELECTION TO EXPENSE GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.—

(1) IN GENERAL.—Section 263 (relating to capital expenditures) is amended by adding at the end the following new subsection:

''(j) GEOLOGICAL AND GEOPHYSICAL EXPENDITURES FOR OIL AND GAS WELLS.—Notwithstanding subsection (a), a taxpayer may elect to treat geological and geophysical expenses incurred in connection with the exploration for, or development of, oil or gas as expenses which are not chargeable to capital account. Any expenses so treated shall be allowed as a deduction in the taxable year in which paid or incurred.''

(2) CONFORMING AMENDMENT.—Section 263A(c)(3) is amended by inserting ''263(j),'' after ''263(i),''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to expenses paid or incurred after the date of the enactment of this Act.

(B) TRANSITION RULE.—In the case of any expenses described in section 263(j) of the Internal Revenue Code of 1986, as added by this subsection, which were paid or incurred on or before the date of the enactment of this Act, the taxpayer may elect, at such time and in such manner as the Secretary of the Treasury may prescribe, to amortize the suspended portion of such expenses over the 36-month period beginning with the month in which the date of the enactment of this Act occurs. For purposes of this subparagraph, the suspended portion of any expense is that portion of such expense which, as of the first day of the 36-month period, has not been included in the cost of a property or otherwise deducted.

(c) ELECTION TO EXPENSE DELAY RENTAL PAYMENTS.—

(1) IN GENERAL.—Section 263 (relating to capital expenditures), as amended by subsection (b)(1), is amended by adding at the end the following new subsection:

''(k) DELAY RENTAL PAYMENTS FOR DOMESTIC OIL AND GAS WELLS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), a taxpayer may elect to treat delay rental payments incurred in connection with the development of oil or gas within the United States (as defined in section 638) as payments which are not chargeable to capital account. Any payments so treated shall be allowed as a deduction in the taxable year in which paid or incurred.

''(2) DELAY RENTAL PAYMENTS.—For purposes of paragraph (1), the term 'delay rental payment' means an amount paid for the privilege of deferring the drilling of an oil or gas well under an oil or gas lease.''

(2) CONFORMING AMENDMENT.—Section 263A(c)(3), as amended by subsection (b)(2), is amended by inserting ''263(k),'' after ''263(j),''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection shall apply to payments made or incurred after the date of the enactment of this Act.

(B) TRANSITION RULE.—In the case of any payments described in section 263(k) of the Internal Revenue Code of 1986, as added by this subsection, which were made or incurred on or before the date of the enactment of this Act, the taxpayer may elect, at such time and in such manner as the Secretary of the Treasury may prescribe, to amortize the suspended portion of such payments over the 36-month period beginning with the month in which the date of the enactment of this Act occurs. For purposes of this subparagraph, the suspended portion of any payment is that portion of such payment which, as of the first day of the 36-month period, has not been included in the cost of a property or otherwise deducted.

ADDITIONAL COSPONSORS

S. 424

At the request of Mr. COVERDELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 424, a bill to preserve and protect the free choice of individuals and employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 483

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 483, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to limit consideration of nonemergency matters in emergency legislation and permit matter that is extraneous to emergencies to be stricken as provided in the Byrd rule.

S. 542

At the request of Mr. ABRAHAM, the names of the Senator from Nevada (Mr. BRYAN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 546

At the request of Mr. DORGAN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 546, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 577

At the request of Mr. HATCH, the names of the Senator from Louisiana (Mr. BREAUX) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 577, a bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 818

At the request of Mr. DEWINE, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 818, a bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 1016

At the request of Mr. DEWINE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1016, a bill to provide collective bargaining for rights for public safety officers employed by States or their political subdivisions.

S. 1036

At the request of Mr. KOHL, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1036, a bill to amend parts A and D of title IV of the Social Security Act to give States the option to pass through directly to a family receiving assistance under the temporary assistance to needy families program all child support collected by the State and the option to disregard any child support that the family receives in determining a family's eligibility for, or amount of, assistance under that program.

S. 1066

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1066, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes.

S. 1128

At the request of Mr. KYL, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1128, a bill to amend the Internal Revenue Code of 1986 to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers, to provide for a carryover basis at death, and to establish a partial capital gains exclusion for inherited assets.

S. 1142

At the request of Ms. MIKULSKI, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1142, a bill to protect the right of a member of a health maintenance organization to receive continuing care at a facility selected by that member, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1269

At the request of Mr. MCCONNELL, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1269, a bill to provide that the Federal Government and States shall be subject to the same procedures and substantive laws that would apply to persons on whose behalf certain civil actions may be brought, and for other purposes.

S. 1399

At the request of Mr. DEWINE, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1399, a bill to amend title 38, United States Code, to provide that pay adjustments for nurses and certain other health-care professionals employed by the Department of Veterans Affairs shall be made in the manner applicable to Federal employees generally and to revise the authority for the Secretary of Veterans Affairs to make further locality pay adjustments for those professionals.

S. 1448

At the request of Mr. HUTCHINSON, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1448, a bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes.

S. 1459

At the request of Mr. MACK, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1459, a bill to amend title XVIII of the Social Security Act to protect the right of a medicare beneficiary enrolled in a Medicare+Choice plan to receive services at a skilled nursing facility selected by that individual.

S. 1465

At the request of Mrs. LINCOLN, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1465, a bill to provide for safe schools, and for other purposes.

S. 1551

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1551, a bill to prohibit the importation of goods produced abroad with child labor, and for other purposes.

S. 1642

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 1642, a bill to amend part F of title X of the Elementary and Secondary Education Act of 1965 to improve and refocus civic education, and for other purposes.

S. 1673

At the request of Mr. DEWINE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1673, a bill to amend titles 10 and 18, United States Code, to protect unborn victims of violence.

S. 1729

At the request of Mr. CAMPBELL, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1729, a bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes.

S. 1909

At the request of Mr. L. CHAFEE, his name was added as a cosponsor of S. 1909, a bill to provide for the preparation of a Governmental report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgement of such injustices by the President.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2013

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2013, a bill to restore health care equity for medicare-eligible uniformed services retirees, and for other purposes.

S. 2046

At the request of Mr. FRIST, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 2046, a bill to reauthorize the Next Generation Internet Act, and for other purposes.

S. 2074

At the request of Mr. ASHCROFT, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Rhode Island (Mr. L. CHAFEE), and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2074, a bill to amend title II of the Social Security Act to eliminate the social security earnings test for individuals who have attained retirement age.

S. 2124

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2124, a bill to authorize Federal financial assistance for the urgent repair and renovation of public elementary and secondary schools in high-need areas.

S. 2161

At the request of Mr. CAMPBELL, the name of the Senator from Georgia (Mr.

COVERDELL) was added as a cosponsor of S. 2161, a bill to amend the Internal Revenue Code of 1986 to impose a 1 year moratorium on certain diesel fuel excise taxes and to require the Secretary of the Treasury to transfer amounts to the Highway Trust Fund to cover any shortfall.

S. 2196

At the request of Mr. MOYNIHAN, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 2196, a bill to reliquidate certain entries of tomato sauce preparation.

S. 2218

At the request of Mr. CLELAND, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2218, a bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees and annuitants and members of the uniformed services, and for other purposes.

S. 2231

At the request of Mr. COVERDELL, the names of the Senator from Minnesota (Mr. WELLSTONE), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Michigan (Mr. ABRAHAM), the Senator from Arizona (Mr. KYL), the Senator from Illinois (Mr. FITZGERALD), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 2231, a bill to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

S. CON. RES. 81

At the request of Mr. ROTH, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. Con. Res. 81, concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

S. CON. RES. 96

At the request of Mr. SARBANES, the names of the Senator from Georgia (Mr. COVERDELL) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. Con. Res. 96, concurrent resolution recognizing and honoring members of the American Hellenic Educational Progressive Association (AHEPA) who are being awarded the AHEPA Medal for Military Service in the Armed Forces of the United States.

S. RES. 128

At the request of Mr. COCHRAN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. Res. 128, a resolution designating March 2000, as ''Arts Education Month''.

S. RES. 263

At the request of Mr. ASHCROFT, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 263, a resolution expressing the sense of the Senate that the President should communicate to the members of the Organization of Petroleum Exporting Countries (''OPEC'') cartel and non-OPEC countries that participate in the cartel of crude oil producing countries, before the meeting of the OPEC nations in March 2000, the position of the United States in favor of increasing world crude oil supplies so as to achieve stable crude oil prices.

SENATE CONCURRENT RESOLUTION 97—EXPRESSING THE SUPPORT OF CONGRESS FOR ACTIVITIES TO INCREASE PUBLIC AWARENESS OF MULTIPLE SCLEROSIS; CONSIDERED AND AGREED TO

Mr. REED (for himself, Mrs. MURRAY, and Mr. SMITH of New Hampshire) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 97

Whereas multiple sclerosis is a chronic and often disabling disease of the central nervous system which often first appears in people between the ages of 20 and 40, with lifelong physical and emotional effects;

Whereas multiple sclerosis is twice as common in women as in men;

Whereas an estimated 250,000 to 350,000 individuals suffer from multiple sclerosis nationally;

Whereas symptoms of multiple sclerosis can be mild, such as numbness in the limbs, or severe, such as paralysis or loss of vision;

Whereas the progress, severity, and specific symptoms of multiple sclerosis in any one person cannot yet be predicted;

Whereas the annual cost to each affected individual averages $34,000, and the total cost can exceed $2,000,000 over an individual's lifetime;

Whereas the annual cost of treating all people who suffer from multiple sclerosis in the United States is nearly $9,000,000,000;

Whereas the cause of multiple sclerosis remains unknown, but genetic factors are believed to play a role in determining a person's risk for developing multiple sclerosis;

Whereas many of the symptoms of multiple sclerosis can be treated with medications and rehabilitative therapy;

Whereas new treatments exist that can slow the course of the disease, and reduce its severity;

Whereas medical experts recommend that all people newly diagnosed with relapse-remitting multiple sclerosis begin disease-modifying therapy;

Whereas finding the genes responsible for susceptibility to multiple sclerosis may lead to the development of new and more effective ways to treat the disease;

Whereas increased funding for the National Institutes of Health would provide the opportunity for research and the creation of programs to increase awareness, prevention, and education; and

Whereas Congress as an institution, and Members of Congress as individuals, are in unique positions to help raise public awareness about the detection and treatment of multiple sclerosis and to support the fight against multiple sclerosis: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) all Americans should take an active role in the fight to end the devastating effects of multiple sclerosis on individuals, their families, and the economy;

(2) the role played by national and community organizations and health care professionals in promoting the importance of continued funding for research, and in providing information about and access to the best medical treatment and support services for people with multiple sclerosis should be recognized and applauded; and

(3) the Federal Government has a responsibility to—

(A) continue to fund research so that the causes of, and improved treatment for, multiple sclerosis may be discovered;

(B) continue to consider ways to improve access to, and the quality of, health care services for people with multiple sclerosis;

(C) endeavor to raise public awareness about the symptoms of multiple sclerosis; and

(D) endeavor to raise health professional's awareness about diagnosis of multiple sclerosis and the best course of treatment for people with the disease.

SENATE RESOLUTION 276—TO EXPRESS THE SENSE OF THE SENATE THAT THE CONFEREES ON THE VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT SHOULD SUBMIT THE CONFERENCE REPORT ON THE BILL BEFORE APRIL 20, 2000, AND INCLUDE THE GUN SAFETY AMENDMENTS PASSED BY THE SENATE

Mr. REED (for himself, Mr. DASCHLE, Mr. LEAHY, Mr. LAUTENBERG, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr. KOHL, Mr. TORRICELLI, Mr. LEVIN, Mrs. BOXER, Mr. ROBB, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. BIDEN, Mr. BYRD, Mr. KERRY, Mr. REID, Mr. INOUYE, Mr. BRYAN, and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 276

Resolved, That it is the sense of the Senate that the conferees on H.R. 1501, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act, should complete and submit the conference report before April 20, 2000, and include in the conference report the amendments passed by the Senate seeking to limit access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms.

AMENDMENTS SUBMITTED

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 1999

KERREY AMENDMENT NO. 2885

Mr. KERREY proposed an amendment to the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age; as follows:

At the end add the following:

SEC. . REDESIGNATION OF TERM FOR AGE AT WHICH AN INDIVIDUAL IS ELIGIBLE FOR FULL, UNREDUCED OLD-AGE BENEFITS.

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended—

(1) by striking ''retirement age'' each place it appears and inserting ''the age of eligibility for full, unreduced old-age benefits'';

(2) by striking ''early retirement age'' each place it appears and inserting ''the age of earliest eligibility for old-age benefits''; and

(3) by striking ''delayed retirement'' each place it appears and inserting ''delayed entitlement for old-age benefits''.

(b) CONFORMING AMENDMENT.—Section 202(q)(9) of the Social Security Act (42 U.S.C. 402(q)(9)) is amended by striking ''early retirement'' and inserting ''early entitlement for old-age benefits''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

ROTH (AND MOYNIHAN) AMENDMENT NO. 2886

Mr. ROTH (for himself and Mr. MOYNIHAN) proposed an amendment to the bill, H.R. 5, supra; as follows:

Strike all after the first word and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Senior Citizens' Freedom to Work Act of 2000''.

SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking ''the age of seventy'' and inserting ''retirement age (as defined in section 216(l))'';

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking ''the age of seventy'' each place it appears and inserting ''retirement age (as defined in section 216(l))'';

(3) in subsection (f)(1)(B), by striking ''was age seventy or over'' and inserting ''was at or above retirement age (as defined in section 216(l))'';

(4) in subsection (f)(3), by striking ''age 70'' and inserting ''retirement age (as defined in section 216(l))'';

(5) in subsection (h)(1)(A), by striking ''age 70'' each place it appears and inserting ''retirement age (as defined in section 216(l))''; and

(6) in subsection (j)—

(A) in the heading, by striking ''Age Seventy'' and inserting ''Retirement Age''; and

(B) by striking ''seventy years of age'' and inserting ''having attained retirement age (as defined in section 216(l))''.

SEC. 3. NONAPPLICATION OF RULES FOR COMPUTATION OF EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) IN GENERAL.—Section 203(f)(8) of the Social Security Act (42 U.S.C. 403(f)(8)) is amended by adding at the end the following new subparagraph:

''(E) Notwithstanding subparagraph (D), no deductions in benefits shall be made under subsection (b) with respect to the earnings of any individual in any month beginning with the month in which the individual attains retirement age (as defined in section 216(l)).''.

(b) CONFORMING AMENDMENT.—Section 203(f)(9) of the Social Security Act (42 U.S.C. 403(f)(9)) is amended by striking ''and (8)(D),'' and inserting ''(8)(D), and (8)(E),''.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c), in the last sentence, by striking ''nor shall any deduction'' and all that follows and inserting ''nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60.''; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: ''(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60,''.

(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by striking ''or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit'' and inserting ''or, if so entitled, did not receive benefits pursuant to a request by such individual that benefits not be paid''.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to taxable years ending after December 31, 1999.

NOTICES OF HEARINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. COLLINS. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold a hearing entitled ''Oversight of HCFA's Settlement Policies: Did HCFA Give Favored Providers Sweetheart Deals?'' This hearing is part of the Subcommitttee's continuing examination of the Medicare program and will examine settlements between the Health Care Financing Administration (''HCFA'') and certain Medicare providers and whether these settlements conform to HCFA regulations.

The hearing will take place on Tuesday, March 28, 2000, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact K. Lee Blalack II of the subcommittee staff at 224–3721.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the hearing originally scheduled for Tuesday, March 28, 2000 at 2:30 p.m. before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources has been rescheduled for Thursday, April 6, 2000 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC. The purpose of the hearing is to receive testimony on the incinerator component at the proposed Advanced Waste Treatment Facility at the Idaho National Engineering and Environmental Laboratory and its potential impact on the adjacent Yellowstone and Grand Teton National Parks.

For further information, please contact Jim O'Toole or Kevin Clark of the committee staff at (202) 224–6969.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a joint hearing has been scheduled before the Committee on Energy and Natural Resources and the Committee on Foreign Relations. The hearing is titled: ''America at Risk: U.S. Dependency on Foreign Oil.''

The hearing will take place on Tuesday, March 28, 2000 at 3:00 p.m. in room SH–216 of the Hart Senate Office Building in Washington, D.C.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources or the Committee on Foreign Relations.

For further information, please call Trici Heninger or Howard Useem at (202) 224–7875.

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION, AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Energy Research, Development, Production, and Regulation.

The hearing will take place on Friday, March 31, 2000 at 9:00 a.m. in room SH–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to review the Department of Energy's findings at the Gaseous Diffusion Plant in Paducah, Kentucky and to receive testimony regarding the Department of Energy's plans for cleanup at the site.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit testimony for the hearing record should send two copies of their testimony to the Subcommittee on Energy Research, Development, Production, and Regulation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For futher information, please call Trici Heninger, Staff Assistant or Colleen Deegan, Counsel at (202) 224–8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 21, 2000, at 9:30 a.m., in open session to consider the nominations of the Honorable Rudy de Leon to be Deputy Secretary of Defense and Mr. Douglas A. Dworkin to

be general counsel of the Department of Defense.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, March 21, 2000, at 9:30 a.m. on impact of interactive violence on children.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 21, 2000, at 2:30 p.m. to hold a hearing.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on E-Drugs, Who Regulates Internet Pharmacies? during the session of the Senate on Tuesday, March 21, 2000, at 9:30 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Tuesday, March 21, 2000 at 10:30 a.m. to conduct a hearing on S. 2102, a bill to establish a permanent homeland for the Timbisha Shoshone. The hearing will be held in the Committee room, 485 Russell Senate Building.

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

COMMITTEE ON SMALL BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate on Tuesday, March 21, 2000, to markup the SBA and SBIR Reauthorization bills and other pending legislation. The meeting will begin at 9:30 a.m. in room 428A of the Russell Senate Office Building.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on emerging threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 21, 2000 at 2:30 p.m., in open session to receive testimony on the Defense Science and Technology Program, in review of the defense authorization request for fiscal year 2001 and the future years Defense program.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Tuesday, March 21, 2000 at 10:00 a.m. To hold a hearing.

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

SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, March 21, 2000, to conduct a hearing on ''HUD's Public Housing Assessment System.''

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

SUBCOMMITTEE ON SUPERFUND, WASTE CONTROL, AND RISK ASSESSMENT

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Control, and Risk Assessment be authorized to meet during the session of the Senate on Tuesday, March 21, 2:00 p.m., to conduct a hearing on the current status of cleanup activities under the Superfund program.

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

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure be authorized to meet during the session of the Senate on Tuesday, March 21, 10:00 a.m., to conduct a hearing on GSA's FY 2001 Capital Investment and Leasing Program, including the courthouse construction program.

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

MEASURE READ THE FIRST TIME—S. 2262

Mr. BROWNBACK. Mr. President, I understand S. 2262 is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2262) to amend the Internal Revenue Code of 1986 to institute a Federal fuel tax holiday.

Mr. BROWNBACK. Mr. President, I now ask for the second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read for the second time on the next legislative day.

MEASURE READ THE FIRST TIME—S. 2263

Mr. BROWNBACK. Mr. President, I understand S. 2263 is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2263) to amend the Internal Revenue Code of 1986 to institute a Federal fuel tax holiday.

Mr. BROWNBACK. I now ask for the second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read for the second time on the next legislative day.

PUBLIC AWARENESS OF MULTIPLE SCLEROSIS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Con. Res. 97 introduced earlier today by Senator REED.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 97) expressing the support of Congress for activities to increase public awareness on multiple sclerosis.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REED. Mr. President, this resolution expresses the support of Congress for activities that will raise public awareness of multiple sclerosis.

Multiple sclerosis (MS) is a chronic, often disabling disease of the central nervous system. Symptoms can range from mild numbness in the limbs to paralysis and blindness. Most people with MS are diagnosed between the ages of 20 and 40, but the unpredictable physical and emotional effects of this debilitating disease can be lifelong. The progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but advances in research and treatment are giving hope to those affected by the disease. It is known that MS afflicts twice as many women as men, however, once an individual is diagnosed with MS, their symptoms can be effectively managed and complications avoided through regular medical care.

Nationally, it is estimated that between 250,000 and 350,000 individuals suffer from MS, which is approximately 1 out of every 1,000 people. In Rhode Island, the rate is slightly higher—1.5 out of every 1,000. Over 3,000 individuals and their families in my home state are affected by this disease.

It is my hope that through this resolution we can bring greater attention to the devastating effects of this disease, while also building support for additional research. It is through more

intensive research efforts by agencies such as the National Institutes of Health that we will better understand some of the potential causes of this disease, as well as develop more effective methods of treatment, and maybe someday prevention. Indeed, it is only with greater resources that we can build public awareness about MS and enhance our scientific understanding of this mysterious illness.

I take this opportunity to express my sincere gratitude to the National Multiple Sclerosis Society as well as the Rhode Island Chapter of the Multiple Sclerosis Society for their encouragement and assistance in developing this important Resolution. It is through their grassroots efforts that individuals suffering from MS can get information about their disease as well as learn more about resources available in their communities, research being conducted, and support services for family members. Their support is essential to those who have been afflicted with MS, and I hope that through this resolution the Congress can assist in bolstering these important efforts.

In closing, I encourage my colleagues to join me in supporting this important resolution to raise awareness and encourage people to become more educated about this debilitating disease.

Mr. BROWNBACK. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 97) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 97

Whereas multiple sclerosis is a chronic and often disabling disease of the central nervous system which often first appears in people between the ages of 20 and 40, with lifelong physical and emotional effects;

Whereas multiple sclerosis is twice as common in women as in men;

Whereas an estimated 250,000 to 350,000 individuals suffer from multiple sclerosis nationally;

Whereas symptoms of multiple sclerosis can be mild, such as numbness in the limbs, or severe, such as paralysis or loss of vision;

Whereas the progress, severity, and specific symptoms of multiple sclerosis in any one person cannot yet be predicted;

Whereas the annual cost to each affected individual averages $34,000, and the total cost can exceed $2,000,000 over an individual's lifetime;

Whereas the annual cost of treating all people who suffer from multiple sclerosis in the United States is nearly $9,000,000,000;

Whereas the cause of multiple sclerosis remains unknown, but genetic factors are believed to play a role in determining a person's risk for developing multiple sclerosis;

Whereas many of the symptoms of multiple sclerosis can be treated with medications and rehabilitative therapy;

Whereas new treatments exist that can slow the course of the disease, and reduce its severity;

Whereas medical experts recommend that all people newly diagnosed with relapse-remitting multiple sclerosis begin disease-modifying therapy;

Whereas finding the genes responsible for susceptibility to multiple sclerosis may lead to the development of new and more effective ways to treat the disease;

Whereas increased funding for the National Institutes of Health would provide the opportunity for research and the creation of programs to increase awareness, prevention, and education; and

Whereas Congress as an institution, and Members of Congress as individuals, are in unique positions to help raise public awareness about the detection and treatment of multiple sclerosis and to support the fight against multiple sclerosis: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) all Americans should take an active role in the fight to end the devastating effects of multiple sclerosis on individuals, their families, and the economy;

(2) the role played by national and community organizations and health care professionals in promoting the importance of continued funding for research, and in providing information about and access to the best medical treatment and support services for people with multiple sclerosis should be recognized and applauded; and

(3) the Federal Government has a responsibility to—

(A) continue to fund research so that the causes of, and improved treatment for, multiple sclerosis may be discovered;

(B) continue to consider ways to improve access to, and the quality of, health care services for people with multiple sclerosis;

(C) endeavor to raise public awareness about the symptoms of multiple sclerosis; and

(D) endeavor to raise health professional's awareness about diagnosis of multiple sclerosis and the best course of treatment for people with the disease.

ORDERS FOR WEDNESDAY, MARCH 22, 2000

Mr. BROWNBACK. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:45 a.m. on Wednesday, March 22. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate immediately begin the final debate on H.R. 5, the Social Security earnings legislation.

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

PROGRAM

Mr. BROWNBACK. For the information of all Senators, at 9:45 a.m., the Senate will immediately begin the final 15 minutes of debate on the Social Security earnings bill. Following the use or yielding back of that time, the Senate will proceed to vote on final passage of the bill. Therefore, Senators may expect the first vote for tomorrow at approximately 10 a.m.

Following the vote, I ask unanimous consent that the Senate begin a period of morning business with Senators speaking for up to 5 minutes each, with the following exceptions: Senator BYRD for the first 10 minutes, to be followed by Senator MURKOWSKI or his designee for 60 minutes, to be followed by Senator DURBIN or his designee for 50 minutes.

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

Mr. BROWNBACK. If an agreement regarding the crop insurance legislation can be made, it is expected that the Senate will begin its consideration as early as tomorrow afternoon. If no agreement can be made, the Senate may turn to any Legislative or Executive Calendar items available for action.

ORDER FOR ADJOURNMENT

Mr. BROWNBACK. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator LAUTENBERG.

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

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the 5-minute rule presently in place for morning business be extended for me to complete my remarks.

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

GUN CONTROL LEGISLATION

Mr. LAUTENBERG. Mr. President, I rise now in strong support of a resolution offered by my colleague, Senator JACK REED of Rhode Island. At the same time, I commend him for all of his hard work in support of gun safety measures.

We are soon approaching an anniversary. Most anniversaries have a happy ring to them—wedding anniversaries, birthdays are often called an anniversary. Those are pleasant moments. But the anniversary we are talking about now is one we will remember for decades to come. It is the anniversary of a mammoth American tragedy.

It is only 31 days until April 20, 2000, the 1-year anniversary of the terrible tragedy at Columbine High School in Colorado. We all remember that awful day almost a year ago. Across the Nation, people saw and heard the shocking news reports. Two students had stormed into their school and systematically shot and killed 12 classmates and a teacher. They also wounded 23 other students and teachers.

It makes me shudder when I recall the bloody carnage of that day. I had to shake my head in disbelief that this outrage could be committed in a school. No parent and no grandparent could avoid thanking goodness for the safety of their own families when they saw the horrors of those moments.

Those innocent, young people, full of life, running, scared, desperate, trying to get away from the gunmen—the image of the young man hanging out of the window trying to reach safety.

We thought that incident, that tragedy, would finally wake up Congress. That Congress would say: Let's end this; let's do what we can to stop this. And here, almost a year later, since that tragic moment, the American people have an obligation and a right to ask: What has Congress done to prevent another tragedy? How has Congress answered the cries and pleading of parents and grandparents who want to protect their children? What has Congress done to protect other families from gun violence? I ask the question and I will give the answer: Absolutely nothing. And it is a disgrace.

I and some of my colleagues have tried. During the debate on the juvenile justice bill, the Senate passed several gun safety measures, including my amendment to require criminal background checks at gun shows. It was a very close vote, a 50–50 tie. The Vice President, in his role as President of the Senate, came in to break the tie. And with that vote the Senate passed my measure to require background checks at gun shows. But still Congress has not completed action on that legislation, despite the support of organizations that we all know and agree with when it comes to law enforcement, groups endorsing the Senate-passed gun safety amendments, such as the International Association of Chiefs of Police, the International Brotherhood of Police Officers, Police Executive Research Forum, Police Foundation, Major Cities Chiefs, Federal Law Enforcement Officers Association, and others. They all ask why we can't do something about controlling gun violence in our society.

We tried. I remind my colleagues that the gun show loophole amendment had bipartisan support. I was pleased to have that support from our friends on the other side of the aisle, people such as Senators DEWINE, FITZGERALD, LUGAR, VOINOVICH, WARNER, and Chafee, who is no longer with us. They all voted for my amendment.

And the juvenile justice bill, with the gun safety amendments, passed by a vote of 73–25. So there was strong, bipartisan support for moving forward on juvenile crime and trying to reduce gun violence. But that was back on May 20 of last year, 10 months ago. We have to look at what has happened since then.

The shootings haven't stopped. Most recently, there was a 6-year-old shot by a classmate in Michigan. There was another shooting spree near Pittsburgh, where five people were shot and three died when a gunman opened fire on a McDonald's and a Burger King.

There have been more shootings, from Fort Gibson, OK, to Los Angeles, CA, where a gunman opened fire at a daycare center. We all remember the little children being led from a day school—holding a policeman's hands. They were being led away from someone who would later kill a postal worker because he had a different complexion than the killer. And there was also Fort Worth, TX, where young people at a prayer meeting were assaulted by a gunman. It has been one shooting after another. And these tragedies demonstrate that unless all communities are safe from gun violence, no community is safe from gun violence.

But while the vast majority of Americans want Congress to act, there is one special interest that says, no, the status quo is more than enough. The National Rifle Association has worked with its allies in this body and in the House of Representatives to block legislation every time it comes up. The same old reaction. Every time Congress wants to pass gun safety laws, the NRA calls on its friends to prevent progress.

Recent statements from the NRA show how desperate and extremist they have become. A man named Wayne LaPierre, the NRA executive vice president, attacked President Bill Clinton. He said that President Clinton was ''willing to accept a certain level of killing to further his political agenda.'' That comment is outrageous, insulting, reckless, and irresponsible. But Mr. LaPierre didn't stop there. He also accused President Clinton of having ''blood on his hands'' because of the shooting of the basketball coach, Ricky Byrdsong. Just when you thought the NRA could not go any lower, they managed to do it.

The NRA is so wrong because, in that case, it was the State authorities who failed to pursue and prosecute Ricky Byrdsong's killer when he failed the background check. These painful comments are an outrage, and Mr. LaPierre and the whole organization, the NRA, ought to apologize to Mrs. Byrdsong.

The NRA is out of touch with the American people. Look at the polls. There is overwhelming support for common sense gun safety measures. The American people are pleading with Congress to reduce gun violence. And they want to close the gun show loophole that permits unidentified buyers from getting guns without a background check. If you have money in your pocket, you can walk out with a gun at your waist. You could be one of the 10 most wanted criminals in all America, or one of the terrorists from abroad whose names have become legendary, and you could buy guns at these gun shows from unlicensed dealers—no questions asked. Who are you? What is your name? Where do you live? Have you had a bad record? No, not one question is asked.

But the NRA attacks are nothing new. They constantly spout careless rhetoric. Some of my colleagues, and many other people, will remember when the NRA went after Federal law enforcement officials, calling them ''jack-booted thugs.'' That comment resulted in President Bush's resignation from the NRA.

Now we have heard—I listened to it myself on a recent TV broadcast—Charlton Heston, who ought to know better, defending the reckless attacks on President Clinton. And on the NRA web site you even see more rhetoric about the Holocaust that took 6 million people to their death. It says that if the Jews had their weapons with them, it would not have happened. What an outrageous and insulting thing to say. Six million Jews were put in gas chambers, put in trains, and systematically killed. The entire Nazi government and communities across Europe—scientists, doctors, and teachers, all organized to put these people and 8 million more to their death. The NRA drops a casual remark like that and says maybe if they were allowed to carry weapons, or if they didn't have them taken away from them, they could have saved themselves. They are talking about kids who were 6 years old and babies who were thrown from trucks. They could have prevented it if they only had a chance to continue owning weapons.

While that rhetoric is the most outrageous, there is more phony rhetoric coming from the NRA. The NRA says that all we need to do is enforce the laws we have on the books. Another outrageous, loose statement. The argument ignores the fact that the number of Federal firearms cases prosecuted by U.S. attorneys increased 25 percent, from 4,754 in 1992 to 5,500 in 1999.

So the NRA's suggestion that law enforcement is not fighting gun crimes is just false rhetoric. They will say anything they want to if they feel it can help make their case. But they are not convincing the American people that everybody who wants to have a gun should get it in minutes. They say that 24 hours is more than enough time. But the FBI is trying to track down people who escaped the requirement for a thorough background check because there wasn't enough time to get it done. During the first year of the National Instant Criminal Background Check System, there were 3,849 occasions where three business days went by and the gun transfer had to be allowed, but the FBI later received information that the transfer was to a prohibited person. In other words, even three business days is not long enough.Z! EXT .094 ...SENATE... G21MR6 PERSONAL COMPUTER J079060-G21MR6-094-*****-*****-
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And the NRA rhetoric also completely misses the point when it comes to gun shows. The problem with gun shows is there is no law to enforce. There is one giant loophole.

As I said earlier, someone on the FBI's Ten Most Wanted list can go to a gun show and buy a firearm from a nonlicensed dealer with no questions asked. The only questions are: How many guns do you want and do you have the money? That is the transaction. It is as simple as that—handguns, assault weapons, you name it; all kinds. This isn't an enforcement issue. There is no background check requirement to enforce.

The NRA and its friends are out of touch with the American people. Even

a major gun manufacturer, Smith & Wesson, said we need to do more on gun safety. The company reached an agreement with the Administration that will incorporate many of the measures stalled in the conference committee on juvenile justice—background checks at gun shows, child safety locks, and preventing the use of ammunition clips with more than ten rounds.

For the benefit of those who do not work around here, a conference committee is comprised of a committee of the Senate and a committee of the House, both with jurisdiction over particular issues. They sit down and hammer out differences in legislation. The conference committee on the juvenile justice bill has met just once, in August of last year. It has done nothing for months because the NRA and its friends—some of them here and some of them across the Capitol in the House—don't want any gun safety measures to pass Congress.

Despite that, the American people are demanding something be done. We have to move this conference. We want background checks at gun shows. We want child safety locks. We want to prevent the use of ammunition clips with more than 10 rounds. It is ridiculous that Congress is behind gun manufacturers on gun safety.

We want to stop the phony rhetoric and get on with the job. And the American people should remind their Senators and their Congresspeople that they are demanding safety from guns for their children, their households, and their families.

I hope the word goes out across this country that there is time now to start making changes to reduce gun violence. We ought to get on with the job. We have to stop the verbal attacks on law enforcement. We have to stop the excuses. The conference committee should complete its job. The American people should demand nothing less.

I support Senator REED's resolution and I hope many of my colleagues will vote for it. And we must show the American people that we have the backbone and the spine in this body to stand up to the NRA and campaign contributions from its political action committee.

Listen to the voices of the American people. Listen to the cries of anguished parents who run to the schoolhouse hoping their child was not one of those who are listed as dead or wounded. Listen to the mothers who will march to Washington on Mother's Day—there may be a million rallying across the country—and say: for God's sake, please help me protect my child from violence. There is no more important or urgent plea than that. It must get through these walls. The American people can't understand Congress' failure to pass gun safety measures. I can't understand it and I work here every day.

We must complete action on gun safety before April 20, 2000, the one year anniversary of the tragedy at Columbine High school. We cannot allow a year to pass with nothing done except people visiting cemeteries to see where their children are buried.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE FEDERAL RESERVE

Mr. DORGAN. Mr. President, I understand the Senate is about to adjourn for the day. I was not going to come to the floor. Then I thought I would not sleep much tonight if I didn't come to the floor and say what I think ought to be said about the Federal Reserve Board. Again, today in secret downtown they increased interest rates for the fifth time in a relatively short period of time.

Will Rogers once said—and it is probably good to quote him in this room, where we used to have spittoons all across the Senate, I understand, well before I came here—''When there is no place left to spit, you either have to swallow your tobacco juice or you have to change with the times.''

That is something the Federal Reserve Board would not understand.

The fact is, they met today again in secret behind closed doors, as they always do, because it is the last dinosaur left in this town. Everything else is relatively open. But the Federal Reserve Board meets in secret. They decided to do so again today. They decided to increase interest rates once again.

The last five interest rate increases, including this one today, mean that every family in America, on average, will pay an additional $440 in interest charges this year. That is a tax on every American family. That was imposed on the shoulders of every American family, with no debate and no discussion. It was done in secret by the bankers down at the Federal Reserve Board.

Just because I feel so kindly about the role they played, I figured I should show the American people at least who they are. As I have in the past, I provided their pictures, their salaries, and their education.

Of course, if you put them all into a barrel and rolled them around, it wouldn't matter which was on the top; they still look the same. They still have the same education, they still make about the same amount of money, and they apparently still think the same. They all think this country is growing too fast, and they think there are too many people working. So they view themselves as a set of human brake pads whose design it is to slow down the American economy.

The problem with that is, there is no evidence to support what the Federal Reserve Board has done today. Worker productivity is up. It is up substantially. The Consumer Price Index with respect to the core inflation rate and the Producer Price Index with respect to the core rate are not showing what the Federal Reserve Board is looking for; that is, a new wave of inflation in the American economy. In fact, inflation is well under control and the productivity of the American workers continues to rise.

According to the Federal Reserve Board's own ''beige book,'' which is what they call it, wage pressures have actually eased in some parts of the country since late last year. Last year, productivity in this country rose by 3 percent. The final quarter of 1999 saw productivity increasing 6.4 percent, the largest rise in seven years. This surge of productivity by American workers pushed down unit labor costs by a 2½ percent annual rate.

The question is, Why does the Federal Reserve Board not want to allow workers who are more productive to share in this country's prosperity? Why is it the central bankers are desperately afraid of having folks who work on assembly lines, and are more productive for doing it, get a wage increase or a salary increase? The first sight of that and the Fed has an apoplectic seizure and decides it wants to tax every American with higher interest rates.

I read the other day about a fellow named Walt Frazier. The Fed ought to invite Walt to town and bring him into their mahogany room before they close the door. The Washington Post wrote a story about Walt Frazier. Walt is a live chicken hanger. He works in one of these chicken processing plants. The live chicken hanger is the fellow in the front end of the room who pulls chickens by their feet and hangs them as they go around through the throat slasher and the other processes, and at the back end comes out a chilled, packaged chicken that goes to the store. Walt is a chicken hanger at the front end.

The shift he works begins at 5:48 in the morning. He is done at 2:18 p.m. in the afternoon. He grabs a live chicken every 2 seconds and puts that live chicken on a hanging machine that circulates. He lifts and hangs 10,000 chickens a day, the Washington Post said. That is 2½ tons of wiggling, fighting, clawing flesh. Walt works on the line. Do you know what Walt makes? For 20 years he has done that. He makes $8.88 an hour or $18,470 a year. He had a couple of operations on his wrists because grabbing live chickens in a chicken plant means you get clawed, scratched, and beat up.

The point about mentioning Walt Frazier is he is one of the folks who works in the chicken plant. He is more productive because of machinery and other things, but the Federal Reserve Board doesn't want to look at folks

who are working in those circumstances who, because they are more productive, ought to be able to earn more money.

The Federal Reserve Board says: No, we don't want America to show greater gains for workers. We worry about that. We think that is inflationary.

So what do they do? They keep slapping on new interest charges. It is a classic fight we have had over the past two centuries between those who finance production and those who produce and work in production. Those who finance have great friends at the Federal Reserve Board. The gold stars are the folks on the Open Market Committee who today helped the Fed Board of Governors decide that the American families ought to pay higher interest charges. The American people had no say. But the Federal Reserve Board did it because they tilt their policies toward the big money center banks and against the interests of working folks in this country.

I say once again, as I have said on other occasions, the Federal Reserve Board could use a good dose of common sense. We have two vacancies. I have said repeatedly one ought to go to my Uncle Joe. My Uncle Joe used to fix generators and alternators in his garage. He worked with his hands and knows something about running a small business. None of these people on the Federal Reserve Board appear to understand the consequences of slapping $440 in additional interest charges on the American people. They can afford it. They are not worried about the effects of those working for a living on the assembly line who are trying to be more productive and who expect as a result of being more productive to get more income.

The Federal Reserve Board is interested in money center banks. They see inflation under every cover and under every bed. Every moment they see new waves of inflation. I say to the Federal Reserve Board: You are wrong again. You have been wrong, wrong, wrong. Go back about 5 years and tell the American people what you said then: If unemployment falls below 6 percent, we will have more inflation.

Unemployment has been below 6 percent for more than 5 years and inflation is down. Federal Reserve Board, tell the American people what you said about growth: If the country grows at greater than 2½ percent, there will be greater inflation.

It has grown faster than that and the inflation rate has gone down. They have been wrong, wrong, wrong.

Because they have the ability in secret to impose the added burdens and charges on the American people's shoulders, they do so, but that does not make it right.

Will Rogers said: When there is no place left to spit, you better change with the times. This Federal Reserve Board is tinkering with the economy, which could well injure the economy, an economy which has produced many months of sustained economic growth. American workers deserve the opportunity to share in the benefits of that growth. I hope the Fed will think better of this strategy. It is the wrong strategy for this country.

It is, if nothing else, therapy for me to say it because no one can have any impact on this board. It does what it does and says what it says with total impunity. Some day I hope that the Board of Governors and the presidents of the regional Fed banks, who have tilted their policy so in favor of money-centered banks, will actually consider the interests of working people in this country.

I yield the floor.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER (Mr. L. CHAFEE). Under the previous order, the Senate stands in adjournment until 9:45 a.m. Wednesday, March 22, 2000.

Thereupon, the Senate, at 6:16 p.m., adjourned until Wednesday, March 22, 2000, at 9:45 a.m.

EXTENSIONS OF REMARKS

IMF REFORM REQUIRES THOUGHTFUL CONSIDERATION

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. SAXTON. Mr. Speaker, recently a blue ribbon commission set forth its bipartisan recommendations on reform of the International Monetary Fund (IMF) and World Bank. The commission's chairman, noted economist Allan Meltzer, worked for months in the most accommodating and fair way with all of the commissioners to maintain a process of honest intellectual inquiry and collegiality. Votes were taken along the way that established overwhelming bipartisan consensus on all of the major issues. The resulting report addresses some of the most difficult and challenging issues in international economics, and proposes a number of serious and substantive reforms of the IMF, World Bank, and regional development banks. Reasonable people can and do disagree on these highly complex issues, but generally do so on the basis of facts, evidence, and analysis.

Unfortunately, however, even before the report was released, a highly coordinated political effort was initiated to attack the commission's report with outlandish charges and inflammatory rhetoric. These attacks generally were uninformed by any familiarity with the substance or tone of the majority report, not to mention the difficult financial issues related to the IMF and World Bank. These attacks only serve to discredit those who made them, and the use of such issues as a political football reflects a lack of responsibility and concern about the future of these institutions. The following article published in the prestigious Financial Times recently shows how these deplorable attacks on the commission have been perceived, and do no credit to those who make them.

[From the Financial Times (London), Mar. 10, 2000]

POLITICS OF AID

It is occasionally difficult for outsiders to grasp just how poisonously partisan U.S. policymaking has become. That this should be the case in domestic matters is neither surprising nor particularly worrisome. But the collapse of bi-partisanship in crucial areas of foreign policy is another matter. The response in Washington to the report from the international financial institutions advisory commission is a perfect—and disturbing—case in point.

Take, for a moment, not the politics of the majority report, but its substance. It does not propose the abolition of the International Monetary Fund. Nor does it suggest the end of foreign aid. On the contrary, it defines a role for the IMF as lender-of-last resort and suggests deep debt relief and a significant increase in U.S. budgetary support for the poorest countries, ''if they pursue effective programmes of economic development''.

Though simplistic in important respects, the report does represent an attempt to define a role for the international institutions and a case for aid that makes sense today. Since this comes from a group dominated by Republicans, the rational response must be that this represents progress. Maybe there could even be a new bi-partisan consensus. At least there would be no harm in exploring that possibility.

That is not happening. In an egregious example of Washington politics at its worst, Richard Gephardt, the notoriously protectionist House minority leader, complained that the report ''illustrates an extreme neo-isolationist attitude'' towards the IMF and the World Bank. ''Pots'', ''kettles'', ''calling'' and ''black'' come to mind.

True, this is a radical report. The most controversial recommendations on the IMF are that it should cease long-term lending to the poorest countries and should provide emergency assistance almost exclusively to countries that have pre-qualified for it. Similarly, it suggests that the World Bank should cease to be a lender to middle-income countries with access to private markets.

These ideas do go too far, but they are not crazy. Given willingness to compromise, they could be the basis for discussion between the two sides. The alternative is certainly worse. Continued bitter partisan disagreement, with one side committed to defense of the status quo and the other to radical transformation, must make the environment for these institutions extraordinarily difficult.

The world urgently needs a U.S. consensus on policy towards the international financial institutions. This report is at least the basis for a discussion—and jaw jaw is certainly better than yet more partisan war war.

SATELLITE REFORM LEGISLATION (S. 376)

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GEJDENSON. Mr. Speaker, I rise in support of the conference report on S. 376, international satellite reform. This bipartisan compromise legislation will reform 1960s era satellite policy and promote competition in international and domestic satellite services and technology. This 1962 Communications Satellite Act is woefully outdated. The time for overhaul is now.

The 1960s were a time when the telecommunications sector was dominated by monopolies. We had no cell phones, no pagers, no personal computers and no viable commercial satellite industry. Our international satellite policy reflected the times. It was believed that only government-sponsored entities could provide global satellite services. That may have been true then, but in the past forty years we have seen enormous change. With the passage of this bill, our global satellite policy will finally enter the new millennium.

INTELSAT and INMARSAT are cast in the old mold. For example, INTELSAT is an intergovernmental treaty organization dominated by 143 member-nations, largely through government-controlled telecommunications monopolies. As an intergovernmental organization, INTELSAT is not subject to U.S. or any other country's laws.

At the same time, we have many private satellite companies that offer high-quality international services. Two such companies have corporate ties to Connecticut—GE Americom and PanAmSat. These companies have launched private sector ventures that must compete with these intergovernmental organizations which enjoy advantages such as legal immunities which the private sector does not.

I commend Mr. BLILEY and Mr. MARKEY for their long work over the last few years to bring competition and privatization to U.S. global communications policy. This legislation eliminates the privileges and immunities that these intergovernmental organizations enjoy. The bill offers incentives for INTELSAT and INMARSAT and their successors to privatize in a pro-competitive manner. As a result, we can expect to see improved access to foreign markets for the U.S. satellite communications industry.

I am particularly pleased that the final conference bill contains definite, clear criteria for the FCC to use in determining if INTELSAT, INMARSAT and their spin-offs have privatized in a pro-competitive manner. If they don't, there are real consequences in terms of U.S. market access. This feature of the legislation provides meaningful incentives to these two organizations to privatize properly. It also governs the market entry of their spin-offs, such as New Skies Satellites, a Dutch company that is a wholly-owned subsidiary of INTELSAT and its signatories. Although we welcome New Skies into the U.S. market, strict compliance with the criteria of S. 376 is necessary to ensure that its market entry will benefit competition and will not serve as a trojan horse for the INTELSAT cartel.

I am also pleased that the bill prohibits all satellite operators serving the U.S. from enjoying the exclusive right to handle telecommunications traffic to or from the U.S. and any other country—no matter how the exclusive relationships were derived.

Mr. Speaker, this legislation promises to benefit the American public with lower costs, more innovative services, and more high tech jobs. I urge my colleagues to support S. 376 and to bring the full benefits of competition to consumers.

PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2000

SPEECH OF

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 16, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2372) to simplify and expedite access to the Federal courts for

injured parties whose rights and privileges, secured by the United States Constitution, have been deprived by final actions of Federal agencies, or other government officials or entities acting under color of State law; to prevent Federal courts from abstaining from exercising Federal jurisdiction in actions where no State law claim is alleged; to permit certification of unsettled State law questions that are essential to resolving Federal claims arising under the Constitution; and to clarify when government action is sufficiently final to ripen certain Federal claims arising under the Constitution:

Mr. HASTINGS of Washington. Mr. Chairman, I rise today in strong support of H.R. 2372, the ''Private Property Rights Implementation Act of 2000.'' This commonsense legislation makes it easier for landowners that have had the use of their property taken by the Federal Government to get their day in court.

While the fifth amendment requires the Government to compensate citizens for the taking of their private property, these property owners have found it almost impossible to gain access to the Federal courts to pursue their claims. Quite simply, H.R. 2372 would provide a way out of the regulatory limbo that requires property owners to seek a ''final'' answer at the local level before pursuing this constitutional issue in Federal court. Contrary to claims that the bill would circumvent local authority, it outlines specific requirements that claimants must pursue before receiving action from the Federal courts. These include an appeal to the local planning commission, an application from the local zoning board, and an appeal to the local board of elected officials. Thus, the bill protects local authority while ensuring that justice is done in a timely manner.

Mr. Chairman, we in the Pacific Northwest are being inundated with new Federal requirements and restrictions relating to salmon and other species protected under the Endangered Species Act. The impacts of these new Federal actions on private property owners are only beginning to be felt, but promise to be significant. This legislation will ensure that the victims of Federal takings do not have to wait 10 years—the current average time it takes to get access to a Federal court—to seek just compensation. Private property owners in my district need to know that there is a clear and fair process in place for them to defend their fifth amendment rights. That is exactly what H.R. 2372 provides.

I commend the gentleman from Florida, Mr. CANADY, for bringing this legislation before the House and I urge my colleagues to support it.

GREATER PITTSTON FRIENDLY SONS OF ST. PATRICK HONOR WILLIAM MCFADDEN

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to William P. McFadden. This year, the Greater Pittston Friendly Sons of St. Patrick will honor Bill with the W. Francis Swingle Award at their annual St. Patrick's Day Banquet. I am pleased and proud to have been asked to participate in this event.

The Swingle Award is named in honor of Professor Frank Swingle, a noted and respected educator and orator, active in civic organizations locally. Bill McFadden will be the eleventh recipient of this prestigious award.

Mr. McFadden has had an exemplary career in nursing for more than thirty-two years. He specialized in industrial nursing at Bethlehem Steel, Lebanon, Pennsylvania, and also the Ford Motor Company, Chester, Pennsylvania, and San Jose, California. Administratively, Bill was Staff Nurse and Supervisor at Wilmington Veterans Administration Hospital, Director of Nursing at Fresno Community Hospital in California and a nursing home supervisor in New Jersey. Until his retirement in 1985, he served as Nursing Supervisor at East Orange Veterans Hospital, New Jersey.

Mr. Speaker, Mr. McFadden is a native son of Northeastern Pennsylvania, having been born and raised here. He attended St. John's High School in Pittston, went on to St. Joseph's School of Nursing in Philadelphia and received his degree in nursing from Villanova University in 1959. He served in the Navy Reserves from 1945 to 1947.

Mr. Speaker, I am proud to congratulate William McFadden on this prestigious award. I join with his wife Ann, family, and his many good friends in sending him my most sincere best wishes as he accepts this honor.

ROBERT MILLER, JR.: MAN OF THE YEAR

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. SMITH of Michigan. Mr. Speaker, I honor today Robert B. Miller, Jr., of Battle Creek, Michigan, Scene Magazine's 1999 Man of the Year.

''Bob,'' as he likes to be called, is one of Battle Creek's best known citizens due in large measure to his legacy of personal and financial commitment to the greater Battle Creek community. Today, the community will show its appreciation and gratitude for Bob's many years of philanthropy and dedication, as they gather to pay tribute to him as the 1999 Man of the Year.

Robert Miller, Jr. is a naval veteran and graduate of Michigan State University, with degrees in marketing and English. He has spent most of his professional life in the print media, working for such newspapers as the Lansing State Journal, Idaho Statesman and the Daily Olympian, before making his mark on Battle Creek as publisher of the Battle Creek Enquirer and News, a position he inherited from his father, the late Robert Miller, Sr.

Robert Miller, Jr. epitomizes the word philanthropy. He has been as much involved in civic duties as he was in professional journalism. He's served as a trustee of the Miller Foundation and as a member of its Grants Review Committee, as well as being a member of the local Red Cross, United Way and numerous other boards and committees. Most recently, he can be found working on behalf of the Humane Society and as an advocate for Big Brothers/Big Sisters.

As a professional, Bob has led by example, blending strength, drive and determination with tremendous character, devotion and kindness. I admire Bob for his professional involvement and dedication to civil activities and service to the community. He exemplifies what it means to be a citizen, having set a standard of excellence which serves as an example for others in the community.

I commend Robert B. Miller, Jr. for his many years of hard work and tireless devotion in making his community a better place to live, work and raise a family. And I congratulate him on being named Scene Magazine's 1999 Man of the Year.

INDO-AMERICAN HI-TECH LINKS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. McDERMOTT. Mr. Speaker, we can all be justifiably proud of the fact that our nation is continuing its unparalleled record of economic growth. We can also be proud of the fact that our growth, which has benefited so many American citizens, rests in large measure on our hi-tech industries.

But how many of us recognize that our prosperity also rests in part on the intelligence, entrepreneurship and skills of many thousands of Indians, and Indo-Americans?

Let me provide my colleagues with some facts about how Indian trained software engineers, computer programmers and designers contribute to America's prosperity.

Indians own or run over 750 Silicon Valley firms that collectively employ over 16,000 people and have achieved over $3.5 billion in sales.

Of the 115,000 visas given by the United States for skilled workers in 1999, 35,000 went to Indians.

The vast majority of India's $4 billion in software sales last year went to American companies.

American firms like Hewlett-Packard, Microsoft, IBM and Oracle increasingly are looking to invest in India or purchase hi-tech products from India.

President Clinton recognizes the contributions India has made to America's economic growth. When he visits India later this month, he is expected to stop in the city of Hyderabad, one of the centers for India's growing hi-tech industry. His stop will dramatize India's rapid development as a cutting edge hi-tech nation and it is a confirmation that India and the United States have both greatly benefited from the business acumen of Indian entrepreneurs. It is also a recognition that our ties to India are far broader and far deeper than most observers believe.

Mr. Speaker, India is important to the United States. Our policies in that region should reflect this. That is why I am pleased to have had this opportunity to share the reason for being optimistic about the future of U.S.-Indian relations.

RETIREMENT TRIBUTE TO SYLVIA MCLAUGHLIN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to invite my colleagues

to join me in congratulating Sylvia McLaughlin on the occasion of her retirement after thirty-eight years of service to The Save San Francisco Bay Association and its Board of Directors, and recognizing her for her many years of dedicated public service.

In 1962 Sylvia McLaughlin was one of three founders of The Save San Francisco Bay Association, now called Save the Bay, which has worked for nearly four decades to protect and restore the Bay and Delta and to improve public access along its shoreline. The San Francisco Bay is one of the natural wonders of the world, where saltwater meets freshwater from the Sacramento and San Joaquin Rivers to form the largest estuarine system on the West Coast of North America. The Bay and Delta have suffered from 150 years of hydraulic mining, fresh water diversion, pollution, fill and shoreline development. For four decades Save the Bay has worked to reverse this trend, to keep the Bay alive and make it healthier. The Bay-Delta defines our region and contributes greatly to the San Francisco Bay's high quality of life, providing economic benefits as well as drinking water for more than two-thirds of California's population and irrigation for hundreds of crops.

Sylvia's work led to the creation of the Bay Conservation and Development Commission in 1965 and the adoption of the Bay Plan in 1969, inspiring several generations of grassroots conservationists. Sylvia has received international recognition for her efforts to protect and restore the San Francisco-Bay Delta and its shoreline—a rich web of natural life where hundreds of species of fish, birds, and other animals make their homes. Save the Bay is rededicating itself to a Century of Renewal as the year 2000 begins, restoring water quality, habitat, fisheries and public enjoyment of the Bay for generations to come.

Sylvia is retiring after thirty-eight years of service to Save the Bay and its Board of Directors. I know I speak for all the Members when I wish Sylvia McLaughlin a very happy and healthy retirement, and when I thank her for her unparalleled contributions to environmental protection and for her tireless efforts on behalf of the Bay and its residents.

INTERNATIONAL POPULATION ASSISTANCE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GEJDENSON. Mr. Speaker, soon we will be debating one of the most important foreign policy questions to come before the House this session—international population assistance.

This is a very important matter that will directly affect the quality of life of individuals and families around the world. It deserves careful attention by all Members. A recent issue of the magazine Insight included an article by Warner Fornos, the President of the Population Institute, that discusses this issue. The Population Institute is a nonprofit organization that seeks to bring the world's population into balance with our resource base and environment through equitable and voluntary means.

I believe the article by Mr. Fornos makes points that should be considered in the upcoming appropriations debates. As a result, I am including it in the RECORD for the benefit of all Members.

[From the Insight magazine, Jan. 31, 2000]

QUESTION: SHOULD POPULATION CONTROL BE A PRIORITY FOR THE THIRD WORLD?

YES: VANISHING FORESTS AND WIDESPREAD FAMINES ARE SIGNS OF CRISIS IN MANY NATIONS

(By Warner Fornos)

The term ''population control'' has an unfortunate and misleading connotation. ''Control'' seems to infer force and coercion, which I categorically oppose on moral and ethical grounds. My opposition goes beyond mere semantics. There are those who would have us believe that all population and family-planning programs are rooted in force and coercion; that simply is untrue. At least some of those who peddle that particular bill of goods are snake-oil salesmen who know better or should.

Fertility rates have declined during the last 40 years, from six children per woman to slightly less than three. Anyone who honestly thinks that this is the result of force and coercion simply does not understand human nature of the limitations on the ability of governments to make people do—or, perhaps in this case, not do—something against their will. The magnitude of the power that would have to be exercised to influence the most personal of decisions so successfully during the last four decades simply defies the imagination.

Voluntary family-planning information, education and services should be universally available and accessible. According to the United Nations, there are some 350 million couples throughout the world who lack access to, or the means to acquire, modern contraceptives. An estimated 120 million of those couples would use safe and effective family-planning methods immediately if they were available. The Population Institute strives for universal access to a variety of family-planning methods.

In the last year, world population surpassed the 6 billion mark. World population is growing annually by nearly 80 million the equivalent of the population of Germany. Ninety-five percent of that growth takes place in the developing world, by definition the poorest countries in the world. There are 62 countries with populations on course to double in 30 years or less and 84 countries whose governments officially have stated that their birth rates are high.

There are a number of environmentalists who can produce voluminous scientific data to demonstrate that our planet already has exceeded its sustainable limits. Just for starters, they point to such chilling statistics as the following: 1.3 billion people live in absolute poverty on the equivalent of one U.S. dollar or less per day, 1.5 billion people lack access to an adequate supply of clean water and 790 million people go to bed hungry every night.

There are those who say that poverty, hunger and water issues really are social, economic, technological and political problems—not population problems. Certainly politics, economics and technology all fit into the poverty/hunger/misery equation, but when you see abandoned children begging for a scrap of bread in the streets of Lagos, Nigeria, or Lahore, India, or Lima, Peru, can anyone deny that these are children whose parents were unable to care for them? And think back to the 350 million couples who are unable to regulate their own fertility because they lack access to, or the means to obtain, family-planning information, education and services.

Almost from the inception of the development of national family-planning programs some 40 to 45 years ago, the argument surfaced that there must first be economic stability before there can be a smaller-family-size norm. And, generally speaking, industrialized countries do tend to have fertility rates that are lower than those in less-developed countries.

I am a strong believer in the free-market system, though I have never been convinced that capitalism is the best contraceptive. But those who believe development must precede fertility reductions nearly always haul out the examples of Singapore and Hong Kong, two islands of capitalism in a less-developed region that have lowered their fertility rates. A little more homework reveals that both of those states were among the first to adopt family-planning programs back in the 1950s and 1960s. Meanwhile, Thailand, Indonesia and Sri Lanka are examples of countries where there have been considerable fertility declines before the advent of industrialization.

Pronatalists seem to view the Earth through a peculiar prism that blocks out human activity as a factor in forests vanishing, water scarcity, topsoil erosion, desert expansion, unprecedented global climate change and diminishing finite resources.

There is, however, a preponderance of solid evidence to refute claims that population growth no longer is a significant issue. For example, while world population climbed by 75 percent in the 20th century, an estimated 75 percent of global forested area was lost—much of it for living space, farmland and firewood, which still is the leading source of cooking and heating fuel in the developing world. In addition:

Nearly half a billion people around the world face water shortages and, by 2025, the number is expected to grow to 2.8 billion—35 percent of the projected world population of 8 billion for that year.

The 15 warmest years on record have occurred during the last 21 years and all major scientific bodies acknowledge that climate change now is under way. According to the International Panel on Climate Change, a two-thirds reduction in global carbon-dioxide emissions would be required to avoid a doubling of atmospheric concentrations that may jeopardize food production, the Earth's biodiversity and entire ecosystems, as well as human health.

The U.S. Department of Agriculture notes that since the mid-20th century the world's population has soared by 132 percent, while the world's cropland has increased by only 19 percent.

Complications relating to pregnancy and childbirth are among the leading causes of mortality among reproductive-age women in many parts of the developing world. Nearly 600,000 women die each year of pregnancy-related causes—about one every minute—99 percent of them in developing countries.

An estimated 160 million children today are considered to be malnourished. A recent report by the International Food Policy Research Institute estimates that 20 years from now the number of malnourished will decline to 135 million—a decrease of only 15 percent.

Ten million children died before reaching their fifth birthday in 1998, and nearly 8 million of them did not reach their first birthday. About 98 percent of child deaths occurred in developing countries, with the least-developed countries accounting for a third of all deaths under age 5.

Thirty million new jobs must be found each year for the next 50 years in order to keep pace with projected population growth, according to a special report by the Worldwatch Institute.

At the 1994 International Conference on Population and Development, or ICPD, 179 nations approved the Cairo Program of Action, a blueprint for preventing world population from doubling again as it has in the

last 40 years. To achieve a sustainable future, it is important to implement the Cairo document—especially in the areas of ensuring universal access to family planning; achieving greater male responsibility in sexual and reproductive behavior and parenthood; and eradicating female illiteracy and increasing employment opportunities for women, both of which would lead to gender equality and smaller family size.

They key to implementing the ICPD Program for Action is the mobilization of resources for population and family planning programs. It appears unlikely that the ICPD goal of raising $17 billion for reproductive-health and family-planning activities by this year will be reached. According to a report by the Johns Hopkins School of Public Health, the consequences of the failure to meet this goal include: an estimated additional 42 million unintended pregnancies, 17 million induced abortions and 90,000 maternal deaths.

By cutting back on its international population assistance from nearly $600 million in fiscal 1995 to $385 million in the current fiscal year, the U.S. government has ill-served the cause of stabilizing world population. As the world's only remaining superpower, the United States has abrogated its leadership in one of the most crucial issues of our time. The result has been a domino effect, with other nations choosing to follow the U.S. lead and reduce their population-assistance budgets. There is a ray of hope that the situation will change. The White House has signaled that it will seek to restore U.S. International population spending to its fiscal 1995 level of nearly $600 million. Additionally, Congress, after failing to appropriate any contribution at all to the U.N. Fund for Population Activities in fiscal 1999, has voted to contribute $25 million to the fund in fiscal 2000 and again in fiscal 2001.

In the final analysis, it is the childbearing decisions of 3 billion young people—who will reach their reproductive years within the next generation—that ultimately will determine whether world population will level off at the lowest possible figure that can be reached through voluntary family planning and humane interventions. At stake will be the kind of world they want for themselves and their children.

MEDICARE BOARD—HISTORY SHOWS IT'S A BAD IDEA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. STARK. Mr. Speaker, S. 1895, the Premium Support Medicare reform bill being pushed by PhRMA, many HMOs and private insurers proposes a revolutionary change in the administration of the program. It proposes to set up a seven-person board to administer the program and to control the existing Medicare Program within the Department of Health and Human Services. Presumably many of the people pushing the idea expect to be on the board, as part of a plan to turn Medicare over to private interests.

Guess what? A Board of seven people doing the job now done by one administrator will not be as efficient or cheap as the current program.

Who says? History.

Following is a portion of a memo from the Library of Congress's Congressional Research Service that describes our Nation's experience with a Social Security board between 1935 and 1937. As the memo reports,

* * * The board system led to indecision, delay, and guerrilla warfare among certain of the top staff and their followers within the bureau.

Those who don't learn from history are condemned to repeat the mistakes of the past. A board is a bad idea of a way to run a $220 billion government agency.

SOCIAL SECURITY BOARD AS CASE STUDY

The Social Security program is unusual in that throughout its more than half century of existence it has been administered by a full-time, three member board and by a single administrator. It has enjoyed a status as an independent agency, as that term is used in this report, a unit within an independent agency, and finally, an agency within an executive department. It is also unusual in that there is a study available on the administrative history of its brief period being managed by a full-time board, a situation not unlike that being proposed in S. 1895. What follows briefly outlines the complex of events and decisions related to its early organization and operations.

During the 73rd Congress, the first of the New Deal, various pension and unemployment bills were introduced. President Franklin Roosevelt, in response to this interest, established (by Executive Order 6757) a Committee on Economic Security (CES). The Committee consisted of federal officials and was chaired by the Secretary of Labor, Frances Perkins. The Committee was supported by a Technical Board headed by Arthur Altmeyer, and an Advisory Council consisting of 23 labor, employer, and public representatives. Both the Technical Board and the Advisory Council had subcommittees. The CES had a research staff, headed by Edwin Witte, that was used jointly by the full committee, the Technical Board, and the Advisory Council.[18]

The CES and its support groups met for six months and submitted its report to the President.[19] While not all the recommendations of the CES were ultimately to be included in the Social Security Act, the Act did incorporate the basic recommendations of the Committee.

The bulk of CES's discussion and its report was concerned with substantive matters respecting old-age insurance and unemployment compensation. Relatively little discussion was forthcoming on administrative organization. On the administration of the Social Security program, the CES recommended the following to the President.

The creation of a social insurance board within the Department of Labor, to be appointed by the President and with terms to insure continuity of administration, is recommended to administer the Federal unemployment compensation act and the system of federal contributory old age annuities.

Full responsibility for the safeguarding and investment of all social insurance funds, we recommend, should be vested in the Security of the Treasury.

The Federal Emergency Relief Administration is recommended as the most appropriate existing agency for the administration of non-contributory old-age pensions and grants-in-aid to dependent children. If this agency should be abolished, the President should designate the distribution of its work. It is recommended that all social welfare activities of the Federal Government be coordinated and systematized.[20]

The President submitted a bill to Congress in January 1935, and it was given immediate consideration. When the bill emerged from the House Ways and Means Committee, there had been major alterations. As related in Paul Douglas's extended legislative history:

The administrative responsibilities were, in certain vital respects, altered. The Social Security Board was removed from the Department of Labor and was given independent powers of appointing and fixing the compensation of members of its staff. This was, of course, a defeat for the secretary of Labor. The administration of the grants for old age pensions, or old age assistance, was taken from the Federal Relief Administration, as was originally proposed, and was given instead to the Social Security Board. This board was also entrusted with the work of supervising and directing the systems of old age insurance and unemployment insurance. A relative unification of social insurance functions in an independent body was, therefore, proposed. The Board's powers were also increased by giving to it, rather than the Relief Administration, the administration of the allowances for dependent children, and the so-called mother's pensions. The Children's Bureau of the Department of Labor, however, was still kept in charge of grants for the health care of mothers and infants and of those for crippled children.[21]

When the bill was considered by the Senate Finance Committee, the Social Security Board was again placed under the Department of Labor instead of being independent. Justification for this switch was that in most other nations the administration of old age insurance was under a labor department and because administrative costs would be less under a department. The Committee was opposed to creating new, independent agencies with functions closely related to those of an existing department.[22]

In conference committee, the location of the agency was shifted once again, this time to an independent status, a status that remained in the finally approved bill. The social Security Board (Board) was outlined in Title VII of the Social Security Act (49 Stat. 620). The Board consisted of three members, not more than two were to be from the same political party. They were to be full-time officers of the federal government. Their staggered terms were to be six years in duration. The chairman of the Board was to be appointed by the President. The Board was to organize its own staff and fix necessary compensation.

The CES stated, in its backup papers, that:

The advantages of an independent board were considered numerous and important. The membership of the board should include outstanding persons in the field of social insurance administration whose services could be procured with difficulty if they were offered positions as lesser officials in any department. In the interests of the insured population, both in the formulation of regulations and in the development of new policies and practices, the board should be a nonpolitical organization, protected as far as possible from political influence, even such as might arise from an executive department under a politically minded administration.[23]

[18] For a discussion and diagram of the organization of the Committee on Economic Security, consult: Mary Trackett Reynolds, Interdepartmental Committees in the National Administration (New York: Columbia University Press, 1939), pp. 28–43.

[19] U.S. Committee on Economic Security, Report to the President (Washington: GPO, 1935).

[20] Ibid., p. 7.

[21] Paul E. Douglas, *Social Security in the United States: An Analysis and Appraisal of the Federal Social Security Act* (New York: Whittlesey House, 1936), pp. 105–06.

[22] Ibid., p. 114.

[23] U.S. Social Security Board [for the Committee on Economic Security]. Social Security in America: The Factual Background of the Social Security as

In point of fact, a reading of the major writings of the formative period of the Social Security program provides little evidence as to why the decision was made to have the agency be ''independent'' or be administered by a three-member board.[24] The impressionistic view emerges that the Board concept was simply a way to continue the plural leadership that had led the supporting groups coalition in gaining political support for the Committee's legislation.[25] ''The Social Security Board was in a double sense a continuation of the Committee on Economic Security,'' according to McKinley and Frase. ''Not only were its activities an application of the new functions envisaged by that investigating committee, but the staff with which the board began was carried over from the committee.''[26]

The Social Security Board was established more than a year after the three-member full-time Board of the TVA had been in operation. The SSB had observed and assessed the early experience of the TVA Board. According to McKinley and Frase:

The three members of the SSB decided early that they would avoid the mistakes apparently being made by the directors of the TVA, who had parceled out functions among themselves. Instead they would confine their activities to policy problems, delegating administrative tasks to a chief administrator who would report to and be responsible to the board.[27]

From the outset, however, there was no clear demarcation of responsibility between the Board and the executive director, so that conflict ensued. ''The board consistently violated its own decision to stick to policy questions. This was particularly true in the appointment of personnel.''[28] Changes in Board membership did not alter this situation. McKinley and Frase assert that the early board members never seriously regarded the executive director as the administrative head of the organization with a distinct administrative authority of his own. Board members felt it was their right and duty to intervene directly in administrative matters.[29] The intervention of the Board notwithstanding, there was a general shift of powers toward the executive director's office during the first two years.[30]

Among the closest students of the early years of the Social Security Board were McKinley and Frase. While they were reluctant to offer conclusive statements on most elements of the Social Security programs, they were not reticent in their opinion of the Board structure:

By the end of March 1937, only one major administrative conclusion appeared clearly warranted: namely, that the board structure was inadequate for operating the social security program. Winant, Miles, and Bane were emphatic in their judgment that a board was unsuited to this task, and even Altmeyer joined in a formal board conclusion to this effect. The authors had reached the same conclusion.[31]

A detailed assessment of the Board's operations was offered by McKinely and Frase and deserves to be printed in full:

As an administrative device for making policy decisions and directing operations during this period, the board system led to indecision, delay, and guerrilla warfare among certain of the top staff and their followers within the bureau. The frequent and interminable board meetings during the first eight months particularly reflect the difficulty of three men reaching conclusions that were often about small matters. A single administrator may carry within his breast many conflicting desires and vacillating impulses: but he resolves these without the necessity of revealing the full extent of his uncertainty or confusion. But a three-man board undertaking such a function cannot escape the exhibition of conflict or vacillation in long discussions which threaten to become endless if the men are, as these were, particularly sincere in their desire to launch successfully the administration of an agency charged with duties they regarded as of the highest public importance. * * *

There were two other possibilities of board organization that might have avoided existing and potential difficulties. Both involved the abandonment of the distinction between policy and administration. The first would have been to parcel out the duties among the three members, making each responsible for the administration of one segment of the board's functions. Something like this had been done in the Railroad Retirement Board, and Latimer though it worked very well. It had also been followed in the case of the TVA which was, however, experiencing widely publicized difficulty on that account during 1936–1937. It is not clear what kind of tripartite division the board might have attempted with the best hope of administrative success, and this system requires a great deal of mutual trust if action is to be expedited. But if such trust is mutually accorded their arise difficulties that have dogged the path of the commission form of city government—a tacit conspiracy to refrain from scrutinizing the acts of each other resulting in no central responsibility for administrative behavior.

The second possibility presented more likelihood of success. That would have been an arrangement by which the chairman became the recognized administrative head of the organization, with the other members content to play minor roles. But that plan would need a peculiar combination of personalities which the original board did not have. * * *

One other observation about the board as an administrative device may be made here. During the closing weeks of this study [Chairman] Winant's resignation left the board with only two members. This gap was unfilled for some months because Latimer, whom the President had nominated, was not confirmed by the Senate. During this time, differences between the two remaining members threatened the board with stalemate on important questions. This check-and-balance system, with its concomitant delay or horse-trading agreement, was implicit in an incomplete board structure, as was the carrying of tales to the Hill by Miles when he became sufficiently vexed or disappointed to want to indulge in that form of pressure.

Our account of the executive director has shown there was an accretion of power in that office not only because of his position of command over the regional office organization but also because of the gravitation of functions from various bureaus into his hands. This last development seemed to be an indication of the faulty division of duties promulgated by the board in its last organization chart of December 4, 1935. * * *[32]

The problems associated with the Social Security Board and the TVA board as an organizational category led to something of a counterthrust in the late 1930s. As he entered his second term, Franklin Roosevelt became more interested in organizational management. ''The administrative management of the Government,'' he said, ''needs overhauling.'' The President, in his message to Congress transmitting the Report of the President's Committee on Administrative Management (Brownlow Committee), complained of the difficulties of supervising the activities of over 100 separate departments, boards, corporations, commissions, authorities, and agencies.

The Brownlow Committee Report attacked not only the proliferation of independent agencies, ''a fourth branch of government,'' but the concept of boards as well.

For purposes of management, boards and commissions have turned out to be failures. Their mechanism is inevitably slow, cumbersome, wasteful, and ineffective, and does not lend itself readily to cooperation with other agencies. Even strong men on boards find that their individual opinions are watered down in reaching board decisions. * * *

The conspicuously well-managed units in the Government are almost always without exception headed by single administrators.[33]

The Report then called for a regrouping of independent agencies under departments.

A high point for the concept of departmental integration was reached in 1971 when President Richard Nixon proposed to create four new domestic departments in the place of the existing seven programmatic departments and integrate into these new departments a number of existing independent agencies and their programs. One of the new departments would have been a Department of Human Resources which would have been based on the Department of Health, Education and Welfare but would have been expanded through the transfer of several agencies and programs to the new department. The key administrative element of the new Department would have been three Administrations, one for Health, another for Human Development, and a third for Income Security. Under the Administration for Human Development would have been Education, Manpower and Social Services. No action by Congress on these presidentially initiated legislative proposals was forthcoming.

Since 1971, the majority of proposals for changing the structure of the executive branch have been away from greater departmental integration. Most proposals have been to create more, and generally smaller departments, breaking up existing departments, creating new agencies, generally outside the departmental structure, new government corporations and enterprises, and relatively unaccountable entities in the quasi government. The pendulum has definitely swung away from departmental integration and toward agency dispersion.

Summarized from Staff Reports of the Committee on Economic Security (Washington: GPO, 1937), p. 209.

[24] ''It can be said with assurance that in the collection of information and the drafting of the suggested legislation, the Committee on Economic Security had been much less concerned with foreseeing administrative problems and devices than with the substantive content of law.'' Charles McKinley and Robert W. Frase, Launching Social Security: A Capture-and-Record Account, 1935–1937 (Madison, WI: University of Wisconsin Press, 1970), p. 17.

[25] Jerry R. Cates, Insuring Inequality: Administrative Leadership in Social Security, 1935–1954 (Ann Arbor, MI: University of Michigan Press, 1963), pp. 25–26.

[26] McKinley and Frase, Launching Social Security, p. 18.

[27] Ibid., p. 382.

[28] Ibid., p. 386.

[29] Ibid., p. 402.

[30] *Ibid.*, pp. 389–90.

[31] Ibid., p. 474. John G. Winant, chairman of the Social Security Board; Vincent Miles, member of the Social Security Board; Arthur Altmeyer, member of the Social Security Board; and Frank Bane, Executive Director, Social Security Board.

[32] *Ibid.*, pp. 477–78.

[33] U.S. President's Committee on Administrative Management, *Report with Special Studies* (Washington: GPO, 1937), p. 32.

IN HONOR OF RABBI ARTHUR SCHNEIER ON THE OCCASION OF HIS 70TH BIRTHDAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay special tribute to Rabbi Arthur Schneier, an international leader for religious freedom and tolerance and a role model and inspiration to the world. I ask my colleagues to join me in celebrating his 70th birthday by expressing our nation's deep appreciation and gratitude for his life and work.

Rabbi Schneier has displayed an unshakable dedication to human rights and religious freedom, and a deep devotion to justice and decency for all people. Spiritual leader of the historic landmark Park East Synagogue since 1962, Rabbi Schneier has acted as a diplomat and envoy for four U.S. Presidents. He has served as Chairman of the U.S. Commission for the Preservation of America's Heritage Abroad. He was selected by President Clinton to be one of three U.S. religious leaders to meet with President Jiang Zemin and top leaders of the Chinese Government to enter into the first official dialogue on religious freedom in China. Among many other contributions to U.S. diplomacy, Mr. Speaker, Rabbi Schneier negotiated and successfully completed bilateral agreements with the Czech and Slovak Republics, Hungary, Romania, Slovenia, and Ukraine.

Rabbi Schneier is certainly one of this century's great human rights leaders, Mr. Speaker. In 1965, he established the Appeal of Conscience Foundation, an ecumenical coalition of business and religious leaders, advocating mutual understanding, tolerance and peace. Rabbi Schneier has contributed greatly to the peaceful emergence of new democracies in Russia and the countries of Eastern Europe. Through spiritual wisdom, perseverance, and leadership, Rabbi Schneier has quelled ethnic conflict the world over, protecting minorities and securing the reign of peace.

I am sure, Mr. Speaker, that those in the midst of chaos and destruction, in the aftermath of earthquakes in Turkey and Armenia, floods in Romania, and natural disasters around the globe, rejoiced in the aid Rabbi Schneier was able to provide through organization, inspiration, and faith. His work provided hope to thousands and saved lives in times of great need and suffering.

Rabbi Schneier is an inspiration to all who aspire to lives of hope, peace, and understanding. His convictions are noble and immutable. His faith and his devotion to peace remain undeterred. His influence around the world is a blessing to human kind. Mr. Speaker, I salute the life and work of Rabbi Arthur Schneier and I ask my fellow Members of Congress to join me in recognizing Rabbi Schneier's contributions to the New York community, to our great country, and to the world.

HONORING MR. THOMAS W. FISCHER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. HOYER. Mr. Speaker, I rise today to recognize the dedicated service of Special Agent Thomas W. Fischer to the people of the United States. Mr. Fischer entered the Naval Criminal Investigative Service in 1977 and demonstrated early in his career that he possessed ambition and integrity that would lead him into a successful lifelong career. Special Agent Fischer began his enforcement career on February 27, 1967, with the Baltimore City Police Department. He served honorably and with valor for 10 years. Due to his considerable skills, tact, courage, and dedication to duty, he was promoted from patrolman to detective, tactical sergeant, detective sergeant, and lieutenant (select). While serving with the Baltimore City Police Department, Thomas W. Fischer received nine official commendations for valor and meritorious service.

In 1977 Thomas W. Fischer began a career in Federal law enforcement as a Special Agent with the Naval Criminal Investigative Service. His first assignment was at the Maryland State Capitol in Annapolis. As a seasoned law enforcement veteran he was quickly recognized as a rising star and leader. Continuing in his remarkable career, during the Iranian crisis, Thomas W. Fischer was assigned as the only civilian Federal agent aboard the U.S.S. *Dwight D. Eisenhower.* Tom set the NCIS Special Agent longevity record for at-sea time as a Special Agent Afloat (SAA), with 247 days at sea out of 255 days on deployment. This record remains to this day.

Following his exploits at sea, Special Agent Fischer was assigned briefly to the NCIS office in Washington, DC. In 1981 Special Agent Fischer, ever in search of a challenge, transferred to NAS Cubi Point, the Philippines. After only a year, he was promoted to Squad Leader for the Foreign Counterintelligence (FCI) Squad, Subic Bay. He was subsequently promoted to the position of Assistant Rgional Director (FCI) for the Regional NCIS Office, Philippines. In June 1985 Special Agent Fischer accepted an assignment as the Assistant Special Agent in Charge for FCI at the NCIS office at Long Beach, CA. In August 1986, Tom transferred to NCIS Headquarters where he served as a Senior Staff Assistant to the Director as the Special Agent Afloat Program Manager.

In 1987, Special Agent Fischer made history while assigned to the Bobsled Task Force investigating Marine Security Guard espionage activity. Special Agent Fischer traveled to Moscow, U.S.S.R. where he conducted interviews and other inquiries at the American Embassy.

In September 1987, continuing supervisory ascent, Mr. Fischer was named Deputy Special Agent in Charge of the NCIS office in Washington, DC. In October 1988, Special Agent Fischer was named Special Agent in Charge of the Regional Fraud Unit, National Capitol Region, Washington DC. During June 1991, Special Agent Fischer assumed duties as the Deputy Regional Director of the NCIS European Region London, United Kingdom. He was then promoted to Regional Director where he served with distinction until his selection as Assistant Director for Inspections in May 1994.

During the past 6 years, Mr. Fischer, as an Assistant Director, has brought vision, candor, and insight to many issues instrumental in building the NCIS of today. Special Agent Fischer served honorably and served as a role model and leader for an entire agent corps, who by living according to his high standard, remains as his lasting legacy to the organization he so nobly served.

Special Agent Fischer's career, which includes active duty service in the U.S. Armed Forces from March 1962 to September 1965, spans five decades of service to the people of the United States.

COMMENDING ANTI-DRUG EFFORTS OF STATIONS KEZI, KMTR, KVAL, KEVU AND KLSR

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. DEFAZIO. Mr. Speaker, I rise to call attention to an unprecedented cooperative campaign by several television stations in my congressional district. Earlier this year, stations in Eugene, OR, set aside competition and simulcast a half-hour documentary on the effects of drug abuse, ''Drug Wars: One Family's Battle.'' The documentary was produced by Medford Oregon-based Crime Prevention Resources.

In addition, three stations—KEZI, KMTR and KVAL—also sponsored and simultaneously broadcast a special 1 hour town hall meeting that featured individual stories, a panel of experts and telephone call-ins, all discussing the impacts of drug abuse and methods to combat the problem. This locally simulcast townhall was a first in our community and possibly the nation.

I congratulate and commend these stations and the community on this collaborative and innovative endeavor to combat the serious problem of drug abuse. By saturating our local airwaves for a short time, they were able to ensure this anti-drug message reached the widest possible audience. This impressive feat should be a model for the nation.

Winning the war on drugs requires an extraordinary effort from the grassroots level up. I encourage my colleagues to pursue a similar effort with television stations in their respective congressional districts. It is a unique and rewarding opportunity to work together towards the common goal of ending drug abuse in our communities.

Again, I salute the efforts of these television stations on their historic effort.

IN HONOR OF MAYOR ROBERT ROSEGARTEN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to Robert Rosegarten upon his

retirement as mayor of the village of Great Neck, NY, on Friday, March 24th.

Mayor Rosegarten's work in Great Neck has been recognized on both the national and State level. His work to revitalize the downtown Great Neck shopping area is a model for local municipalities nationwide. Under the mayor's dynamic supervision, the village of Great Neck has not only experienced financial success, but is also highly regarded for its aesthetic beauty. Mayor Rosegarten's service to the community will undoubtedly be used as a measuring stick for future Great Neck public officials.

Prior to his distinguished service as mayor of Great Neck for the past 8 years, Mr. Rosegarten held the position of deputy mayor of Great Neck for 8 years and was also a village trustee for 2 years. Mayor Rosegarten has further distinguished himself in the Great Neck community as president of the Great Neck Village Officials Association, commissioner of the Great Neck Central Police Auxiliary and member of the executive board of Great Neck's United Community Fund.

In addition to his work in the village of Great Neck, Mayor Rosegarten has been a successful executive in the advertising industry for over a quarter of a century.

Robert Rosegarten is an avid sculptor and painter, whose art works have gained wide attention by appearing in many local galleries on Long Island. Mayor Rosegarten is a dedicated husband, a loving father of three sons and a proud grandfather to six grandchildren.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me today in honoring Robert Rosegarten as he completes another milestone in his career and in wishing him many more years of active service to his family and his community.

THE 44TH ANNIVERSARY OF TUNISIA'S INDEPENDENCE

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. SPENCE. Mr. Speaker, I rise today to congratulate the citizens of the Republic of Tunisia on the occasion of their 44th anniversary of independence. Despite its diminutive size, Tunisia has exerted a sizeable presence in North Africa, the Middle East, Europe, and North America for many centuries.

Indeed, the United States and Tunisia have enjoyed a remarkable relationship for over 200 years. In fact, we continue to honor a 1797 treaty with the Republic of Tunisia that calls for perpetual and constant peace.

Our relationship with Tunisia has survived civil, regional, and global conflict—growing stronger with every challenge. During World War II, Tunisia supported United States and allied forces as they landed in North Africa. In the ensuing cold war, Tunisia established itself as a steadfast ally in the strategically critical Mediterranean Sea. In the post-cold war years, the Republic of Tunisia has remained our friend and taken steps to develop closer military and economic ties with European allies and NATO.

Today, the Republic of Tunisia continues to make progress toward democracy. Tunisian citizens enjoy universal suffrage, and the nation is considered by many to be a leader among Muslim nations in safeguarding the rights of women and children. Indeed, Tunisia has come so far, so fast, that it is sometimes easy to forget that Tunisia was a French protectorate as recently as 1954, and only gained full independence on March 20, 1956.

The United States was the first great power to recognize Tunisia's independence in 1956, and in keeping with this tradition I would like to be the first to congratulate the Republic of Tunisia on its 44th anniversary of independence this March 20th. I urge my colleagues to join me in honoring Tunisia on this momentous occasion.

WENDELL H. FORD AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

SPEECH OF

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 2000

Mr. CUMMINGS. Mr. Speaker, I rise in strong support of the rule and the underlying bill.

Chairman SHUSTER, Ranking Member OBERSTAR and Representatives DUNCAN and LIPINSKI have worked hard to ensure that funds collected in the aviation trust fund are protected and used to support our Nation's aviation system only.

This bill sends a strong message to the American people that we care about improving their lives.

Provisions in this bill:

- authorize desperately needed funds to improve airport infrastructure, to reduce congestion, delays and improve safety;
- enforce passenger's rights;
- establish whistle blower protections for airline employees; and
- improve airline competition.

Again, this bill sends a strong message to airline passengers, airline companies, and our States and that we as a Congress are committed to ensuring safe and efficient air travel.

LIFE AND DEATH: IT'S YOUR CHOICE IN SURGERY OR ''HIGH VOLUME EQUALS BETTER RESULTS''

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. STARK. Mr. Speaker, the March 1 issue of the Journal of the American Medical Association contains further documentation of life-saving importance: if you are going to have surgery, have it in a hospital that does a lot of it: your chances of survival and good health are much better.

Put another way: avoid hospitals that can't do the procedure in their sleep.

As public policy makers, we should encourage, in every way possible, our constituents and Medicare beneficiaries to seek out the high volume hospitals and avoid the low volume hospitals. The President's Medicare reform proposals move us in that direction.

It really is a matter of life and death.

The JAMA article follows:

HIGH-RISK SURGERY—FOLLOW THE CROWD

(John D. Birkmeyer, MD)

Each year a large number of patients die following elective surgery. In the Medicare population alone, 17,000 patients died in 1995 after undergoing 10 types of elective procedures, such as coronary artery by-pass surgery, carotid endarterectomy, and lung resection.[1] Quality improvement initiatives at the local and regional levels may be important for reducing mortality at individual hospitals,[2, 3] but, for many procedures, choosing at which hospitals surgery is performed may be equally important for improving surgical quality.

The idea of concentrating high-risk surgical procedures in high-volume hospitals is not new. Since seminal work by Luft et al[4] 2 decades ago, large, population-based studies have consistently demonstrated better outcomes at high-volume centers for cardiovascular surgery, major cancer resections, solid organ transplantation, and other high-risk procedures.[5, 8] Lower surgical mortality at high-volume hospitals does not simply reflect the presence of more skillful surgeons and fewer technical errors with the procedure itself. More likely, it reflects more proficiency with all aspects of care underlying successful surgery, including patient selection, anesthesia, and postoperative care.

In this issue of the Journal, Dudley and colleagues[9] are among the first to estimate how many lives could be saved by regionalization (''selective referral'') at the population level. Based on careful review of the extensive volume-outcome literature, they used explicit criteria to identify the single highest-quality study for each surgical procedure or clinical condition that could be considered for regionalization. (The volume-outcome literature is too heterogeneous for formal meta-analysis.) Statistically significant relationships between hospital volume and mortality were identified for 10 procedures and 1 medical condition (care for patients which human immunodeficiency virus infection/acquired immunodeficiency syndrome). For example, compared with those at high-volume hospitals, patients undergoing abdominal aortic aneurysm repair at low-volume hospitals (30 or fewer procedures per year) were 64% more likely to die following surgery; children undergoing heart surgery at low-volume hospitals (fewer than 100 procedures per year) were 42% more likely to die. The authors used 1997 California hospital discharge data to estimate the potential benefit of moving patients from low-volume hospitals to higher-volume centers. For 10 surgical procedures alone, it is estimated that regionalization would prevent as many as 500 deaths each year in California. If extrapolated to the nation as a whole, this estimate translates to more than 4000 deaths averted each year.

Two cautions are necessary in interpreting the findings of this study. First, the authors' estimates of the benefits likely to be achieved by regionalization are no more reliable than the volume-outcome studies on which they are based. Much of this literature is outdated or skewed by results from a small number of national referral centers. Additional generalizable, population-based studies are needed. Second, analysis of California data may overestimate the decrease in mortality rates likely to be achieved by regionalization elsewhere. Because California has few restrictions on where surgical care may be delivered, more patients may be

References at end of article.

undergoing high-risk surgery in low-volume hospitals there. In 1 study, 65% of coronary artery bypass graft operations performed in California in 1989 occurred at low-volume hospitals (<200 procedures/year).[10] In New York State, which has stricter Certificate of Need regulations based in part on volume criteria, only 20% of these procedures were performed at low-volume hospitals that year.[10] More information is needed about how other high-risk procedures are being delivered in other parts of the country.

Concentrating surgery in selected referral centers would facilitate the monitoring of outcomes at individual hospitals. Many high-risk procedures are performed too infrequently to achieve statistical precision with mortality rates, particularly at low-volume hospitals. For example, what inferences could be made about outcomes at a hospital performing 3 esophagectomies a year? By concentrating selected procedures in a relatively small number of high-volume hospitals, it would be more feasible to measure outcomes aside from mortality, such as nonfatal complications, patient functional status, and costs. The ability to monitor surgical outcomes systematically would make hospitals more accountable and create ideal platforms for quality improvement initiatives.

How can the proportion of elective but high-risk procedures being performed in high-volume hospitals be increased? The least intrusive approach may be to focus on educating patients about the importance of hospital volume for specific procedures and to recommend that patients acquire this information from the hospital that they are considering for surgery. Although many hospitals do not have data on their own procedure-related morbidity and mortality rates, all hospitals should be able to provide information on the number of procedures (of a given type) they perform each year.

More active strategies also could be implemented. Leaders of large, integrated health plans could designate referral centers for selected procedures and enforce their appropriate use. Professional societies also could take a role in regionalization. For example, the American College of Surgeons Committee on Trauma has established regional trauma networks, encouraging referral of the most severely injured trauma patients to designated trauma centers that meet established process and volume criteria.[11] Through reimbursement mechanisms, large payers (both government and private) have substantial leverage to limit surgery to high-volume hospitals. For example, the Health Care Financing Administration is currently exploring the development of exclusive contracts with ''centers of excellence'' for cardiac surgery and total joint replacement for Medicare patients.[12] In addition, through the Certificate of Need process, states can reduce the proportion of surgery being performed in low-volume hospitals by limiting the proliferation of new surgical centers.[13]

Many would argue that regionalizing high-risk surgery would have adverse effects, particularly in rural areas. For patients living far from referral centers, elective surgery could create unreasonable logistical problems for patients and their families. With excessive travel burdens, some patients may even decline surgery altogether.[14] Regionalizing surgery also could interfere with continuity of care because many aspects of postoperative care, including dealing with the late complications or other sequelae of surgery, would be left to local physicians who were not involved with the surgery. Regionalization could reduce access to health care for rural patients by threatening the financial viability of local hospitals or their ability to recruit and retain surgeons. Even if regionalization had no effect on the availability of local clinicians, it could reduce their proficiency in delivering emergency care that must be handled locally. For example, the local general surgeon no longer allowed to perform elective repair of abdominal aortic aneurysms could be less prepared for emergency surgery involving a ruptured aneurysm.

However, these problems may not be as important as they were once assumed to be. Most low-volume hospitals are not located in sparsely populated rural areas; they are more commonly located in hospital-dense metropolitan areas, often in close proximity to high-volume referral centers.[10] In the analysis by Dudley et al,[9] 75% of California patients undergoing surgery at low-volume centers in 1997 would have needed to travel fewer than 25 additional miles to the nearest high-volume hospital. In fact, 25% of patients traveled farther to undergo surgery at a low-volume hospital. These data suggest that a substantial degree of regionalization could occur without separating patients and surgeons or surgical centers by prohibitive distances.

With any regulatory attempt to regionalize high-risk surgery, policy makers need to be ready for a political firestorm. Many low-volume hospitals, already under significant financial pressures, would balk at relinquishing surgical revenue and would worry that regionalizing selected high-risk procedures would later lead to restrictions on other procedures. These hospitals also would worry about being branded as second class by patients. Many surgeons required to give up part of their practices—even a small part—would view regionalization as an affront to their professional judgment and competence.

Although some physicians and some institutions would resist regionalization, the potential benefits for patients are too large to ignore. Given the current ad hoc approach to delivering high-risk surgery, it seems that almost any effort aimed at concentrating these procedures in high-volume hospitals would be an improvement.

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IN HONOR OF MY FRIEND, THE LATE DICK SELBY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. FARR of California. Mr. Speaker, today I honor a man who dedicated his life to democratic causes and was an avid participant in local Democratic Party politics. Richard Selby passed away unexpectedly on January 6, 2000 at the age of 73.

A native of Oakland, Dick was involved in national as well as international affairs. He was a former representative of the International Monetary fund and also served as a U.S. Foreign Service Officer. On the national front, Dick was a retired lieutenant colonel in the Air Force Reserve and was active in both the National Association of Retired Federal Employees (NARFE) and the Retired Officers Association. In his capacity as legislative liaison for the local NARFE Chapter, Dick kept the membership well-informed about current federal legislative issues. Locally, Dick was the chairman of the Santa Cruz Veterans Memorial Building's board of directors.

Dick was a tireless volunteer in community affairs and Democratic campaigns. He was an avid letter writer and was known for his candor and wit.

Richard Selby will be greatly missed by those who knew him personally and professionally. Dick is survived by his wife Mary Selby of Aptos; five daughters, Leigh and Anne Selby, both of Aptos; Lynn Selby of San Francisco; Cindy Shaner of Wooster, Ohio; Robyn Barker of Sugarland, Texas and his brother Alan Selby of Santa Rosa.

FEC REFORM

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. HOYER. Mr. Speaker, today, with my fellow House Administration Committee Democrats, CHAKA FATTAH, and JIM DAVIS, I am introducing a new bill to accomplish FEC reform.

Let me be clear—this bill is not and does not pretend to be campaign finance reform. Instead it is about making the Federal Election Commission more efficient, effective and responsive, and providing the agency with full funding so it can properly carry out its congressional mandate. It is about FEC reform.

The bill consists of provisions sought by the bipartisan FEC Commissioners, including six legislative changes the Republican and Democratic Commissioners agreed were of the highest priority in a letter they sent to the President and the Congress earlier this month. This

is a consensus measure that also incorporates many of the excellent ideas put forth by House Administration Committee Chairman BILL THOMAS in his bill that was unanimously voted out of the House Administration Committee last summer.

In a letter I sent to the Speaker last September, I urged him to take up and pass the similarly bipartisan measure then before the Congress. I urge him again to quickly take up this matter. This bill is an opportunity for us to work together to achieve a type of reform we all agree is both necessary and important, by providing the FEC with the tools and funding to do its job.

TRIBUTE TO DYANNE LADINE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American and proud Californian, Dyanne Ladine, on the occasion of her induction into the San Mateo County Women's Hall of Fame.

For more than three decades, Dyanne Ladine has focused her energy and expertise on helping those in our community who have the fewest resources and face the greatest challenges. Her degrees in law, business and religion have made her an effective and resourceful individual. She practiced law for ten years and today is an Assistant Professor of Business at the College of Notre Dame and serves as a part-time staff member for Supervisor Rose Jacobs Gibson.

In 1986, Dyanne Ladine secured a State grant and created ''Project Success'', which focused on the economic and educational needs of the African-American, Latino and Pacific Islander communities. In 1988, when all but five of the participants had found employment, Dyanne Ladine sold her home in Palo Alto and invested the profit in her principles. She moved to East Palo Alto where she created ''Lettuce Work'', a culturally diverse community cooperative which has employed fifteen women over a six-year period. In 1990, Dyanne Ladine co-convened ''EPA CAN DO'', which continues today as a viable and important community organization. She recently organized a two-day event for 100 East Palo Alto Junior High School girls to tour the College of Notre Dame and participate with the student body in sports and discussion.

Dyanne Ladine has frequently been recognized for her extraordinary work. She is proudest about being chosen ''Teacher of the Year—1998'' by her students and peers. She continues to work on numerous projects aimed at improving the lives of those around her and she is always a voice of wisdom and reason as well as an untiring, passionate crusader for justice.

Dyanne Ladine's life of leadership and community involvement is instructive to us all. Her dedication to the ideals of democracy and public service stands tall and it is fitting that she has been chosen to be inducted into the San Mateo County Women's Hall of Fame. I ask my colleagues, Mr. Speaker, to join me in honoring this great and good woman whom I'm privileged to know and call friend. We are indeed a better county, a better country and a better people because of her.

A SPECIAL TRIBUTE TO DEFIANCE COLLEGE ON THE OCCASION OF ITS ONE-HUNDRED FIFTIETH ANNIVERSARY CELEBRATION

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding institution of higher education located in Ohio's Fifth Congressional District. Today, we mark the One Hundred Fiftieth Anniversary of the founding of Defiance College in Defiance, Ohio.

Defiance College is an independent, coeducational institution dedicated to educating today's young people and providing them with a clear understanding of leadership, service, and knowledge. With personal attention and an environment designed to bring out the best in education, Defiance College instills the values of integrity, diversity, and professionalism in its students.

Chartered in 1850, Defiance College continues today as a four-year liberal arts college affiliated with the United Church of Christ. Its forty undergraduate majors and graduate degrees offer students in Northwest Ohio the opportunity to achieve superbly in the classroom while also preparing them to face the challenges of the workplace.

More than one thousand students attend Defiance College with the goals and dreams of learning and understanding more about the world that surrounds them. The faculty and staff at Defiance College work tirelessly to provide a rich academic atmosphere to develop the minds and the character of the student body. Clearly, Defiance College has developed a strong reputation for success in these areas.

Mr. Speaker, education is the foundation upon which the United States rests. Through education, we provide our young people with the tools they need to face the challenges of the future. Defiance College, for one hundred fifty years, has prepared its students to be the leaders of tomorrow. For that, we owe Defiance College our gratitude and congratulations. I would urge my colleagues in the 106th Congress to stand and join me in paying special tribute to Defiance College. May its next one hundred fifty years of service be as successful as its first.

THE SURFACE TRANSPORTATION BOARD

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mrs. FOWLER. Mr. Speaker, the Surface Transportation Board (STB) announced Friday, March 17, 2000, a rulemaking to determine how future rail mergers will be judged. While a longer period of time might have been beneficial, I applaud the Board for taking this appropriate and thoughtful step in response to the concerns voiced by customers, rail employees, Wall Street and communities during its four day hearing on rail industry consolidation.

The Board, recognizing the need for updated merger standards, has moved expeditiously to provide for a much-needed pause in the industry's restructuring to permit these new standards to be developed and applied to all future mergers. The railroads are an important engine in our nation's economy—especially in the 4th District of Florida, which is a center for rail employment and activity. The STB is to be commended in for their action to ensure the industry's continued ability to fulfill that role.

LEGISLATION BENEFITS NEBRASKA AIRPORTS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. BEREUTER. Mr. Speaker, this Member highly commends the following March 17, 2000, Omaha World-Herald editorial to his colleagues regarding the recently approved, important aviation improvement conference report, also known as AIR21, the Aviation Investment and Reform Act for the 21st century. The editorial acknowledges that it is time for the Aviation Trust Fund to be used solely for airport improvements and maintenance, rather than being considered part of the general budget. This important change will greatly benefit Nebraska airports.

[From the Omaha World-Herald, March 17, 2000]

AIR JUSTICE

The U.S. House of Representatives' overwhelming passage of a bill to spend $40 billion over three years for air-travel improvement is good for airports in general and good for airports in Nebraska and Iowa in particular. It also addresses a point of fundamental fairness.

For years Congress has bottled up money from the Aviation Trust Fund, which takes in about $10 billion a year in user fees. The central purpose of the fund has been to finance airport improvements and maintenance, and in theory it was earmarked for that. But the money was left unspent as a piece of fiscal sleight-of-hand meant to make federal deficits appear smaller.

For Rep. Bud Shuster, R–Pa., chairman of the House Transportation Committee, it became almost a moral crusade to get the fund separated from the general budget, with its revenues to be used solely for airport projects. After years of impasse, the Senate agreed that, without actually separating the funds, spending on airports each year will equal or exceed the fund's revenues and interest.

That looks like a distinction without a difference, but so be it. That's politics. The cork is out of the bottle. At bottom, this was made possible by two factors: (1) The federal government, at least by some accounting methods, is now running surpluses, not deficits. (2) It's an election year—the House passed the measure by better than 3-to-1.

The legislation also raised the cap on airport-imposed passenger fees, from $3 to $4.50. This is mostly to the good, since local airports commonly use them for improvements to benefit those same passengers. For the record, that $1.50 increase is going to look like $6 on a lot of airline tickets.

That's because on a round-trip ticket, the fee gets you literally coming and going, and it can be imposed for a maximum of two segments on each flight. Thus, a passenger flying, say from Omaha to Orlando with a stop

in St. Louis and returning could rack up four of those $1.50 increases. (That's up to the individual airports, but it's hard to imagine many of them forgoing the revenue.)

A dozen airports in Nebraska and Iowa, with Omaha's Eppley Airfield leading the way, will get their federal entitlements doubled over each of the next three years. For Eppley, this means more than $7 million for construction that wasn't there before—just what is needed by an airport whose passenger boardings are expected to double in the next 11 years.

Some other aspects of the bill are equally welcome.

Of prime concern, modernizing the nation's decrepit air traffic control system will get a substantial boost, nearly $1 billion per year. In addition, there are provisions to help airlines buy so-called ''regional'' jets, provided they use them to serve small airports. There are funds to help improve the training of airport security checkpoint personnel, as well as money to put emergency locator devices on smaller jets.

The measure also mandates collision-avoidance systems for cargo planes, adds protections for whistleblowers on safety-related issues, and increases penalties against unruly passengers.

Some critics say that by allowing more flights into some major airports, the bill will increase congestion and compromise safety. but the improved air-traffic handling system should largely address such concerns. And, realistically, it is hard to know how Congress could have put this off much longer in good conscience. By one FAA projection, during the next 11 years the number of large passenger jets needing access to the skies and gate space at airports is expected to grow by half.

It took too long, but justice has been done. In a practical sense, the money in the Aviation Trust Fund has belonged to air passengers all along. At last, they'll see it coming back.

INTRODUCTION OF THE FUEL ENERGY AFFORDABILITY AND CONSERVATION ACT

HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. BALDACCI. Mr. Speaker, I rise today to introduce the Fuel Energy Affordability Act. I am pleased to have nearly two dozen of my colleagues joining me as original co-sponsors of this important legislation. The bill takes a two-pronged approach to address issues that have arisen as our constituents cope with dramatically increasing costs of diesel fuel, heating oil and gasoline.

In recent testimony before the House Subcommittee on Energy and Power, the Director of the Petroleum Division at the Energy Information Administration indicated that U.S. crude oil and gasoline inventories are at alarmingly low levels not seen in decades. In addition, we have seen the prices of these products rise over the last year from about $12 per barrel to nearly $34 per barrel in early March.

While there has been some slight moderation in this area, the combination of very high prices and very low inventories has had a severe impact on consumers in the State of Maine and across the nation. You may recall the sharp surge in home heating oil and diesel prices the Northeast experienced in January. Today, gasoline prices still hover near the $2.00 per gallon mark in many areas.

When you live in a state where temperatures in January frequently dip below zero, dramatic increases in heating oil prices are a very serious matter. For people on fixed incomes, it presented a life-threatening choice between paying for delivery of heating oil or buying medicine, between heating the house and buying groceries.

Maine's potato farmers have also seen their livelihoods threatened because trucks could not afford to make the trip to northern Maine to get the crop to market. This high price of diesel caused many truckers to stay off the roads, dramatically affecting delivery of goods throughout the country.

Finally, the high cost of gasoline presents a threat to Maine's tourism industry. Maine's natural beauty and scenic attractions bring in more than $3 Billion of revenues to my state each year. As gas prices creep higher some families are being forced to postpone vacations or stay closer to home. This could have a devastating impact on Maine's economy, and on the more than 12,000 jobs that depend on tourism.

Since the beginning of the year, there have been a number of different options under discussion for dealing with increased fuel prices and low inventories. The Fuel Energy Affordability and Conservation Act which I am offering today seeks to get a the problem from two different angles.

First, my bill will address the problem of major spikes in fuel prices by giving the Secretary of Energy the clear authority to draw down the Strategic Petroleum Reserve when oil and gas prices rise sharply due to anti-competitive activity. This action provide the means by which the Administration can act to lower and stabilize prices, particularly during times of acute need.

Second, my bill will address the issue of consumption by encouraging conservation. It will provide a non-refundable income tax credit of 20% for expenses of up to $10,000 incurred by the taxpayer for qualified energy efficient improvements to a principal place of residence.

This credit will also apply to small businesses with average gross receipts of up to $10 million for the term of the credit. The credit would be available for expenditures made between January 1, 2000 and December 31, 2004.

The covered improvements either alone or in combination must improve annual energy performance by at least 30 percent and would include energy efficient building envelope components such as windows, walls, and roofs, and any energy efficient heating, cooling or water heating appliance. Certification of improved energy efficiency could be made by the contractor who made or installed the improvements, a local building regulatory authority, or a qualified energy consultant.

With continued price volatility expected through the summer, and possibly into the fall, we must take steps now to mitigate the impact this could have on the economy, commerce, tourism, and the states we represent. While this legislation does not have all the answers, I believe that it takes a good step forward. I urge my colleagues to join me in supporting this legislation.

44TH ANNIVERSARY OF TUNISIAN INDEPENDENCE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GILMAN. Mr. Speaker, I rise to take this opportunity to inform my colleagues of the 44th anniversary of Tunisia's independence which occurred on Monday, March 20, 2000. I invite my colleagues to join in extending our congratulations to the leaders and people of this important ally. The Republic of Tunisia has been and continues to be a model of economic growth, while keeping Islamic fundamentalism at bay. Moreover, Tunisia has been at the forefront of normalization with Israel as the Middle East peace process progresses.

Tunisia has taken advantage of foreign aid better than any other nation in the world. The World Bank considers Tunisia to be one of its premier ''success stories.'' With a per capita income of over $2,000 (very high for a developing country without significant mineral resources), Tunisia boasts that over 60 percent of its population can be designated as ''middle class''. The latest bilateral cooperative effort is the U.S.-Magreb Economic Partnership, which is designed to strengthen our bilateral economic ties. And ever conscious of security concerns, our U.S.-Tunisia military relationship has strengthened as well.

Mr. Speaker, the Republic of Tunisia has made very significant strides over the years. As Tunisians celebrate this 44th anniversary of their nation's independence, we join in celebrating with them and honoring Tunisia's many achievements.

A TRIBUTE TO GERRY AND DORIS POPE

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. LEWIS of California. Mr. Speaker, I rise today in tribute to Gerry Pope, retiring Executive Director of the California Marine Affairs and Navigation Conference (C–MANC) and his wife Doris.

To all of us in the California Congressional Delegation, the 38 federally sponsored ports and harbors in California are emblematic of why the State is today the seventh largest economy in the world.

For almost a decade now, Gerry and Doris have worked as a team as the full time administrators of this statewide association. They have aptly managed C–MANC's affairs so that today, California's maritime and marine infrastructure is a symbol of how to enable both domestic economic expansion and international trade development through strong ports and harbors.

Mr. Speaker, I am sure all of the members of our State's delegation join me in paying tribute to the work Gerry and Doris Pope have done to ensure the California maintains its prominent position in the Pacific Rim. All of our congressional districts on the coast and inland throughout the State benefit from California's ports. We thank the dedication of these

two people over the years to make it all happen.

I ask my colleagues to join in thanking Gerry and Doris for their lengthy service and send them best wishes on the occasion of their retirement from service to their State and country.

ALICE ZABOROWSKI IN RECOGNITION OF HER WORK AS DISTRICT ONE PRESIDENT OF THE VETERANS OF FOREIGN WARS LADIES AUXILIARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GILLMOR. Mr. Speaker, today I pay a very special tribute to an outstanding individual from the state of Ohio. On Saturday, March 25, 2000, the Liberty Center Veterans of Foreign Wars Post 6596 and the Ladies Auxiliary Post 2898 will honor Alice Zaborowski for her work as District One President of the VFW Ladies Auxiliary.

Alice Zaborowski is a member of the VFW Auxiliary Post 2898 in Toledo, OH, and has served as 1999–2000 District One President. As District One President, Mrs. Zaborowski has jurisdiction and responsibility for managing 28 Ladies Auxiliaries in eight counties in Northwest Ohio.

Alice Zaborowski has served in various positions during her time with the Ladies Auxiliary. She has served as President of the George Rill VFW Auxiliary No. 606 three times. During that time, she gave unselfishly of her time to work for veterans in our area. She then transferred her membership to the Lucas County Auxiliary No. 2898 in Toledo where she is a Life Member and currently holds the office of Secretary.

Alice's commitment to our nation's veterans runs very deeply as her husband, Edward Zaborowski, is a World War II veteran. She has been very active in various VFW Auxiliary groups and gives freely of her time to many volunteer organizations. Clearly, Alice Zaborowski lives each day by the theme she employed during her Presidency—''Protect the rights of those who fought for our freedom.''

Mr. Speaker, our nation's veterans have paid the ultimate sacrifice in protecting the very freedom and liberty that we enjoy today. Alice Zaborowski has spent much of her life serving and working on behalf of our veterans. Her efforts are a true testament to her patriotism and her affection for those who served our country. I would urge the members of the 106th Congress to stand and join me in paying special tribute to District One President of the VFW Ladies Auxiliary, Alice Zaborowski. We thank her for all of her work and we wish her the very best in the future.

TRIBUTE TO ROSALIE GANN

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American and proud Californian, Rosalie Gann, on the occasion of her induction into the San Mateo County Women's Hall of Fame.

Rosalie Gann began her volunteer service at the young age of thirteen as a Recreation Leader. As a Camp Fire Girl she was honored for her leadership in both service and citizenship oriented activities. While attending Mills College she established the Mills Community Outreach Corps, an organization which encourages Mills students to become involved in community action. She has also volunteered at Oakland Children's Hospital where she worked with chronically and terminally ill children.

Rosalie Gann has focused her professional life as an employee of Oracle Corporation on social welfare, championing community service through founding Oracle's Corporate Giving and Volunteer Programs. Because of Ms. Gann's leadership, Oracle's Corporate Giving Program has donated millions of dollars to causes that improve the quality of life of those whose communities are beset by problems and challenges. Oracle's Volunteer Program enables employees to donate service hours in the Bay Area and has recently expanded to other Oracle field offices.

In 1992, Rosalie Gann was honored as a San Mateo County Outstanding Volunteer for her work with the Center for Domestic Violence. Her vision for social change, her personal volunteer experiences and her professional achievements in corporate community relations serve as a role model for all women and our entire community.

Rosalie Gann's life of leadership and community involvement is instructive to us all. Her dedication to the ideals of democracy and community commitment stands tall. It is fitting that she has been chosen to be inducted into the San Mateo County Women's Hall of Fame and I ask my colleagues, Mr. Speaker, to join me in honoring a great and good woman. We are indeed a better county, a better country and a better people because of her.

HONORING GENERAL WILLIAM F. MOORE ON HIS RETIREMENT FROM THE U.S. AIR FORCE

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. PICKERING. Mr. Speaker, I rise today to recognize and say farewell to a distinguished Air Force officer, Major General William F. Moore, upon his retirement from the Air Force after more than thirty years of commissioned service. Major General Moore has served with distinction, and it is my privilege to recognize this Meridian, Mississippi native for his many accomplishments, and to commend him for the superb service he provided to the Air Force and the Nation.

Major General Moore entered the United States Air Force Academy from Meridian, Mississippi in 1965. He received his commission as a Second Lieutenant in 1969 from the U.S. Air Force Academy. Since then, Major General Moore's assignments have made untold contributions to national security. Upon his graduation, General Moore served with the Drone and Remotely Piloted Vehicles System Program Office, Aeronautical Systems Division, at Wright Patterson Air Force Base, Ohio. He subsequently served in the Office of the Deputy Chief of Staff for Development Plans, Andrews Air Force Base, Maryland. In 1976, General Moore received a Master's Degree in Business Administration from the Wharton School of Finance and Commerce, University of Pennsylvania, in Philadelphia.

General Moore's career is reflective of his commitment to our country. He served as Executive Officer with the Peacekeeper ICBM Engineering Directorate in California, and as Director of Program Control for the Advanced Medium Range Air to Air Missile, at Eglin Air Force Base, Florida. From there General Moore made many more contributions to our national security, serving as small ICBM Deputy Program Director, Norton Air Force Base, California, and deputy director of Strategic, Special Operations Forces and Airlift Programs, at the Pentagon, Washington, D.C. General Moore then served as the vice commander at San Antonio Air Logistics Center, Kelly Air Force Base, Texas. General Moore finished his illustrious career with another stay in Washington serving as the director of special programs in the Office of the Undersecretary of Defense for Acquisition and Technology and as the deputy director of Defense Threat Reduction Agency both at the Pentagon.

General Moore is a fully certified acquisition professional whose awards include two Defense Distinguished Service Medals, the Legion of Merit with oak leaf cluster, the Defense Meritorious Service Medal with service star, the Armed Forces Expeditionary Medal, and the Vietnam Service Medal.

During his long and distinguished career, General Moore served the nation with excellence and distinction. He is a visionary leader, and a true warrior who profoundly impacted the United States Air Force, and made significant contributions to the strategic defense of the United States and its allies.

General Moore will retire from the Air Force on May 1, 2000, after more than thirty years of exceptionally distinguished service. On behalf of my colleagues on both sides of the aisle, I would like to recognize this Meridian, Mississippi native for his accomplishments and his service. Congratulations on the completion of a long and distinguished career.

PRESIDENT'S VISIT TO SOUTH ASIA

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. ROEMER. Mr. Speaker, I rise to congratulate the Administration for its decision to travel to South Asia. I strongly share its position that closer ties with the countries of the region, particularly India, will greatly benefit the United States. The President will be visiting the home to one-fifth of the world population and home to the world's largest democracy—India. The Subcontinent is a strategic part of the world for the United States. I have encouraged the Administration to use this opportunity to send a clear and strong signal to underscore India's great potential to be a leader in the international community. The trip will pave the way for a stronger and enduring relationship that highlights our common democratic traditions and values.

For the past three decades, India and Pakistan have been engaged in a nuclear rivalry that reflects a long history of conflict including three wars and a long-standing territorial dispute over Kashmir. U.S. nonproliferation policy faces a major challenge as an all-out nuclear arms race threatens to break out in South Asia. For these reasons, I submit the following policy brief entitled, ''Preventing a Nuclear Arms Race in South Asia: U.S. Policy Options.'' This concise and insightful paper was written by David Cortright, guest lecturer in the Kroc Institute for International Peace Studies of the University of Notre Dame, which is located in my district, and Samina Ahmed, fellow at Harvard's Kennedy School of Government.

Among its recommendations are that the United States demand that India and Pakistan both join the Non-Proliferation Treaty; that punitive sanctions, including curbs on the sale of military hardware and other technology, be deployed against those Indian and Pakistani entities responsible for the expansion of nuclear weapons programs; that such incentives as debt forgiveness and increased financial assistance for development programs in both countries be offered in exchange for concrete steps toward military and nuclear restraint; and that the U.S. fulfill the still unmet obligations to which it is committed by the NPT. I request that the enclosed copy be included in the CONGRESSIONAL RECORD.

Mr. Speaker, I strongly encourage my colleagues to review these policy recommendations as the President prepares to visit South Asia in the coming weeks.

PREVENTING A NUCLEAR ARMS RACE IN SOUTH ASIA: U.S. POLICY OPTIONS

By Samina Ahmed and David Cortright

RECOMMENDATIONS

The United States must unequivocally demand that India and Pakistan join the Non-Proliferation Treaty (NPT) as non-nuclear weapon states.

The United States should retain punitive sanctions which target Indian and Pakistani institutions and policymakers responsible for their nuclear weapons programs.

Targeted incentives should be provided that seek to diminish internal support for nuclear weapons in India and Pakistan.

The United States should fulfill its obligation under Article VI of the NPT to achieve global nuclear disarmament.

U.S. nonproliferation policy faces a major challenge as an all-out nuclear arms race threatens to break out in South Asia. An Indian draft nuclear doctrine released by an officially constituted advisory panel to the Indian National Security Council on August 17, 1999 envisages a nuclear triad in which nuclear weapons would be delivered by aircraft, submarines and mobile land-based ballistic missiles. While it is not certain that New Delhi will opt for such broad capabilities, the current direction of policy is clearly toward nuclear weapons deployment. Since Pakistan's nuclear policy is India-centric and reactive in nature, the introduction of nuclear weapons and their delivery systems within the Indian armed forces would greatly increase the likelihood of a retaliatory Pakistani deployment. Operational nuclear weapons and delivery systems will result in a South Asian nuclear arms race that could have serious consequences for regional stability, the stability of the Middle East, and global peace.

For the past three decades, India and Pakistan have been engaged in a nuclear rivalry that is both a symptom and a cause of their bilateral discord. India and Pakistan have a long history of conflict including three wars and a long-standing territorial dispute over Kashmir. Each Indian and Pakistani step up the nuclear ladder introduces new tensions in their troubled relationship. India's decision to acquire nuclear weapons and to demonstrate its nuclear weapons capability in 1974 resulted in the Pakistani adoption of a nuclear weapons program. As their nuclear weapons capabilities grew, so did their mutual suspicions and animosity. In May 1998 as India and Pakistan held nuclear tests, abandoning nuclear ambiguity for an overt nuclear weapon status, relations between the two states were seriously strained. From May to July 1999, India and Pakistan came perilously close to war during a major military clash near Kargil in the disputed territory of Kashmir, a conflict that had the potential of escalating into a nuclear exchange. Since mistrust and hostility continue to mar their relationship, as the recent controversy over the hijacked Indian airliner underscored, the potential for a conventional war remains high. Nuclear weapons deployment will fuel a nuclear arms race between India and Pakistan and at the same time heighten the chances of an intentional or inadvertent nuclear exchange.

Since a nuclear arms race between India and Pakistan will further destabilize a violent and conflict-prone region, there is a pressing need for the U.S. to dissuade India and Pakistan from deploying nuclear weapons and to reverse their nuclear course. Beyond the immediate threats posed by such an arms race to the one-fifth of humanity which resides within South Asia, nuclear weapons deployment in India and Pakistan would also have a far-reaching impact on the nuclear dynamics in the region and beyond, threatening vital U.S. national security interests. The deployment of nuclear weapons and their delivery systems in Pakistan, for instance, would strengthen the position of nuclear advocates in neighboring Iran. The deployment of nuclear weapons and nuclear-capable ballistic missiles by India would influence China's nuclear doctrine. An India-Pakistan nuclear arms race could therefore result in a parallel Pakistan-Iran and Sino-Indian nuclear arms race. A South Asian nuclear arms race would also erode the global non-proliferation regime, embodied in the Non-Proliferation Treaty (NPT), undermining the confidence of signatory states in the treaty's ability to buttress their security. For all these reasons, the U.S. must prevent the incipient nuclear arms competition in South Asia from becoming an all-out arms race.

U.S. POLICY AND NUCLEAR SOUTH ASIA

Some analysts and policymakers argue that the United States has failed to prevent nuclear proliferation in South Asia because of flawed policy directions and an over-reliance on sanctions as an instrument of U.S. influence. Since the initial U.S. emphasis on the rollback and elimination of Indian and Pakistani nuclear weapons capabilities failed to contain South Asian nuclear proliferation, these analysts contend, the U.S. should accept nuclear weapons in South Asia and adopt the more realistic goal of ''arms control,'' which merely seeks to limit their number and sophistication. According to this view, Washington should concentrate on encouraging India and Pakistan to refrain from a nuclear arms race and seeking ways to reduce the risk of nuclear war. At the same time, incentives should replace sanctions as the primary means of influence. U.S. interests would be best served, according to this view, by a policy of engagement with India and Pakistan that goes beyond the one-point agenda of nuclear non-proliferation.

To prevent India and Pakistan from embarking on a nuclear arms race, it is indeed important to examine the previous shortcomings of U.S. nonproliferation policy in South Asia and to identify alternative policy options. This must not mean, however, abandoning non-proliferation goals in favor of arms control. Any U.S. attempt to promote an India-Pakistan arms control regime is unlikely to succeed. Aside from the challenges posed by conventional and nuclear asymmetries between India and Pakistan and the integration of a reluctant China into a South Asian arms control arrangement, a formal India-Pakistan nuclear restraint regime requires at the very least the absence of war and a modicum of mutual trust. On the contrary, relations between India and Pakistan are shaped by an ongoing, decade-old, low-intensity conflict in the disputed territory of Kashmir and three near-war situations since the 1980s. It is imperative for the United States to dissuade India and Pakistan from going further down the nuclear road. Washington cannot achieve this goal through the abandonment of non-proliferation, and the tacit acceptance of India and Pakistan's nuclear weapons status.

Proliferation may have occurred already in South Asia, but India and Pakistan can be convinced to cap, rollback and even abandon their nuclear weapons programs if the reasons that prompted them to acquire nuclear weapons are addressed. Indian and Pakistani decisions to acquire nuclear weapons were the outcome of cost-benefit analyses of the presumed benefits of nuclearization. The United States can play a major role in influencing the present and future directions of nuclear proliferation in South Asia by convincing Indian and Pakistani decision makers that the costs of nuclearization far exceed its benefits. This will require clearly defined non-proliferation goals and the use of the most appropriate instruments to reverse the nuclear directions of India and Pakistan.

In the past, U.S. policy goals and objectives were contradictory. As a result, the tools of U.S. policy, sanctions or incentives, failed to dissuade Indian and Pakistani decision makers from pursuing their nuclear ambitions. Cold War strategic considerations often took precedence over non-proliferation objectives. U.S. policy shifted from elimination to rollback and then to the current emphasis on a cap on Indian and Pakistani nuclear weapons capabilities. Each shift in U.S. policy emboldened India and Pakistan's nuclear advocates.

Washington's use of policy instruments was also ineffective. Sanctions and incentives only succeed if they are properly targeted and consistently applied. These preconditions were not present in South Asia. Washington's reluctance to sanction India after its nuclear test in 1974 motivated Pakistan to follow the Indian nuclear example. In the 1980s Washington again sent the wrong signal to Indian and Pakistani decision makers. The United States not only failed to sanction Pakistan for its nuclear development but showered billions of dollars of military aid on the Zia ul Haq dictatorship as part of the struggle against Soviet involvement in Afghanistan. In the 1990s Washington offered incentives to India and Pakistan to encourage nuclear restraint, despite accumulating evidence of each country's continuing nuclear weapons development.

Following the May 1998 nuclear tests in South Asia, Washington imposed mandatory sanctions on India and Pakistan and identified five benchmarks for their removal: curbs on the further development or deployment of nuclear-capable missiles and aircraft, Indian and Pakistani accession to the Comprehensive Test Ban Treaty (CTBT), participation in Fissile Material Cutoff Treaty (FMCT) negotiations, curbs on the transfer of nuclear

technology and hardware, and an India-Pakistan dialogue on normalization of relations. The imposition of sanctions initially led to Indian and Pakistani concessions, including their declared willingness to accede to the CTBT and the resumption of an India-Pakistan dialogue. The United States subsequently failed to sustain these punitive measures, however. India and Pakistan backed away from their earlier pledges to join the CTBT, while their normalization dialogue became the casualty of the May-July 1999 undeclared war in Kashmir and the presence of hardline governments in both states.

With tensions in South Asia remaining high, the United States must clearly state its opposition to the presence of nuclear weapons in South Asia. Washington must demonstrate its resolve through targeted, consistently applied sanctions and incentives designed to influence the cost-benefit analysis of Indian and Pakistani nuclear decision makers. A failure to do so will result in the deployment of nuclear weapons and their delivery systems in India and Pakistan and the likelihood of the first use of nuclear weapons since 1945.

POLICY RECOMMENDATIONS

1. In its policy toward India and Pakistan, the United States must unequivocally demand that India and Pakistan join the NPT as non-nuclear-weapon states. The current U.S. emphasis on South Asian nuclear restraint is being misconstrued or deliberately misrepresented by the Indian and Pakistani governments as a tacit acceptance of their nuclear weapons status.

2. In an amendment contained in the U.S. Defense Appropriations Bill, Congress has given the President indefinite waiver authority to lift military and economic sanctions, including those imposed automatically under earlier legislation on Pakistan and India. This waiver authority must be used judiciously. Broad and sweeping economic sanctions that adversely affect the weaker segments of Indian and Pakistani society should be removed. But Washington should retain those punitive measures that target Indian and Pakistani institutions and policymakers responsible for their nuclear weapons programs. These include curbs on the sale and supply of military hardware to Pakistan, the transfer of dual-use technology to India, and military and scientific exchanges with nuclear entities and actors in both states.

3. Targeted incentives should be provided, conditional on progress towards non-proliferation, that would seek to diminish internal support for nuclear weapons in India and Pakistan. These could include the partial forgiveness of India and Pakistan's external debt, increased U.S. assistance for social sector development, and enhanced U.S. support for developmental loans and credits from international financial institutions to India and Pakistan. Such assistance should be linked to concrete steps toward military and nuclear restraint.

4. In re-committing itself to the goals of non-proliferation, the United States should fulfill its own obligation, under Article VI of the NPT, to achieve global nuclear disarmament. This will encourage the advocates of denuclearization in both India and Pakistan and strengthen the norm against the development and use of nuclear weapons not only in South Asia but throughout the world.

CHILDREN'S HOME SOCIETY OF VIRGINIA CELEBRATING 100TH ANNIVERSARY

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. BLILEY. Mr. Speaker, the Children's Home Society of Virginia was chartered in 1900 by an act of the Virginia General Assembly and is celebrating its 100th anniversary this year. When Children's Home Society of Virginia began its work, orphaned children were numerous. The society's founders believed that the dependent and neglected children of the Commonwealth would be better off in a family situation than in alms houses or orphanages. The stated purpose was for ''finding homes for homeless, indigent, or dependent poor children in the State of Virginia, and other purposes incident thereto.'' This belief continues to inspire the work of Children's Home Society of Virginia today.

In the society's early days, children came to us through court commitment or direct parental release. The first head of the society, the Reverend William J. Maybee, described its work as being ''on behalf of the most dependent, the most unfortunate, and the most deserving children, including orphans, half orphans, abandoned and grossly abused.'' And he stated furthermore that, ''civilization may be quite correctly measured by their treatment of childhood.''

By the 1940's the programs had changed from primarily boarding care for dependent and neglected children to a specialized adoption program for children under 2 years of age. The staff, initially comprised of untrained ''family visitors'' had become a staff of trained social workers.

During the 1970's the society began to see its major initiatives as adoption services, pregnancy counseling, and foster care. There was also a movement to a new policy of accepting infants over the age of 6 months as well as the placing of children of minority or mixed racial background into adoptive homes. In the 1980's and 1990's Children Home Society began to work on behalf of many special medical-needs children, and was successful in placing them into new homes.

Children's Home Society of Virginia will celebrate 100 years of service to the children of Virginia this year. As the needs of children have changed since 1900, the services of Children's Home Society have changed to meet those needs. The agency is devoting more and more of its resources to the care and adoptive placement of children with special needs—babies with medical problems, older children, sibling groups, and infants and youngsters of mixed race. I am pleased to report the Children's Home Society is working in a collaborative effort with Chesterfield County Department of Social Services to place older children and teenagers into loving homes.

One of the most successful stories Children's Home Society of Virginia can share is a 100 percent success rate—every child that has come into their care has been placed into a permanent home. If a child needed to be placed in foster care, the average duration has been 85 days—far below the national average. Children's Home Society of Virginia looks forward to meeting the special needs of children in the 21st century and I commend them for their 100 years of hard work.

PERSONAL EXPLANATION

HON. HELEN CHENOWETH-HAGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mrs. CHENOWETH-HAGE. Mr. Speaker, on March 16, 2000, I missed three rollcall votes at the end of the day because of unavoidable obligations in Idaho. Had I been present, I have voted ''nay'' on rollcall vote 53 (Mr. BOEHLERT's substitute amendment to H.R. 2372), ''nay'' on rollcall vote 54 (on motion to recommit with instructions), and ''yea'' on rollcall vote 55 (on passage of H.R. 2372).

A SPECIAL TRIBUTE TO ROBERT E. FULLER IN RECOGNITION OF HIS WORK AS DISTRICT ONE COMMANDER OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES OF AMERICA

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. GILLMOR. Mr. Speaker, I rise with great pleasure today to pay special tribute to an outstanding individual from Ohio's Fifth Congressional District. On Saturday, March 25, 2000, Robert E. Fuller will be honored for his work as District One Commander of the Veterans of Foreign Wars of the United States of America.

Robert Fuller was elected as District One VFW Commander for 1999–2000. During his tenure as District One Commander, he has unselfishly given of his time to benefit our nation's veterans. Commander Fuller holds responsibility for directing forty-two VFW Posts in Northwest Ohio. A lifelong resident of Henry County, he has spent much of his life working for the benefit of his friends, neighbors, and fellow veterans.

Robert Fuller served in the United States Army from 1951–1954. His service took him to Korea, where he served with the 23rd Regiment of the 2nd Indian Head Division from 1952–1953. For his honorable military service, Commander Fuller earned the Combat Infantry Badge, the National Defense Medal, the U.N. Service Medal, and the Korean Service Medal with three Bronze Stars, the Good Conduct Medal, and the Korean Presidential Unit Citation with two overseas bars. After returning from Korea, Mr. Fuller joined VFW Post 6596 in Liberty Center, Ohio, and became a Life Member in 1986.

Mr. Speaker, Robert Fuller has served in many positions within the VFW ranks including Post Commander, Hospital Chairman, and District Chaplain. Mr. Fuller is also a Life Member of the American Legion, AMVETS Post 1313, and the VFW National Home for the children of deceased or disabled Veterans. Commander Fuller chose ''Second to None'' as his theme for 1999–2000. His efforts and work on behalf of veterans indicate that he carries those words with him every day.

Mr. Speaker, our veterans put their lives on the line and are called upon to make the supreme sacrifice in the preservation of freedom.

Robert Fuller served his country with distinction and has worked tirelessly on behalf of our veterans. I would urge my colleagues of the 106th Congress to stand and join me in paying special tribute to District One VFW Commander Robert Fuller. He is a true American patriot. We wish him the very best in the future.

TRIBUTE TO EDYTHE MILLER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished American and proud Californian, Edythe Miller, on the occasion of her induction into the San Mateo County Women's Hall of Fame.

Edythe Miller has held numerous offices in the Redwood City Women's Club, the Golden Gate District of Women's Clubs, and the California Federation of Women's Clubs. She has participated in fund raising activities for the organizations and she has also provided food, clothing, and shelter for the Battered Women's Organization. Edythe Miller has served as President of San Mateo County's American/Italian and Historical Associations and as the past President of the Association of Republican Women.

Since she survived ostomy surgery more than 34 years ago, Edythe Miller has given tirelessly of herself to the San Mateo Ostomy Association and has led the organization as President. She has taught ostomy care, speaking in retirement homes and hospitals, training nurses, raising money, appearing on TV and working with the media to educate the public about this disease.

Edythe Miller is the loving wife of the now retired Superior Court Judge Robert Miller, and they are the proud parents of four, and grandparents of fourteen. The Miller family was given the ''Family of the Year'' award from San Mateo County. In addition, Edythe Miller has received an award recognizing 50 years of extraordinary service to the General Federation of Women's Clubs. She has been honored many times by the Cancer Society, Stanford Hospital and U.C. San Francisco for her volunteer work with the Ostomy Association. Edythe Miller is widely admired for her endless energy and effective work and serves as a model for both young and old, healthy or ill.

Edythe Miller's life of leadership is instructive to us all. Her dedication to the ideals of democracy and community service stands tall. It is fitting that she has been chosen to be inducted into the San Mateo County Women's Hall of Fame, and I ask my colleagues, Mr. Speaker, to join me in honoring this great and good woman whom I am proud to call my friend. We are indeed a better county, a better country and a better people because of her.

INDIAN GOVERNMENT MURDERS 35 SIKHS: U.S. MUST TAKE ACTION AGAINST THIS ATROCITY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. TOWNS. Mr. Speaker, like everyone in this House, I was shocked and saddened to hear of the brutal murders of 35 Sikhs in Kashmir. The loss of life is a tragedy. I am sure that my colleagues will join me in expressing our sympathies to the victims' families.

Although the news media reported that ''Kashmiri militants'' were responsible for this incident, the latest information shows that India's Research and Analysis Wing carried out this brutal and cowardly atrocity.

There are over 700,000 Indian troops in Kashmir. How could the persons responsible for these crimes simply disappear without being detected? What motive would the Kashmiris have to kill Sikhs, who are their allies in the struggle for freedom? When these incidents occur, Mr. Speaker, one must ask who benefits from them. The only beneficiary is the Indian government, which again divides the minorities, setting them against each other to continue their divide-and-rule strategy.

India's pattern of terrorism is well known. It recently tried to blame the Sikhs for the murder of Christian missionary Graham Staines by arresting a Hindu man who calls himself Dara Singh despite the fact that Staines and his family were murdered by Hindu extremists allied with the ruling party. According to the Hitavada newspaper, the Indian government paid the late Governor of Punjab, Surendra Nath, to foment terrorist activities in Punjab and Kashmir to generate more repression and set minorities against each other.

In this country, if someone tried to create violence between, say, African Americans and Hispanics, that person would be rejected and likely arrested. In India, this is government policy.

It is also disturbing that this atrocity occurs just after President Clinton lifted the sanctions imposed on India after its nuclear tests. In light of these murders, those sanctions should be reimposed and India should be declared a terrorist state. Here in Congress, we should cut off U.S. aid to India and we should declare our support for the freedom movements in Khalistan, Kashmir, Nagaland, and throughout India. We must do these things to promote freedom for the people of South Asia and the world.

Mr. Speaker, Burning Punjab published the names of the victims of this massacre and the Council of Khalistan published an excellent press release on the incident. I would like to introduce these items into the RECORD to honor the memory of the victims and inform my colleagues and the people.

INDIAN GOVERNMENT MURDERS 35 SIKHS

RAW AGENTS POSE AS KASHMIRI MILITANTS—CONTINUES PATTERN OF PITTING MINORITIES AGAINST EACH OTHER

WASHINGTON, DC, March 21.—Thirty-five (35) Sikhs were murdered in Kashmir today by agents of the Indian government's Research and Analysis Wing (RAW) posing as Kashmiri militants. There are over 700,000 Indian troops stationed in Kashmir, yet the murderers disappeared without detection. The murders were carried out during President Clinton's visit to South Asia.

Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, strongly condemned the murders. ''These murders are evil, cowardly, and stupid acts designed to pit one community against another and prop up India's image for the President's visit,'' Dr. Aulakh said. ''Whoever carried out these brutal acts, they are cowards,'' he said. ''They may escape justice in this world, but they will face the justice of God. That will be worse for them.''

''Sikhs and Kashmiris are allies in the struggle for freedom,'' said Dr. Aulakh. ''What motive would Kashmiri freedom fighters have to kill Sikhs? This would be especially stupid when President Clinton is visiting. The freedom movements in Kashmir, Khalistan, Nagaland, and throughout India need the support of the United States,'' he said. Khalistan is the Sikh homeland declared independent on October 7, 1987.

The murders continue a pattern of divide-and-rule terrorism by the Indian government. The government has recently tried to blame Sikhs for the murder of Christian missionary Graham Staines by arresting a Hindu man who uses the alias Dara Singh. Every Sikh male uses Singh in his name. Yet it was reported at the time of the Staines murder that he and his two sons were burned to death in their jeep by a mob chanting ''Victory to Hannuman,'' a Hindu god. That mob was affiliated with the Fascist RSS, the parent organization of the ruling BJP. In November 1994, The Hitavada reported that the Indian government paid the late Governor of Punjab, Surendra Nath, $1.5 billion to organize and support covert state terrorism in Punjab, Khalistan, and in Kashmir. The book ''Soft Target,'' written by two respected Canadian journalists, proved that the Indian government blew up its own airliner in 1985, killing 329 people, to blame the incident on the Sikhs and provide an excuse for more repression and bloodshed. This is a well-established modus operandi of RAW.

The Indian government has murdered over 250,000 Sikhs since 1984, according to figures compiled by the Punjab State Magistracy and human-rights organizations. The figures were published in ''The Politics of Genocide'' by Inderjit Singh Jaijee. The government has also killed over 200,000 Christians in Nagaland since 1947, more than 65,000 Kashmiri Muslims since 1988, and tens of thousands of Assamese, Manipuris, Tamils, Dalits, and others. The U.S. State Department reported that the Indian government paid more than 41,000 cash bounties to police to murder Sikhs. Amnesty International recently reported that there are thousands of political prisoners, including prisoners of conscience, held in Indian jails without charge or trial. Some Sikh political prisoners have been in this illegal detention since 1984.

''This shows that there is no freedom for minorities in India,'' Dr. Aulakh said. ''For minorities, India is no democracy,'' he said. ''As U.S. Congressman Dana Rohrabacher said, for the minorities 'India might as well be Nazi Germany.' ''

''I urge President Clinton and Ambassador Richard Celeste to confront India on these brutal murders, as well as the recent harassment of journalist Sukhbir Singh Osan, getting Sikh and other political prisoners released, and the ongoing, massive, and brutal human-rights violations against Sikhs and other minorities,'' Dr. Aulakh said. ''If the United States wants to see an end to these incidents, it should support self-determination for Khalistan, Kashmir, Nagaland, and all the other nations seeking their freedom from India,'' Dr. Aulakh said. ''Only a free

Khalistan will end India's corruption, tyranny and genocide against the Sikh Nation,'' he said. ''India is on the verge of disintegration. The Sikh leadership should immediately begin a Shantmai Morcha to liberate our homeland, Khalistan.''

[From the Burning Punjab News, Mar. 21, 2000]

MASSACRED SIKHS IDENTIFIED

SRINAGAR.—The 35 Sikhs massacred at Chatti- Singpora in south Kashmir late last night by unknown armed persons have been identified. Following is the list of people killed by militants: Rajinder Singh (42), Karnail Singh (35), Rajan Singh (40), Naranjan Singh (50), Gurdeep Singh (25), Ajeetpal Singh (22), Joginder Singh (26), Gurbax Singh (35), Uttam Singh (30), Surjit Singh (22), Majit Singh (30), Devinder Singh (18), Rajinder Singh (35), Reshpal Singh (40), Gurmeek Singh (35), Sukha Singh (53), Ravi Singh (38), Jangbhadur Singh (36), Rajdeep Singh (18), Naseeb Singh (50), Kulbeer Singh (20), Darban Singh (28), Deader Singh (50), Gurmeet Singh (22), Ujal Singh (28), Charan Singh (50), Sartaj Singh (30), Rajnath Singh (45), Faqir Singh (65), Karnail Singh (45), Sheetal Singh (66), Ravinder Singh (22), Jagdesh Singh (25), Sagir Singh (60), and Sartaj Singh (26). One Devinder Kaur died of heart attack following the massacre.

IN TRIBUTE TO BRUCE DOWNING

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. WOLF. Mr. Speaker, I recently had the pleasure of attending the annual meeting and recognition dinner of the United Way of Northern Shenandoah Valley, at which Bruce Downing of Winchester, Virginia, received the 1999 Volunteer of the Year Award.

I would like to share with our colleagues the outstanding community service work of Mr. Downing, who was cited in one award nominating letter as ''a giant among men in this community. His calm, reassuring manner, his generosity, and his compassion for others are without measure. Bruce Downing has made the community a better place to live. He is a hero.''

Mr. Downing, 52, began his community service in the mid-1960's when his college fraternity helped special needs children at a local school. He later became a volunteer with Big Brothers/Big Sisters and other organizations including Grafton School, Access Independence, Help with Housing, ABBA Pregnancy Care Center, and numerous United Way boards and others.

He and his wife, Donna, also donated one of their own family vans with a special wheelchair life to a family in need.

Mr. Speaker, Bruce Downing represents the thousands upon thousands of giving and caring Americans who reach out as volunteers to help their fellow citizens. They do so not for any honors or recognition that may come their way; rather they do it with generous hearts because they want to make a difference in people's lives.

We salute Bruce Downing and all the other volunteers of the United Way and the many other volunteer organizations who lend a helping hand every day of the year to serve their communities. They are indeed heroes.

HONORING TRISH ARREDONDO

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. VISCLOSKY. Mr. Speaker, I rise today to honor Trish Arredondo for her lifelong contributions to the health and well being of Northwest Indiana. This is a very special pleasure as Trish is a close personal friend. I have known her for the better part of two decades and have seen firsthand the efforts of her dynamic accomplishments on behalf of her friends, neighbors, and community.

Trish Arredondo is currently President and Chief Executive Officer of the Planned Parenthood Association of Northwest/Northeast Indiana. During Trish's tenure, Planned Parenthood has made a vast impact on our community in the areas of both health care and education. The organization has grown three fold in the number of clients, and has tripled the geographic area served.

Trish spearheaded a capital campaign that has allowed the organization to purchase its headquarters and originate a ''mini-grant'' awards program designed to bring research funding to special aspects of women's health care such as breast cancer. She has been instrumental in increasing public awareness in women's health issues such as cervical cancer and teen pregnancy. Under her direction, the organization increased its medical services to include testing for Tuberculosis and Hepatitis B. Planned Parenthood is the sole provider of health care services for 75 percent of the 40,000 patients it serves annually. This evolution of the organization's role in community care has become an invaluable part of Northwest Indiana's health care system.

In addition to her role in Planned Parenthood, Trish Arredondo also gives much of her time back to the community. She is a member of the Northwest Indiana Executive Council, the Governor's Council on Health Care 2000, the Rape Task Force, the Welfare to Work Council, and is a charter member of the Northwest Council for Teen Pregnancy. She is a past member of the Northern Indiana Arts Association and was named as one of the most influential women in Northwest Indiana by the Times newspaper in March, 1997.

Mr. Speaker, I salute Trish Arredondo for her professional achievements and her many years of dedication to the betterment of our community. We in Northwest Indiana are truly thankful to have someone of Trish's talents on our team. Her life's work has been on behalf of those less fortunate in our community, and we are extremely grateful for her dedication and perseverance. Please join me in wishing her a happy and healthy retirement.

IN LOVING MEMORY OF LEOCADIA VASQUEZ VALENCIA

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. BACA. Mr. Speaker, it is with much sadness that I inform my colleagues of the passing of a great individual, a person who graced our world and our lives with so much love and compassion.

Leocadia V. Valencia, the mother, grandmother, great grandmother, great-great grandmother passed away, on her Sabbath day, Saturday, February 19, 2000 in California. She was 98 years of age. Born in Matehualia, Mexico, wife of Felix G. Valencia, Pastor in the Church of God 7th Day. She was a longtime resident of Sacramento, California.

Leocadia lived a very full and very fulfilling life, a life graced by her husband, who passed away four years ago (December 12, 1995), with whom she has been blessed by sixteen children: Survived by Carrol Cervantes, Sophia Rivas, Felix Valencia, Hope Brocklehurst, Matthew Valencia, Ruth Gomez, Mary McAuliffe, Paul Valencia, Lydia Hanzalik, Ruby Valencia, Rachel Sidhu, Sam Valencia. Survived by two sisters; Margarita Garnica, Micaela Perea. Extended mother to the following grandchildren: Yolanda Velasquez, Steve Valencia, Linda Macias, Terry Adame, Ernest Valencia and numerous grand children, great grand children, great-great grandchildren. These children and many grandchildren brought tremendous joy and inspiration into their lives.

Leocadia was and remains so much a tremendous person in our thoughts and in our memories. We appreciate so much and will long remember the many good and positive things she brought into our lives, and most of all her faith and love for God.

I join with Leocadia friends and family members in honoring such a truly remarkable and outstanding person, a mother, grandmother, a great-grandmother and great-great grandmother, to all of those who loved her so much.

Leocadia gave so much to those she loved, and each of us is better and more fortunate for what she unselfishly gave to us and gave to our world, a world made so much brighter and more gentler by her life and her presence.

Mr. Speaker, we are all gifted by the lives of mothers and grandmothers who do so much in guiding our lives and providing us comfort and proper direction. I join with all of those who loved Leocadia V. Valencia in extending our prayers, knowing that God's heaven is blessed and graced by one of his most beautiful and loving Angels. I ask God's peace and comfort on the family during this time of sorrow.

ST. PAUL MISSIONARY BAPTIST CHURCH 84TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and high regards that I congratulate St. Paul Missionary Baptist Church in Gary, Indiana, as it celebrates its 84th anniversary as a parish this coming Sunday. I would also like to take this opportunity to congratulate Reverend Everett Gray on this magnificent occasion.

From modest beginnings, St. Paul's has emerged as a cornerstone of the Gary community. The church was organized in 1916 through the efforts of six dedicated pioneers. The first structure was a portable building of the 21st Avenue school. Through the hard work of Reverend Martin VanBuren Bolden and the six founders, the membership continued to grow, and on July 17, 1917, two lots

were purchased at 1938 Adams Street. It was there that St. Paul's began to flourish as both a religious and a social institution.

During the Great Depression, the people of St. Paul's saw the needs of those around them and reached out a helping hand. The church basement was used as both a medical facility and a place where those in need could go for food. Their generosity was exemplified when the church donated money to those who could not afford the burial expenses for loved ones that had recently passed away. St. Paul's shaped the lives of many people during those hard times and still stands as a pillar of our community.

On May 1, 1943, St. Paul's welcomed Dr. Lester Kendal Jackson as its pastor, who made an immediate impact on his congregation. Under his leadership all outstanding debts were paid, and a significant balance was put into the treasury. He helped to organize many groups which would inspire the youth of the parish, including a literary society, Girl and Boy Scout teams, and a drama club. Dr. Jackson also fought for the rights of African Americans throughout the city of Gary, and was later inducted into the Steel City Hall of Fame for his contributions to the community.

After a fire in 1963 destroyed the building that they had used for over 45 years, the people of St. Paul's erected a new church at 2300 Grant Street on January 16, 1966. It is here that the church came under the direction of Reverend Everett Gray, or Pastor Gray, as he prefers to be addressed. Under Pastor's Gray's guidance, St. Paul's has continued to thrive, both in terms of spiritual growth as well as practical improvements.

Mr. Speaker, I ask you and my other distinguished colleagues to join me congratulating the parish family of St. Paul Missionary Baptist Church, under the guidance of Pastor Gray, as they celebrate their 84th anniversary. All current and former parishioners can be proud to say that they belong to the second oldest Baptist church in Gary, Indiana. They have weathered many storms in order to make countless significant contributions to their community throughout the past 84 years.

NEW MASSACRE OF SIKHS IN INDIA

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. ROHRABACHER. Mr. Speaker, today, as President Clinton began a visit to India, a new act of political violence occurred in Kashmir, as 35 Sikh villagers were rounded up and killed by gunmen. The New York Times reports in the enclosed article that this was the first major attack on the small Sikh community in Kashmir since an insurgency by Kashmiri Muslims against Indian rule began 10 years ago. Sikhs had previously lived peacefully in the only predominantly Muslim area of India. It should be noted that in India, government security forces have been implicated by international human rights organizations in the murders, disappearances and torture of thousands of Sikhs.

The village of Chati Singhpura Mattan, 42 miles from Srinagar, is controlled by Kashmiri groups that abandoned the rebellion and were recruited by the Indian army as a counterinsurgency militia force. The Indian government has blamed Islamic radicals controlled by Pakistan for this heinous crime. However, the Indian government's control of this specific area has caused many Sikhs in the United States to believe that the gunmen were agents of the Indian government's Research and Intelligence Wing [RAW] posing as Kashmiri militants. There are more than 700,000 Indian security forces stationed in Kashmir, which has been called the most militarized area of this planet.

A fair and impartial investigation by international monitors is necessary to resolve this case and other acts of brutality committed in Kashmir. I have repeatedly advocated that fair elections, free of violence, that would permit the people of Kashmir to determine their own destiny is the best means to end this conflict. In addition, a peaceful resolution of the Kashmir issue would have a significant impact in easing the conflict between India and Pakistan.

[From the New York Times, Mar. 21, 2000]

35 MASSACRED IN SIKH TOWN IN KASHMIR

Srinagar, India, Tuesday, March 21 (AP)—Gunmen rounded up and killed 35 Sikh villagers in the disputed state of Kashmir, the police said today as President Clinton began a visit to India.

The massacre on Monday night was the first major attack on the small Sikh community in Kashmir since separatist Muslims started their insurgency 10 years ago. Sikhs are considered a neutral minority, but Indian officials had warned earlier of violence by Muslim militants hoping to draw attention to kashmir during Mr. Clinton's visit.

Both India and Pakistan claim the Himalayan territory and have fought two wars over it.

The gunmen were not immediately identified and no group claimed responsibility for the attack, the police said.

Mr. Clinton arrived in New Delhi, 400 miles to the south, on Monday evening after a visit to Bangladesh. He has said that reducing tensions between India and Pakistan is one of his objective of the trip.

Many Kashmiris were hoping that the president's visit would lead to a breakthrough in the long deadlock on the region's future.

Mr. Clinton's spokesman, Joe Lockhart, expressed outrage over the killings, saying in a statement that ''out most profound sympathies go out to the victims of this brutal massacre.''

The attackers entered the village of Chati Singhpura Mattan after dark and forced the residents from their homes, police officials said.

The assailants separated the men from the women, announcing that they were conducting a ''crackdown.'' Indian security forces operate similarly when searching a neighborhood for militants that they suspect may be hiding there. The gunmen then opened fire on the men, killing 35 of them. One man was critically wounded.

Sikhs have lived mostly undisturbed in the Kashmir Valley, the only area in predominantly Hindu India with a Muslim majority. Many run the trucking companies that supply the valley.

In the last six months, attacks by the militants have focused on army bases and patrols rather than random terrorism, and have shown a higher degree of training and expertise, senior army officers have said. They said about 3,500 militants were in Kashmir, and many of them had infiltrated the cease-fire line from Pakistan, with the help of the Pakistan army. Pakistan denies giving active aid to the militants.

The area of the Sikh village is about 42 miles from Srinagar, Kashmir's summer capital, and is controlled by armed Kashmiri groups that abandoned separatism and were recruited by the Indian army as a counterinsurgency auxiliary force.

[From the Washington Post, Mar. 21, 2000]

NEAR CLINTON'S INDIA VISIT, VIOLENCE FLARES IN KASHMIR

(By Pamela Constable)

Srinagar, India, March 20—While their government and most of their countrymen are hoping President Clinton will play down the sensitive topic of Kashmir during his visit to India this week, people in this depressed, wintry city at the political heart of the disputed, violence-torn region are praying for just the opposite.

Today, in the worst single attack on civilians in a decade of guerrilla war, unidentified gunmen massacred 35 Sikh men in the Kashmiri village of Chati Singhpura Mattan, wire services reported. Security officials had feared that armed Pakistan-based insurgents, who have stepped up attacks here in recent months, might stage a dramatic attack during Clinton's stay in India.

Clinton condemned the attack in Kashmir. ''On behalf of the president and all Americans let me express our outrage at the attack on a village in Kashmir last night,'' White House spokesman Joe Lockhart told reporters in New Delhi.

Many Kashmiris believe that only a world leader of Clinton's stature can put pressure on Indian officials to start meaningful negotiations with Pakistan over the mountainous, predominantly Muslim border region where separatist sentiment is strong, guerrilla violence is rapidly rising and Indian troops patrol with an iron fist.

''If Mr. Clinton can make a difference in places like Chechnya and Bosnia, why not in Kashmir?'' said Shah Khan, 22, who sells shirts and pants in the teeming alleys of Lal Chowk bazaar. ''We are happy because at least his visit will bring some attention to our problems, but we wish he would come to Kashmir and see for himself. Then we would all tell him one thing: we want freedom.''

But this message is highly unlikely to reach Clinton's ears or the Indian capital this week. On Sunday, about 50 Kashmiri independence activists were arrested and jailed as they tried to board buses that would take them to New Delhi for a protest rally near Parliament, where Clinton is scheduled to speak Wednesday.

In a brief interview in jail today, the group's leader Shabir Shah, 44, said they had been tear-gassed and dragged into police vans as they prepared to leave. He said the group, which seeks Kashmiri independence from India, had planned to stage a peaceful rally and a symbolic hunger strike.

''President Clinton says he wants to help ease tensions in the region, and he will be talking with India and Pakistan, but we wanted to tell him that it is futile until we Kashmiris are taken into account,'' Shah said.

Kashmir, which is divided between India and Pakistan, has been the major source of friction between the two neighbors and nuclear powers for a generation. Since the early 1990s, the Indian-occupied part has been the site of a violent conflict between anti-India insurgent groups and Indian security forces, which has cost tens of thousands of lives. Last summer, a 10-week border conflict in the Kargil mountains left hundreds dead.

Today's attack on the Sikhs seemed to represent an especially gruesome escalation of

violence and attempt at ethnic cleansing in the Kashmir Valley, where Muslims dominate the population and the insurgency has become increasingly directed by Islamic groups based in Pakistan. The victims were separated from their families by unidentified gunmen who entered their village after dark and shot them.

In the past, Kashmiri insurgent groups have concentrated on military targets and have denounced terrorism against civilians. But in recent weeks, there have been a half-dozen attacks on Hindu truck drivers and on scattered villages of Kashmiri Pandits, or local Hindus, many of whom were violently driven from the region years ago. Now Sikhs, who have lived peaceably in northern Kashmir for years, appear to have become their latest target.

Clinton, who had called Kashmir ''the most dangerous place in the world,'' has repeatedly expressed interest in helping to defuse the tensions and to nudge India and Pakistan back toward dialogue. But Indian authorities are adamantly opposed to any foreign intervention in the dispute, and have declared they will not resume talks with Pakistan until it stops arming and training Kashmiri insurgents.

In interviews over the weekend, some Srinagar residents said they were skeptical that Clinton's talks with Indian leaders could make any difference. They said the United States was too concerned with bigger issues, such as trade and nuclear nonproliferation, to let Kashmir become an irritant to improving relations.

''Clinton is coming as a guest, so he won't want to embarrass his hosts. What he says in America about Kashmir may not be what he says here,'' said Masood Ahmed, 30, another shopkeeper in Lal Chowk. ''He already knows that thousands of people have been killed in Kashmir, but he is only coming to see the Taj Mahal.''

TOBACCO LEGISLATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2000

Mr. WAXMAN. Mr. Speaker, I am introducing two bills today relating to the regulation of tobacco products.

Today the Supreme Court recognized that tobacco use ''poses perhaps the single most significant threat to public health in the United States.''

Unfortunately, the Court also ruled that Congress has not given the Food and Drug Administration explicit authority to regulate tobacco. So now Congress must act to deal with this enormous problem.

The first bill I am introducing is comprehensive legislation that represents what our country genuinely needs to reduce tobacco use by children. It explicitly authorizes the Food and Drug Administration to regulate tobacco products; it establishes an innovative and effective performance standard that gives the tobacco industry meaningful economic incentives to reduce the numbers of children that smoke; it establishes a national policy on environmental tobacco smoke; and it creates a new nationwide public education campaign on tobacco.

None of these measures alone are the answer to reducing tobacco use—but taken together, they will succeed in reducing the number of children who smoke. They are what we need to do in our battle against the deadly toll of tobacco, and will save millions of lives for generations to come.

I am concerned, however, that some may try to avoid acting on tobacco legislation by arguing there's not enough time in this session to deal with a comprehensive bill. And I'm concerned that some may try to avoid dealing with this urgent issue by pretending that comprehensive legislation makes it more difficult to deal quickly with today's Supreme Court decision.

So I'm introducing a second bill that only deals with the question of FDA jurisdiction over tobacco. This legislation explicitly authorizes the FDA to regulate tobacco products, and does not address any of the other issues that Congress must confront in crafting effective national tobacco legislation.

The policies in both bills have been before Congress for many years. We've held years of hearings on these issues and tried to examine carefully every possible consequence of legislation. The time to act is now.

In 1998 I reached a comprehensive agreement with Congressman TOM BLILEY, the Chairman of the Commerce Committee, to reduce smoking by children. For reasons I still don't understand, the Republican leadership blocked that legislation from ever being considered.

Now, once again, the Republican leadership has the sole power to bring legislation to the floor. I hope they won't miss another opportunity to protect our children.

AMERICAN LUNG ASSOCIATION,
Washington, DC, March 21, 2000.

Hon. HENRY A. WAXMAN,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WAXMAN: The American Lung Association is pleased to endorse the Child Tobacco Use Prevention Act of 2000 and the FDA Tobacco Jurisdiction Act of 2000. These bills will grant explicit authority to the Food and Drug Administration to regulate tobacco products. Full, unfettered, FDA authority is needed to protect the public health and provide oversight on how tobacco products are manufactured, labeled, distributed, advertised, sold and marketed.

We strongly support the additional public health provisions included in the Child Tobacco Use Prevention Act. Company-specific performance standards to reduce child tobacco use, smokefree environments and tobacco prevention and education programs complement full FDA authority and greatly enhance the effort to reduce the disease and death caused by tobacco.

Congress must act quickly and pass this critical public health legislation this year. Full, unfettered FDA authority over tobacco products is the top priority for the American Lung Association. Thank you for your continued leadership to protect children from tobacco.

Sincerely,

JOHN R. GARRISON,
Chief Executive Officer.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1473–S1532

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2254–2265, S. Res. 276, and S. Con. Res. 97. **Page S1512**

Measures Passed:

Multiple Sclerosis Awareness: Senate agreed to S. Con. Res. 97, expressing the support of Congress for activities to increase public awareness of multiple sclerosis. **Pages S1528–29**

Social Security Earnings Test Elimination: Senate began consideration of H.R. 5, to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age, taking action on the following amendments proposed thereto: **Pages S1483–S1503**

Adopted:

Roth/Moynihan Amendment No. 2886, in the nature of a substitute. **Pages S1492–93**

Rejected:

Kerrey Amendment No. 2885, to redesignate the term for the age at which an individual is eligible for full, unreduced old-age benefits. (By 55 yeas to 44 nays (Vote No. 41), Senate tabled the amendment.) **Pages S1489–92, S1493–94**

A unanimous-consent time agreement was reached providing for further consideration of the bill on Wednesday, March 22, 2000, with a vote on final passage to occur thereon at 10 a.m. **Page S1529**

Measures Read First Time: **Page S1528**

Communications: **Pages S1510–11**

Petitions: **Pages S1511–12**

Statements on Introduced Bills: **Pages S1512–24**

Additional Cosponsors: **Pages S1524–26**

Amendments Submitted: **Pages S1526–27**

Notices of Hearings: **Page S1527**

Authority for Committees: **Pages S1527–28**

Additional Statements: **Pages S1507–10**

Record Votes: One record vote was taken today. (Total—41) **Page S1494**

Adjournment: Senate convened at 10:04 a.m., and adjourned at 6:16 p.m., until 9:45 a.m., on Wednesday, March 22, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1529.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—FCC/SEC

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary concluded hearings on proposed budget estimates for fiscal year 2001, after receiving testimony in behalf of funds for their respective activities, from William E. Kennard, Chairman, Federal Communications Commission; and Arthur Levitt, Chairman, Securities and Exchange Commission.

ALZHEIMER'S DISEASE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine certain issues relating to Alzheimer's Disease, focusing on research funding, care giver support, and the Alzheimer's Disease Prevention Initiative, after receiving testimony from Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; Steven T. DeKosky, University of Pittsburgh School of Medicine Alzheimer's Disease Research Center, Pittsburgh, Pennsylvania, and Orien Reid, Laverock, Pennsylvania, both on behalf of the Alzheimer's Association; Maureen Reagan, Sacramento, California; and Frank Carlino, Cornwall, New York.

APPROPRIATIONS—SENATE SoS/SAA

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2001, after receiving testimony, in behalf of funds for their respective activities, from Gary Sisco, Secretary of the Senate, and James W. Zigler, Sergeant at Arms, both of the United States Senate.

NOMINATIONS

Committee on Armed Services: Committee concluded hearings on the nominations of Rudy deLeon, of California, to be Deputy Secretary of Defense, and Douglas A. Dworkin, of Maryland, to be General Counsel of the Department of Defense, after the nominees testified and answered questions in their own behalf.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded hearings on proposed legislation authorizing funds for fiscal year 2001 for the Department of Defense and the Future Years Defense Program, focusing on the defense science and technology program, after receiving testimony from Jacques S. Gansler, Under Secretary for Acquisition, Technology, and Logistics, Delores M. Etter, Deputy Under Secretary for Science and Technology, and Frank L. Fernandez, Director, Defense Advanced Research Projects Agency, all of the Department of Defense; Paul J. Hoeper, Assistant Secretary of the Army for Acquisition, Logistics and Technology; H. Lee Buchanan, Assistant Secretary of the Navy for Research, Development and Acquisition; Lawrence J. Delaney, Assistant Secretary of the Air Force for Acquisition; and Ashton B. Carter, Harvard University, Cambridge, Massachusetts, on behalf of the Harvard-Stanford Preventive Defense Project.

HUD PUBLIC HOUSING ASSESSMENT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded oversight hearings on the Department of Housing and Urban Development's Public Housing Assessment System (PHAS), after receiving testimony from Harold Lucas, Assistant Secretary of Housing and Urban Development for Public and Indian Housing; Charles Schloz, Denver Housing Authority, Denver, Colorado; Hal Rose, Temple Housing Authority, Temple, Texas; F. Allen Hester, Saint Paul Public Housing Agency, Saint Paul, Minnesota; and Kevin S. Nelson, Stratford Housing Authority, Stratford, Connecticut.

INTERACTIVE VIOLENCE IMPACT ON CHILDREN

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the impact of interactive violence on children, focusing on the effects of violent content in movies, video games, and Internet sites, after receiving testimony from Sabrina Steger, Lourdes Hospital, Paducah, Kentucky; David Walsh, National Institute on Media and the Family, Minneapolis, Minnesota; Craig Anderson, Iowa State University Department of Psychology, Ames; Jeanne B. Funk, University of Toledo Department of Psychology, Toledo, Ohio; Eugene F. Provenzo, Jr., University of Miami School of Education, Coral Gables, Florida; and Danielle Shimotakahara, North Bend, Oregon.

CAPITAL INVESTMENT AND LEASING PROGRAM

Committee on Environment and Public Works: Subcommittee on Transportation and Infrastructure concluded hearings on General Services Administration's proposed fiscal year 2001 Capital Investment and Leasing Program, including the courthouse construction program, after receiving testimony from Robert A. Peck, Commissioner, Public Buildings Service, General Services Administration; and Judge Jane R. Roth, U.S. Court of Appeals for the Third Circuit, on behalf of the Judicial Conference of the United States.

SUPERFUND REFORM

Committee on Environment and Public Works: Subcommittee on Superfund, Waste Control, and Risk Assessment concluded oversight hearings to examine the current status of cleanup activities under the Environmental Protection Agency's Superfund program, focusing on progress made to date, future improvements, and the impact of administrative reform, after receiving testimony from Timothy Fields, Jr., Assistant Administrator, Environmental Protection Agency; Lois J. Schiffer, Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; New York State Assistant Attorney General Eugene Martin-Leff, Albany, on behalf of the National Association of Attorneys General; Mayor J. Christian Bollwage, Elizabeth, New Jersey, on behalf of the United States Conference of Mayors; R. B. Jones, East Palo Alto City Council, East Palo Alto, California, on behalf of the National Association of Local Government Environmental Professionals; Robert W. Varney, New Hampshire Department of Environmental Services, Concord, on behalf of the Environmental Council of the States; and Terrence Gray, Rhode Island Department of Environmental Management, Providence.

U.S. NONPROLIFERATION POLICY

Committee on Foreign Relations: Committee held hearings to examine nonproliferation threats and U.S. policy formulation issues, receiving testimony from George J. Tenet, Director, Central Intelligence Agency; Robert Joseph, Center for Counter Proliferation Research, and Stephen A. Cambone, Institute for National Strategic Studies, both of the National Defense University, and Joseph Cirincione, Carnegie

Endowment for International Peace, all of Washington, D.C.

Committee will meet again tomorrow.

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings to examine the current situation in the Democratic People's Republic of Korea, focusing on the Administration's implementation of recommendations contained in the Perry report on North Korea, after receiving testimony from Wendy R. Sherman, Counselor, Department of State; and Franklin D. Kramer, Assistant Secretary of Defense for International Security Affairs.

INTERNET PHARMACY REGULATION

Committee on Health, Education, Labor, and Pensions: Committee held hearings to examine the benefits and risks of pharmaceutical sales over the Internet, focusing on public health implications, law enforcement, and regulatory challenges, receiving testimony from Jane E. Henney, Commissioner, Food and Drug Administration, Department of Health and Human Services; Kansas Attorney General Carla J. Stovall, Topeka, on behalf of the National Association of Attorneys General; Carmen A. Catizone, National Association of Boards of Pharmacy, Park Ridge, Illinois; Bruce A. Levy, Texas State Board of Medical Examiners, Austin, on behalf of the Federation of State Medical Boards of the United States, Inc.; Peter M. Neupert, drugstore.com, Bellevue, Washington; and Calvin J. Anthony, National Community Pharmacists Association, Alexandria, Virginia.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Small Business: Committee ordered favorably reported the following bills:

H.R. 2392, to amend the Small Business Act to extend the authorization for the Small Business Innovation Research Program, with an amendment in the nature of a substitute;

An original bill, to reauthorize programs to assist small business concerns; and

H.R. 2614, to amend the Small Business Investment Act to make improvements to the certified development company program, with an amendment.

TIMBISHA SHOSHONE TRIBE LAND BASE

Committee on Indian Affairs: Committee concluded hearings on § 2102, to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, after receiving testimony from Donald J. Barry, Assistant Secretary of the Interior for Fish, Wildlife, and Parks; Pauline Esteves and Barbara Durham, both of the Timbisha Shoshone Tribe, Death Valley, California; Catherine S. Fowler, University of Nevada Department of Anthropology, Reno; and Charles F. Wilkinson, University of Colorado Law School, Boulder.

NARCOTICS CERTIFICATION PROCESS

United States Senate Caucus on International Narcotics Control: Caucus concluded hearings to examine the annual certification process which requires the President to submit to Congress his assessment on international cooperation to control illegal drug production and transit, and International Narcotics Control Strategy Report, after receiving testimony from Rand Beers, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs; and Donnie R. Marshall, Acting Administrator, Drug Enforcement Administration, Department of Justice.

House of Representatives

Chamber Action

Bills Introduced: 14 public bills, H.R. 4037–4050, and 1 resolution, H. Con. Res. 291, were introduced. **Page H1162**

Reports Filed: Reports were filed today as follows:

H.R. 3903, a private bill, to deem the vessel M/V MIST COVE to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code (H. Rept. 106–531).

H. Res. 444, providing for consideration of S. 1287, Nuclear Waste Policy Amendments Act of 2000 (H. Rept. 106–532); and

H. Res. 445, providing for consideration of H.R. 3822, Oil Price Reduction Act of 2000 (H. Rept. 106–533). **Pages H1162–63**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Morella to act as Speaker pro tempore for today. **Page H1125**

Guest Chaplain: The Prayer was offered by the guest Chaplain, Rev. Douglas Tanner of Washington, D.C. **Page H1128**

Recess: The House recessed at 12:55 p.m. and reconvened at 2:00 p.m. **Page H1128**

Meeting Hour—Wednesday, March 21: Agreed that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Wednesday, March 22. **Page H1128**

Presidential Message—United States and Bangladesh Agreement: Read a message from the President wherein he transmitted his proposed agreement between the United States and Bangladesh concerning the peaceful uses of nuclear energy referred to the Committee on International Relations and ordered printed (H.Doc. 106–213). **Pages H1128–29**

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Family Day: H. Con. Res. 288, recognizing the importance of families and children in the United States and expressing support for the goals and ideas of National Family Day (agreed to by a yea and nay vote of 392 yeas with none voting "nay", Roll No. 56); **Pages H1129–32, H1138–39**

Kern County California Land Exchange: H.R. 1680, amended, to provide for the conveyance of Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest; **Pages H1132–34**

Urging the National Park Service to Use Corps of Engineers for Park Maintenance Projects: H. Res. 182, expressing the sense of the House of Representatives that the National Park Service should take full advantage of support services offered by the Department of Defense (agreed to by a yea and nay vote of 392 yeas to 2 nays, Roll No. 57); **Pages H1134–36, H1139–40**

Miwaleta Park Expansion Act: H.R. 1725, to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land; and **Pages H1136–37**

Captain Colin P. Kelly, Jr. Post Office in Madison, Florida: H.R. 1666, to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the "Captain Colin P. Kelly, Jr. Post Office." **Pages H1137–38**

Recess: The House recessed at 3:12 p.m. and reconvened at 7:00 p.m. **Page H1138**

Dwight D. Eisenhower Memorial Commission: The Chair announced the Speaker's appointment of Representatives Thornberry, Moran of Kansas, Moore, and Boswell to the Dwight D. Eisenhower Memorial Commission. **Page H1138**

Recess: The House recessed at 11:00 p.m. and reconvened at 11:17 p.m. **Page H1161**

Senate Messages: S. Con. Res. 96 was referred to the Committee on Armed Services. **Page H1161**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H1164–73.

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of the House today and appear on pages H1138–39 and H1139–40. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:18 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Food Safety and Inspection Service. Testimony was heard from Catherine Wotecki, Under Secretary, Agriculture, Food Safety, USDA.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on the District of Columbia held a hearing on DC Public Schools (including Charter Schools). Testimony was heard from the following officials of the District of Columbia Financial Responsibility and Management Assistance Authority: Alice M. Rivlin, Chair; and Constance B. Newman, Vice Chair; and the following officials of schools of the District of Columbia: Arlene Ackerman, Superintendent; Josephine Baker, Chair, DC Public Charter School Board; and Malcolm Peabody, Chair, PC Public Charter School Coalition.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Department of Energy-Nuclear Waste Management and Disposal. Testimony was heard from the following officials of the Department of Energy: Carolyn L. Huntoon, Assistant Secretary, Environmental Management; and Ivan Itkin, Office of Civilian Radioactive Waste Management.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on Consumer Product Safety Commission and the Consumer Information Center. Testimony was heard from Anne Brown, Chairman, Consumer Product Safety Commission; and Teresa N. Nasif, Director, Federal Consumer Information Center.

DEFENSE PROGRAMS—ENERGY DEPARTMENT BUDGET REQUEST

Committee on Armed Services: Subcommittee on Military Procurement held a hearing on the Department of Energy Fiscal Year 2001 Budget request (defense programs) and related matters. Testimony was heard from the following officials of the Department of Energy: T. J. Glauthier, Deputy Secretary; Carolyn L. Huntoon, Assistant Secretary, Environmental Management; Brig. Gen. Thomas F. Gioconda, USAF, Acting Deputy Administrator, Defense Programs and Rose E. Gottemoeller, Acting Deputy Administrator, Defense Nuclear Nonproliferation, both with the National Nuclear Security Administration.

MARGIN LENDING

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy held a hearing on Margin Lending. Testimony was heard from Senator Schumer; and public witnesses.

USDA'S FINANCIAL STATEMENTS AUDIT RESULTS

Committee on Government Reform: Subcommittee on Government Management, Information, and Technology held a hearing on "Results of the Department of Agriculture's Fiscal Year 1999 Financial Statements Audit". Testimony was heard from the following officials of the USDA: Roger Viadero, Inspector General; and Sally Thompson, Chief Financial Officer; and Linda Calbom, Director, Resources, Community, and Economic Development, Accounting and Financial Management Issues, Accounting and Information Management Division, GAO.

OVERSIGHT—PRIVATE PROPERTY RIGHTS AND TELECOMMUNICATIONS POLICY

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on Private Property Rights and Telecommunications Policy. Testimony was heard from public witnesses.

NUCLEAR WASTE POLICY AMENDMENTS ACT

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on S. 1287, Nuclear Waste Policy Amendments Act of 2000, equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The rule provides one motion to commit. Testimony was heard from Representatives Upton, Gibbons, Dingell, Markey, Traficant, Kucinich, and Berkley.

OIL PRICE REDUCTION ACT

Committee on Rules: Granted, by voice vote, a modified open rule providing one hour of general debate on H.R. 3822, Oil Price Reduction Act of 2000, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule makes in order the Committee on International Relations amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, modified by striking subsection 6(c). The rule provides that the bill should be open for amendment by section. The rule makes in order only those amendments printed in the Congressional Record and pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or his designee, and that each amendment shall be considered as read. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Gilman and Representatives Kasich, Shays, Hobson, Collins, Gejdenson, Markey, Sanders, Traficant, Baldacci, Larson and Inslee.

FEDERAL FUEL TAX REDUCTION—IMPACT ON TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Ground Transportation held a hearing on the Impact on Transportation Programs of Reducing the Federal Fuel Tax. Testimony was heard from Peter J. Basso, Assistant Secretary, Budget and

Programs and Chief Financial Officer, Department of Transportation; and public witnesses.

TAX INCENTIVES—ASSIST DISTRESSED COMMUNITIES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Tax Incentives to Assist Distressed Communities. Testimony was heard from Jonathan Talisman, Acting Assistant Secretary, Tax Policy, Department of the Treasury; Xavier Romeu, Secretary, Department of Economic Development, Puerto Rico; and public witnesses.

NATIONAL IMAGERY AND MAPPING PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Fiscal Year 2001 National Imagery and Mapping Program Budget. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D221)*

S. 376, to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications. Signed March 17, 2000. (P.L. 106–180)

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 22, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings on issues relating to cabin fees, 3 p.m., SR–328A.

Committee on Appropriations: Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2001 for the Forest Service, Department of Agriculture, 9:30 a.m., SD–124.

Committee on Armed Services: Subcommittee on Airland, to hold hearings on proposed legislation authorizing funds for fiscal year 2001 for the Department of Defense and the Future Years Defense Program, focusing on tactical aviation, 2 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, to hold hearings to examine electronic communications networks and brokerage firms efforts to meet investors' needs in the financial marketplace of the future, 10 a.m., SD–628.

Committee on the Budget: business meeting to mark up a proposed concurrent resolution setting forth the fiscal year 2001 budget for the Federal Government, 2 p.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings on the nomination of Susan Ness, of Maryland, to be a Member of the Federal Communications Commission, 9:30 a.m., SR–253.

Subcommittee on Science, Technology, and Space, to hold hearings to examine recent program and management issues at NASA, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings on H.R. 862, to authorize the Secretary of the Interior to implement the provisions of the Agreement conveying title to a Distribution System from the United States to the Clear Creek Community Services District; H.R. 992, to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District; H.R. 1235, to authorize the Secretary of the Interior to enter into contracts with the Solano County Water Agency, California, to use Solano Project facilities for impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes; H.R. 3077, to amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project; S. 1659, to convey the Lower Yellowstone Irrigation Project, the Savage Unit of the Pick-Sloan Missouri Basin Program, and the Intake Irrigation Project to the appurtenant irrigation districts; S. 1836, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama; and S. 2091, to amend the Act that authorized construction of the San Luis Unit of the Central Valley Project, California, to facilitate water transfers in the Central Valley Project, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the inclusion of a prescription drug benefit in the Medicare program, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine issues dealing with Iraq, focusing on sanctions and U.S. policy, 10:15 a.m., SD–419.

Committee on Governmental Affairs: to hold hearings on Department of Energy's management of health and safety issues surrounding the DOE's gaseous diffusion plants at Oak Ridge, Tennessee, and Piketon, Ohio, 10 a.m., SD–342.

Committee on Indian Affairs: business meeting, to consider pending calendar business; to be followed by hearings on the nomination of Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior, 9:30 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights, and Competition, to hold oversight hearings on certain antitrust issues, 2 p.m., SD–226.

Committee on Rules and Administration: to hold hearings on the Constitution and campaign reform, 9 a.m., SR–301.

Committee on Veterans' Affairs: to hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Vietnam Veterans of America, the Retired Officers Association, American Ex-Prisoners of War, AMVETS, and the National Association

of State Directors of Veterans Affairs, 10 a.m., 345, Cannon Building.

House

Committee on Agriculture, Subcommittee on General Farm Commodities, Resource Conservation, and Credit, hearing to review the reauthorization of the United States Grain Standards Act, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Rural Development, 10:00 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, State, and Judiciary, on Federal Judiciary, 10 a.m., H–309 Capitol, and on Immigration and Naturalization Service, 2 p.m., 2226 Rayburn.

Subcommittee on Defense, executive, on Fiscal Year 2001 Intelligence Budget, 9:30 a.m., and 1:30 p.m., H–405 Capitol.

Subcommittee on Interior, on Presidio Trust, 10 a.m., on Department of Energy—Energy Information Administration, 11 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Pension Agencies; Bureau of Labor Statistics, 10 a.m., and on Secretary of Labor, 2 p.m., 2358 Rayburn.

Subcommittee on Transportation, on Aviation, 10 a.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service, and General Government, on Federal Election Commission, 10 a.m., 2362B Rayburn.

Subcommittee on VA, HUD and Independent Agencies, on Secretary of Veterans Affairs, 9:30 a.m., 2359 Rayburn.

Committee on Armed Services, to continue hearings on the fiscal year 2001 National Defense authorization budget request, 10 a.m., 2118 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Capital Markets, Securities, and Government Sponsored Enterprises, hearing on improving the regulation of the housing Government Sponsored Enterprises, focusing on H.R. 3703, Housing Finance Regulatory Improvement Act, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, hearing on the following bills: H.R. 3383, to amend the Atomic Energy Act of 1954 to remove separate treatment or exemption for nuclear safety violations by nonprofit institutions; H.R. 3906, to ensure that the Department of Energy has appropriate mechanisms to independently assess the effectiveness of its policy and site performance in the areas of safeguards and security and cyber security; and H.R. 3907, External Regulation of the Department of Energy Act, 10:30 a.m., 2322 Rayburn.

Committee on Government Reform, Subcommittee on Civil Service, to mark up the following: the Long-Term Care Security Act; and H.R. 2842, Federal Employees Health Benefits Children's Equity Act of 1999, 2 p.m., 2203 Rayburn.

Subcommittee on Government Management, Information, and Technology, hearing on "Results of the Department of Housing and Urban Development's Fiscal Year 1999 Financial Statements Audit", 10 a.m., 2154 Rayburn.

Subcommittee on National Security, Veterans' Affairs and International Relations, hearing on Combating Terrorism: Coordination of Nonmedical Research and Development Programs, 10 a.m., 2247 Rayburn.

Committee on International Relations, to mark up H.R. 2909, Intercountry Adoption Act of 1999, 10 a.m., 2200 Rayburn.

Subcommittee on International Economic Policy and Trade, hearing on the Future of the Export Administration Act-Part 1, 1 p.m., 2200 Rayburn.

Committee on the Judiciary, hearing on H.R. 3138, Free Market Antitrust Immunity Reform (FAIR) Act of 1999, 10 a.m.; and to continue mark up of H.R. 1304, Quality Health-Care Coalition Act of 1999, and to mark up the following: H.R. 3660 Partial-Birth Abortion Ban Act of 2000; H.R. 3125, Internet Gambling Prohibition Act of 1999; and private bills, 2 p.m., 2141 Rayburn.

Subcommittee on Immigration and Claims, to mark up H.R. 3918, to establish the Bureau of Immigration Services and the Bureau of Immigration Enforcement within the Department of Justice, 10 a.m., 2237 Rayburn.

Committee on Rules, to consider H. Con. Res. 290, concurrent resolution on the budget for fiscal year 2001, 1:30 p.m., H–313 Capitol.

Subcommittee on Rules and Organization, hearing on the Government Performance and Results Act and the Legislative Process of House Committees, 9:30 a.m., H–313 Capitol.

Committee on Science, hearing on EPA's Sludge Rule: Closed Minds or Open Debate, 10:30 a.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, hearing on NASA's Fiscal Year 2001 Budget Request: Life and Microgravity Research, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, Hazardous Materials, and Pipeline Transportation, to mark up the following: H.R. 3171, National Health Museum Site Selection Act; H.R. 3069, Southeast Federal Center Public-Private Development Act of 2000; and other pending business, 1 p.m., 2253 Rayburn.

Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Program Data Quality, 10 a.m., 2253 Rayburn.

Subcommittee on Water Resources and Environment, hearing on the Administration's proposals for a Water Resources Development Act of 2000, 11 a.m., 2167 Rayburn.

Joint Meetings

Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Vietnam Veterans of America, the Retired Officers Association, American Ex-Prisoners of War, AMVETS, and the National Association of State Directors of Veterans Affairs, 10 a.m., 345, Cannon Building.

Next Meeting of the SENATE

9:45 a.m., Wednesday, March 22

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 5, Social Security Earnings Test Elimination, with a vote to occur thereon at 10 a.m.; following which, Senate will begin a period of morning business where three Senators will be recognized for speeches. Also, Senate may begin consideration of S. 2251, Federal Crop Insurance Act Amendments.

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Wednesday, March 22

House Chamber

Program for Wednesday: Consideration of S. 1287, Nuclear Waste Policy Amendments Act of 2000 (closed rule, one hour of debate); and

H.R. 3822, Oil Price Reduction Act of 2000 (modified open rule, one hour of debate)

Extensions of Remarks, as inserted in this issue

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