United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, TUESDAY, APRIL 3, 2001 No. 47

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 3, 2001.

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

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

MORNING HOUR DEBATES

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

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

UNEXPLODED ORDNANCES ARE SERIOUS PROBLEM

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

From a distance one could not imagine, but it is actually one of over a thousand sites around the country where war is being continued; 26 years after the Vietnam War, 56 years after the conclusion of World War II, 83 years after World War I, there is still a battle taking place right here on American soil. It involves mines, nerve gases, and toxics and explosive shells. It has claimed at least 65 lives, and has maimed and injured many more. Sadly, it continues every day, and if we are not careful, it will continue for another thousand years.

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

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

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

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

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

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

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

Mr. Speaker, my goal in Congress is to make sure that every Member understands what is going on in their State because there are these toxic

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waste dumps, chemical and weapons disposal in every State. We can make sure that somebody is in charge, that there is enough funding, and we get the job done so that no child will be at risk for death, dismemberment or serious illness as a result of the United States Government not cleaning up after itself.

CHINA: FRIEND OR FOE?

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

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

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

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

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

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

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

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

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

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

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

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

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

CONGRESS NEEDS TO FUND PROGRAMS TO HELP AT-RISK JUVENILES

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

Mr. DEFAZIO. Mr. Speaker, I have a long list here, and I am not going to read all of it, but we could start in 1994, Union, Kentucky.

1995, Redlands, California; Richmond, Virginia.

1997, Bethel, Alaska; Pearl, Mississippi.

1998, Jonesboro, Arkansas; Edinboro, Pennsylvania; Fayetteville, Tennessee; and Springfield, Oregon, my hometown.

1999, Deming, New Mexico.

2001, Santee, California; Williamsport, Pennsylvania; and El Cajon, California, all in 1 month.

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

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

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

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

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

I visited court schools. It is a tremendous program. We take a kid today who threatens violence or has been expelled from school, and what do we do? There they are, they are out on the street for the most part. Those kids need a more structured environment. For many of them, it does not even seem like punishment to be thrown out of school. They should be removed and placed in a court school, which is a more rigid environment, which brings

in community resources and counseling resources to help them deal with their problems in the hope that we can get them back into the public school environment, and that they can become productive citizens. Do not just send them down to the mall or out in the streets with an expulsion order. Court schools work, and we need some more Federal assistance for those programs.

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

Mr. Speaker, let us help the communities who want to engage in prevention and intervention. We can institute a 72-hour hold, a mandate for a 72-hour hold for juveniles caught with a firearm on school grounds. The list goes on and on. These are simple things. They are things we could be doing, I say to my colleagues.

Mr. Speaker, I urge my colleagues to support my wide-reaching package as a beginning of an indication that the Federal Government cares and will work in partnership with communities and concerned citizens and parents and kids to resolve this problem.

COMMENDING THE UNIVERSITY OF NOTRE DAME WOMEN'S BASKETBALL TEAM FOR WINNING THE 2001 NCAA WOMEN'S BASKETBALL CHAMPIONSHIP

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

Mr. ROEMER. Mr. Speaker, the famous sports writer Grantland Rice once wrote these words: ''Outlined against a blue-gray October sky, the four horsemen rode again. In dramatic lore they are known as famine, pestilence, destruction and death.''

These famous words name the four horsemen with the University of Notre Dame football team. With the women's national championship win, with the Notre Dame basketball program Sunday night, we have at least four new names in Irish legend and in ''Hoosier Hysteria.'' They are Ratay and Ivey, Riley and Siemon, players that fought with tenacity and heart to come back from a 16-point deficit against the defending champs, the University of Connecticut, in a semifinal game and win by 15 points. They are the team that came back from 12 points down in the national championship game against the respected intrastate rivals, the Purdue Boilermakers with all-American Katie Douglas, and won the national championship by 2 points Sunday night.

I have to say to my colleagues in the House of Representatives, this was a flat-out exciting game that was one of the best national championships fought between men or women's games in the history of national basketball tournaments. This was a game that was exciting to watch in person or in one's living rooms for men and women and boys and girls across the country, to see Ruth Riley, the all-American star for the University of Notre Dame, score 28 points, rip down 13 rebounds and block 7 shots, all-American standards by any definition.

When we talk about high-caliber standards, nobody sets them better than the coach, Muffet McGraw, who has been at the helm of the University of Notre Dame for 14 years. This past year, she won three coach of the year awards, the Naismith Award, the Associated Press Award, and the WBCA National Coach of the Year Award, for her stellar coaching performance, in a 34 wins and 2 losses season. She did not do it by herself. Coach Owens, Coach McGruff, Coach Washington all helped her and these great teammates to win the national championship.

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

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

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

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

The Irish saved more heroics for the National Championship game against intrastate rival Purdue. Trailing by as many as twelve points, the Irish responded with grit and determination. Notre Dame relied on balanced scoring. Junior Ericka Haney contributed thirteen points, Ivey had twelve points, and senior Kelley Siemon tallied ten points. Ratay tied the game at 62 with a three point shot with four minutes to play in the game. But it was Riley who provided the heroics fitting of a champion. Riley erased Purdue's final lead of the game with a layup off a pass from Ratay. The game was tied at 66 with less than one minute to play. With 5.8 seconds to play, Riley was fouled and headed to the foul line with the national championship literally on the line. Riley made both free throws to seal the victory and the championship for the Fighting Irish. Riley finished the game with 28 points, 13 rebounds, and 7 blocked shots and was awarded the distinction of Most Outstanding Player.

In Muffet McGraw's fourteen years as head coach of the Women's Basketball team at Notre Dame, fans have grown accustomed to watching the Irish win with class. Coach McGraw has elevated the program to the pinnacle of college basketball while demanding academic excellence and exemplary sportsmanship from her players. McGraw's savvy coaching skills and dedication to playing with class are shining examples of why she was honored with three National Coach of the Year awards (Naismith, Associated Press, and the WBCA National Coach of the Year) this season. In winning her first national championship and reaching her second Final Four, Coach McGraw has proven that you can win with class and with the highest of academic standards. Coach McGraw's assistant coaches, Carol Owens, Kevin McGuff, and Coquese Washington (Notre Dame '92) must also be honored for their dedication to the team and to Notre Dame.

Coach McGraw's expectation to win with class was put into practice by this year's seniors. The strong character and the fierce determination of Riley, Ivey, Kelley Siemon, Meaghan Leahy, and Imani Dunbar set the tone for this season. They were able to end their illustrious collegiate careers with a victory and a championship.

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

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

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

Junior Ericka Haney served as valuable and versatile starter for the Irish. Haney helped spark the Irish comeback against Connecticut in the semifinal game. Sophomore Alicia Ratay proved to be one of the nation's top perimeter shooters and she was a candidate for All-American honors. Ratay led the nation in three point shooting percentage and was honored with a third-team all-Big East distinction.

Sophomore reserve players, Amanda Barksdale, Monique Hernandez, and Karen Swanson, and freshmen Jeneka Joyce and Le'Tania Severe provided valuable minutes throughout the season. With such young talent, the Irish basketball program has a promising future.

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

RECESS

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

Accordingly (at 12 o'clock and 54 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

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

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

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

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. UNDERWOOD led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IN MEMORY OF JAKE SINIAWSKI

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

Mr. CHABOT. Madam Speaker, Jim and Carol Siniawski lost their little boy last month. Their son Justin lost his brother. I lost a special friend. It was an honor and a privilege to have gotten to know Jake Siniawski. Jake suffered from a rare blood disorder called Fanconi anemia, which ultimately claimed his life. He was only 10 years old.

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

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

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

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

UNITED STATES SHOULD INVESTIGATE JANET RENO AND CONTRIBUTORS TO THE DNC

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

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

What is next, Madam Speaker? Will they return the 24 Americans when they deliver to the Pentagon the black berets they bought for millions and millions of dollars?

Beam me up. Has Uncle Sam become Uncle Sucker here? I yield back the fact that we should investigate the treason, the treason of Janet Reno and those campaign contributions to the Democrat National Committee.

TRIBUTE TO MIKE MARINER

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

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

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

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

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

SINO-AMERICAN RELATIONS

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

minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, China is holding two dozen American citizens who were forced to make an emergency landing after an air collision that appears to be the fault of the Chinese Air Force. They are not just holding American citizens, they are also holding very sensitive American technology.

Causing this collision and holding the plane and its crew are flagrant violations of international agreements China is party to. What other agreements will they violate? It may be China is saber-rattling to try to keep us from protecting our national interests. Maybe they are trying to keep us from assisting our friends in Taiwan. Perhaps China is testing our new President to see what he is made of.

President Bush should make it clear, we will defend our national interests. We will make sure Taiwan can defend itself; we should sell Taiwan the Aegis cruisers and the Patriot missiles they need to defend themselves.

Madam Speaker, China should not test America. It is in China's interest to return that plane and its crew to us immediately.

ELIMINATING RED TAPE AND OFFERING FULL HEALTH CARE CHOICES FOR MILITARY DEPENDENTS

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

Mr. RYUN of Kansas. Madam Speaker, the dedication of our military spouses is invaluable, and I want to ensure that they are treated right with respect to health care.

Currently, military dependents who use one of the military's choice-related health plans do so believing that they can choose their doctor. But when they become pregnant, they can be forced to change from a civilian provider to an on-base doctor even for delivery.

It is essential that a woman be comfortable with her doctor for this experience. To force a woman to change doctors at a time as critical as pregnancy is unacceptable.

That is why I am introducing legislation to eliminate burdensome red tape and to put women back in charge of their pregnancy-related health care plans.

If we want to continue to attract the high-quality people for our armed services, the people who defend this country and are defending us now, we must make sure they have all the health care provisions they should be entitled to.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

CHESAPEAKE BAY OFFICE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION

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

The Clerk read as follows:

H.R. 642

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

SECTION 1. CHESAPEAKE BAY OFFICE.

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

"SEC. 307. CHESAPEAKE BAY OFFICE.

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

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

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

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

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

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

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

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

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

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

''(A) programs and activities in—

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

''(ii) fisheries research and stock assessments;

''(iii) data management;

''(iv) remote sensing;

''(v) coastal management;

''(vi) habitat conservation and restoration; and

''(vii) atmospheric deposition; and

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

''(i) nonindigenous species;

''(ii) estuarine and marine species pathology;

''(iii) human pathogens in estuarine and marine environments; and

''(iv) ecosystem health;

''(4) coordinate the activities of the National Oceanic and Atmospheric Administration with the activities of the Environmental Protection Agency and other Federal, State, and local agencies;

''(5) establish an effective mechanism which shall ensure that projects have undergone appropriate peer review and provide other appropriate means to determine that projects have acceptable scientific and technical merit for the purpose of achieving maximum utilization of available funds and resources to benefit the Chesapeake Bay area;

''(6) remain cognizant of ongoing research, monitoring, and management projects and assist in the dissemination of the results and findings of those projects; and

''(7) submit a biennial report to the Congress and the Secretary of Commerce with respect to the activities of the Office and on the progress made in protecting and restoring the living resources and habitat of the Chesapeake Bay, which report shall include an action plan consisting of—

''(A) a list of recommended research, monitoring, and data collection activities necessary to continue implementation of the strategy described in paragraph (2); and

''(B) proposals for—

''(i) continuing any new National Oceanic and Atmospheric Administration activities in the Chesapeake Bay; and

''(ii) the integration of those activities with the activities of the partners in the Chesapeake Bay Program to meet the commitments of the Chesapeake 2000 agreement and subsequent agreements.

''(c) CHESAPEAKE BAY FISHERY AND HABITAT RESTORATION SMALL WATERSHED GRANTS PROGRAM.—

''(1) IN GENERAL.—The Director of the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration (in this section referred to as the 'Director'), in cooperation with the Chesapeake Executive Council, shall carry out a community-based fishery and habitat restoration small grants and technical assistance program in the Chesapeake Bay watershed.

''(2) PROJECTS.—

''(A) SUPPORT.—The Director shall make grants under this subsection to pay the Federal share of the cost of projects that are carried out by entities eligible under paragraph (3) for the restoration of fisheries and habitats in the Chesapeake Bay.

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

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

''(i) the improvement of fish passageways;

''(ii) the creation of natural or artificial reefs or substrata for habitats;

''(iii) the restoration of wetland or sea grass;

''(iv) the production of oysters for restoration projects; and

''(v) the prevention, identification, and control of nonindigenous species.

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

''(A) The government of a political subdivision of a State in the Chesapeake Bay watershed, and the government of the District of Columbia.

''(B) An organization in the Chesapeake Bay watershed (such as an educational institution or a community organization)—

''(i) that is described in section 501(c) of the Internal Revenue Code of 1986 and is exempt

from taxation under section 501(a) of that Code; and

''(ii) that will administer such grants in coordination with a government referred to in subparagraph (A).

''(4) ADDITIONAL REQUIREMENTS.—The Director may prescribe any additional requirements, including procedures, that the Director considers necessary to carry out the program under this subsection.

''(d) BUDGET LINE ITEM.—The Secretary of Commerce shall identify, in the President's annual budget to the Congress, the funding request for the Office.

''(e) CHESAPEAKE EXECUTIVE COUNCIL.—For purposes of this section, 'Chesapeake Executive Council' means the representatives from the Commonwealth of Virginia, the State of Maryland, the Commonwealth of Pennsylvania, the Environmental Protection Agency, the District of Columbia, and the Chesapeake Bay Commission, who are signatories to the Chesapeake Bay Agreement, and any future signatories to that Agreement.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Commerce for the Chesapeake Bay Office $6,000,000 for each of fiscal years 2002 through 2006.''.

(b) CONFORMING AMENDMENT.—Section 2 of the National Oceanic and Atmospheric Administration Marine Fisheries Program Authorization Act (Public Law 98–210; 97 Stat. 1409) is amended by striking subsection (e).

(c) MULTIPLE SPECIES MANAGEMENT STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration shall begin a 5-year study, in cooperation with the scientific community of the Chesapeake Bay, appropriate State and interstate resource management entities, and appropriate Federal agencies—

(A) to determine and expand the understanding of the role and response of living resources in the Chesapeake Bay ecosystem; and

(B) to develop a multiple species management strategy for the Chesapeake Bay.

(2) REQUIRED ELEMENTS OF STUDY.—In order to improve the understanding necessary for the development of the strategy under paragraph (1)(B), the study shall—

(A) determine the current status and trends of fish and shellfish that live in the Chesapeake Bay and its tributaries and are selected for study;

(B) evaluate and assess interactions among the fish and shellfish referred to in subparagraph (A) and other living resources, with particular attention to the impact of changes within and among trophic levels; and

(C) recommend management actions to optimize the return of a healthy and balanced ecosystem for the Chesapeake Bay.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. GILCHREST) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland (Mr. GILCHREST).

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

Madam Speaker, I want to say up front that the staff on both sides of the aisle, the Democrat and Republican staff, both in our personal offices and the committee, have done excellent work on this bill to make it a bipartisan bill supported by everybody. It is also an excellent piece of legislation.

I also want to thank the ranking member, the gentleman from Guam (Mr. UNDERWOOD), for his support of the legislation and for working with us to make sure that this bill passed the committee and will now pass the House and eventually become law.

I know the bill does not deal with Guam exclusively, it deals with the Chesapeake Bay region and the China watershed, but his tireless efforts to support this legislation bodes well for his professionalism.

Madam Speaker, H.R. 642 reauthorizes the National Oceanic and Atmospheric Administration's Chesapeake Bay Office and clarifies its role in coordinating NOAA's bay activities. This legislation is similar to a measure we introduced last year. It is also similar to separate legislation introduced last year by my colleague, the gentleman from Maryland (Mr. CARDIN). Those bills were the subject of a committee hearing last fall. H.R. 642 is a result of that hearing and is supported by the entire Maryland delegation.

In addition to reauthorizing the NOAA Chesapeake Bay Office, H.R. 642 would create two new very interesting requirements. The first would be a 5-year study leading to the development of a multiple-species living marine resources management strategy for the Chesapeake Bay.

I do not want to go over that too fast. It is a multiple-species living marine resources management strategy. What exactly does that mean? Let me give just a small example.

In the Chesapeake Bay, we have sunlight and we have nutrients. The sunlight is the engine behind what gives the Chesapeake Bay life. So to a certain extent, the sunlight and nutrients generate a microorganism, something called phytoplankton, a little tiny microorganism, which is then eaten by another tiny microorganism called zooplankton. The zooplankton is then eaten by a little fish called menhaden. The menhaden is eaten by a bigger fish called rockfish, or striped bass.

Now, to a small extent, that is an example of a food web, or something we refer to today as an ecosystem. In the bill, it talks about a multiple-species management strategy.

What has happened in the Chesapeake Bay, and the reason there is a need for this legislation, is that we have sunlight and nutrients now, but now we have too many nutrients. That means we have too much of the first microorganism, or phytoplankton. When we have too much of that phytoplankton, the zooplankton cannot eat enough of it, so a lot of the phytoplankton, that microorganism, falls to the bottom after it dies. It uses a lot of oxygen as it decays.

As a result of that loss of oxygen, we do not have a good-quality environment for the phytoplankton anymore, and we come up with another microorganism called the dynoflagellate. Because the dynoflagellate can prosper in low oxygen, it is not nearly as good a quality food for the zooplankton. Then the zooplankton are not as nutritious. Then the menhaden that eat the zooplankton, they begin to fail, not only because the quality of their environment is reduced, but because they are overharvested by way too many times.

So what does that do to the rockfish at the top of the food web? The rockfish do not have enough menhaden to eat. So what do the rockfish do? They go after the crabs.

What I am trying to explain here is as soon as human activity, which causes too many nutrients in the Chesapeake Bay, interrupts or disrupts the ecosystem or the food web, we need to employ some quality legislation to understand the mechanics of the natural processes. That is what this bill does.

The second requirement of this bill would be to establish a community-based fishery and habitat restoration small grant program for the Chesapeake Bay watershed, a small grant program for activities to understand the nature of the food web that we have disrupted.

How do we get back in to bring that food web back into originally what it was designed for? It was designed; it has a design to it. Sometimes we refer to it in the Chesapeake Bay region as the mechanics of creation. If we can understand that, we can fix these problems.

□ 1415

So the small watershed grants will plant grass to improve the quality of the water; build oyster reefs to filter out some of those nutrients; stabilize shore lines, I think the way they are supposed to be stabilized so they can be habitat for other wildlife; and spawning areas for fish.

As a representative of the district that surrounds the Chesapeake Bay, I am well aware of and appreciate the quality of the work done by the Chesapeake Bay office. I commend Judith Freeman, director of the Chesapeake Bay Office, for her efforts to improve the environmental quality and public stewardship of the bay.

The Chesapeake Bay is vitally important to our district and the mid-Atlantic States. Every corner of Maryland's first district is dependent in one way or other on the health of the Chesapeake Bay. From the State capital in Annapolis, home of constituents as diverse as the United States Naval Academy, recreational boaters, to the Eastern Shore, where thousands of watermen rely on the health of the bay to sustain their families, the Chesapeake Bay is a focal point of life for my constituents; therefore, the success of the Chesapeake Bay Office is of critical concern to them and myself.

Madam Speaker, I want to quote one more person in this dialogue we are having here, and that is Rachael Carson, the author of the book that exploded the idea that the environment is important in her book ''Silent Spring.'' Rachael Carson always found it a

strange phenomenon that individual people when you talk to them about science consider the only people concerned with the details and the mechanics of natural processes or science were scientists locked away in some obscure laboratory, and they very rarely ever left that scientific perspective.

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

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

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

Madam Speaker, I reserve the balance of my time.

Mr. GILCHREST. Madam Speaker, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Madam Speaker, I, first of all, want to thank the gentleman from Maryland (Mr. GILCHREST), the sponsor of this legislation for yielding the time to me and obviously for sponsoring the legislation.

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

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

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

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

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

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

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

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

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

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

The oyster harvest has declined dramatically. Further efforts to reduce nutrient and sediment pollution are needed.

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

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

Mr. UNDERWOOD. Madam Speaker, to prove this is not simply a Maryland State concern, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

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

Madam Speaker, I want to thank also the gentleman from Maryland (Mr. GILCHREST), because he and I cochair the Chesapeake Bay Watershed Task Force, and I want to thank him and the gentleman from Guam (Mr. UNDERWOOD) for their dedication to protecting the Chesapeake Bay.

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

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

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

These projects could advance the essential knowledge and information that is necessary in order for us to restore our Nation's most cherished waterway, the Chesapeake Bay, which not only has significant environmental impact on Virginia and many other States, but also contributes enormously to our recreational activities and to our economy. I, therefore,

Madam Speaker, urge my colleagues to support the bill.

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

Mr. CARDIN. Madam Speaker, I thank the gentleman from Guam (Mr. UNDERWOOD), my friend, for yielding this time to me and for his leadership in moving this legislation, and also the gentleman from Maryland (Mr. GILCHREST), my colleague, in working together to bring forward this very important reauthorization legislation that will help continue the Federal partnership in restoring the Chesapeake Bay, the largest estuary in our Nation.

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

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

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

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

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

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

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

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

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

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

Madam Speaker, I thank the gentleman from Guam (Mr. UNDERWOOD) once again, and certainly the gentleman from Maryland (Mr. CARDIN) for helping us with this legislation.

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

With this legislation, we can understand the nature of the mechanics of the ecosytem, how the food web works. Human activity degraded the bay; human ingenuity will restore it.

I urge an aye vote on H.R. 642.

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

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

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

This request has been cleared with the minority.

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

There was no objection.

□ 1430

NEED-BASED EDUCATIONAL AID ACT OF 2001

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

The Clerk read as follows:

H.R. 768

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Need-Based Educational Aid Act of 2001''.

SEC. 2. AMENDMENTS.

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

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume. I wanted to thank the author of the bill, the gentleman from Massachusetts (Mr. FRANK), who was last seen leaving the floor, and I want to yield him some time because I do not think this is going to take long.

What we were doing for many years on need-based educational aid assistance was passing temporary exemptions to the antitrust act. It worked fine. And now we have decided to permanentize it, thanks to the efforts of the gentleman from Massachusetts and as well as the gentleman from Texas.

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

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

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

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

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

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

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

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

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

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

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

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

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

We are not talking now about government money, now, but their private funds. What this does is allow them to try better to target the private scholarship money available to them so that it goes to help bright students who are capable of doing the work at these first-rate universities, but unable to finance it and attend the universities.

I think that is a goal all of us in this Chamber agree with, and I am, therefore, glad to be in support of this legislation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

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

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

The Clerk read as follows:

H. CON. RES. 59

Whereas more than 1,000,000 children were abused or neglected in the United States during the most recent year for which Government data is available regarding child abuse and neglect;

Whereas more than 3 children die from abuse or neglect each day in the United States;

Whereas, in 1998, 37.9 percent of all fatalities of children under the age of 1 were caused by child abuse or neglect, and 77.5 percent of all fatalities of children under the age of 5 were caused by child abuse or neglect;

Whereas head trauma, including the trauma known as shaken baby syndrome, is the leading cause of death of abused children;

Whereas shaken baby syndrome is the loss of vision, brain damage, paralysis, seizures, or death that is caused by severely or violently shaking a baby;

Whereas an estimated 3,000 babies, usually younger than 1 year of age, are diagnosed with shaken baby syndrome every year, with thousands more misdiagnosed or undetected;

Whereas shaken baby syndrome often results in permanent, irreparable brain damage or death;

Whereas the medical costs associated with caring for a baby suffering from shaken baby syndrome often exceed $1,000,000 in the first few years of the life of the baby;

Whereas the most effective method for ending the occurrence of shaken baby syndrome is to prevent the abuse which causes it;

Whereas educational and prevention programs regarding shaken baby syndrome may prevent enormous medical costs and unquantifiable grief at minimal cost;

Whereas programs to prevent shaken baby syndrome have been shown to raise awareness and provide critically important information about shaken baby syndrome to parents, caregivers, day care workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas programs and techniques to prevent child abuse and shaken baby syndrome are supported by the Shaken Baby Alliance, Children's Defense Fund, National Children's Alliance, American Humane Association, Prevent Child Abuse America, National Exchange Club Foundation, Child Welfare League of America, National Association of Children's Hospitals and Related Institutions, Center for Child Protection and Family Support, Inc., American Academy of Pediatrics, and American Medical Association; and

Whereas increased awareness of shaken baby syndrome and of the techniques to prevent it would help end the abuse that causes shaken baby syndrome: Now, therefore, be it

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

(1) strongly supports efforts to protect children from abuse and neglect; and

(2) encourages the people of the United States to educate themselves regarding shaken baby syndrome and the techniques to prevent it.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

An estimated 50,000 cases of shaken baby syndrome occur each year. One shaken baby in four dies as a result of this abuse. Some studies estimate that 15 percent of children's deaths are due to battering or shaking. The average victim is 6 to 8 months old.

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

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

Madam Speaker, I reserve the balance of my time.

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

Mr. MCKEON. Madam Speaker, I rise today as the proud sponsor of this legislation. This bill expresses the sense that Congress strongly supports shaken

baby syndrome prevention and urges all Americans to educate themselves about shaken baby syndrome and the techniques to prevent it.

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

This cause was presented to me by one of my constituents, Joyce Edson. Joyce's son, James, was shaken by his licensed child care provider between March and April of 1998. As a result, James was sent to the emergency room with a skull fracture, subdural hematoma, bilateral retinal hemorrhages and a broken right femur. All of this and he was only 5 months old. While James survived this tragic period, he unfortunately has experienced periodic seizures up to 1 year after the abuse. James is still currently under the continual care of a pediatric neurologist and an ophthalmologist. The Edson family will not know about learning disabilities or behavioral problems until he enters a more structured environment such as kindergarten or the first grade.

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

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

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

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

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

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

Now, let us talk about the perpetrators. Nearly 9 out of every 10 perpetrators are parents. Sadly, the most dangerous place for a child to be is in a home with parents or those entrusted with their care when those people intend to abuse children.

Next, we need to consider how abuse impacts children and ponder the associated costs to society. The victims of child abuse suffer in many ways. Some die. Other kids suffer brain damage. Many are haunted through life by a familiar pattern of debilitating injuries. For the young victims of shaken baby syndrome, approximately 15 to 30 percent die while the rest of these children suffer from disabilities that last their whole lives. Of the few SBS victims who escape without physical injuries, many are destined to suffer more abuse from the people who care for them. We find a consistent pattern of symptoms among abused children: school failure, feelings of worthlessness, and the aggressive behavior that too often culminates in criminal activity.

It is estimated that each child abuse case costs society $2,500 initially. And that expense only covers the short-term costs of abuse, including the initial investigation and the short-term placement of the child in a safe home. All told, this costs $3 billion every year. When a child is hospitalized or placed in foster care, the costs soar higher.

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

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

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

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

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

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

Most of the time, shaken baby syndrome occurs because a parent or caretaker is frustrated or angry with the child. Other times children become victims when a parent or caretaker, not realizing how seriously this behavior can harm, throws a child into the air vigorously or plays too roughly or hits an infant too hard on the back. Anyone who takes care of a baby or small child, parents, older siblings, baby-sitters, child care professionals, grandparents and others, should be reminded to never shake babies or small children. There are organizations in each of our communities that can provide help to parents whose patience has been strained by the burden of caring for an infant who cries continually or who might need more help with parenting or coping skills.

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

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

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

Shaken Baby Syndrome (SBS) is a serious acquired traumatic brain injury caused by "shaking" a child in order to stop them from

crying. SBS frequently occurs in children less than one year of age, although there have been documented cases of SBS in children as old as five years of age.

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

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

The swelling and pressure associated with SBS also causes the brain to push and squeeze down on the brainstem, which controls vital functions such as breathing and heartbeat. If the swelling and pressure are not alleviated, vital functions will cease and the child will die. Previous studies have suggested that 15–30% of the children die, and it is estimated that only 15% escape SBS without any type of permanent damage.

Medications may be administered to reduce the swelling and surgical methods may be used to relieve pressure on the brain, but an ounce of prevention is always worth a pound of cure. Parents, child care workers, and anyone who deals with small children should remember that much less force is required to cause significant damage to a child's brain than an adult's. Although no scientific studies have documented the exact amount of force needed to cause SBS in humans, most medical professionals recognize that shaking is often so violent that any reasonable person would know it to be dangerous to a child.

I am pleased that individuals such as Janet Goree are taking action to educate the public about the dangers of Shaken Baby Syndrome. The Shaken Baby Alliance maintains a database of victim families willing to offer support, as well as provides volunteers to run an electronic mail support group for families as well as professionals. Information on the Alliance can be found on their website at www.shakenbaby.com.

On Saturday, April 28, the Shaken Baby Alliance is sponsoring a candlelight vigil on the West Front steps of the Capitol to remember the lives of those children lost to SBS and shine a light on this problem so that future tragedies can be prevented.

Madam Speaker, Shaken Baby Syndrome is a form of child abuse. Like any other form of abuse against children, it cannot be tolerated. I hope that my colleagues will support H. Con. Res. 59, and join us in efforts to educate the public about SBS, reminding our constituents to "never, never, never shake a baby."

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 59, as amended.

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

The title of the concurrent resolution was amended so as to read: "Concurrent resolution expressing the sense of Congress regarding the prevention of shaken baby syndrome."

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES REGARDING HUMAN RIGHTS IN CUBA

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 91) expressing the sense of the House of Representatives regarding the human rights situation in Cuba.

The Clerk read as follows:

H. RES. 91

Whereas, according to the Department of State and international human rights organizations, the Government of Cuba continues to commit widespread and well-documented human rights violations against the Cuban people and to detain hundreds more as political prisoners;

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

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

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

Whereas workers' rights are effectively denied by a system in which foreign investors are forced to contract labor from the Government of Cuba and to pay the regime in hard currency knowing that the regime will pay less than 5 percent of these wages in local currency to the workers themselves;

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

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

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

Whereas former President Lech Walesa, leader of the Polish solidarity movement, has urged the world to "mobilize its resources, just as was done in support of Polish Solidarnosc and the Polish workers, to express their support for Cuban workers and to monitor labor rights" in Cuba;

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

Whereas Pax Christi further reports that these efforts are complicated because "a conspiracy of silence has fallen over Cuba" in which diplomats and entrepreneurs refuse even to discuss labor rights and other human rights issues in Cuba, some "for fear of endangering the relations with the Cuban government", and businessmen investing in Cuba "openly declare that the theme of human rights was not of their concern";

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

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

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

Whereas the President is authorized to engage in democracy-building efforts in Cuba, including the provision of (1) publications and other informational materials on transitions to democracy, human rights, and market economies to independent groups in Cuba, (2) humanitarian assistance to victims of political repression and their families, (3) support for democratic and human rights groups in Cuba, and (4) support for visits and permanent deployment of democratic and international human rights monitors in Cuba: Now, therefore, be it

Resolved, That—

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

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

(A) should have an action-oriented policy of directly assisting the Cuban people and independent organizations, modeled on United States support under former President Ronald Reagan, including support by United States trade unions, for Poland's Solidarity movement ("Solidarnosc"), to strengthen the forces of change and to improve human rights within Cuba; and

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

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

My dear colleagues, how much we wish that there were no need for this resolution. How we wish that the Cuban people were free from the shackles of tyranny, able to exercise their rights endowed to them by our Creator. Unfortunately, that is still a dream. The crackdown on dissidents, the detentions, the harassments, intimidation, physical and psychological torture have intensified, not decreased. Pax Christi, Freedom House, the Committee to Protect Journalists, the Inter-American Commission on Human Rights, and our own State Department all provide ample evidence of this grim reality. The intensification of abuses prompted Amnesty International to send a letter in February of this year to the Cuban authorities expressing its concerns at the serious escalation in the arrests and the harassment of political opponents inside the island.

Amnesty's letter stated: ''The increasing number of people jailed for peacefully exercising their rights to freedom of expression clearly demonstrates the level to which the government will go in order to weaken the political opposition and suppress dissidents.''

In just the first week of November of 2000, 27 independent journalists and dissident leaders were arrested. Over the weekend of December 8, 100 dissidents were arrested by Cuban state security to block activities coinciding with World Human Rights Day and with the anniversary of the Universal Declaration of Human Rights. Thousands of others continue to languish in squalid jail cells, devoid of light, of food, and of medical attention. Jorge Luis Garcia Perez Antunez, an Afro-Cuban dissident and Amnesty International prisoner of conscience, has been in prison since March 1990. He has been beaten, tortured, his hands and feet bound to each other and attacked by dogs who have clawed into his flesh.

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

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

The recently released State Department Human Rights report underscores that prison conditions continue to be harsh and, indeed, life threatening.

Prison guards and state security officials subject human rights and pro-democracy activists to beatings and threats of physical violence; to systematic and psychological intimidation; to lengthy periods of isolation, as well as to detention and imprisonment in cells with common and violent criminals; to sexually aggressive inmates and state security agents who are posing as prisoners.

Religious persecution has intensified with the Ministry of Interior engaging in active efforts to control and monitor the country's religious institutions, including surveillance, raids, evictions, and harassment of religious worshipers. The regime maintained the strict censorship of news and information, both domestic and foreign, with accredited foreign media facing possible sentences up to 20 years in prison if the information is not acceptable to Castro's regime.

Cuba's dictatorship has made it a priority to prevent the contact between Cuban pro-democracy advocates and the outside world.

In the last year, it arrested and interrogated Latvian pro-democracy activists, Romanian, Polish, Swedish and French journalists, a Czech member of parliament, and a former finance minister, and countless others because they met with dissidents and opposition leaders. These foreign visitors did not allow themselves or their actions to be controlled by the dictatorship. They chose to shine the light of truth on Cuba, and today, Madam Speaker, we in Congress can do the same.

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

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

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

gentleman from New Jersey (Mr. MENENDEZ), for his extraordinary leadership in this important arena. He was one of the first to propose directing assistance to these kinds of activities.

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

Madam Speaker, I reserve the balance of my time.

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

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

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

I also want to thank the gentleman from Florida (Mr. DIAZ-BALART), who has been outstanding in his defense of those who labor against all odds time and time again. Mr. DIAZ-BALART is a powerful voice in Congress on behalf of the persecuted and opposed. It is an honor to be his friend and collegue.

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

Then I asked him about a portion of Matthew 25 which he somehow left out. Jesus said: ''When I was in prison, did you visit me?'' So we asked him—I asked him and the gentleman from Florida (Mr. DIAZ-BALART) jumped in right after me—did you Rev. Walker ever visit any of the 400, maybe as many as 1,200, political dissidents who have languished in Castro's gulags day in and day out? Did you ever visit any of those?

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

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

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

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

One thing that frequently happens to human rights defenders in Cuba is that they are subjected to what the government calls ''acts of repudiation.'' Here is what the most recent Country Report on Human Rights Practices issued by our State Department had to say about these acts. At government instigation, and I quote,

> ''Members of state-controlled mass organizations, fellow workers or neighbors of intended victims are obliged to stage public protests against those who dissent from the government policies, shouting obscenities and often causing damage to the homes and property of those targeted. Physical attacks on the victims sometimes occur. Police and state security agents are often present but take no action to prevent or to end the attacks. Those who refuse to participate in these actions face disciplinary action, including loss of employment.''

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

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

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

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

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

The one thing we should all agree on, whatever our differences on other aspects of U.S. policy, is that the United States should tell the truth. Indeed, the whole purpose of the U.N. Human Rights Commission now meeting in Geneva is to provide a forum in which representatives of sovereign nations will speak to each other openly and honestly about human rights. This is not always as easy as it sounds, because the Commission's membership includes such world-class human rights violators as the People's Republic of China, Vietnam, Libya, Iraq, and Saudi Arabia; and it also includes Cuba, whose delegate stood up in Geneva last week and proudly reported that, and I quote, ''there are no human rights violations in Cuba.''

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

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

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

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

Madam Speaker, I reserve the balance of my time.

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

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

Mr. GILMAN. Madam Speaker, I am pleased to rise in strong support of the adoption of H. Res. 91, which expresses the sense of the House regarding the human rights situation in Cuba.

I commend the gentleman from New Jersey (Mr. SMITH), our distinguished vice chairman of the Subcommittee on International Operations and Human Rights, for introducing this resolution, and my colleagues on both sides of the aisle for joining us in cosponsoring this resolution, particularly the gentlewoman from Florida (Ms. ROS-LEHTINEN); and the ranking minority member of our Committee on International Relations, the gentleman from California (Mr. LANTOS); and the gentleman from Florida (Mr. DIAZ-BALART); and the gentleman from New Jersey (Mr. MENENDEZ).

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

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

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

□ 1515

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

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

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

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

Ms. ROS-LEHTINEN. Madam Speaker, I would inquire, then, as to the remaining time.

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

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

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

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

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

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

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

I accuse the dictatorial government imposed on Cuba and its repressive arm, the State Security, of all the injustices and abuses they commit against the Cuban people, the penal population, and especially against the political prisoners of conscience. I accuse those miserable and cowardly men and women who, through the use of force, commit all types of human rights violations, while nothing stops them as they attempt to defend a false ''revolution'' built and maintained upon a foundation of lies and infamies.

To the dictatorial government I say, stop denying that you torture people. Stop denying international organizations access to our prisons with the pretext that you don't accept others meddling in your internal affairs.

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

I ask the addressees of these lines, she states, this young woman, soon to convene in Geneva at the Human Rights Commission, to discuss Cuba, to consider the ill treatment of the Cuban people by its own government. I know that no delegation, Madam Speaker, I know that no delegation will be permitted to come visit me, Maritza Lugo says, so that they can see and corroborate this raw truth. If justice exists, however, this government, the Cuban Government, should be sanctioned for this and so many other violations that they are constantly inflicting upon the Cuban population as they deceive and laugh at the world.

And another brave woman, an economist, Martha Beatriz Roque, has just published an article, and the gentleman from California (Mr. LANTOS) again knows the kind of ultimate courage that that takes: From within the totalitarian State, Castro's government maintains a system of economic apartheid that favors foreigners and denies Cubans basic opportunities. There exists an economic apartheid where no Cuban can invest in his country. He would have to leave and return as a foreigner. We cannot hope for development of social progress or an improvement in the standard of living while the economic repression weighs on our people and our country.

Now, despite, as Pax Christi, the organization, states and is quoted in this resolution that I commend the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) for, and the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) so much more, despite the conspiracy of silence that has fallen over the reality of Cuba, and despite the tourists that constantly have a good time, and the economic apartheid system, not even mentioning one word of the thousands of political prisoners in the repression against the entire Nation, despite that, this Congress today is making a statement. And those people in prison in Cuba will receive this, maybe not tomorrow, maybe not next

month, but they will receive this news, and it will be extraordinarily important for them to receive the news that the American Congress, this beacon of hope for the entire world, has spoken once again. Why? Because this again, as I said, Madam Speaker, is the center of dignity and honor and of democracy for the entire world.

Yesterday at a conference going on in Havana right now, the President of something called the Inter-Parliamentary Union, approximately 1,000 members of Parliament from around the world, elected, have gone to Cuba to celebrate their conference while they party. The President of that conference was asked, is there democracy in Cuba? Her name, Najma Heptulla from India. Her answer was, The answer is yes. If we do not believe in it, then we would not have come back. Obviously, the parties, while they are being filmed must be very good. They certainly outweigh the conscience.

But the conscience of this Congress will outweigh other interests today. I am certain that the message will go out very clearly that this Congress in sovereign representation of this Nation once again stands with the oppressed Cuban people.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself the remaining time.

In closing, I would like to quote directly from House Resolution 91 to indicate the importance of speaking out against these practices, and I am going to quote from two important figures from the Czech Republic and the Polish movement, two of the Republics that are helping us in passing the resolution and promoting it in Geneva next week. It reads, ''President Havel, an essential figure in the Czech Republic's transition to democracy, has counseled that we thus know that by voicing open criticism of undemocratic conditions in Cuba, we encourage all the brave Cubans who endure persecution and years of prison for their loyalty to the ideals of freedom and human dignity''; and ''former President Lech Walesa, leader of the Polish solidarity movement,'' who has urged the world to ''mobilize its resources, just as was done in support of the Polish solidarity movement and the Polish workers to express their support for Cuban workers and to monitor Cuban labor rights'' in Cuba.

We thank these leaders for the human rights agenda in Geneva, and we hope that our colleagues will help us in passing House Resolution 91 today.

Mr. MENENDEZ. Madam Speaker, Cuba is a totalitarian state controlled by Fidel Castro. The Government's human rights record remains a poor one. It continues to violate systematically the fundamental civil and political rights of its citizens, who do not have the right to change their government peacefully.

The Government retaliates systematically against those who seek political change. Members of the State security forces and prison officials continue to beat and otherwise abuse detainees and prisoners, neglecting them, isolating them and denying them medical treatment.

The authorities routinely threaten, arbitrarily arrest, detain, imprison and defame human rights advocates and members of independent professional associations, often with the goal of coercing them into leaving the country. The government severely restricts worker rights, including the right to form independent trade unions. It requires children to do farm work without compensation during their summer vacation.

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

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

The law punishes any unauthorized assembly of more than three persons, including those for private religious services in a private home. The authorities have never approved a public meeting by a human rights group. The Government continues to restrict freedom of religion. The Government prohibits, with occasional exceptions, the construction of new churches.

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

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

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

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

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

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

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

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

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

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

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

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

The question was taken.

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

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

The yeas and nays were ordered.

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

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

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 56) urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 56

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

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

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

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

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

Whereas authorities in the People's Republic of China have continued their efforts to extinguish expressions of protest or criticism, have detained scores of citizens associated with attempts to organize a peaceful opposition, to expose corruption, to preserve

their ethnic minority identity, or to use the Internet for the free exchange of ideas, and have sentenced many citizens so detained to harsh prison terms;

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

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

Whereas the People's Republic of China has signed the International Covenant on Civil and Political Rights, but has yet to take the steps necessary to make the treaty legally binding: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly supports the decision of the United States Government to offer and solicit cosponsorship for a resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the Government of the People's Republic of China to end its human rights abuses in China and Tibet, in compliance with its international obligations; and

(2) urges the United States Government to take the lead in organizing multilateral support to obtain passage by the Commission of such resolution.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

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

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

□ 1530

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

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

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

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

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

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

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

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

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

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

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

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

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

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

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

In the past, Congress has passed similar resolutions, but unfortunately, the Chinese government usually prevails in

Geneva on a so-called no-action motion. Under this devious parliamentary tactic, the Chinese government successfully prevents even the consideration of our resolution.

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

I am under no illusion, Madam Speaker, that it will be anything but an uphill battle to prevail in Geneva this year and to win passage of the China human rights resolution.

I commend the President and the Secretary of State, Colin Powell, for moving forward with this effort. I will do whatever I can to urge other governments to support our effort.

In all candor, let me state, Madam Speaker, that I am particularly disappointed in the countries of the European Union as they continue to shirk their responsibilities to promote internationally recognized human rights. The European Union ministers have already announced that they will not cosponsor the American resolution.

Ultimately, some of them will vote with us, but it is a shame that the Europeans continue to bury their heads in the sand, desperately hoping that trade with China will magically bring about the creation of a Chinese civil society based on internationally recognized human rights.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Unless the international community, our Nation included, finally manages to take a strong stand against Beijing's abuses of human rights, then its leaders will only become more emboldened to take further repressive action against Christians, against Buddhists, Muslims, and other religious groups within that Nation.

Past failure to condemn China has undoubtedly led to the severe crackdown against Christian house churches, against Buddhists in Tibet, Muslims in east Turkistan, and millions of Chinese Falun Gong followers.

□ 1545

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

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

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

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

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

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

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

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

I think we have American diplomats even at this moment negotiating for the release of the crew of the EP–3 and trying to get negotiations started for the freedom of those servicemen; and either we believe this resolution means something and therefore will have an impact, and I think most of us who

have traveled abroad have seen the impact of resolutions on the floor of the House in the newspapers and on television of other countries, or you do not believe this resolution has any impact at all, and I think we must consider very carefully what the impact of this kind of a resolution is when we are going to be back here in a couple of weeks and we could deal with it.

Madam Speaker, I understand the conference is on now, but I really think that we have to think long and hard about timing. The timing was not one we made, and I am not blaming anybody here for choosing to put it up today. I would be supporting it wholeheartedly if I did not know what had gone on this weekend.

I think for that reason we ought to consider seriously whether or not we want to go forward with this.

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

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

Madam Speaker, I want to congratulate the gentleman from California (Mr. LANTOS) on his sponsorship of this very important resolution.

I am very proud to be one of the cosponsors, and I want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) the distinguished and effective chair of the International Operations and Human Rights Committee for her work and the gentleman from Illinois (Mr. HYDE) the Chairman of the Full Committee for moving this legislation to the floor.

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

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

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

Madam Speaker, I have been there. I lobbied delegations on behalf of human rights in the past. We need to send this message right now that we are very serious about human rights in China. No if, ands or buts, about it!

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

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

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

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

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

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

I have chaired over 18 hearings and markups on legislation pertaining to Chinese human rights abuses; and in the 1980s and the 1990s, I and many others in this Chamber have repeatedly spoken out against forced abortion and forced sterilization in China as well as other egregious abuses.

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

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

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

It seems to me, Madam Speaker, that the Chinese Population Control Program is a ''monster''—a monstrous abuse of women; and the indifference of both the East and the West makes us, however unwittingly, complicit in these crimes.

Madam Speaker, just let me say that I encourage Members to read the country reports on human rights practices, all 59 pages dedicated to what is going on in the People's Republic of China. That report is very accurate; and it makes the point in the declarative sentence near the beginning and I quote,

> The government's poor human rights record worsened, and it continued to commit numerous serious abuses. The government intensified crackdowns on religion and in Tibet, intensified its harsh treatment of political dissent and suppressed any person or group perceived to be a threat to the government.

The State Department report goes on to say that by the end of the year 2000, and I quote,

> Thousands of unregistered religious institutions have either been closed or destroyed, and hundreds of Falun Gong leaders have been imprisoned, thousands have been sent to the lao gai, or mental institutions.

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

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

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

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

My staff and I quickly put together a hearing and invited eyewitnesses to that massacre; and we invited Chu Haotien to come and testify, or anyone else from the Chinese Government, including Ambassador Li. We had an empty chair because nobody showed up.

We heard from an editor from the People's Daily in China, who accurately reported on the killing—and paid a big price—and we heard from a Time Magazine correspondent and a host of others, others who gave witness to the big lie uttered by General Chu.

I see I'm out of time—I have so much more to say. Suffice to say, this resolution puts us on record in favor of the oppressed, and the persecuted, and encourages the Bush administration to continue its work on behalf of human rights.

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

Madam Speaker, I want to thank all of my colleagues on the other side for their eloquent and strong support.

I would like to comment briefly on the observation of the gentleman from Washington (Mr. MCDERMOTT) about timing. I have the highest regard for my colleague from Washington, and his statement was a carefully thought through and serious one.

Upon reflection, it seems to me that it would be unconscionable for this body not to deal with the issue of human rights violations in China as the U.N. Commission is dealing with the question of whether or not to support this resolution.

It will be interesting to see whether the Chinese Government will add to the human rights violations of its own people, human rights violations of 26 American servicemen. I hope and pray that they will not, but it would be singularly unacceptable to be intimidated by the current situation on that island.

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

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman from California (Mr. LANTOS) for his unending commitment and as well to the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the other speakers that have spoken here.

This is a time, Madam Speaker, that one might pause and offer to tread lightly. We do know that there are American citizens, military personnel, our men and women, who have offered themselves for our freedom now held incognito, without opportunity to speak in China. I respect that and would want to be cautious in saying to this body that we are respectful of the negotiations, and we want our loved ones, our Americans, the Americans that are held illegally and against all international agreements, back immediately.

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

I come wearing a particularly difficult hat, because I was convinced about 6 months ago to vote for the PNTR. I spoke with President Carter who spoke about the energy and democracy that was occurring in the villages. I was excited about that.

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

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

□ 1600

But yet there was this discussion that religion was rising in enthusiasm and that we should give China the opportunity.

I am somewhat saddened that we now speak in the month of April 2001 and that we can list a litany of infractions or violations, more so for people who are incarcerated, it is their life, that we see ongoing in China.

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

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

How can any one of us not be frightened and appalled and outraged about the family separation, even while they were in China, to the extent that the 5-year-old boy was separated from his father and his mother, and still today remains without a mother. This seems to be an incident that was not provoked, that China did not have to engage in. The family was on their way out of the country; not in the country, trying to get in.

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

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

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

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

Madam Speaker, I rise in very strong support of H. Res. 96, Direct U.S. To Condemn Chinese Human Rights Violations. This resolution says that China cannot suppress religious and cultural institutions and expect to pursue the economic reforms it must pursue for its development and prosperity. As Victor Hugo wrote in 1887, "An invasion of armies can be resisted; an invasion of ideas cannot be resisted."

According to the U.S. State Department and international human rights organizations, the Chinese government continues to commit widespread and well-documented human rights abuses in China and Tibet. They also say China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws that restrict those freedoms. Finally, China continues to ban and criminalize groups that it labels as cults or heretical organizations, such as Falon Gong. Practitioners of Falon Gong are persecuted for no reason other than being well organized as a religious group in China.

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

This measure states that Chinese authorities have committed to suppress protest criticism. The Chinese leadership is plainly uncomfortable with organized dissent. Furthermore, H. Res. 56 states that Chinese citizens have been detained for peaceful opposition, attempting to expose corruption, trying to preserve ethnic minorities and using the Internet.

H. Res. 56 makes clear that China continues—with impunity—to exert control over religious and cultural institutions in Tibet, abusing human rights through instances of torture, arbitrary arrests and detentions of Tibetans, without public trials, for peacefully expressing their political or religious views; that

bilateral talks with several nations and China have yet to produce substantial adherence to international norms; and that China has signed the International Covenant on Civil and Political Rights but has yet to take the steps necessary to make the treaty legally binding.

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

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

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

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

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

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

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

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

Madam Speaker, China is a powerful nation, but not yet a great nation. Powerful nations muster armies and command territory, but great nations lead mankind and advance human values. China stands on the brink of being either powerful or great, and the events of the recent days disappoint us all and keep China from her own potential.

With regard to the Hainan incident, I speak as a Naval Reserve officer and call on China to return our servicemen and women. Our aircraft was in international waters, unarmed and a danger to no one. China is a party to the Incidents-at-Sea Treaty, an agreement she signed but does not appear to abide by. China must return our servicemen and women and the aircraft and end this incident now.

A nation like China is measured by how its treats people of different languages and religions. China's record on Tibet is disappointingly clear, and in human rights in general one of abuse and imprisonment for prisoners of conscience. Li Shaomin, recognized in China as a key leader, was jailed for sending e-news to her husband; Gao Zhan was detained February 11, along with her 5-year-old American son; Xu Zerong, an academician, was jailed last fall and still is held incommunicado; and Rabiya Kadir was jailed March 10 for giving her husband newspaper articles.

Children in Tibet today are taught that religion is backward behavior. Nuns and monks make up 74 percent of China's political prisoners, and China regularly jams Radio Free Asia broadcasts designed to keep people informed. We must speak out.

Chun-gua, China, and Mai-gua, the United States, can live in peace and become friends, but this depends on China adhering to international agreements like the Universal Declaration of Human Rights and the Incidents-at-Sea agreements, both agreements China signed, and shared values.

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

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

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

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

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

Madam Speaker, if Congress does not speak today by voting in favor of the resolution before us, House Resolution 56, the Chinese regime will be able to prevent any discussion on its human rights record in Geneva. Year after year they intimidate members of the Human Rights Commission for a vote of no action on China, silencing the dissidents and the opposition further, removing one critical vehicle for the voices of the oppressed to be tortured in China, and they must be heard.

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

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

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

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

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today in strong support of House Resolution 56, urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet.

Tibet is a country and culture that has garnered international attention in the past several decades. Since 1959, China has implemented a relentless policy and program to erase Tibet from history and existence. The former religious leader of Tibet, the Dalai Lama, was forced to leave Tibet, and now lives in exile in India. There are many other Tibetans who chose to follow him and thus, remain in exile today.

I am particularly concerned with China's human rights record with respect to Tibet, such as repression of freedom of speech, religion, and expression. The Chinese government's policy of suppressing religious, political, and cultural freedom in Tibet in highly disturbing.

I am deeply troubled that monks and nuns make up seventy-four percent of over 250 political prisoners incarcerated in Tibet. While there has been a slight decline in new detentions since 1997 in Tibet, this may be attributed to the implementation and intensification of the Patriotic Education campaign, which requires monks, nuns, and lay persons to denounce the Dalai Lama. However, the number of monks and nuns known to have been detained as a result of opposing the Patriotic Education campaign is a small fraction of those who have been expelled from their monasteries or who have fled from Tibet.

Recently, it has come to my attention that Chinese authorities have increased the jamming of foreign radio broadcasts in Tibet following the allocation of increased resources by Beijing in an attempt to prevent ''infiltration'' of the airwaves by ''foreign hostile forces.'' It is my understanding that Voice of America, Radio Free Asia and Voice of Tibet, which all cover both international news and news of the activities of the Dalai Lama and the Tibetan community in exile, have encountered intensified jamming of their broadcasts into Tibetan areas over the past four to six months. The Chinese authorities have also announced an expansion of state-run Tibetan language broadcasting, including the training of more Tibetan journalists and new programs in Kham and Amdo dialects, in order to counter foreign

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

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

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

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

The question was taken.

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

Mr. LANTOS. Madam Speaker, on 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.

SMALL BUSINESS INTEREST CHECKING ACT OF 2001

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

The Clerk read as follows:

H.R. 974

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Interest Checking Act of 2001''.

SEC. 2. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED.

(a) REPEAL OF PROHIBITION ON PAYMENT OF INTEREST ON DEMAND DEPOSITS.—

(1) FEDERAL RESERVE ACT.—Section 19(i) of the Federal Reserve Act (12 U.S.C. 371a) is amended to read as follows:

''(i) [Repealed]''.

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

(3) FEDERAL DEPOSIT INSURANCE ACT.—Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended to read as follows:

''(g) [Repealed]''.

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

SEC. 3. INTEREST-BEARING TRANSACTION ACCOUNTS AUTHORIZED FOR ALL BUSINESSES.

Section 2 of Public Law 93–100 (12 U.S.C. 1832) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(3) EXCEPTION FROM PARAGRAPH (2) LIMITATION.—Paragraph (2) shall not apply to any depository institution which is prohibited by the applicable law of its chartering State from offering demand deposits and either—

''(A) does not engage in any lending activities; or

''(B) is not an affiliate of any company or companies with assets that, in the aggregate, represent more than 10 percent of the total assets of the depository institution.'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

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

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

(a) IN GENERAL.—Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended by adding at the end the following new paragraph:

''(12) EARNINGS ON RESERVES.—

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

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

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

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

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

(b) AUTHORIZATION FOR PASS THROUGH RESERVES FOR MEMBER BANKS.—Section 19(c)(1)(B) of the Federal Reserve Act (12 U.S.C. 461(c)(1)(B)) is amended by striking ''which is not a member bank''.

(c) SURVEY OF BANK FEES AND SERVICES.—Section 19 of the Federal Reserve Act (as amended by subsections (a) and (b) of this section) is amended by adding at the end the following new subsection:

''(n) SURVEY OF BANK FEES AND SERVICES.—

''(1) ANNUAL SURVEY REQUIRED.—The Board shall obtain annually a sample, which is representative by type and size of the institution and geographic location, of the following retail banking services and products provided by insured depository institutions and insured credit unions (along with related fees and minimum balances):

''(A) Checking and other transaction accounts.

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

''(C) Automated teller machine transactions.

''(D) Other electronic transactions.

''(E) Credit Cards.

''(2) MINIMUM SURVEY REQUIREMENT.—The annual survey described in paragraph (1) shall meet the following minimum requirements:

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

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

''(ii) Minimum opening balances.

''(iii) Check processing fees.

''(iv) Check printing fees.

''(v) Balance inquiry fees.

''(vi) Fees imposed for using a teller or other institution employee.

''(vii) Stop payment order fees.

''(viii) Nonsufficient fund fees.

''(ix) Overdraft fees.

''(x) Deposit items returned fees.

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

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

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

''(ii) Minimum opening balances.

''(iii) Rate at which interest is paid to consumers.

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

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

''(vi) Balance inquiry fees.

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

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

''(ix) Nonsufficient fund fees for negotiable order of withdrawal accounts.

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

''(xi) Deposit items returned fees.

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

''(C) AUTOMATED TELLER TRANSACTIONS.—Data on automated teller machine transactions shall include, at a minimum, the following:

''(i) Annual and monthly fees.

''(ii) Card fees.

''(iii) Fees charged to customers for withdrawals, deposits, transfers between accounts, balance inquiries through institution-owned machines.

''(iv) Fees charged to customers for withdrawals, deposits, transfers between accounts, balance inquiries through machines owned by others.

''(v) Fees charged to noncustomers for withdrawals, deposits, transfers between accounts, balance inquiries through institution-owned machines.

''(vi) Point-of-sale transaction fees.

''(vii) Surcharges.

''(D) OTHER ELECTRONIC TRANSACTIONS.—Data on other electronic transactions shall include, at a minimum, the following:

''(i) Wire transfer fees.

''(ii) Fees related to payments made over the Internet or through other electronic means.

''(E) CREDIT CARD CHARGES AND FEES.—Data related to credit cards shall include, at a minimum, the following:

''(i) Application fees.

''(ii) Annual and monthly fees.

''(iii) Rates of interest charged for purchases and cash advances, when an account is not in default.

''(iv) Rates of interest charged for purchases and cash advances, when an account is in default.

''(v) Average annual finance charges paid by customers.

''(vi) Late payment fees.

''(vii) Cash advance and convenience check fees.

''(viii) Balance transfer fees.

''(ix) Over-the-credit-limit fees.

''(x) Foreign currency conversion fees.

''(F) OTHER FEES AND CHARGES.—Data on any other fees and charges that the Board determines to be appropriate to meet the purposes of this section.

''(3) ANNUAL REPORT TO CONGRESS REQUIRED.—

''(A) PREPARATION.—The Board shall prepare a report of the results of each survey conducted pursuant to paragraph (1) and (2).

''(B) CONTENTS OF THE REPORT.—In addition to the data required to be collected pursuant to paragraphs (1) and (2), each report prepared pursuant to subparagraph (A) shall include a description of any discernible trend, in the Nation as a whole, in each of the 50 States, and in each metropolitan statistical area (as defined by the Director of the Office of Management and Budget), in the cost and availability of the retail banking services, including those described in paragraphs (1) and (2) (including related fees and minimum balances), that delineates differences between institutions on the basis of the type of institution, the size of the institution and any engagement of the institution in multistate activity.

''(C) SUBMISSION TO CONGRESS.—The Board shall submit an annual report to the Congress under this paragraph not later than June 1, 2002, and not later than June 1 of each subsequent year.

''(4) DEFINITIONS.—For purposes of this subsection, the terms 'insured depository institution' and 'insured credit union' mean any depository institution (as defined in subsection (b)(1)(A)) the deposits or shares in which are insured under the Federal Deposit Insurance Act or the Federal Credit Union Act.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 19 of the Federal Reserve Act (12 U.S.C. 461) is amended—

(1) in subsection (b)(4) (12 U.S.C. 461(b)(4)), by striking subparagraph (C) and redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(2) in subsection (c)(1)(A) (12 U.S.C. 461(c)(1)(A)), by striking ''subsection (b)(4)(C)'' and inserting ''subsection (b)''.

SEC. 5. INCREASED FEDERAL RESERVE BOARD FLEXIBILITY IN SETTING RESERVE REQUIREMENTS.

Section 19(b)(2)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(2)(A)) is amended—

(1) in clause (i), by striking ''the ratio of 3 per centum'' and inserting ''a ratio not greater than 3 percent (and which may be zero)''; and

(2) in clause (ii), by striking ''and not less than 8 per centum,'' and inserting ''(and which may be zero),''.

SEC. 6. TRANSFER OF FEDERAL RESERVE SURPLUSES.

(a) IN GENERAL.—Section 7(b) of the Federal Reserve Act (12 U.S.C. 289(b)) is amended by adding at the end the following new paragraph:

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

''(A) IN GENERAL.—In addition to the amounts required to be transferred from the surplus funds of the Federal reserve banks pursuant to subsection (a)(3), the Federal reserve banks shall transfer from such surplus funds to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, such sums as are necessary to equal the net cost of section 19(b)(12), as estimated by the Office of Management and Budget, in each of the fiscal years 2002 through 2006.

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

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

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 7(a) of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following new paragraph:

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

SEC. 7. RULE OF CONSTRUCTION.

No provision of this Act, or any amendment made by this Act, shall be construed as creating any presumption or implication that, in the case of an escrow account maintained at a depository institution in connection with a real estate transaction—

(1) the absorption, by the depository institution, of expenses incidental to providing a normal banking function with respect to such escrow account;

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

(3) any benefit which may accrue to the holder or the beneficiary of such escrow account as a result of an action of the depository institution described in paragraph (1) or (2),

may be treated as the payment or receipt of interest for purposes of any provision of Public Law 93–100, the Federal Reserve Act, the Home Owners' Loan Act, or the Federal Deposit Insurance Act relating to the payment of interest on accounts or deposits at depository institutions.

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

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

GENERAL LEAVE

Mr. OXLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 974, the bill now under consideration.

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

There was no objection.

Mr. OXLEY. Madam Speaker, I yield myself 5 minutes, and I rise today in support of H.R. 974, the Small Business Interest Checking Act. H.R. 974 lifts the ban on the payment of interest on checking accounts, increases the number of transfers which may be made from business accounts to depository institutions, authorizes the Federal Reserve to pay interest on sterile reserves, and gives the Fed flexibility in setting reserve limits.

The changes in current law made by H.R. 974 are long overdue and represent our continued efforts to update outdated laws that ultimately limit the choices of small businesses and consumers.

The legislation provides that after 2 years banks will be able to offer interest-bearing checking accounts to all customers. Because of a quirk in current law, America's small businesses are the only entities that currently have little choice but to allow their money to sit idly in banks. This legislation will allow those small businesses to put their money to work.

The bill will also allow banks to earn interest on the money they are required by law to hold with the Federal Reserve. Like small businesses, America's banks currently must hold money in accounts which give them no return. This has created an incentive for banks to put their money elsewhere, which in turn can damage the Federal Reserve's ability to conduct monetary policy. The Federal Reserve supports us in this long-overdue change.

The bill will also give the Federal Reserve flexibility in setting reserve requirements, so that the market can respond to changing economic conditions.

The amendment will allow certain depository institutions to offer NOW accounts to all of their customers and clarify that certain transactions in connection with real estate escrow accounts are not to be treated as ''interest'' for any purpose under the legislation that we are considering.

The only difference between H.R. 974 that we consider today and the reported bill is an amendment requested by the Fed that describes the types of depository institutions which will be able to offer business NOW accounts.

Madam Speaker, I thank the gentlewoman from New York Mrs. KELLY) and the gentleman from Pennsylvania Mr. TOOMEY) for their leadership that they have shown on this issue. I also thank the gentleman from New York Mr. LAFALCE), the ranking member, for his cooperation in moving this important bill.

Madam Speaker, the legislation we consider today advances the work begun by Congress with the passage of the Gramm-Leach-Bliley Act to make America's financial services industry more efficient, and to provide consumers with more options.

Madam Speaker, I urge my colleagues to support passage of H.R. 974.

Madam Speaker, I reserve the balance of my time.

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

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

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

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

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

□ 1615

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

However, I do have some reservations about the policy priorities represented by other provisions in the bill, provisions permitting the Federal Reserve Banks to pay interest on reserves. It is estimated that the sterile reserve provision will use $1.1 billion of the projected surplus over the next 10 years. I am conscious of the view of many in the banking industry that the combination of required reserves and the inability to receive interest on those reserves is a burden on the industry.

I understand that. However, I believe that there are other priorities that should take precedence over interest on sterile reserves, priorities that provide funding for homes for the homeless, adequate funding for food for our hungry, adequate funding for medicine and health care for our sick. These and other governmental corporal works should be given far greater precedence and priority by this body on this floor of the House.

Nevertheless, I support the bill, not only because it provides access to financial services for small businesses but also because it will improve Congress' ability to monitor the problem posed by ever-increasing bank fees. This was a very important amendment that we offered to the bill during markup which requires an annual assessment of the fees charged to retail bank customers. With fees representing an ever-growing share of bank earnings, an annual survey of retail bank fees becomes much more important than ever.

Mr. Speaker, I believe that H.R. 974 accomplishes two sound policy objectives. It provides small business easy access to interest-bearing checking accounts and it provides a much needed survey of retail banking fees. For those particular reasons, I support its adoption by the House.

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

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

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

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

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

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

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

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

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

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

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

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

Regulation D imposes costly burdens on regulated financial institutions such as federal credit unions. As member-owned cooperatives, credit unions have no choice but to pass the opportunity cost resulting from the posting of sterile reserves along to their members either in the form of lower dividend rates on savings, higher rates on loans, or some combination of the two. Under Regulation D Federal credit unions are required to structure accounts to meet regulatory definitions, limit transactions to required types and numbers, and must forego interest on sterile reserves. The cost of Regulation D contributes to the continuing exodus of savings from regulated financial institutions to the stock market, mutual funds, and other products of largely unregulated financial service providers.

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

their member owners would collectively receive $70,201,230 in interest.

As of December 2000, 121 credit unions had $12.95 billion in reservable balances in excess of $42.8 million and required reserves of $938.7 million. Another 745 credit unions, with $11.12 billion in reservable balances, had to hold $337.6 million in required reserves.

With its non-payment of interest on sterile reserves, Regulation D gives an unfair advantage to non-regulated financial institutions that offer checking accounts but do not have to maintain sterile reserves with the Fed.

Furthermore, NAFCU supports the language sought by Representative John LaFalce (D–NY) and included by the Financial Services Committee to make permanent the bank fee study by the Federal Reserve Board and to include credit union fees as part of that study.

NAFCU appreciates your leadership on this issue and thanks you for pursuing this legislation. We urge the House to pass this important legislation. If I or my staff may be of assistance to you or if you have any questions or desire further information please do not hesitate to contact me or NAFCU's Director of Legislative and Political Affairs, Charlie Frohman, at (703) 522–4770.

Sincerely,

WILLIAM J. DONOVAN,
Senior Vice President/General Counsel.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Mrs. KELLY), the chairwoman of the Subcommittee on Oversight and Investigations.

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

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

The Small Business Interest Checking Act contains four initiatives. First, to repeal the prohibition on allowing banks to pay interest on business checking accounts after a transition period. This prohibition has been in place since the 1930s.

While I believe it should be repealed, I believe a proper transition period is critical. The 2-year transition contained in this bill is not adequate in my estimation. However, I believe it is time that this legislation does move forward.

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

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

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

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

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

Mr. Speaker, I want to thank the gentleman from Ohio [Mr. OXLEY] for both yielding me the time and for his considerable efforts to move this legislation forward. I also want to thank my fellow New Yorker, Ranking Member LAFALCE, for his work on this issue and for allowing us to bring this legislation to the floor under suspension today. In addition, I want to thank the gentleman from Alabama [Mr. BACHUS] for his work as well as the gentleman from Pennsylvania [Mr. TOOMEY] for the very significant contribution he made to this legislation with his bill, H.R. 1009, which was merged into my bill during committee consideration.

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

Provisions of this legislation enjoy strong support from a diverse group of associations. The list of these groups includes the American Bankers Association, America's Community Bankers, The National Federation of Small Businesses, The Financial Services Roundtable, The National Association of Federal Credit Unions, The National Chamber of Commerce, The Credit Union National Association, and The National Farm Bureau.

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

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

Those who argue that since there is no transition period in the bill for the Fed to pay interest on reserves ignore the innumerable differences between banks and the Fed and the very different reasons we are changing these laws. One has to do with effective monetary policy of the Fed and the other about the more efficient operation of our banks.

Let me also clear the air on another point. The Federal Reserve is opposed to a transition period of this length. They see this in a purely economic perspective. They believe that the disruptions this policy presents will work themselves out.

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

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

Some may speak about wasteful sweep activities. Sweeps may be more complicated but they do not hurt the small banks that way. The repeal of the prohibition will. Sweeps are temporally invested outside of the bank typically in safe repurchase agreements involving T-bills. This imposes zero cost to the bank and the commercial accounts can earn interest. I also

refer to an article from the American Banker I inserted into the record during a hearing last May. It stated that the majority of small banks operate sweep accounts. The computer programs are becoming much simpler and less costly to handle these activities. Additionally, if banks can do this every day they are not limited to commercial customers that keep large balances in the accounts.

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

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

Again, I want to thank the Gentleman from Ohio, [Mr. OXLEY] for his strong support and leadership on this issue. I also want to thank all of the others I have worked with on this issue that deserve some of the credit, this list includes former Congressman Jack Metcalf, for whom these issues were one of his highest priorities; Congressman JIM LEACH, whose leadership on these issues ensured a fair debate; Congresswoman MARGE ROUKEMA, whose attention to these issues has been both helpful and thoughtful; Congressman SPENCER BACHUS, whose insights and encouragement have helped drive this debate; Congressman PAT TOOMEY, who brought his first hand experience and considerable knowledge to this issue; Senator CHARLES SCHUMER, for his strong support for our priorities on this legislation in the Senate; I also need to thank the staff, especially Terry Haines, Bob Foster, Hugh Halpern, Gregg Zerzan, Jim Clinger, Garry Parker, Laurie Schaffer, and Alison Watson.

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

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

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

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

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

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

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

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

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

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

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

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

Mr. OXLEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), the chairwoman of the Subcommittee on Housing and Community Opportunity.

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

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

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

□ 1630

Of course, the NFIB and the U.S. Chamber, as has already been reported, strongly support the repeal; and we have a large segment of the banking industry and the thrift industries that are supportive. I guess I just have to say that this is long overdue. It is a compromise with the 2-year phase-in which will be included in this bill, and I trust that we will finally be successful this year. Again, long overdue and we must do our job here today.

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

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

Banks currently assume a stable deposit base with stable costs when they enter commercial checking account relationships with small businesses. These contractual relations frequently include a number of other products—such as loans for periods ranging from 5–25 years—at a price and for a period of time that takes into account that the bank is not paying interest on the underlying business checking account.

The immediate implementation of paying interest on those accounts would disrupt the cost/profit assumption under which those loans were made and would require a renegotiation of the overall relationship. If banks are required to pay interest immediately, they would be required to adjust investment portfolios at a time of high market volatility.

Banks will be required to review all current customer contracts; determine steps necessary to honor existing commitments for both public and private sectors. Many contracts, particularly those with state, local and federal governments have time periods from 12–36 months and would require substantial adjustments.

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

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

Mr. Speaker, I would point out that this was a brilliant maneuver on the part of the committee. There were arguments whether it should be an extension of 3 years or 1 year, and after great deliberation and a lot of hard work we decided to compromise on 2 years.

They said it could not be done, but we were able to do that; and I want to thank everybody for their participation.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART), a new member of our committee and a very valuable member.

Ms. HART. Mr. Speaker, I also rise in support of H.R. 974. I am a big fan of giving flexibility to people in their own businesses. Understanding that banks are heavily regulated and understanding also that there was a concern when this initial law was instituted back in the 1930s, that was a long time ago, Mr. Speaker, and it is no longer reasonable for us to be concerned that these banks will put themselves out of business by paying interest to their business customers.

Mr. Speaker, this legislation abolishes a ban that is long overdue, preventing banks from offering interest on their business checking accounts. I do not think it is time for us anymore to be worried that these banks would fail because they would pay interest to their business customers. In fact, as a result of Graham-Leach-Bliley, this is just the natural next step.

We tried to give the financial services industries more flexibility. We succeeded with Graham-Leach-Bliley, and I think this is simply the next step. I believe that the men and women who run our financial institutions certainly have the training and are much more competent than we are to make those business decisions for them.

This policy actually prevented a lot of those financial institutions, those small banks, from being competitive; and like many other districts across the country, my district is heavily populated with some very strong, very successful financial institutions, the Main Street banks that keep a lot of people employed and that provide a very good resource for a lot of small businesspeople.

This will certainly allow them to provide even more of a resource for small businesspeople, those who are building up their businesses and want to support the other industries within their own hometown. Now, that hometown bank will be able to provide them with an additional incentive to invest with them.

Mr. Speaker, it promotes competition. It promotes consumer convenience. It will repeal, as I said, an outdated and I believe anticompetitive impediment to attracting these interest-bearing accounts to these smaller financial institutions, but also to give the larger financial institutions an opportunity to offer interest.

Mr. OXLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER), the chairman of the Subcommittee on International Monetary Policy and Trade.

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

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

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

Much has been said, and I would extend my remarks to cover some of the details that have been covered in part by others or perhaps wholly; but I want to say that the emphasis should be here on the positive effect that this will have on small businesses nationwide, not just banks but their small business customers. I think that is the most important thing for us to consider. Yes, it affects sterile reserves that the Fed holds, and it permits those sterile reserves to bring interest to the banks involved. I think that is only a matter of equity.

The most important part, I think, is the fact that the banking laws implemented during the Great Depression are changed. They have prohibited banks and thrifts from paying interest on business checking accounts. What I expect to happen now is that we are going to have a competition among financial institutions to take advantage of this opportunity to pay interest on these checking accounts.

This has, in effect, been done, as mentioned, by large banks in a different way. Small banks have not had the technical expertise or the capacity to offer this service by sweeps to small customers, small business customers. This will now be possible. It deserves our support. I urge my colleagues of the whole House to vote yes on this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 974, Small Business Interest Checking Act. This bill is a step in the right direction because it aims at diminishing the comparative disadvantage that certainly exists for small banks and small businesses.

Banking laws implemented during the Great Depression currently prohibit banks and thrifts from paying interests on business checking accounts. Large banks often get around this restriction, however, by periodically transferring a company's checking account to an interest-bearing account—with the money transferred back after it has earned interest. But banks are only allowed to make such transfers six times per month, and small banks often cannot offer these ''sweep'' accounts because of legal constraints or because they lack the technical expertise to do so. Consequently, smaller banks and the small businesses that bank at those institutions are often left at a competitive disadvantage.

H.R. 974 allows banks and thrifts to pay interest on balances held in business checking accounts, and it permits the Federal Reserve to pay interest on the Fed-held ''sterile'' reserves of bank. At the moment, they obtain no interest. This bill is intended to eliminate the competitive disadvantage that currently exist for both small banks and small businesses concerning business-checking accounts. It is also aimed at encouraging banks to leave funds in those accounts for which they must post cash reserves with the Federal Reserve—which would boast reserves held by the Federal Reserve and thereby enhance its ability to conduct national monetary policy.

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

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

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

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

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

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

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

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

A motion to reconsider was laid on the table.

PRINTING OF REVISED AND UPDATED VERSION OF ''WOMEN IN CONGRESS, 1917–1990''

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 66) authorizing the printing of a revised and updated version of the House document entitled ''Women in Congress, 1917–1990''.

The Clerk read as follows:

H. CON. RES. 66

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF REVISED VERSION OF "WOMEN IN CONGRESS, 1917–1990".

(a) IN GENERAL.—An updated version of House Document 101–238, entitled ''Women in Congress, 1917–1990'' (as revised by the Library of Congress), shall be printed as a House document by the Public Printer, with illustrations and suitable binding, under the direction of the Committee on House Administration of the House of Representatives.

(b) NUMBER OF COPIES.—In addition to the usual number, there shall be printed 30,700 copies of the document referred to in subsection (a), of which—

(1) 25,000 shall be for the use of the Committee on House Administration of the House of Representatives; and

(2) 5,700 shall be for the use of the Committee on Rules and Administration of the Senate.

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

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

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

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

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

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

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

There was no objection.

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

Mr. Speaker, I am very pleased to join the chairman of the committee as an original cosponsor of House Concurrent Resolution 66, and I am proud to speak in favor of its passage. This resolution authorizes the printing of a document which chronicles the contributions of women serving in this great body. It provides interesting facts about their backgrounds and their careers, which have inspired many, including me, to run for Congress and serve the American people.

It talks about women, such as my predecessor, Ruth Bryan Owen. She was the first woman Member from Florida. I am proud to be the second woman Member from Florida. She served from 1929 to 1933; and she was, as this book points out, the daughter of the peerless leader, three-time Presidential nominee William Jennings Bryan.

We have had women such as Corrine Clairborne Lindy Boggs, for which the Ladies' Reading Room is named, from the district of Louisiana, elected in March 1973, and honored this body with her presence for many years.

When she was first elected to fill the seat of her late husband, she was thoroughly familiar with the world of Capitol Hill and Louisiana issues because she had worked side by side with her husband, a 14-term representative and a majority leader.

Lindy Boggs used this experience to serve the people of Louisiana, and we are proud that the Ladies' Reading Room is under her name and that the administrator of that room, Susan Dean, very proudly is part of that women's history in Congress.

There have also been trail blazers, Mr. Speaker, such as Edith Rogers. She was a representative from Massachusetts who served on the Committee of Veterans' Affairs in the 80th and 83rd Congress. She served with the American Red Cross in the care of disabled World War I veterans and served as the personal representative of President Harding and President Coolidge before disabled veterans; and interestingly, she checked herself into a Boston hospital under an assumed name to avoid the publicity of bad health, and she died while serving in this Chamber. She was actually reelected during that time on September 10, 1960.

She remains to this day the longest serving woman Member in Congress, 17 terms after replacing her husband.

Then there is the story that the gentleman from Ohio (Mr. NEY) talked about of Jeanette Rankin, Republican of Montana, the first woman Member of the House, who voted against U.S. involvement in World War I, was defeated after that vote, and then she came back, voted against U.S. involvement in World War II and was defeated again.

Now, there is a very interesting history of women in Congress, Mr. Speaker, and without us having the authority to reprint ''The Women in Congress, 1917–1990,'' we will be missing a piece of our Nation's history.

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

Mr. Speaker, I am delighted to support this concurrent resolution introduced during Women's History Month by my distinguished friend, the gentlewoman from Ohio (Ms. KAPTUR). The gentlewoman has consistently led this House on issues related to women. I want to thank her for introducing this resolution, highlighting the need to revise and reprint this important volume to which the gentlewoman from Florida (Ms. ROS-LEHTINEN) has already referred.

I also want to thank the chairman for his strong support and for bringing the measure to the floor so quickly. Since the publication of ''Women in Congress,'' the number of women who have served has risen by more than 61 percent, from 129 in 1990 to 208 today. That is a remarkable rise in just 11 years.

It demonstrates, Mr. Speaker, the profound contribution that American women are now able to make to the public life of our great country, and indeed that they have made throughout the history of this Nation. We must remember that it was not always so.

There is an extraordinary woman whose name is Margaret Brent. Margaret Brent was one of the first women lawyers in the colony, one of the first women landholders. She comes from Maryland, St. Mary's County, and she was the adviser to our governor back in the 17th century.

She was made a member of the Governor's Council; added to the legislature, but they would not give her a vote. They would not give her a vote, of course, because she was a woman. She is not in this book; but if she lived today, she clearly would be.

We must remember that for too long we discriminated against women in this Nation. It is almost hard to believe that it was not until the third decade of the last century that women were given the vote in America by constitutional amendment.

Although the 107th Congress includes a record 74 women, Mr. Speaker, there were no women, not one, in the 1st Congress or the 14th or the 24th, or the 44th, or even the 64th Congress, 128 years into the history of the Congress of the United States.

Not until, Mr. Speaker, the 65th Congress, that met in 1917, during the 129th year, did a woman, Jeanette Rankin of Montana, take the oath of office as a Representative. It was not until 1922, during the 67th Congress, that a woman, Rebecca Felton of Georgia, took the oath as a Senator.

Of the more than 11,600 individuals who have served in the two Houses since 1789, fewer than 2 percent have been women.

Ironically, when Representative Rankin first took her seat in this House, women had not yet secured the right to vote nationwide.

□ 1645

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

Mr. Speaker, during the first 128 years under our present Constitution, no woman's voice could be heard in debate here. The experiences, perspectives, hopes and dreams of America's women were not voiced in this body by a woman. However, hopefully, and I believe they were expressed by men, but imperfectly so, because it is very difficult for us to walk in one another's shoes if we have a gender difference or a color difference, or even a religious or national difference. It is impossible to know how the absence of women may have affected the deliberations of the first 64 Congresses of the United States. Common sense, however, suggests the effect was not beneficial.

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

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

Mr. Speaker, a new edition of ''Women in Congress'' will gather in one updated volume useful, historical information for teachers, students and others, chronicling the careers of the 208 women who have served in either House to date. I am proud to support this resolution which is cosponsored by all of the women of this House. As we enter the 21st Century, we must continue to mark the progress and substantial contribution that women are making in this, the most democratic legislative body on Earth, but, I might observe, not the body that has the highest percentage of women. I am confident the new volume will quickly become, like the previous edition, a tremendous historical resource, inspiring young women across America to seek careers in public service that may one day bring them all, or many of them, to this hallowed hall.

Mr. Speaker, I urge the Members of the House to support this concurrent resolution unanimously.

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

Ms. ROS-LEHTINEN. Mr. Speaker, we have another speaker before I close, so I reserve the balance of my time because she has not arrived yet.

Mr. HOYER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio (Ms. KAPTUR). I use ''gentleman'' and ''gentlewoman'' as a term of endearment that we use to speak of one another, but no one ought to misread that phrase. She is strong, she is courageous, she is tough, she is focused, and she is effective. She has added to this institution, as so many of the women in this book have. Mr. Speaker, she is the dean, the senior, not the oldest, he stresses, but the dean of the Democratic women in the House of Representatives.

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I thank my good friend from Maryland for those overly generous introductory remarks. I will read them in my lower moments.

Mr. Speaker, I rise in strong support of Concurrent Resolution 66 and offer my deep appreciation to the gentleman from Maryland (Mr. HOYER), who is the ranking member of the subcommittee that is moving this legislation to the floor. I thank him for his consistent and strong and forceful support of women's issues here in this Congress, including the publication of the History of Women's Service to our Nation at the Federal level.

I would also like to thank the gentleman from Ohio (Mr. NEY). Ohio is the first State in the Union through Oberlin College to admit women to higher education. We thank both of these really wonderful men for allowing us—the women of America—to walk alongside them as we move onward in this 21st century. If other matters in this institution flowed through such capable hands as the gentleman's from Maryland (Mr. HOYER) and the gentleman's from Ohio (Mr. NEY), I think we could move other bills through this Congress in a more expeditious fashion. The entire Nation would be more properly served.

Mr. Speaker, let me point out that 11 years ago when the 101st Congress marked the bicentenary of this institution, the volume that the gentleman from Maryland (Mr. HOYER) referenced, *Women in Congress, 1917 to 1990*, was published. The second most senior Congresswoman in the House then, Congresswoman Lindy Boggs of Louisiana, who later was appointed as the first woman Ambassador to the Vatican, took responsibility for the printing of that document.

Since that time, another 79 women have served. Thus a new edition of *Women of Congress* will gather in one updated volume information for teachers, students and future Members of this body, information about the 208 women out of the nearly 12,000 Americans that have served in this institution to date, throughout all of America's history, including the 61 who now serve here in the House.

Mr. Speaker, I see that the gentlewoman from California (Ms. MILLENDER-MCDONALD) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from Maryland (Mrs. MORELLA) are here with us this afternoon. They really are a part of a very new, but growing and important part of American history.

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

Let me say it is a particular privilege to remind our colleagues that this resolution is cosponsored by every single woman serving in the House, as well as every other single Member of the House Committee on Administration. I deeply thank every one of them, especially the gentleman from Maryland (Mr. HOYER), who has been a force inside this institution for equal voices for women, and the gentleman from Ohio (Mr. NEY) for allowing us to participate in this introduction and passage today.

During the first 128 years of America's history, no woman served in either House of this Congress for nearly a century and a quarter. Finally, in the early years of this past century, the 20th century, after decades of struggle for women's political and social equality, we began to see some fruit be born. In 1917, Jeanette Rankin of Montana became the first woman to serve in this House of Representatives, and then 5 years later, Rebecca Felton of Georgia became the first woman Senator. So, for our entire history, the written word and the spoken word of women in political environments is still very fresh and very new.

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

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

I am confident that a revised volume will quickly become, like the previous edition, a tremendous historical resource and serve to inspire readers across America to seek careers in public service. I hope my colleagues in the House support this resolution. It is important especially that we do this and thus introduced this resolution during Women's History Month in March; and thus the concurrent

resolution that I have introduced would provide for the reprinting of that revised edition of the House document.

Mr. Speaker, I would ask my colleagues to support this resolution to reprint and update the edition of Women in Congress, 1917 to 1990, to make it current for this new 21st century, when all opportunities are available to young women and men across our country, and, indeed, America is an ideal for so much of the world to follow.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume to thank the gentlewoman from Ohio (Ms. KAPTUR) for her remarks. She does credit to this Congress, credit to Ohio, credit to her district, and certainly credit to her gender. It is a privilege to be her colleague in the Congress of the United States.

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

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

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

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

We will begin with Jeanette Rankin, the first woman to be elected to the U.S. House of Representatives in March of 1917, 3 years before the ratification of the 19th amendment, which gave women the right to vote. Another pioneer was Edith Nourse Rogers, who served in Congress from 1925 to 1960 for a total of 35 years until her death. Shirley Chisholm broke the color barrier in 1969 when she became the first African American woman elected to the House, and Carol Moseley-Braun was the first African American woman in the Senate. These women and all women serve in Congress as role models for current and future generations of girls and women.

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

□ 1700

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

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

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

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

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

Mrs. MORELLA. It is a pleasure for me to appear, Mr. Speaker, to express my support for this concurrent resolution.

I want to thank my colleague, the gentlewoman from Ohio (Ms. KAPTUR), for bringing the issue to the floor. I want to thank our ranking member, the gentleman from Maryland (Mr. HOYER), who is handling the bill, and certainly the gentlewoman from Florida (Ms. ROS-LEHTINEN) for handling the bill on the majority side.

One hundred years ago, the 101st Congress printed ''Women in Congress, 1917–1990,'' a collection of photographs and biographies of the 129 women who had served in the House and Senate.

Since 1989, 79 women have been elected to Congress. Printing a new edition of ''Women in Congress'' makes sense. It would update this historical information for teachers, students, and others about the 208 women who have served to date, including the 61 now in the House and 13 in the Senate.

Mention has been made by my colleague about the first woman who was elected to Congress, who, incidentally, was a Republican, Jeannette Rankin from the State of Montana, who was elected before women had the right to vote. They could vote in her State, but they could not vote nationally until 1920. Incidentally, she voted against two world wars, so she was an historic figure.

There was Edith Nourse Rogers, who holds the record for length of service by a woman in Congress, 35 years in the House.

But Mr. Speaker, we need to also do some correcting in the new edition. For instance, my colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), was actually elected in 1989, and she is the first Hispanic woman elected to the U.S. House of Representatives.

Equally necessary as recognizing trailblazers is recognizing the women who, in 2001, fill only 13 percent of the elected Federal positions. So even though we think that we have added a lot of women, we still only have 13 percent of elected Federal positions.

I really believe that despite this disparity in representation, these women in Congress also serve as role models. I think it is very important that they have that opportunity to demonstrate to other young women that they, too, can serve their country in public service. By updating the ''Women in Congress'' publication and sharing our stories with schools, libraries, and constituents, we help to open doors for those who will follow and lead.

I urge my colleagues to support this House concurrent resolution. Again, I thank the gentlewoman from Ohio (Ms. KAPTUR) for introducing it.

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

As has been pointed out time and time again in our conversations, in 1989, the first time that this book was authorized to be printed as a House document, there were only 31 women serving in the Congress; 29 in the House, two in the Senate. Since that time, the number of women serving in each body has steadily increased, although not fast enough.

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

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

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

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

Although I love and respect the gentlewoman from Ohio (Ms. KAPTUR), I

would like to point out that the dean of the women in Congress is in fact the gentlewoman from New Jersey (Mrs. ROUKEMA), a Republican.

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

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

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

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

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

Mr. HOYER. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Speaker, I would tell the gentleman from Maryland, she is 13.

Mr. HOYER. Mr. Speaker, I apologize. I am a long way away.

That means that apparently our distinguished acting chair intends to serve at least another 12 years.

Ms. ROS-LEHTINEN. If the gentleman will continue to yield, Mr. Speaker, perhaps we could add a little amendment to the United States Constitution and make that change. I thank the gentleman.

Mr. HOYER. I thank the gentlewoman.

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

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

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

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

As part of a small, family-owned home building business in Michigan, I know firsthand how slim the margins of operating a small business can be. This is why the Small Business Interest Checking Act is so important to our hometown retailers and businesses because it would give these smaller operations the opportunity to finally earn a much-needed market rate of return on their deposits. And any businessman or women in the country will tell you what a difference an extra percentage or two can make to their bottom line.

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

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

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

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

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

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

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

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

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

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

I agree that the Depression-era ban on interest-bearing business checking accounts serves no public policy purpose, and I would have supported repeal of the prohibition, provided it had been accomplished in a clean bill. However, I cannot in good conscience support this bill because it contains a provision that results in a transfer of taxpayer money to a very small segment of the country's largest and most powerful depository institutions, while other budget priorities are left unfunded or underfunded.

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

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

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

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

The SPEAKER pro tempore (Mr. SHAYS). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 66.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include therein extraneous material on the subject of H. Con. Res. 66, the concurrent resolution just considered.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 5 o'clock and 8 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

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

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

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

Mr. WAXMAN of California;
Mr. FROST of Texas;
Mr. SENSENBRENNER of Wisconsin;
Mr. HOYER of Maryland;
Mr. LEVIN of Michigan;
Mr. SPRATT of South Carolina;
Mr. CONDIT of California;
Mr. EDWARDS of Texas;
Mr. REYES of texas; and
Mr. TURNER of Texas.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 768, by the yeas and nays;
H. Res. 91, by the yeas and nays; and
H. Res. 56, by the yeas and nays.

Votes on motions to suspend the rules on each the following measures will be taken tomorrow:

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

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

NEED-BASED EDUCATIONAL AID ACT OF 2001

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

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 17, as follows:

[Roll No. 76]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Becerra
Collins
Culberson
Cunningham
Hulshof
Istook
Kingston
Latham
Maloney (NY)
McKinney
Moakley
Mollohan
Rush
Scarborough
Walden
Wolf
Woolsey

□ 1824

Mr. GUTIERREZ changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CULBERSON. Mr. Speaker, on rollcall No. 76, I was unavoidably detained. Had I been present, I would have voted ''yea.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES REGARDING HUMAN RIGHTS IN CUBA

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

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

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

[Roll No. 77]

YEAS—347

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kirk
Knollenberg
Kolbe
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wu
Young (AK)
Young (FL)

NAYS—44

Baird
Baldwin
Barrett
Clay
Clyburn
Conyers
Coyne
Cummings
Dooley
Fattah
Filner
Gonzalez
Hilliard
Hinchey
Inslee
Jackson (IL)
Jefferson
Jones (OH)
Kilpatrick
Kleczka
Kucinich
Lampson
Lee
Lewis (GA)
McDermott
McGovern
Meeks (NY)
Miller, George
Nadler
Oberstar
Olver
Paul
Payne
Rangel
Sabo
Sanders
Schakowsky
Serrano
Stark
Thompson (MS)
Towns
Velazquez
Waters
Wynn

ANSWERED ''PRESENT''—22

Barcia
Bishop
Blumenauer
Brown (FL)
Capuano
Clayton
Davis (IL)
DeFazio
Delahunt
Farr
Larson (CT)
Lowey
McCollum
Moran (VA)
Napolitano
Owens
Pelosi
Peterson (MN)
Rodriguez
Slaughter
Tierney
Watt (NC)

NOT VOTING—18

Becerra
Castle
Cunningham
Hulshof
Istook
Jackson-Lee (TX)
Kingston
Latham
Maloney (NY)
McKinney
Moakley
Mollohan
Obey
Rush
Scarborough
Walden
Wolf
Woolsey

□ 1835

Ms. KILPATRICK, Mr. JACKSON of Illinois, and Ms. VELÁZQUEZ changed their vote from ''yea'' to ''nay.''

Mr. PASTOR changed his vote from ''nay'' to ''yea.''

Messrs. LARSON of Connecticut, MORAN of Virginia, and DEFAZIO changed their vote from ''yea'' to ''present.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

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

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

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

[Roll No. 78]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay

DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Clyburn
Hastings (FL)
Hilliard
Paul
Smith (MI)
Waters

ANSWERED ''PRESENT''—6

Crane
Hinchey
Kucinich
Ortiz
Thurman
Watt (NC)

NOT VOTING—13

Becerra
Hulshof
Kingston
Latham
Moakley
Mollohan
Riley
Rush
Scarborough
Schakowsky
Walden
Wolf
Woolsey

□ 1844

Mr. KUCINICH changed his vote from ''yea'' to ''present.''

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

The result of the vote was announced as above recorded.

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

''A resolution strongly supporting the decision of the United States Government to offer and solicit cosponsorship for a resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the People's Republic of China to end its human rights abuses in China and Tibet, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 1845

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL MIDNIGHT, TUESDAY, APRIL 17, 2001, TO FILE REPORT TO ACCOMPANY H.R. 1088

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be permitted to file the report to accompany H.R. 1088 no later than midnight, Tuesday, April 17, 2001.

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

There was no objection.

PROVIDING FOR CONDITIONAL ADJOURNMENT OF THE HOUSE AND RECESS OR ADJOURNMENT OF THE SENATE

Mr. OXLEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 93), and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, April 4, 2001, or Thursday, April 5, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 24, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Friday, April 6, 2001, Saturday, April 7, 2001, Sunday, April 8, 2001, or Monday, April 9, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 23, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1193

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

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 933

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

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ODE TO DUKE UNIVERSITY BLUE DEVILS

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

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

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

We are going to be hearing from a couple of fine colleagues with whom I

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

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

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

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

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

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

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

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

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

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

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

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

The Duke Blue Devils are champions worthy of the name. They proved it again and again in game after game. But before they could play for the title last night, the Dukies had to get through a Saturday night fright.

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

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

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

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

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

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

We watched the joyous Blue Devils cut down the net, and I thought to myself why did I make this bet?

Arizona, Maryland, and the rest of our teams are left thinking of next year and dreaming championship dreams. For now, the Blue Devils wear the crown, they can celebrate a great victory as the toast of the town.

Mr. HOYER. Here, here.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) and the gentleman from Arizona (Mr. KOLBE) and congratulate all of these teams. These were wonderful games, hard fought; and we are very proud to have survived this Final Four.

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

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

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

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

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

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

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

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

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

Congratulations to the Blue Devils.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. TIBERI). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REGARDING THE RE-REGULATION OF THE AIRLINE INDUSTRY

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

Mr. LIPINSKI. Mr. Speaker, before I get into my Special Order, since the gentleman from Maryland (Mr. HOYER) is still here, I simply want to say that the reason the Duke Blue Devils won the NCAA championship is because the referees managed to foul out almost every Big 10 player that was in the tournament, and the second reason is the fact that the coach of the Blue Devils happens to be of Polish-American heritage from the city of Chicago.

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

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

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

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

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

□ 1900

As part of the deal, American and United would join together to operate

the highly lucrative shuttle routes between Washington, D.C., New York, and Boston, which are now operated by US Airways. In addition, American Airlines is willing to pay $82 million for a 49 percent stake in DCAir, the airline created to allay antitrust concerns about the proposed United-US Airways merger. DCAir plans to take over most of US Airways' operation at Reagan Washington National Airport.

If approved, United Airlines and its arch rival, American Airlines, will control half of the U.S. air travel market. Delta Airlines, United and America's next biggest competitor, will be left behind with only 18 percent of the domestic U.S. market.

In response to this unprecedented consolidation of the airline industry, the CEO of the low-fare airline AirTran called the proposed merger one of the most brazen attempts by any two dominant businesses in any industry to simply accomplish together what they so vigorously resisted in recent years, the reregulation of the airline industry. However, instead of the Federal Government doling out routes and dividing up airport assets, it is the airlines themselves that are gobbling up their weaker rivals and carving up the Nation.

With new hubs in Charlotte, Pittsburgh and Philadelphia to complement the existing operation at Washington-Dulles, United will rule the eastern seaboard in a proposed merger era. American will dominate the Midwest with the addition of St. Louis to its hubs at Dallas-Fort Worth and Chicago O'Hare. American will also have a significant presence at Reagan Washington National and New York's Kennedy airports.

Faced with this tremendous market power possessed by a combined United-US Airways and a combined American-TWA-US Airways, the remaining network carriers, namely Delta Airlines, Northwest Airlines and Continental, will have to merge in some fashion to survive. This is the only way that they can acquire the size and scale necessary to compete in a rapidly consolidating industry. Therefore, in a postmerger era, it will not be two megacarriers dividing up half of the U.S. market, but, rather, three or four megacarriers controlling 80 percent of the U.S. market.

Low-fare carriers will have to compete vigorously for the remaining 20 percent. This is, of course, if the megacarriers allow them to survive. Even today, when competition supposedly is alive and well, major carriers use their power to frustrate new entrant carriers and drive smaller competitors out of their established hubs.

The major carriers use everything in their power, including airplane capacity, airport assets, and frequent flier programs, to squash competition from low-fare, new entrant airlines. Yet, the major carriers do not vigorously compete with one another. The U.S. Department of Transportation (DOT) found that major network airlines have raised fares the most in markets where they compete only with one another. When they are forced to compete against a low-fare carrier, prices have not risen nearly as much. In fact, according to the DOT, in a market lacking a discount competitor, 24.7 million passengers per day pay on average 41 percent more than their counterparts in a hub market with a low-fare competitor.

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

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

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

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

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

EQUAL PAY DAY

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

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

It is just days after the end of Women's History Month and just weeks before millions of Americans will collectively honor their mothers on Mother's Day. Both events are borne out of the great respect and admiration we have for the women who have so strengthened our Nation, our society, and our families. Yet even today, Mr. Speaker, we must face up to this reality: American women earned only 72 cents for every dollar that men earned in 1999 for equal and comparable work, according to the latest report from the Bureau of Labor Statistics. And that, Mr. Speaker, is a drop of 1 cent from 1998. Put another way, that 72-cent figure means that today, Tuesday, April 3, is the day on which women's wages catch up to men's wages from the previous week. It takes women 7 working days to earn what men earn in 5.

This gender wage gap exists even when men and women have the same occupation, race, and experience; are employed in the same industry, in the same region, and are working for firms of equal size. But here, Mr. Speaker, is what it means in real terms. Each week it means that women, on average, have $28 less to spend on groceries, housing, child care, and other expenses for every $100 of work they do. Each month it means that women, on average, work 1 week for free. And over the course of a lifetime, it means that the average 25-year-old woman will lose more than $.5 million due to the wage gap. Let me repeat that: During their working lives, women will, on average, lose $.5 million because of the unfair wage gap.

The wage gap is even larger for women of color. African American women are paid only 65 cents for every dollar earned by a man, and Hispanic women make only 52 cents for every dollar earned by a man.

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

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

This issue, after all, is not strictly a woman's issue. It is an issue that strikes at the heart of family finances and fairness. Unequal pay robs entire families of economic security. More women than ever are in the work force today, and their wages are essential in supporting their families. Sixty-four percent of working women provide half or more of their family's income, according to a 1997 study by the AFL-CIO. And the wage gap costs the average American family approximately $4,000 each year.

Mr. Speaker, we talked about giving their money back to them, the taxpayers. That is an appropriate subject for us to discuss. But it is also clear that paying equal wages to our women workers would be a better benefit for them. So despite the fact that equal pay has been the law since the passage of the Equal Pay Act of 1963 and the Civil Rights Act of 1964, we still have a long way to go.

That is why I have cosponsored, Mr. Speaker, and urge my colleagues to support, H.R. 781, the bipartisan Paycheck Fairness Act. This legislation would toughen the Equal Pay Act, and I urge my colleagues to support it.

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

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

ENVIRONMENTALISTS ARE HURTING POOR AND WORKING PEOPLE OF THIS COUNTRY

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

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

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

Who is responsible for all this? We can thank environmental extremists, who almost always seem to come from wealthy families, and who are not really hurt if prices go up on everything. In California they have protested and have kept any new power plants from being built for many years despite greatly increased demand produced by the Internet and population growth.

All over this country, though, we have groups of environmentalists protesting any time anyone wants to dig for any coal, drill for any oil, cut any trees, or produce any natural gas. This has driven up prices for everything and has destroyed jobs and has hurt the poor and those on fixed incomes the most. It has hurt truckers and farmers, and has driven many of our manufacturing jobs to other countries.

The current issue of Consumers' Research Magazine has an article entitled, ''Why Natural Gas Problems Loom,'' by an editorial writer for USA Today. Listen to parts of this article. ''The problem is that the same government pushing natural gas demand is also keeping vast stocks of it essentially bottled up underground through tight and sometimes absolute restrictions on what can be done on the land and sea above. Two hundred thirteen trillion cubic feet of natural gas are off limits to drillers, thanks to a vast web of regulations and moratoria on drilling. The reason for all this is simple,'' the article says. It says, ''Environmentalists and preservationists have long pressured government to restrict or ban drillers. President Clinton, shortly before leaving office, took still more supplies away through his national monument declarations.''

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

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

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

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

Yes, Mr. Speaker, when people see their utility bills shoot up, when gas prices go higher, when homes and every other product made from trees cost twice what they should, they can thank the environmentalists.

□ 1915

We have made great progress over the last 25 or 30 years with our air and water, but some of these groups do not want people to hear good things about the environment because their contributions would dry up.

The really sad thing, Mr. Speaker, is that this is all about big money. Poor and working people are being hurt so environmentalists can scare people and get more contributions. And companies which benefit if we import more oil, OPEC countries, shipping companies and others, contribute to these groups so we will have to import more products which are made from natural resources. It is really sad what environmentalists are doing to the poor and working people in this country.

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

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

A NEW DECLARATION OF ECONOMIC INDEPENDENCE

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

Ms. KAPTUR. Mr. Speaker, America needs a new declaration of economic independence: Freedom, justice, opportunity. These are the values that our parents, grandparents, and forebears lived and died for. These are the values that prompt young men and women to give themselves to military and public service. These are the values that reflect the highest ideals of our country and what America has historically offered to the world.

Thus, last week's debate on taxes, the first major economic debate of the 21st century and of the new Presidency, disappointed me greatly. The debate should have centered on what is the wisest economic course of action for the sustenance of our republic. But the debate basically boiled down to what every American can take for himself or herself. The President went around the country divisively and derisively saying, ''It's not the government's money; it's your money.'' Except for one thing: We, the American people, are the government. His rhetoric appealed to the

most selfish instincts imaginable; and his proposals are proving he is headed towards government of the rich, by the rich, and for the rich.

Contrast his base appeal with that of President John F. Kennedy who once summoned Americans to ask not what your country can do for you but what you can do for your country, and what we together can do for the freedom of humankind.

Mr. Speaker, I urge our colleagues in the other body to choose a wiser economic course than the House and the President, a prudent course, a responsible course for our Nation's future. We should not imperil our Nation's economic growth through reckless tax cuts. America should first pay its bills.

The facts are that the interest payments alone on America's $5.5 trillion debt account for an ever-increasing percentage of the annual budget.

Look at this chart. This shows since 1975, interest payments on our national debt have grown every year. This is the year 2000 right here, highest ever, and projected this year, over $434 billion of interest payments alone on the debt. So what is all this talk about this magic surplus? And think about how these interest payments crowd out other important national investments we could be making, in Social Security and Medicare, where we must pay those bills, in defense and education, in veterans benefits, in transportation, in the environment and certainly in agriculture.

In the 1990s, due to unparalleled economic growth and strong budget discipline by Members of this House, we began to turn our ship of state around in the proper direction by finally beginning to get our bills paid. But I urge anyone to go to the U.S. Department of Treasury Web site and see for yourselves what America still owes. Here is the Web site number right up here, http://publicdebt.treas.gov.

Let me point out also that the percentage of foreign holders of the Federal debt has tripled since I was a freshman on the Banking Committee, going from 12 percent of what is being bought by others today to a resounding 41 percent. The largest investor in the U.S. Federal debt is now Japan, holding over $340 billion. Do you have any question in your mind why our products cannot gain fair access to Japan's markets when she is holding the purse strings?

Something has gone terribly, terribly wrong with our economic policies. In fact, interest on our debt now exceeds more than we pay in an annual year for the defense of this Nation. It is double what we spend annually on Medicaid and Medicare. And it dwarfs critical spending in other nondefense areas like education, transportation, veterans, agriculture, all put together into one.

I wanted to add to that our trade deficit. Every single year over the last 20 years, America's trade deficit with the world has deepened to historically all-time levels. Almost $500 billion more imports coming into this country on an annual basis than our exports going out. And you ask yourself who is now the largest holder of these private dollars related to goods trade with America? I can tell you it is the People's Republic of China, which is far from my definition of a republic, with over $80 billion of holdings in U.S. dollar reserves.

So what is wrong with the Bush plan? Tomorrow night I am going to continue on that, but let me first say that the President's tax and budget plan ought to lead to paying down our debt and ushering in a new era of economic independence for our country.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IN MEMORIAM: MRS. NOLA BRIGHT, IMMEDIATE PAST PRESIDENT, WESTSIDE BRANCH NAACP

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

Mr. DAVIS of Illinois. Mr. Speaker, today is equal pay day for women. I take this time to stop and pay tribute to a woman who spent practically all of her adult life fighting in behalf of women, minorities and any others whom she felt may have been oppressed and at the bottom of the socioeconomic ladder, Mrs. Nola Bright, immediate past president of the Westside Branch NAACP.

Nola Bright was born and reared in the city of Chicago and spent the major portion of her life living in, defending and working to improve what is commonly and affectionately known as the West Side of Chicago, in the Lawndale community.

Nola Bright was a family-oriented person. She grew up in a warm family, married John Bright at an early age, and had four children. She was a fiercely dedicated mother and grandmother and was indeed a surrogate mother, mentor and role model for many younger men, women and children who looked to her for guidance and direction.

Nola Bright became a school and community activist at an early age. As she saw her children off to school, she started to work with the Chicago Youth Centers as a way of making sure that children had after-school recreation and leisure-time activities. Mrs. Bright came into her own during the mid-1960s which was a period of great civil unrest, social change and the establishment of new structures. She was intimately immersed in all of these activities and often rose to leadership status within the groups with whom she worked.

She worked most directly with the Chicago Youth Centers, Better Boys Foundation, District 8 Education Council, Greater Lawndale Conservation Commission, Sears, YMCA, Martin Luther King Neighborhood Health Center, Lawndale Urban Progress Center and the Model Cities Program.

Nola Bright was a champion of the underdog and spent much of her life working with and on behalf of individuals and causes often considered to be the least popular. Rarely did Nola Bright separate her compensated work from her causes. You generally could not distinguish between her job and her volunteer activity. Over the years, she held a variety of jobs, Chicago Youth Centers, Martin Luther King Neighborhood Health Center, Westside Association for Community Action's Sickle Cell Project. She even worked for me when I was a member of the Chicago City Council and president pro tem. Finally, she worked for Habilitative Systems Social Service Agency from which she retired.

For the past 20 years or more of her life, Nola Bright was totally committed to keeping the Westside Branch of the NAACP alive and functioning. She served as president, secretary, treasurer, membership chairman and held every other office. She performed any and all tasks that she could not get someone else to do. Nola Bright was stubbornly principled and would much rather give out than give in. In actuality, she gave her life to the service of others.

She will be memorialized at the Carey Tercentenary AME Church on Saturday, April 6, 2001, 10 a.m., still looking for equal pay, for equal justice and equal opportunity.

REGARDING THE MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, before I make my formal remarks, let me indicate that today I filed H.R. 1336, to give citizenship to the held Chinese citizen, legal resident of the United States, professor in the United States, mother of a 5-year-old and now husband to a United States citizen held in China for now almost 2 months.

I am very pleased that this private citizenship bill is cosponsored by myself, the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS), the gentlewoman from California (Ms. MILLENDER-MCDONALD), the gentleman from New Jersey (Mr. PALLONE), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentlewoman from California (Ms. LEE), the gentleman from Rhode Island (Mr. KENNEDY), and the gentleman from Virginia (Mr. WOLF).

It is a tragedy when families are separated. If we can do anything to enhance the role of the United States of

America to promote peace and democracy and to ease the pain of a family that has now been separated, distressed and in great frustration, this House should move on this legislation immediately. I call on my colleagues to sign this legislation to create this citizenship for this imprisoned member of this country and as well to provide solace to her family, her husband and her child.

Mr. Speaker, however, I rise today to speak on the Mideast conflict. Peace is never easy to broker. Prime Minister Sharon of Israel has a formidable task ahead of him. We need to forge ahead as an international community to help bring further stability to the Middle East. As Winston Churchill once said, ''We shall not escape our dangers by recoiling from them.''

Since the Middle East conflict began anew last fall, 457 people have been killed, including 375 Palestinians, 63 Israeli Jews, and 19 others. With both sides accusing each other of unjustified attacks, there sometimes appears to be no end in sight for the terror affecting the children of the Middle East. It remains a fact, Mr. Speaker, that nongovernmental organizations like Save the Children have begun distribution of emergency medical supplies to five hospitals in the territories. Save the Children has worked to bring medical supplies to the Union of Palestinian Medical Relief Committees and the Medical Services, the operation of ambulance services with the Palestinian Red Crescent, the rehabilitation of schools and teacher training so that children have a creative, productive way to channel their energies. This is necessary to respond quickly to the special needs of children caught in the current uprising. And America must do more to assist such ongoing efforts and more to assist in the brokering of peace.

Whatever happens, there can be little doubt that relations between Israelis and Palestinians will have a profound impact on United States strategic interests in the Middle East. And because of that, the United States must remain an interested party in the region. It is absolutely imperative.

As the President of Egypt now visits America, the Bush administration must work to explore new opportunities for peace and reconciliation in the Middle East. We cannot recoil, we cannot be a turtle, we cannot stick our heads in the sand. America must become more engaged regarding negotiations between the Israelis and the Palestinians. Unfortunately, America has been silent since the departure of the former administration concerning a dangerous situation that cannot be resolved without its constructive participation.

□ 1930

Am I suggesting that we engage in war, Mr. Speaker? No, I am not. I am simply asking us to help.

Too many children stand to lose their lives and stand to lose without our help. I believe that it is critical that both parties need to make every effort to end the current cycle of provocation and reaction. Each side bears a special responsibility to seek an end for the riots, the terror, the bombings and the shootings. There must be a time-out on violence before the situation degenerates into war that we cannot stop.

We can all remember the images from last fall of the Palestinian child hiding behind his father caught in the crossfire shot to death; and then the images a few days later, the pictures of an Israeli soldier who was beaten while in custody and thrown out of a second floor window of a police station to be beaten to death by the mob below. We must stop this travesty.

It is easy to understand how passions can run high and frustration and fear can drive violence, but it is also easy to see how these feelings, even these feelings that are based in legitimate aspiration, can get out of control and lead to ever-deeper and never-ending cycles of violence. When will it end?

The children, Israeli and Palestinians, are the targets of increasing hatred that they simply do not understand. We must have respect, Mr. Speaker, for the peace and the necessity of moving forward.

In conclusion, Mr. Speaker, let me just say that it is important to follow the words of Robert F. Kennedy: ''It is when expectations replace submission, when despair is touched with the awareness of possibility, that the forces of human desire and the passion for justice are unloosed.''

We must unloose it in the Mideast. We must fight for peace.

Mr. Speaker, peace is never easy to broker. Prime Minister Sharon of Israel has a formidable task ahead of him, and we need to forge ahead as an international community to help bring further stability to the Middle East. As Winston Churchill once said, ''We shall not escape our dangers by recoiling from them.''

Since the Mideast conflict began last fall, 457 people have been killed, including 375 Palestinians, 63 Israeli Jews and 19 others. With both sides accusing each other of unjustified attacks, there sometimes appears to be no end in sight for the terror affecting the children of the Middle East. It remains a fact, Mr. Speaker, that nongovernmental organizations like Save the Children have begun distribution of emergency medical supplies to five hospitals in the territories. Save the Children has worked to bring medical supplies for the Union of Palestinian Medical Relief Committees and the Medical Services, the operation of ambulance services with the Palestinian Red Crescent, the rehabilitation of schools and teacher training so children have creative, productive ways to channel their energies. This is necessary to respond quickly to the special needs of children caught in the current uprising, and America must do more to assist such ongoing efforts.

Whatever happens, there can be little doubt that relations between Israelis and Palestinians will have a profound impact on United States strategic interests in the Middle East. And because of that, the United States must remain an interested party in the region.

As President Hosni Mubarak now visits America from Egypt, the Bush administration must work to explore new opportunities for peace and reconciliation in the Middle East. America must become more engaged regarding negotiations between the Israelis and the Palestinians. Unfortunately, America has been silent since the departure of the former administration concerning a dangerous situation that cannot be resolved without its constructive participation. Too many children stand to lose without our help, Mr. Speaker.

I believe that it is critical that both parties need to make every effort to end the current cycle of provocation and reaction. Each side bears a special responsibility to seek an end to the riots, the terror, the bombings, and the shootings. There must be a ''time out'' on violence before the situation degenerates further into war. We can all remember the images, from last fall, of the Palestinian child hiding behind his father, caught in the cross-fire, shot to death, and then the images, a few days later, the pictures of the Israeli soldier who was beaten while in custody and thrown out of a second floor window of the police station, to be beaten to death by the mob below.

It is easy to understand how passions can run high, and frustration and fear can drive violence. But it is also easy to see how these feelings—even these feelings, that are based in legitimate aspiration—can get out of control and lead to ever deeper, and never-ending, cycles of violence. The children, especially the young, are targets of increasing hatred that they simply do not understand.

If both Israel and the Palestinians can make progress in curbing or ending the violence, the United States can play an important role in helping to shape intermediate confidence-building measures between Israel and the Palestinians. The current environment makes a comprehensive agreement very difficult indeed, but proximity gives the Israelis and the Palestinians no choice but to learn to live together. The alternative is clearly war.

The children of Israel and the Palestinian Authority are not expendable; they are the casualties of intolerable violence. The United States must continue to work together with both Israel and the Palestinian Authority to enhance security in the region.

America can play a decisive role in fostering peace and stability in the Middle East. The Bush administration must respond more effectively in the peace process. We should not take sides in this lengthy conflict. However, the United States bears an unquestionable obligation to maintain a constructive role in the Middle East peace process.

The larger question of a lasting peace in the region is, of course, predicated on facilitating continued negotiations with the Palestinians. I will always be a strong supporter of the Middle east peace process because we can never stop trying. We struggle for peace, Mr. Speaker, because the current wave of violence is unacceptable. It undermines the very basis for peace, the notion that Palestinians and Israelis can trust each other and live together.

Last year, we edged a little closer to establishing a permanent blueprint for peace between the Israelis and Palestinians at Wye River. While a peace agreement did not come to fruition, the Israelis and Palestinians conducted an unprecedented level of negotiations in the pursuit of a permanent peace. They discussed issues and exchanged viewpoints on

pivotal matters of dire meaning to the Israeli people and the Palestinian people.

Mr. Speaker, we don't really know when all parties to this ongoing conflict will find everlasting peace and reconciliation. We do know, however, that Chairman Yasser Arafat of the Palestinian Liberation Organization and Prime Minister Sharon of Israel have an acute sense of the high stakes involved.

Mr. Speaker, let me close with an admonition by Robert F. Kennedy in a 1966 speech made at the University of California. "Men without hope, resigned to despair and oppression, do not have to make revolutions. It is when expectations replaces submission, when despair is touched with the awareness of possibility, that the forces of human desire and the passion for justice are unloosed." The recent violence in the Middle East only underscores the need to get the peace process back on track. We must do so expeditiously for the sake of the children.

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

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

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

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

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

(Ms. MCKINNEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING ROBERT B. GANLEY, CITY MANAGER OF PORTLAND, MAINE

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

Mr. ALLEN. Mr. Speaker, I rise to remember Robert B. Ganley, for 14 years the city manager of Portland, Maine, who died suddenly from a heart attack on Saturday, December 23, 2000. He was 51.

Bob Ganley preached substance over style, and that is how he lived. As city manager first of South Portland and then of Portland, he revitalized our communities. A master of the budgetary process, he made local government more efficient, improved services, held down taxes, and made Portland a better place to live.

His sometimes blunt demeanor could not hide a passionate commitment to his city, his family, the Portland Sea Dogs and Boston sports teams.

Bob might have become a journalist, but as he told a friend who was one, "I loved government." Not many today understand the depth of his kind of commitment to public service.

For 6 years, from 1989 to 1995, I served on the Portland City Council, including one year as mayor. I learned from Bob the importance of fighting for the long-term interests of a community against the negative passions of the moment.

Bob Ganley knew that his job was to strengthen the community he served. He wanted Portland to be a place where people cared about each other and could work effectively together toward goals that transcended their individual interests. Portland today is that kind of community.

When homeless people were sleeping in city parks in the late 1980s, Bob pushed the shelter program to meet his declared goal that no one would be without a bed in Portland. He succeeded.

When the local economy stalled in the early 1990s, Bob helped create a downtown improvement district, pushed through tax increment financing packages, and established a business advisory committee to connect city hall with downtown businesses. He worked closely with our employee unions to cope with unusual budgetary pressures.

Bob seized opportunities. When Portland was offered the chance to host the AA baseball team, Bob made it happen and became one of the biggest fans of the Portland Sea Dogs. He understood what the team would do to lift the spirit of the city, even though the economic impact could never be calculated.

Bob Ganley's management style was defined by his unwavering public support of the men and women who worked for the city. He had high expectations for his staff and they knew it. He nudged and pushed and challenged them; but in public he always defended them, even if he thought they were mistaken. Critiques were reserved for private meetings. Above all, Bob could make decisions. We can do this, he would say, about some difficult undertaking, and his staff and the council went out and did it.

When Bob died on December 23, he left behind three children. His pride in them was evident to all who knew him because if he was not talking about the city or sports, he was telling friends about his kids. He had reason to be proud of his children, Amy, Jillian, and Robert, Jr., all now young adults. Their mother, Susan, is helping them adjust to their loss.

At Bob's memorial service in the Merrill Auditorium at city hall, his son Bobby said, "Thank you, Dad, for teaching me that life is all about substance and not about style." He captured his father's character, as well as his passion for public service.

Bob's own life was about to change. He had proposed to Tracy Sullivan less than 24 hours before he died. Tracy's sadness after so much joy is profoundly felt by all who know her. Her young son, Dimitri, loved Bob, too. His friends, family, and colleagues all miss Bob Ganley; but we take heart from his example, for he showed us how to brush aside cynics and lead the citizens of Portland to build together a better place to live.

Thank you, Bob, for all you taught us.

WOMEN DESERVE EQUAL PAY FOR EQUAL WORK

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

Mr. BACA. Mr. Speaker, when President John Kennedy signed the Equal Pay Act into law on June 10, 1963, women on the average earned 61 cents for each dollar earned by a man.

Today, working women earn 73 cents for every dollar earned by a man, according to the Bureau of Labor Statistics.

President Kennedy told his fellow citizens that he was taking the first step in addressing the unconscionable practice of paying female employees less wages than male employees for the same job.

While progress has been made, still more needs to be done. If Congress acts this year, more can be achieved; and I say more can be achieved and will be achieved if we come together.

In my State of California, families lose a staggering $21 billion of income annually to the wage gap. If women in California received equal pay, poverty and single-mom households would go from 19.2 percent to 9.2 percent.

Women in the Inland Empire, for example, lose an average of $4,000 every year because of unequal pay, and I state because of unequal pay they lose that much; that is $4,000. This is money that cannot buy groceries, housing, child care, clothing for their families, and we must realize how important and critical it is when someone has to budget their dollars based on the amount of monies that they get paid.

I ask my colleagues to support H.R. 781, the Paycheck Fairness Act, and the Fair Pay Act legislation currently pending in Congress that is designed to help eliminate the wage gap that still exists between men and women.

Many working women lack the basic benefits they need in order to care for their families. They are our grandmothers, our mothers, our wives, our sisters, our daughters, and our colleagues. They are doctors, lawyers, teachers, caregivers, and leaders.

Women lawyers earn $3,000 less than a male attorney, and a lot of people are surprised and they think that they earn an equal amount of pay and they do not.

Female doctors make $5,000 less than male colleagues.

Wages for female nurses, where 95 percent are women, earn $30 less each week than male nurses who make up 5 percent. Can one imagine, only 5 percent are male and the majority, which

is 95 percent female, earn less money. That is not fair.

Waitresses' weekly earnings are $50 less than waiters' earnings.

The situation is even worse for women of color. African American women earn only 67 cents and Latinos 56 cents for every dollar that men earn. This continues to be a disparity, and a lot of times when we look at our Nation and we look at the diversity that we have, all we are asking for is for equal pay for equal work; that African American women and Latinos should earn the same amount of dollars that anybody else should earn because they are willing to work and they are not asking for any special privileges. They are saying pay me for the same work that somebody else earns.

The wage gap impacts women's retirement also. Women have less to save for the future and will earn smaller pensions than men; and when we look at today's society, it is no longer a man that is providing but a woman a lot of times is providing for the family.

It is important that they also have that security for retirement when they are looking towards retirement.

On the job, working women are looking for higher pay, better benefits and, most of all, the three Rs, and I state the three Rs: respect, recognition, and reward for a job well done. We all need a pat on the back, and we all need to be respected when it comes to that recognition.

Half of all older women receiving a pension in 1998 got less than $3,486 per year compared to $7,020 per year for older men.

Before the end of the year, let us pass this legislation to finally make the work of America's women valued, fair, equitable, and just. Let us work to bring equal pay to every woman in America, to every working person. They deserve it. Their families deserve it. Let us get the job done.

PAY EQUITY DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise today to recognize Pay Equity Day and to focus attention on the need for pay equity.

Mr. Speaker, women across this country are speaking out on the importance of Pay Equity Day as data has shown that women must work almost 7 working days to earn what men earn in only 5 days. Appropriately, I am introducing legislation that will require Federal agencies to undertake studies that examine pay inequities and identify institutional barriers that can be lifted in order to diminish this disparity.

Women make up more than half of this Nation's workforce. Yet, 38 years after passage of the Equal Pay Act, women still receive about 76 cents to each dollar paid to men. That means that women have to work 15 extra weeks in 2001 to earn what men earned in the year 2000.

For women of color, the gap is even wider. Black women earn 65 percent and Hispanic women 52 percent of white men's weekly earnings. The wage gap widens as women mature and has significant implications for life-long savings, Social Security, and retirement earnings. Thus, lower pay is not the only source of difficulty. A higher percentage of women than men work in service, nonunion jobs, and part-time jobs, where pensions are less likely to be offered.

Additionally, while women no longer routinely drop out of the labor force for child-bearing and child-rearing, more women than men leave work to care for children, elderly parents, or spouses. All of these factors take their toll.

In the private sector, only 31 percent of retired women age 65 or older have a pension, and the median benefit received by women who have pensions is only 38 percent of the median amount received by men. Financial worries are exacerbated by the fact that women tend to live longer than men so their retirement assets must spread over a longer period of time. Clearly, there is something seriously wrong when women age 65 and older are twice as likely to live in poverty as their male counterparts.

Today, there are nearly 6 million women business owners. They are the fastest growing segment of small business development in this Nation. Between 1987 and 1999, the National Foundation for Women Business Owners estimated that the number of women-owned firms increased by 82 percent nationwide. However, women still have less access to credit and are less likely to receive financing than men. This is a severe barrier to business growth, Mr. Speaker, and ultimately prosperity. We must recognize that when women thrive, our Nation prospers and families are strengthened.

Women comprise more than half the world's population. We account for the majority of new workers in both industrialized and developing countries. When women are guaranteed basic human and labor rights, whole families and communities benefit. When women gain knowledge, power, and equal resources to make their own choices, the chains of poverty will be broken.

□ 1945

This is how progress is generated. This is how lasting prosperity is built and measured.

Mr. Speaker, I will end with the words of Supreme Court Justice Ruth Bader Ginsberg who said, ''Bias, both conscious and unconscious, reflecting traditional and unexamined patterns of thought, keeps up barriers that must come down if equal opportunity and nondiscrimination are ever genuinely to become this Nation's law and practice.''

Fighting for pay equity and advancing the status of women is not just a social and moral issue, Mr. Speaker, it is an economic imperative, and it is long overdue.

The SPEAKER pro tempore (Mr. TIBERI). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON. addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

DECONTAMINATION EFFORTS REQUIRE IMMEDIATE ACTION BY CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Mr. BLUMENAUER. Mr. Speaker, it is time at this juncture appropriate to step back and take stock of recent actions. We have had some commentary here on the floor this evening dealing with the environment and dealing with the recent activities of this Congress and the administration. I think it is appropriate for us to do this, as I have fresh in my mind very vivid memories of a tour that I organized today to visit the exclusive residential area of Spring Valley here in the District of Columbia around the American University campus. It was a tour to be able to understand clearly one of the key environmental issues that deals with 1,000 sites around the country.

Twenty-six years after the Vietnam War, 56 years after the conclusion of World War II, 83 years after World War I, there is still a battle taking place, and it is taking place right here on the soil of America. It involves mines, nerve gases, toxics and explosive shells. This battle has claimed 69 lives and has maimed and injured far more. Sadly, this battle continues every day. If we are not careful in this country, it may continue for another 100 years, 500 years. There are some estimates that the areas of contamination by military

hazardous waste are such that at the current rate, it may take over 1,000 years.

Toxic explosive wastes of our military activities here in the United States, unexploded ordnance on formerly-used defense installations, probably contaminates at least 25 million acres in the United States, and, indeed, that number could be as much as twice as high, approaching 50 million acres or more. Sadly, nobody can even give an accurate appraisal of this problem, but we do know that at the current rate of spending, which is less than $300 million a year, this problem of many billion dollars of magnitude will take centuries to return the land to safe and productive uses. Sadly, some areas of this country are so damaged that we cannot even attempt to clean them up at all.

Mr. Speaker, unexploded ordnance is a serious problem today. Human activity and wildlife is encroaching on more and more of these sites as our neighborhoods grow, as our cities sprawl, and, at the same time, the natural rhythm of nature, flooding, earthquakes, landslides, aided and abetted by human activity, exposes these dangers as the land mines, as the unexploded bombs and shells work their way to the surface. Today across America we are finding lost and forgotten unexploded ordnance that in some cases was intentionally buried in a feeble attempt just to get rid of it, or we find shells that were fired and missed their mark and did not explode as intended. These are acute dangers.

I recall one example that occurred in San Diego where two children, actually there were three, who were playing on a vacant lot in a subdivision that was formerly military territory. This had been used as a bombing ring, as a target. These children found an unexploded shell, started playing with it. It detonated. It killed two of them and seriously injured a third.

At the sites that I visited today, there is a child care center on the campus of American University that has been closed because the level of toxicity from arsenic is so high that it poses a threat to human health. Across the road there is a grand home that belongs to the Korean Ambassador, and the whole backyard has been excavated away, as they are dealing there again with high levels of soil contamination. There are acres and acres of this site next to the American University campus and some that is on the campus itself that was used to test chemical weapons during World War I. At the height of the activity, there were almost 2,000 people working on this area. There were over 100 buildings. They were testing things like mustard gas, arsenic. There were circles where they tied animals and subjected them to the gas. There were areas where they manufactured these chemical weapons.

When the war was over, we were pretty haphazard about what happened there. In some cases, the buildings were so contaminated, they just burned them, and then covered them up. There was no careful accounting of the materials, and we have found over the years that some of the shells and explosives and toxics have been exposed.

There was some construction there of late, in the last decades, in the 1990s, and as they were bulldozing away, they found shells that contained toxic explosives. There was a glass container that was broken in the late 1990s during construction that sent workers to the hospital. There was phosphorus that was encountered that when the container was broken open and the phosphorus was exposed to the air, it exploded into flame. Now, this is an area that is developed with homes and a university campus less than a 30-minute bike ride from where I am speaking this evening. We were done with it by 1919, and yet we have yet to thoroughly decontaminate the area.

Now, there are many targets of frustration that citizens can have to direct their anger and concern. They can be frustrated and angry with the Department of Defense or the Corps of Engineers or the EPA or local authorities. People have legitimate concerns about these and other agencies about what they have done in the past and what they are doing now. But sadly, there is one participant in this battle that is missing in action: the United States Congress.

Only we in Congress can set adequate funding levels, can budget clearly, make sure enough money is appropriated to do the job right. Congress can pinpoint managerial responsibility and establish the rules of the game. It is not acceptable to me, and I hope not acceptable to the American public, for Congress to occasionally step in from the sidelines, complain, protest, perhaps shift already inadequate budget resources from one high-priority project to another. This is worse than a zero-sum game and does not advance the goal of protecting the public. Congress needs to report for duty and needs to provide the administrative and financial tools that are necessary.

Now, I am not talking about the active ranges and military readiness. There are issues there, but that is a separate topic for another time. My concern is for the closed, the transferred or the transferring properties where the public is exposed, soon will be exposed, or unsuspecting children and members of the public could potentially be exposed in the future. More than 1,000 years to clean up these sites is not an appropriate timetable when people are at risk, and they are, in fact, at risk every day.

Mr. Speaker, we need to provide the resources to solve this problem, not in 1,000 years or 300 years, but in the lifetime of our children. If we do this, provide the momentum, the energy, there will be improvement in technology, the development of appropriate partnerships that will mean we can make a quantum improvement in our ability to find these hazards, the unexploded ordnance, to decontaminate the sites, to have the infrastructure companies train personnel to do it right.

I do believe that if we in this Chamber made a commitment that we would get the job done, say, in the next 75 years, it could create such a burst of enthusiasm and energy, that, in fact, we could get the job done far sooner.

Our goal in Congress should be to make sure that the administration and that every Member in the House and the Senate understands what is going on; what is going on in their State, what is going on from border to border, coast to coast, because this is a problem in every single State in the Union. Our goal is to make sure that there is somebody, one person, who is in charge. Our goal is to make sure that there is enough funding so that we can at least get the cleanup done this century, hopefully sooner, and that no child will be at risk for death, dismemberment, or serious illness as a result of the United States Government not cleaning up after itself.

I come here tonight with serious concern about the environment and with initially a plea for bipartisan cooperation in Congress, in the House and in the Senate, and with the administration to solve this problem. That is, in fact, what should be our approach to protecting our environment, to making our communities more livable and our families safe, healthy and more economically secure.

□ 2000

It should be in a bipartisan, objective, thoughtful approach.

Mr. Speaker, I will tell the Members that I have been deeply concerned by the events that have occurred with this new administration. There was in fact an opportunity to take the rhetoric of Governor Bush on the campaign trail, and the rhetoric that we heard from President Bush as he was installed in office, to reach out, to be a compassionate conservative, to work together to solve America's problems. That was what we heard on the campaign trail.

But, as some of us were concerned about on the floor of this Chamber, as we spoke out during the last campaign, it is important to look at a candidate's performance, not just the words.

Frankly, I was concerned that this administration that we have now with President Bush, because of its past record, would not measure up to the rhetoric, the soft and fuzzy language we were hearing on the campaign trail.

Sadly, my worst fears have in fact been confirmed. I will tell the Members candidly, even though I was a strong opponent of the President on the campaign trail, and I had no illusions based on his record as Governor of Texas that he was going to be particularly environmentally sensitive, frankly, I was shocked at what we have been visited with as a nation in the first hours of this administration.

We have heard them push ahead with proposals to solve our energy crisis,

not with the summoning of a call to arms to use our energy more thoughtfully, more carefully, more constructively to conserve. Instead, they are pushing ahead with their proposal to drill for oil in the Arctic National Wildlife Refuge, even though this will take perhaps a decade, even though this is opposed by the majority of the American public, even though this will be a false proposal to provide energy security for the United States.

The Secretary of Energy managed to make an entire speech about the so-called energy crisis that we are in right now, and there was profound concern expressed in calling for building 1,600 new generation plants, and virtually no word about conservation. I believe there was one line about energy conservation.

There was no word about the opportunity to conserve oil by improving the mileage of American vehicles, even though this is the area in which it would be easiest for us to take aggressive action.

Indeed, this administration is proposing a budget that will cut the budget of the Department of Energy 7 percent and cut money for energy conservation 10 percent, an absolute wrong-headed approach for energy conservation.

This administration took action to reverse the cleanup regulation for hardrock mining, returning to regulations from 1980 that do not require mining companies to pay for their own cleanup and restoration when mining for silver, gold, and other metals. That is absolutely outrageous, and completely out of sync with where the American public is.

This administration is failing to regulate CO2 emissions from power plants. This is despite explicit campaign promises from candidate Bush that he was going to introduce mandatory legislation to deal with a reduction of CO2 emissions. This was a formal presentation of the most highly-scripted campaign perhaps in our Nation's history. They knew exactly what they were doing.

Indeed, President Bush as a candidate attacked, during the debate with Vice President Gore, attacked the Vice President, who has a lifetime of working to protect the environment, because he was too soft; because he, Gore, was not willing to embrace what candidate Bush was promising, but what President Bush turned his back on, changed his mind on, conveniently, after the election when he was facing a little pressure to follow through on his campaign promise.

They are taking action in this administration to delay implementation of the roadless areas protection policy until May, and most people feel that they are simply embracing delays and catering to the special interests that want to open these areas more to timber companies, to off-road vehicles, and that this is just the first step to repeal this important protection.

This administration, with its about-face on the campaign pledge for the CO2 emissions, is not just breaking a pledge that was made to the American voters. This is having a destabilizing effect on our efforts to work with other national governments to follow through on the Kyoto accords, on the greenhouse emissions treaty. It is angering important allies, and dodging the United States' responsibility to reduce greenhouse gas emissions.

It seems to me disingenuous to point a finger at developing countries like China and India and say that they have to solve the problem when the United States, as the greatest polluter of greenhouse gases, emitting six times the world average per capita, twice as much as our allies in developed countries like Japan and Germany, when the United States fails to step forward and to provide leadership in this global concern.

The administration, the President, suggests that we need more time to study whether or not we have a problem with greenhouse gases and global warming, despite the overwhelming consensus of the environmental and scientific community since having 8 of the last 10 years be the highest temperatures on record; as we are seeing the ice caps shrink, as we see glaciers shrink.

The rest of the world knows that we have a problem, and that it is time for the United States to assume leadership.

In fact, President Bush could just simply listen to members of his own cabinet. The Secretary of the Treasury, Paul O'Neill, in his previous life as chairman and CEO of Alcoa Aluminum, likened global warming to a potential disaster on the par of a nuclear holocaust. This was 2 years ago that Secretary of the Treasury, in his prior life as a respected business leader, was saying, we need to get serious. Now President Bush and this administration are falling back from our global responsibility.

I had an eye-opening experience on the campus of American University on the hazards of arsenic. As I was looking at that site of the former military test ground for chemical weapons at American University in the Northwest part of the District of Columbia, I thought about this administration and wondered if we could get them excited about it, because this, after all, is the administration that has now recently revoked the arsenic rule, dismantling a rule that was mandated by Congress to reduce the level of carcinogenic arsenic in water from 50 parts per billion to 10 parts per billion and provide healthier drinking water for the American public.

This is not some crazy standard that is being proposed by the rabid environmentalists in the Clinton administration, this is the standard of the European Union, of the World Health Organization. This was the standard that was recommended for the American public for its protection. Yet, this administration has now revoked that rule.

It is hard to imagine what would have happened if candidate Bush had spoken what was in his mind and his heart on the campaign trail. I think if he had proposed revoking the arsenic rule as a candidate, I do not think we would have had to worry about hanging chads in Florida. I do not think the election would have even been close, the election where Vice President Gore got the majority of votes of the American public.

This administration has proposed eliminating Project Impact, a creative project with the Federal Emergency Management Administration that is working with over 2,500 partners in the private sector around the country, and dozens and dozens of governments are working to eliminate hazards before they occur from flooding, hurricane, and earthquake.

This administration is ignoring the energy crisis in ways that could have the most impact now. If we ask any of the experts in the energy field, there is only one thing that is going to make a difference in the short term to provide more energy for those of us in the West who are having a serious problem, particularly in the Pacific Northwest. Because of the drought, we have been supplying energy that we cannot afford to share, actually, with our friends in California. We are paying far higher prices for the privilege. Yet, if we ask the experts in industry, in the environmental community, in business, in the neighborhoods and local government, the only thing that is going to make a difference now is energy conservation: making do with what we have in a more creative way.

There are simple things we can do. Painting the roofs in California a light color that is reflective could cut the energy requirement for air conditioning by 30 percent. But where are we hearing a call to arms from this administration for people to do something right now that is going to make a difference in cutting down on the waste of energy? We listen in vain. It is not on their radar screen.

We have seen this administration move forward threatening the designation of important national monuments. One of the areas that the last administration will be known for for generations in a positive way is moving to protect critical designations of national monuments, the most designations since the Antiquities Act was first used by President Teddy Roosevelt almost a century ago.

Now this administration has signaled its intention to revisit these national monument designations. They want to have more comment to see if there is more that could be done for vehicle use, grazing, extracting more water, and mining that could alter or threaten these national treasures.

We have seen the budget that has been submitted by this administration

that was going to be more compassionate, kinder, gentler. They are, in their rush to have a tax cut that was supposed to only be $1.6 trillion, and now is over $2 trillion and counting in terms of the proposal they want, they are, in order to be able to carve out money in the budget to do this, they are reducing funding for everything from child care assistance for low-income families, programs to combat child abuse, cutting funding for the Interior Department, the EPA, and important bipartisan conservation agreements.

As I mentioned, this budget proposes a 7 percent reduction in the budget of the Department of Energy when allegedly some people in this administration think we have an energy crisis, and a 10 percent reduction in energy conservation when this is the only approach that is going to make a difference this year.

I recently had lunch with the retiring superintendent of Yellowstone Park, Michael Finley, a creative, brilliant public servant who has served us, and served us well, for over 30 years.

Mr. Finley, and I think it is no coincidence that he is an Oregonian and has this reverence for the treasure that he was able to have stewardship for, he called forth the critical requirement to control the use of snowmobiles in our national parks, like Yellowstone.

□ 2015

Mr. Speaker, it is a tragedy and a travesty to have people roaring through at 60 miles an hour, 80 miles an hour, spewing forth pollution, the noise, the hazard to wildlife, the hazard to the air, the hazard to the tranquility that other park-goers treasure and, indeed, a risk to each other in terms of the death that results from the reckless operation.

This administration is now reviewing the important Yellowstone-Grand Tetons rule and possibly settling lawsuits with snowmobile groups in order to reverse the rulemaking, an outrage for these national treasures. Again, candidate Bush gave no hint that he would be involved in such reckless antienvironmental activity.

Another area that is going to have significant environmental inconveniences has to do with the judicial process. One of the things that concerned a number of us when candidate Bush was running for office was his identification of people like Justice Scalia and Justice Thomas as his role models for judicial candidates that he was going to nominate for our highest courts.

Given the environmental record of those two justices, it did not give much comfort to people who care about protecting the environment, because increasingly given the gridlock in Congress, citizens have to resort to our courts for the enforcement of environmental laws; and sometimes if there is an administration that is recalcitrant and bent on doing things like we are talking about with this administration, sometimes recourse to the courts is the only avenue open to citizens to protect the environment.

Mr. Speaker, I found it extraordinarily disconcerting that this administration has chosen to reverse a policy implemented by President Eisenhower over 50 years ago to provide the American Bar Association as a nonpartisan impartial body that would review the qualifications of judicial nominees.

This has served us well, Republican, Democrat, conservative and liberal. Every President since Eisenhower has relied on this screening process to help ensure, regardless of the philosophy of the candidates in question, to ensure the highest quality in terms of their standards, their qualifications.

This administration has decided to not have that impartial professional review from the bar association. They have removed the ABA from this role of interviewing the peers of the nominees and other people in the legal community about their competence, their integrity, and their judicial temperament; and instead it is all going to be done in the White House with the aid and assistance of organizations that are by no stretch of the imagination impartial.

In fact, you have seen in the newspapers of this country the expressions of glee on the part of the most reactionary elements that they have been able to push the ABA, making it easier to be able to have the most extreme people nominated and make it easier to confirm.

Finally, I would reference the repeal of the ergonomic standards for repetitive stress. This was important in terms of the work that is done. And I am not concerned frankly by the majority of the American employers. The vast majority of the people that I represent in Oregon, in areas that I have worked around the country, I am confident that these rules would have been easy for the vast majority of the business community to comply with; but in fact, the majority of them probably did not even need these rules in the first place. That did not mean that those rules were not important.

I wonder if representatives of this administration had talked, as I had, to a woman who was a chicken-thigh deboner, a woman who worked 8 hours, 10 hours, 12 hours a day in a cold workplace dealing with semifrozen chicken carcasses that speed past her, the same repetitive motion time and time again, talking about what happened to her, to her hands, to the amazing stress and the mind-numbing activity. It was for a woman like that that we needed to have that ergonomic rule.

There was a gentleman within an hour's drive from where we are, on Capitol Hill this evening, who is a chicken catcher, who catches chickens at the factory farms hour after hour after hour in the sweltering heat gathering them up, the feathers, the dust for hours at a time and carrying them to be loaded to go off for slaughter.

This is back-breaking, mind-numbing work; and these people need the benefit of the ergonomics rule. It is estimated that the stress and strain of repetitive-stress injury costs the economy over $50 billion a year, but it is the largest single workplace safety and health problem in the United States today.

It is not just cost. It is the toll on workers who do not have the benefit in many cases of enlightened employers, the protection of unions for whom this rule promulgated by OSHA would have made all the difference in the world.

This President signed in to law legislation to overturn these standards and is going to have a serious effect on the health and welfare of tens of thousands of American workers who need this help the most.

Mr. Speaker, this is a summary of some of the most depressing actions on the part of this administration in just the first 3 months. These are not the actions of candidate Governor George Bush. These are activities that in some cases violate explicit campaign promises, misleading the American public about its intentions. There are things that are going to have serious consequences for decades to come.

Mr. Speaker, I am hopeful that we will have an opportunity to review in greater detail these activities on the floor of this Chamber. I am hopeful that the American public is going to push back to hold this administration accountable for the specifics and the rhetoric that was embodied on the campaign trail.

It is important for us to take several of these items to be able to focus on them, to make sure that the American public is, in fact, heard.

I think there is no area that perhaps there is a greater difference between where the American public is and where this administration is pushing than drilling in the Arctic National Wildlife Refuge. This is one of the premier approaches to this administration for solving the energy crisis that they are talking about.

Bear in mind, as I mentioned, this administration is not proposing an increase in conservation. In fact, they are proposing to cut conservation dollars. They are proposing to cut the budget for the Department of Energy. Yet they are proposing to solve the problem by drilling in the Arctic Wildlife Refuge.

This refuge is a more sensitive area than Prudoe Bay. It is a resting, nesting and breeding area for over 160 species of birds, including species that visit each of the lower 48 States.

It is known as America's Sarengetti because of the huge herds of caribou, 130,000 of them that calf and rear their young on the coastal plane. These are the herds that provide subsistence for native Alaskans in an area whose way of life would be destroyed by a disruption of the herd.

We could talk about the disruption of the habitat of significant polar bear denning habitat, but the time this

evening actually does not permit me to go into the detail that I would; but suffice it to say that this is an area of deep, deep concern for many in the environmental community, because 95 percent of Alaska North Slope is already available for oil and gas exploitation and leasing.

This Wildlife Refuge is only the remaining 5 percent and it is the most sensitive. It is an area first and foremost that makes no sense in terms of a timely reaction to the energy problems that we have now.

First of all, only about 1 percent of the State that is having the most difficulty, California, comes from petroleum-based sources. Of that 1 percent, the Arctic Wildlife Refuge is not going to help at all. It will take conservatively 10 years before this oil is going to flow and be available.

But reflect for a moment the total amount of oil that would be available, according to reasonable projections, is only about a 6-month supply for the American public. It is an amount, to put it in perspective, that we could save if we simply increase the miles per gallon of SUVs in this country 3 miles a gallon. Three miles a gallon, we would not have to drill at all.

Okay. Maybe that is a radical notion to take SUVs and have a 3-mile per gallon improvement. Forgive me, but let us suggest a less radical proposal, because the mileage fleet numbers for the United States this year are tied for a 20-year low. Just taking that 20-year low and improving it ½ mile per gallon across the board for the fleet, we would not have to drill in the Arctic.

But what about energy security some of my colleagues suggest? This is an area that will improve America's energy independence and security by being able to exploit our own resources. This is perhaps the most bizarre notion that we are going to take an aging pipeline, 800 miles long that already has problems, and we are going to rely for our energy security for protecting this 800-mile length of the pipeline.

Everybody that I have talked to acknowledges that this 800-mile aging pipeline is already subjected to any deranged person, to hostile powers, to accident. If this is what we are relying on, we are potentially in big trouble in the future, because this 800-mile pipeline is a sitting duck for a terrorist, a foreign threat, or simply a deranged person in this country. We have seen them act.

It is far more appropriate, I would suggest, rather than drilling in the Arctic Wildlife Refuge, for us to get serious about improving fuel efficiency, improving how we utilize energy in this country, if we were only to listen to the American public.

□ 2030

The vast majority of the American public says nothing, and something that I have found intriguing, even citizens of Alaska are conflicted on this issue. A slight majority in the most recent poll I have seen oppose development: 46.7 percent to 45.7 percent.

Now, these are people for whom the permanent fund in Alaska State with no sales tax, no income tax, that runs on revenue from oil, and every man, woman and child who has resided in Alaska for more than a year gets a payment, I believe last year it was $2,000, these people with a financial stake in drilling, a slight majority oppose drilling in the ANWR. But this is not the limit of where the administration has reversed its direction and moved in the wrong way relating to the environment.

Mr. Speaker, we look at hardrock mining. One of the things that I was pleased the last administration did was to deal with proposing the regulations under which the Bureau of Land Management dealt with hardrock mining. The Clinton administration, after 4 years of work listening to the public, listening to the experts, looking at the impact, issued new regulations. These 3809 hardrock mining regulations required that the companies that mine for silver, for gold, copper, lead and zinc, that they have to administer and pay for cleaning and restoration efforts on the land once the mine closes to reduce the risk of water pollution. Reversing these regulations will open legal loopholes for the mining industry and allow them to evade cleanup costs after they finish mining.

From Pennsylvania to Montana to my State of Oregon, we have seen the devastation from the mining industry, often on public lands owned by the public. The mining companies are able to extract these minerals for a pittance, and bear in mind that the Mining Act of 1872 is exactly as it appeared when it was signed into law by President Ulysses S. Grant. It is not adequate to protect the American public. The American public does not get adequate value for the minerals that are extracted under it, unless you think $250 an acre, in some cases $5 an acre, is adequate payment to the American public for the ability to exploit, extract, and then leave ravished land.

These standards have aggravated the mining industry. They have prompted numerous lawsuits, and now the Bush administration has requested the return to the inadequate, inferior regulations of 1980.

Mr. Speaker, I am frankly shocked that we have seen this reversal. I am disappointed at a time when I would hope that there would be some areas that would be exempt from this extreme activity. According to Taxpayers for Common Sense, a watchdog agency that has helped us a great deal to sort of focus a spotlight on this, a nonpartisan group that is looking over our shoulders, the return to the old rule would allow mining practices to continue that will cost taxpayers more than $1 billion to clean up.

I think it is another example where we cannot afford these type of reversals of the hard, painstaking activity of the previous administration.

Mr. Speaker, I referenced earlier in my opening summary that the administration has turned its back on the arsenic rules. I mentioned that this was something that was heavy on my mind because I had visited polluted sites here in the District of Columbia where arsenic contamination is something that we are spending millions of dollars to try to eliminate, yet last week the Environmental Protection Agency, and it is not just EPA, it is the Environmental Protection Agency, the same agency that was caught flat-footed when President Bush reversed himself on his explicit campaign promise to reverse CO2 emissions, the EPA has announced its intention to withdraw a new drinking water regulation on arsenic that was approved by the Clinton administration.

Administrator Whitman announced that the EPA will propose to withdraw the pending standard that was issued on January 22 that would have reduced the acceptable level of arsenic in water from 50 parts per billion to 10 parts per billion.

Mr. Speaker, this is a reduction in a standard of a known carcinogen, and it is not some wild-eyed environmental proposal. And forgive me at times for being a wild-eyed environmentalist, which is something, given the alternative, is not that bad. This 10-parts-per-billion standard is already the standard in place to protect the people in the European Union. This is the World Health Organization standard that is already in place. At least 11 million Americans rely on drinking water with arsenic standards higher than the proposed standard, and one that I think should give pause to Americans across the country.

This 55-parts-per-billion standard was adopted in 1942 by the Public Health Service. This was before we had proven the causal connection between arsenic and cancer. The National Academy of Sciences found that the EPA's old standard was not protective of health and should be reduced as promptly as possible. We do not need to study this anymore. It should be reduced as promptly as possible.

The National Academy of Sciences found in its unanimous 1999 report, Arsenic in Drinking Water, that the prior standard that the Bush administration proposes that we go back to ''does not,'' and I am quoting, ''achieve EPA's goal for public health protection; and, therefore, requires downward revision as promptly as possible.''

The Academy found that drinking water at the current standard that the Bush administration now wants to go back to could easily result in a fatal cancer risk of 1 in 100. That is a cancer risk 1,000 times higher than the EPA allows for food, and 100 times higher than the EPA has ever allowed for tap water contaminants. Why in the name of all that is holy does this administration plan to go back, to reverse that standard, to study it further?

Arsenic is found in the tap water of millions of American homes. Over 26 million American homes have levels averaging over 5 parts per billion. Scientists point out that not everybody is equally susceptible. It is the children and pregnant women who are especially susceptible. A wider margin of safety might be needed when conducting risk assessments, the National Academy found, because of variations of the sensitivity of these individuals. But the Bush administration has proposed that we go back to the standard that was good enough for 1942.

Mr. Speaker, I am deeply concerned that this Congress, in its rush to focus on a very narrow agenda from the administration where they do not want to talk about these inconvenient proposals, these inconvenient reminders of their campaign pledges, they want to narrow the discussion to their economic agenda, and actually I do not have any qualms about the American public turning a searchlight on that proposal, on the $1.6 trillion tax cut that was conjured up by Presidential candidate Bush 2 years ago because it was just right. We did not need it. The economy was rolling along and, therefore, we needed to return the surplus. Now the same proposal is needed when the economy is going down because that is somehow magically going to stimulate the economy. But of course that was not going to stimulate the economy 2 years ago.

There is a certain discontinuity, I find, in terms of that argument, and I would wish that the American public would focus on it. I would wish that the American public would focus on the illusory $5.6 trillion surplus that the administration is claiming, except if they use the same budget assumptions that the recent commission reporting on Social Security and Medicare reported on, that the budget surplus evaporates. They assume that we are going to spend at a lower rate than even the revolution of Mr. Gingrich when they were riding high, and we never achieved the 4 percent reduction. They are assuming that tax breaks that we know are going to be reinstituted somehow are magically going to go away. And the fact that millions of Americans are going to be subjected to the alternative minimum tax, and we know that we are going to fix that at a cost of probably $400 billion, all of these are ignored.

Mr. Speaker, I am happy to debate these on the floor of the Chamber. It would be nice to have debate time rather than rushing it through. At least our colleagues in the Senate are going to take some time and deliberate on it. I think it is ironic that this tax cut my colleagues think is so important, they have permitted 1 hour debate. At a time when we were standing around waiting for my colleagues to come back from meetings across the country, we could have had an opportunity to discuss it, if not amend it.

While we have that debate, it is important that every American reflect on what is going on in the back rooms here in Washington, D.C., what is going on in the agencies as we are having campaign pledges reversed, as we are having campaign promises ignored, and we are having vital protections for the American public put at risk.

I came to Congress committed to work in a bipartisan, cooperative way for the Federal Government to be a better partner working with communities to make them more livable, to make our families safe, healthy and more economically secure.

Mr. Speaker, I fear that reversing the arsenic standard, drilling in the Arctic Wildlife Refuge, ignoring energy conservation, and turning our back on our leadership in global climate change is not in keeping with that goal.

Mr. Speaker, I am hopeful that there will be time for Congress to give voice to what the American public is concerned about in protecting the environment, and urge the Bush administration to reconsider these ill-advised policies. Mr. Speaker, I appreciate the opportunity to discuss these issues this evening.

Ms. LEE. Mr. Speaker, I would like to thank the gentleman from Oregon, Mr. BLUMENAUER, for his leadership in the fight to build livable communities in a livable world.

I rise tonight to speak out against the pollution of our waters, our atmosphere, our wilderness, and our children.

Arsenic causes cancer. Global temperatures are climbing every year.

These are not wild theories, they are established science.

Nonetheless, the Bush Administration is turning back the clock to 1942 on arsenic regulations, is seeking to plunder the Arctic Wildlife Refuge, and is declaring that the Kyoto Protocol on Global Climate Change is dead on arrival.

As a candidate, George W. Bush declared, "We will require all power plants to meet clean air standards in order to reduce emissions of sulfur dioxide, nitrogen oxide, mercury and carbon dioxide within a reasonable period of time."

He also states that voluntary reductions were insufficient: "in Texas, we've done better with mandatory reductions, and I believe the nation can do better."

I agree. We can do better.

However, as President, Mr. Bush has reversed himself on carbon dioxide, claiming that the nation cannot afford to reduce emissions.

The fact is, we can't afford not to.

We cannot erase decades of progress.

We cannot wipe out the accomplishments of such wild eyed radicals as Richard Nixon who signed the Endangered Species and Clean Air Acts.

We have to move forward, not backward.

We have to set drinking water standards that will safeguard human health.

We need to establish protections for the Arctic National Wildlife Refuge and other irreplaceable wilderness areas.

And we need to live up to our commitments to reduce greenhouse gas emissions because global warming threatens the well-being of the entire planet.

Tomorrow, as a first step in restoring our national and international commitments to a cleaner environment, I will be introducing the Carbon Dioxide Emissions and Global Climate Change Act.

This resolution will send a strong message to the President and the country that Congress will hold Mr. Bush to his campaign promises, that it recognizes that global warming poses grave dangers to our environment, our economy, and our national security, and that this country must seek to reduce its CO_2 emissions.

As a member of the International Relations Committee, I am fully aware of the impact that abandoning our commitment to reduce greenhouse gas emissions will have on our allies in Europe and throughout the world.

As a member of the human race, I am aware of the impact that it will have on our planet.

We must uphold our commitments and responsibilities to the rest of the world.

We are the biggest contributor to global warming, and we must also take the lead in reducing pollution.

Clean air and clean water are the most basic of human rights.

However, we have a President who apparently feels that arsenic is good for kids, that oil spills are good for caribou, and that excessive carbon dioxide is good for all of us.

The American people disagree.

They overwhelmingly oppose weakening arsenic standards, drilling in the Arctic Wildlife Refuge, and abandoning CO_2 reductions.

We cannot turn back the clock, we cannot abandon our commitments, and we cannot give up this fight for our future.

□ 2045

ELIMINATING THE ESTATE TAX

The SPEAKER pro tempore (Mr. CANTOR). Under the Speaker's announced policy of January 3, 2001, the gentleman from South Dakota (Mr. THUNE) is recognized for 60 minutes as the designee of the majority leader.

Mr. THUNE. Mr. Speaker, when I came to Congress a little over 4 years ago, I came here with some very specific objectives in mind as well. And since coming to Congress, we have achieved a lot of the things that I sought to do in working with the House and our brethren in the Senate and the administration. For the 4th year in row we have balanced the Federal budget. We are actually paying down the publicly held debt. We have done that. This year it will be over $600 billion.

We have protected Social Security and Medicare. We cut taxes back in 1997, something that had not happened in a very long time. In fact, the truth is the budget being balanced for the first time 4 years ago was the first time since 1969 when I was 8 years old. All my formative years all I heard about was deficits, deficits, deficits. And so finally we have gotten the fiscal house in order here in the United States Congress.

It is sort of ironic that our colleagues on the other side under whose stewardship the debt ballooned and spending ballooned now have this new-found sense of fiscal responsibility which in

the previous 40 years as these things were going on, they did not seem to abide that same compulsion toward constraint.

As a result, we spent and spent and spent to the point to where our children's future was very much in jeopardy and we piled up more and more debt. We are in a position now, Mr. Speaker, where we actually have gotten to the point that the Federal Government is taking in more money than it takes to run the cost of government. That means that the people in this country are overtaxed.

I would like to read for my colleagues something that a newspaper in my home State of South Dakota wrote recently. It says,

> For the first time in recent memory, someone in Washington is looking the American people in the eye and stating the obvious. The Federal Government taxes too much and spends too much. It is refreshing to hear someone in Washington, D.C. state candidly that reducing the growth of spending is not a cut and that the source of deficits is unrestrained growth in spending. For Bush's budget plan to work as advertised, Members of Congress, the people who actually write the spending bills, have to listen to Bush's message. We hope they heard what the rest of us heard: ''You're taxing us too much and spending too much of our money.''

That is from the Rapid City Journal dated February 28, 2001.

Tomorrow, Mr. Speaker, we take up yet another piece of the tax plan that will allow the American people to keep more of their hard-earned dollars. We have for several weeks now been working in a systematic way here in the House to lessen the tax burden on working families in this country, to put some fairness and equity back into the Tax Code as it pertains to married couples who are penalized in the form of higher taxes because they chose to get married.

We are trying to bring some much needed tax relief to people who are raising families by increasing the per child tax credit and a number of other things, marginal rate reductions which affects everybody contrary to what our colleagues and our opponents of this legislation are suggesting, actually benefits everybody who pays income taxes in this country by lowering of rates.

The other thing is, Mr. Speaker, it actually brings tax reform to the Tax Code. Not only are we talking about tax relief, but about making the Tax Code more fair and reforming it in a way that makes it more equitable for the American people who pay all the taxes.

Tomorrow we pick up another piece. We start a debate, a debate which is long overdue, a debate which we have held here before this in this body. And on previous occasions have actually passed legislation that would eliminate the death tax, but unfortunately it ran into a veto pen at the other end of Pennsylvania Avenue.

Tomorrow we will take that legislation up again, very important legislation, and what I would like to visit about here in just a moment, and that is the death tax. It impacts farmers and ranchers and small businesspeople, the people who are the heart and soul of South Dakota's economy and I daresay of economies all over this country, particularly in rural areas of America.

We have some gentlemen on the floor this evening who are going to join in this discussion, one of whom is a Member of the Committee on Ways and Means and who had the privilege last week, I believe, of actually reporting out of that committee the legislation that we will be acting on tomorrow. I think it is important to note as we get into this debate again that this is a tax which is fundamentally unfair because after the Federal Government taxes and taxes and taxes people throughout the course of their lifetime on their earnings, on their work, on their accumulation of wealth and everything else, when it comes time to actually pass on to the next generation some of that hard work, the Federal Government comes in again and says, ''I'm sorry, you can't do that. We want our fair share.'' It just so happens the Federal Government and their fair share takes in some cases about 55 percent of that estate. Now, that hits farmers and ranchers and small businesspeople right between the eyes because in many cases if you do not have the cash flow that is necessary to pay the tax, you have to liquidate the very assets that are producing in this country, adding to our economic growth and creating jobs.

Mr. Speaker, this evening I would first like to yield to the gentleman from Arizona, a distinguished member of the Committee on Ways and Means who was instrumental and had a hand in writing that legislation that we will be acting upon tomorrow.

Mr. HAYWORTH. I thank my colleague from South Dakota for taking this time, Mr. Speaker. We are joined by our colleague from Pennsylvania. Again we give thanks for the opportunity to come to this Chamber as a free people, holding opinions and living out notions that may be diametrically opposed.

Mr. Speaker, I could not help but notice the vision of America proffered by my friend from Oregon in the preceding hour. It seems we have a fundamental difference of opinion. He believes the highest and best use of a citizen's money is by the Washington bureaucracy. There is an element of thought here that everyday Americans should surrender more and more and more and more of their hard-earned money to the Federal Government through taxation because Washington can somehow do a better job with that money. Mr. Speaker, I would simply say to those who join us tonight, I think we have come to understand certainly in the last half of the preceding century that that notion is exactly backwards.

Mr. Speaker, I would suggest that for years my friends on the other side have offered that outmoded notion that your family should sacrifice more so that Washington can do more, when instead we embrace the fundamental notion that Washington should make some sacrifices and be a good steward of the people's money so that families across America can have more. That is the crux of what we are discussing tonight.

Indeed, when you look throughout our history, and I am so glad we are joined by a friend from the Commonwealth of Pennsylvania. Seeing him here on the floor, I am reminded of another great Pennsylvanian who one biographer calls really the First American, Dr. Benjamin Franklin, a noted scientist, statesman and a humorist. As a publisher in Poor Richard's Almanac, it was Dr. Franklin who observed there were only two certainties in life, death and taxes. But even with his prescience, even with his foresight, I doubt very seriously, Mr. Speaker, that Dr. Franklin could envision the day that the constitutional republic which he helped to found would literally tax Americans on the day of their death. Yet that is the spectacle we see today.

My colleague from South Dakota stated the problem accurately. For so many family-held businesses, for so many family farms and ranches, for indeed, Mr. Speaker, virtually the bulk of American commerce in rural areas, this death tax is especially egregious.

And we stand united tonight, Mr. Speaker, to reassure the American people that we offer a variation, a departure that rings out with echoes of the past. Our new slogan might be, ''No taxation without respiration.'' It is fundamentally unfair to ask an American family to visit the undertaker and the tax collector on the same day. We have seen time after time small businesses, Mr. Speaker, what I would instead suggest are more accurately described as essential business because we know they employ more Americans than the major corporations in our society, but we see small businesses, essential businesses, family-owned enterprises snatched away by the hand of government and this excessive tax. We see ranches and farms, the proverbial land rich but cash poor circumstance because so many of those who literally make their livings off the land, pump their energy and their hearts and their very being not to mention what liquidity, what cash they have, back into the land, back into the farm, back into the ranch and when the holder of the estate dies, to liquidate, to come up with the cash to pay an extensive and expensive tax bill, the farm or the ranch is sold or divided up, subdivided, what some might suggest is the plague of urban sprawl.

So we come to this Chamber with a respectfully different approach than those on the other side who believe the highest and best use of your money is by Washington bureaucrats. We believe every American family should hang on to more of their hard-earned money and send less of it here to Washington.

That is why our colleague from South Dakota outlined the fact that just last week, we decided to say good-bye to the marriage penalty. We decided to raise the per child tax credit an extra $100 this year to $600 retroactive, eventually up to double what it was, to a full $1,000.

We went back earlier as my colleague outlined and reduced the tax rates, the margins for every American paying income tax because we realized to reduce the tax bill, that is an important step. And now we come to this juncture, where last week the Committee on Ways and Means on the same day when on this floor we voted to get rid of the marriage penalty, we voted to increase the per child tax credit, we voted for common sense, family-friendly policies. We went back last week into committee and passed out of committee and will bring to the floor here tomorrow another common sense piece of legislation to put the death tax to death, because it is fundamentally unfair.

It is a job killer. It is a business killer. It drives a stake through the heart of family-owned enterprises. And it is patently wrong. How wrong? Simply stated, for all the headaches, for all the hassles, for all the heartaches, for all the turmoil, when you take a look at the vast expanse of Federal revenues, Mr. Speaker, the death tax brings into our Treasury about 1 percent of the total take from American citizens in terms of taxation. Yet three-quarters of that 1 percent is spent in hot pursuit of those families who are grieving, of those families who are trying to deal with the estates, of those families who are trying to come to grips with a fundamental change in circumstance, and that leads to the unfairness.

Mr. Speaker, for these reasons and several others, the death tax deserves to be put to death. We will take a very important step here tomorrow in that action.

Mr. THUNE. Mr. Speaker, I recognize my colleague from Pennsylvania, someone who came to this Chamber at the same time I did and a distinguished member of the Committee on Appropriations and someone who also has been a leader on this issue and someone who I believe probably has a good number of people in his fine State just like in my fine State who are impacted day in and day out, the people who are creating the jobs and helping create economic activity in this country and who are feeling the penalty of this very punitive tax.

And it is costing not only in terms of the tax itself and the people that it affects directly but the people day in and day out who take steps and spend dollars and spend time trying to figure out ways to avoid the tax, planning for the estate. It has become a cottage industry.

Frankly, it is hard to factor in and to quantify in specific terms all of the dollars that are affected here, all the dollars that are taken, soaked out of the economy, not just by the death tax and the loss of jobs it has created when a small business or a family farm has to sell assets in order to pay that tax but also in the cost of avoiding the tax. That, too, I think robs our economy in a big way of much of the productivity that it could otherwise generate.

I yield to the gentleman from Pennsylvania for his observations as well about this important legislation and what we can do to further improve the plight of small businesses and farmers and ranchers in this country, many of which I know live in his district.

Mr. PETERSON of Pennsylvania. I am pleased to follow the gentleman from Arizona and my friend from South Dakota. I bring a background of being a small businessman myself. I owned and operated a supermarket for 26 years. I built it from scratch. I right now find that those who say this is about taxes for the rich do not have any idea what they are talking about. Because real rich people do not pay this tax. They use the complications of the tax system and the way they shield their resources, they are not the ones that pay it. Let me tell you who does. In the next 2 weeks, most of our small businesses that employ the vast majority of Americans are paying their income tax. They pay a lot of that, too, because they are the ones that pay the high rate. If you have a local business that has 100 employees and makes a decent profit, they are paying a lot of taxes and they are creating a lot of growth and wealth for our communities.

□ 2100

If you are building a community, what kind of a business do you want? Would you choose some global corporation that would put 500 jobs in your community or would you take five local companies that would put 100 jobs in your community where the families live there and work in the communities and serve on local governments and serve on boards and agencies and do all of those things that make communities good places to live?

I think we would all choose those five employers that have 100 people, because they are not going to be moving to Mexico; they are not going to move the plant to another State because this is their community.

If you want to talk about growing your community, I have come from a part of Pennsylvania that has been hit hard with companies closing. We have been hit hard for a lot of things that are no fault of the workforce and no fault of our area.

When you lose the local ownership of a company, the large global corporations may take a look at one of the businesses that have been in your community for years and has grown to 400 or 500 jobs and has a good workforce and a good product line, and let a death in the family come and that is the chance to buy that business and make it part of their global corporation.

Now, I am not against global corporations but when you lose that local ownership to the global corporation, it is never the same, because 5 years from now that business could be on a little bit of a hard time and it is very easy to take those machines and move them down the road or another country, and those jobs are gone.

The backbone of our communities is independent business, and this tax hits them really hard. This is the tax that forces them to make that decision, because they cannot borrow that much money and still make the business profitable, and the only economic choice they have is to sell it.

I think that is the part that people must realize. This is the backbone of our communities, independent businesses that are growing and prospering. They pay that tax on January the 15th, this year, next year, the year after. They build this nest egg. They do not have huge Keoghs and huge IRAs. They have their resources in the business, in the building, in the inventory, in the machines. That is their family nest egg, and maybe the funds have helped grow the business and they have worked like troopers to grow this business and create more jobs in the community; and the father or the parent dies and the business has to be sold because there is not enough equity left after you pay the estate taxes.

Whether it is farmers, whether it is a local supermarket, whether it is a local manufacturer, a local processor, whatever, it is local employers that make our communities good places in which to live, and the estate tax is the greatest threat to local jobs of any part of our tax package. That accumulation of wealth by buying more machines and adding on to the building and all of that, that is out of profits that they have paid their taxes on. This is not through some cheating or somehow taking money out of the business. This is taking the profits, paying their taxes, taking what is left and putting it back into the business and hiring 5 more people. That is what America is all about. That is where we are better than most any part of the world. The free market system allowed someone like me, when I started my business, to borrow against my father's home. Now, today banks will not do that.

I knew one thing, though. I knew that I could not fail, I could not jeopardize my mother's and father's home. I had to pay that loan back, but that is how I got started in business because I didn't have any cash of my own. My father mortgaged his home and some land he owned so I could go into a little small, corner grocery store and I grew it into a supermarket that served the community for more than 2 decades.

That is the future of America, the ability of individuals with a new idea, a new concept, to grow business, and the estate tax or the death tax is one of the greatest threats for that business staying in your community, staying in the next generation.

There are very few businesses, because of the estate tax, that last to the third generation, a small fraction. There is a myth, a Federal estate tax is an efficient way to distribute wealth. Well, the reality is, and the gentleman said it very similarly, the Joint Economic Committee found that the cost of collection and compliance, and that includes the litigation and disputes between the IRS and taxpayers, makes it a wash. So the government really does not benefit from all the money they spend collecting the estate taxes. It is a wash. But at the same time those 500 jobs, those 300 jobs, those 50 jobs, those 40 jobs from our communities are gone forever.

It is the second and third tax on the same income, and it just should not be.

Mr. THUNE. If the gentleman would yield back, I could not agree more. I think, unfortunately, the gentleman hit it exactly on the head. If you are talking about a small town environment, a rural area like the one I come from, oftentimes it is. I mean, the only economic activity, the only hope for jobs and that sort of thing in some of those small communities, really is those small independent businesses. If those people cannot stay in business because the Federal Government insists on taxing them, as you said, over and over and over again and then when it comes time to expire they get taxed again, there is only so much that those small businesses can abide and still continue to do what they do, and that is provide the jobs and provide not only the jobs but the benefits to their employees.

What the gentleman is talking about here again is the cost of compliance with the estate tax and everything else. It robs dollars that otherwise could be put into things like providing health care for their employers.

Now we have a gentleman with us here this evening, and I would note that there is a famous gentleman from Illinois, from his home State, who once said, and I quote Abraham Lincoln, ''It is not the years in your life that count. It is the life in your years.''

Unfortunately, there are thousands of hard working business owners and family farmers who have a difficult time enjoying the life in the years with the shadow of the estate tax looming over them.

The gentleman from Illinois (Mr. SHIMKUS) is with us this evening on the floor. He is someone who as a member of the Committee on Commerce and someone who as well also has a number of small businesses and people in his district who are affected by the death tax, and someone who I might add whose in-laws live in South Dakota so he has an extra special reason to be interested in this because my constituents care very deeply about this. I would be happy to yield to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I came over on this side because I know tomorrow we will have a lot of our friends on the Democrat side of the aisle who are going to come and join us in support. I am speaking on behalf of my constituents and also for all my friends on this side who again I know will join us.

I will try to be brief. I cannot match the eloquence of the folks down here.

Yesterday, some interest groups took opposition with my support of the death tax. One of the comments was made, well, only one in 20 farms actually have to be sold. And my point to them was, well, obviously it is not your farm. If there is one in 20 farms, which we know is not a good measure, it is definitely not their farm that has to get sold, and we can give countless cases in the 20th District of Illinois of farms being sold.

I have one in Christian County that was just devastating, but I would like to talk especially about the agricultural economy as was addressed by my colleague from Pennsylvania, the compliance costs, because we know that we are in one of the lowest periods of commodity prices since the Depression.

Part of farm income, income on the balance and income statement, you have revenue and you have expenses. Well, people fail to understand the compliance cost to save the farm from the death tax is an added cost of doing business, which in these low commodity prices makes it very, very difficult to make ends meet. So in eliminating the death penalty, what you do is you are going to help the farm income of the family farm in the 20th District and throughout the country.

The second thing I want to mention, I have two cases both in Quincy, Illinois. One was back in 1969, Rich Neimann, who when his father passed away, and he is the chairman and CEO of Neimann Foods, Incorporated, of Quincy, Illinois, when Richard's father passed away suddenly in 1969 the family was faced with an estate tax bill of several hundred thousand dollars which was due, by law, within 9 months. The Neimann family had to use all the resources from the sale of the company's wholesale operations to pay the estate tax bill. In essence, they sold the wholesale operation of their business to provide funds to pay the death tax. That was in 1969.

More recently, 17 months ago, a good friend of mine, a small business owner from Quincy, Illinois, Mike Nobis, his brothers and sisters lost their parents 17 months ago when there was a travel accident involving their motor home, and both the mother and his father passed away.

The parents left behind a family printing business and estate tax bill of more than $370,000. To prevent this tax burden from destroying the family business, listen to what they did, the company put off buying capital expenses, which you would expect. They also got the 45 employees to agree, so they could keep their jobs, to double as much as they pay in health insurance. The employees agreed to double the amount that they paid in health insurance to keep the business in operation.

This is not just a burden on the small business. This is a burden on the working men and women who are employed by these small businesses. I just think it is a compelling story that in small town USA that these employees would go to bat for the employer and suck it up to keep the business in operation.

Two last points I want to make to the super wealthy who think this is unnecessary, there is a simple solution; and I challenge them. All they have to do is gift it to the Federal Government, just get out their checkbook. We will take it. We will put it in the Treasury. We will use it to pay down debt. If they want to turn over that money, I think we would welcome it.

The last point I want to talk about is just ideology. I think ideology is so important, and as a former government teacher sometimes we get lost in the view of government. The death tax really speaks to the debate on ideology, conservative versus liberal. It really addresses a point of who controls after-taxed wealth in America. And that is what, for me, this debate is all about. It is very simple. Who controls after-taxed wealth that has already been created after it has already been taxed?

My friends, the liberals, would say, well, government ought to control it because government has plans to redistribute that wealth throughout the country.

We would say that is an award and a benefit for taking the capital risk and creating jobs and keeping our economy going and if you want other people to go back to small town America to create five to 10 to 15 jobs, you ought to make sure that they can pass on their after-taxed wealth, after-taxed wealth, to their family.

So I appreciate the gentleman scheduling this hour to talk about this. It is very timely with our vote tomorrow. I know I have a lot of friends on this side that are going to be very supportive. I look forward to the debate and I look forward to casting the votes. It is a pleasure to join my colleagues down on the floor.

Mr. THUNE. Mr. Speaker, I would simply say in echoing the remarks of the gentleman that if we think about the way that this impacts people, okay, yes, obviously they are going to talk about and we are going to hear a lot of rhetoric on the floor tomorrow and a lot of propaganda and demagoguery about how this is going to help the really mega rich in this country, but the reality is it affects people, average people, who are investing, who are taking that risk, who are using the market system that we have in this country, to create a better life for themselves and their families, but also to create jobs and a better quality of life for the people who are working for them and to build their communities.

There is not a small businessperson in a small town who is not the one who

gets asked to support every single charity, every single activity that is going on, whether it is the local baseball team or whatever, and they are there to step up and to support those many activities, and it is part of our community life.

I am going to give an example. I want to read a short letter here that I received from a constituent in South Dakota. This is a family farmer and this is again a direct impact not on the super rich but on the family farmer, ''Eleven years after my mother died and 7 years after my father passed away, I still cannot be sure that the estate is settled. We sold off 480 acres of the family farm to pay the taxes, but I do not have a final signed letter from the IRS stating that the estate and the audit are officially closed. My wife and I have to meet with an estate planning team on a regular basis to try to keep our children from experiencing the same estate tax problems we have had.''

Those are the words of a South Dakota farmer who has been hit hard by this death tax. Surprisingly enough, he considers himself one of the lucky ones. He actually survived the death tax and he can still farm after selling a quarter of his land, land that has been in his family for generations.

□ 2115

His family farm narrowly survived, even though he was hit 3 times. Not only did he and his family pay the Federal estate tax, he paid nearly $71,000 in State inheritance taxes and he had to shell out at least $30,000 in legal fees to settle the estate. Now, his children, of course, stand to face the same problem if we do not do something about repealing this tax.

Unfortunately, this farmer's story is all too common in rural America. The death tax literally can destroy family-owned farms and ranches by forcing farmers and ranchers to sell off land, buildings and equipment just so that they can pay Uncle Sam.

Make no mistake about it. Despite the rhetoric we are going to hear here tomorrow, when farms and ranches disappear, the rural economy suffers. We are seeing people move out of rural areas into more populated areas of this country. If we want to preserve the fabric and the bedrock values of this country and make it strong by allowing family farming to survive, we have to do something about this death tax.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from South Dakota, and I would say to the gentleman from Illinois, he sells himself short, Mr. Speaker, when he supposed a lack of eloquence on his part, because nothing is more eloquent than the real-life experiences of fellow citizens that he outlined for us. The gentleman from South Dakota has followed suit. Then, of course, we have the gentleman from Pennsylvania here who built a business, a grocery store in his hometown, employing local folks. Talking about the local perspective is so vital.

Mr. Speaker, I would note that the gentleman in the chair, the Speaker pro tempore, from the first district of Arizona, we can claim a unique vantage point because the Speaker pro tempore hails really from the 6th congressional district, the town of Snowflake, named for the founding families, the Snow family and the eponymously named Flake family. Yes, Mr. Speaker, we understand how this affects rural and small town America. But as we have seen in Arizona, with the incredible growth and, indeed, over the last 10 years, the equivalent of the State of Nebraska has moved to Arizona; we have growing urban areas, we have people coming in from all over the United States.

One lady stopped me in one of our cities the other day and she talked of the experience of her father who was a milkman in post-World War II America. He got up every day very early, ran his route, saved what he could, invested wisely, and built what some would call a nest egg, but what the Federal Government calls a substantial estate in the millions of dollars. The lady who stopped me, Mr. Speaker, said, you would never have thought that. My father was a hard-working man, but even he said about his profession that he was blessed to live in America and to have those opportunities, but in much the same way our colleague from Illinois outlined the problems, in much the same way our colleague from South Dakota read of the plight of a farmer in his home State, so this was this suburban housewife, the beneficiary, if you will, of her father's estate, having to grapple with this incredible problem. She and her siblings were bearing the brunt of liquidating their father's estate. His hard work, the wages on which he had been taxed, his very success was being penalized.

My colleague from Illinois had it right when he talked about a grand debate, a fundamental difference of vision. When it comes to the notion of wealth, there are those in this chamber who honestly believe, as difficult as it is for most Americans to grasp this, they honestly believe that the Federal Government, that the Washington bureaucracy should have first dibbs on your money, and that death is a watershed event, and that the family should pay up, oftentimes in excess of 50 percent.

My friend from Illinois brought up another topic that bears amplification because, Mr. Speaker. In this town, there is the punditocracy. There are special interest groups who step forward with the most curious ideas, and the irony we have seen of the mega rich stepping forward to say that this death tax should be enforced deserves some comment. The gentleman from Illinois, Mr. Speaker, was exactly right. If our friends who are mega rich, billionaires and in some slang gazillionaires, if they believe that their progeny would receive the fruit of their labors as some ill-gotten gains, if they honestly believe that sending their wealth to the Federal Government is the highest and best use of their funds, then by all means, Mr. Speaker, they should find their attorneys, they should prepare their estates or perhaps have the check ready right now to hand over the bulk and entirety of their estates to the Federal Government. But for the milkman who passed away, whose daughter, the proverbial soccer mom is having to deal with this real problem, to the family rancher in the 6th district of Arizona, to the small business owner in the town of Snowflake, I respectfully say, let us restore some fairness. Is it fair to expect those people who survive to liquidate assets and send over 50 percent to the Federal Government? No, that is wrong.

Mr. Speaker, the fact is, tomorrow we will take steps to address this fundamental issue of fairness when we take the steps to eventually put this death tax to death.

Mr. THUNE. Mr. Speaker, I would just say that many opponents of the Federal estate tax, including me, I criticized it as being a death tax; it is a death tax, there is no question about it, and I believe it is fundamentally unfair, as the gentleman just noted, to tax death. But again, characterizing the death tax as only taking effect when someone dies does not paint the full picture of this thing, and it is a misguided policy. Because the estate tax does not just rear its ugly head when someone dies; as Abraham Lincoln said, it is not just the years of your life that count, it is the life of your years. It is present through the life of our years, and this fact can be plainly demonstrated by looking at the arguments being made by those who are opposed to its repeal, because they talk a lot about targeting tax relief by increasing the small business and family farm exemption already found in the Tax Code. This is, again, of how the IRS, how much paperwork it takes to maintain this Tax Code, the exemption consumes nearly 13 pages in the Tax Code. Now, ironically, it is so narrow and so complex that it only applies to roughly 3 percent of small businesses and family farms. So in order to qualify for that exemption, taxpayers have to start planning while they are alive in order to meet the rigorous adjusted gross estate value and material participation requirements that are in that Tax Code. We talk about it as a death tax, and it is that, but it is also a tax during people's lives that they have to plan for over and over, again and again, depriving the resources, the time, the investment that could be put to much more productive use.

Incidentally, I just want to mention too, because I think the gentleman from Pennsylvania noted earlier how often it is that actually a family farm or small business or operation gets passed on to the next generation, and

the numbers I have here in front of me say that 80 percent of small employers spend the costly resources to protect their families from the death tax and in spite of that, in spite of that, they still often fail, because 70 percent of small and family-owned businesses do not survive through the second generation, and 87 percent do not make it to the third generation. So 9 out of every 10 successors whose family business failed within 3 years of the owner's death said death taxes played a major role in that company's demise.

So if we think about the impact this has on the transfer of the economic engine in this economy for the next generation and what we are doing, which is, in effect, making it even more difficult than it is, and it is difficult enough to make that happen. So again, this is a tax on death, it is a tax on life; it is something that is so costly to comply with and something which literally deprives one generation of Americans who have worked very, very hard for the benefit of passing that hard work on to the next generation.

So I just think again, we have an opportunity to do something about this and we have tried and tried and tried, as the gentleman from Arizona always says, to get this done, and yet despite our best efforts in the last couple of years, because again we met the veto pen at the other end of Pennsylvania Avenue; this year it is different. There is a new sheriff in town and we have an opportunity to do what is right by family farmers and ranchers and small business people, not just in the rural areas of the country, but in the more populated areas, like the gentleman from Arizona where he lives.

I might add that a lot of people from my State like to go down there because it is a little warmer climate than what we have had to deal with, but there are a lot of us who like to live in South Dakota in spite of the climate because of the quality of life, and part of the quality of life hinges upon having an active economy and making sure that the government is not making more out of that economy than is necessary and allowing it to continue to grow and provide jobs. So there are a lot of young people who want to live in South Dakota when they grow up to have that opportunity.

Mr. Speaker, this is important work that we are doing. I yield to the gentleman from Pennsylvania who again spoke so eloquently earlier about his personal experience with this issue.

Mr. PETERSON of Pennsylvania. Mr. Speaker, if you want less of something, tax it another way, another time; if you want more of something, do not tax it. Any time we can remove an impediment from businesses succeeding, we ought to be about it.

I am going to diverse just for a moment, because Bill Gates has said this 3 or 4 times in my presence and it has made a big impact on me. He said, as he travels around the world, because he is one of the leaders of the technology revolution that has brought about the strong economy in this country, he says, everywhere he goes, he will go to Japan and he said, why did it not happen here first? Why did it happen in the States? He will go to Germany and Europe and other countries, and he will say, why did it not happen here? We are smart people. And he said the reason it did not happen there and that it happened here is we have the most economic freedom. We have the least bureaucracy. We have the least power in the bureaucracy to control and regulate.

Now, a lot of us think we have too much, but we do not have as much as they do. He said, they could not have brought about the changes that were necessary to implement this. This technology was around a while before it took off, before it became this spur to our economy. I just want to say that, because it is that economic freedom of this country that we must defend.

The difference in America from anywhere else in the world, and our future, in my opinion, depends on the ability of any individual that has a process, a manufacturing process or a commodity to market that process or that commodity or manufacture that product and compete against the big boys. Now, when I was in the food business, I was an independent supermarket. I had to fight the chains. Now, I do not dislike the chains. They are large, they are powerful, they have hundreds of stores and the power of buying, and I had to compete with them. But that is what America is about, allowing little people with big ideas and lots of intense hard work to build a business. We never know when we have an employer of 50 people that can suddenly bust out and be 500 people, 5,000 people. I have seen it happen, where somebody started in a garage and then moved into a vacant building and the next thing we know, they are building new factories and they are employing hundreds, if not thousands, of people.

□ 2130

We do not want to do anything to trip those people up on their way, because that is what makes America different: It is a land of opportunity. It is a land of economic freedom. When we tax two and three times and take that power of earnings away from people and cause families to lose that whole thrust, they may salvage the business, but for the next 5 to 10 years they are paying interest on this debt that they have accumulated to pay the taxes.

If we add up the money that is spent in this country avoiding this tax, I would not be surprised if this tax, what it costs people and businesses and what it costs the government to collect it, that it is an absolute loser. It is not time to tinker with it, it is time to get it out of the way as an impediment to growing successful businesses in this country. It is one less impediment for families and hard-working people.

Most people who own a business do not work 8 hours a day, they work double shift, triple shift, whatever it takes to make the business work, to pay the bills. Those people should not be threatened and have the problem of spending all their resources and time trying to salvage the family business.

It is time to put the death tax to bed. It is time to just remove it and get it out of the way as something that really is not in the best interests of our economic future.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Pennsylvania.

I also recognize on the floor right now a new addition to the Congress, the gentleman from Missouri (Mr. AKIN), who has joined us this year. He also, I think, represents a good number of people who probably care very deeply about this issue.

He has come to this Congress I think intent, like many of us have, on making a change for the better to try and create an environment in this country where the American people get to keep more of what they earn, and where we are distributing power out of Washington, getting more power back into the economy and back into the hands of individuals and families and less in the hands of Washington bureaucrats.

Mr. Speaker, I yield to the gentleman from Missouri (Mr. AKIN).

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

One of the things we could comment on here is the timeliness of this measure that is before us. One of the things we are aware of is that the economy has not been as strong as it might be. There is no coincidence that we are dealing with the repeal of the death tax.

I think people sometimes do not understand the connection, though. I think that the connection is rather straightforward when we consider where is it that people are employed in America. What we find is, and it is not intuitively obvious, I do not think, is that about 80 percent of our jobs are in small businesses. Those small businesses, many of them are started either by some individual or the parent of some individual.

Those small businesses, with the death tax the way it is now, stand at risk. Because if we take a lot of those businesses and all of a sudden we have to tax that asset at a 55 percent rate, we basically close the business down and send those jobs somewhere else. I do not think that is what we want to be doing with this economy.

Mr. Speaker, the whole point of getting rid of the death tax really has a lot to do with keeping jobs in this country and really helping, because if we take a look, all of our big corporations which we consider to be national assets, they all started at one time as a small business somewhere. So protecting those small businesses, allowing them to remain solvent, allowing those jobs to remain in this country and not closing down the family farm,

those are the kinds of things that affect our economy.

So this I would say, gentlemen, is a particularly timely measure, and it is well past due that we get rid of the tax on widows and orphans known as the death tax.

Mr. THUNE. Mr. Speaker, I thank the gentleman for his comments.

I think just as a matter of fundamental tax policy and principle in this country, we have said this before and it is true, when a family member dies the family should not have to deal with the undertaker and the IRS at the same time. That is in effect what we have created with the Tax Code in this country.

As we again move into this debate tomorrow, we are going to hear a lot of arguments from the other side which will range in all kinds of ways. I cannot even envision, imagine, and contemplate at this point what we might hear in terms of opposition to this, but I can imagine a lot of it will center on the fact that this is going to help those who are particularly affluent and wealthy in this country.

The fact of the matter is they will use examples like Bill Gates and others. Those are people who have done well in this country. Yet, the people that I represent in the State of South Dakota are not the Bill Gateses, Steve Forbeses, Donald Trumps, they are hard-working American men and women who are trying to make ends meet, and who are trying to raise their kids and educate them, and create a better quality of life for themselves and their families and their communities.

Someone said earlier, I think the gentleman from Illinois when he was here on the floor, that only one in 20 farms is lost in this country or has to be sold to pay the death tax.

If we think about that, in my State of South Dakota there are 32,000, in round numbers, family farmers. If we lose one in 20, that is 5 percent. That is 1,600 farms.

Mr. Speaker, one does not have to be a real serious mathematician over time to look at what happens as far as a trend line. We will see in a very short order that what is the backbone of the economy in rural areas, and that is our family farmers, are very much at risk, very much imperiled, and very much in jeopardy if we do not take the steps that are necessary, not only to increase prices and to reduce the cost of production, two issues that are separate issues, but also to lessen the tax and regulatory burden on many of these people.

So again, I think this is a timely debate. I hope this is an issue that we will see broad bipartisan support for.

I am happen to yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman, and welcome my friend, the gentleman from Missouri, to this Chamber and to service in the United States House.

My friends from Missouri often say, Show me. Sadly, the Federal government has taken a slogan that Hollywood popularized a few years ago, show me the money, and taken it from family enterprises.

It has been noted before, Mr. Speaker, that the power to tax is the power to destroy. Mr. Speaker, nowhere have we seen it with a more egregious impact, with a more unfair specter, with a fundamental departure from our values and ethics, than we have seen with this death tax.

Yes, for years it was called an estate tax, offering this type of placid, pastoral recognition. But what it is in reality is the death tax: the destroyer of jobs, the destroyer of economic opportunity, the destroyer of communities and a way of life.

Some have come to service on this Hill offering a slogan and a written word, It takes a village. Well, Mr. Speaker, I think it is fair to ask, what happens when we tax the businesses and farms and ranchers in said village literally to death? What happens when we abandon the notion of basic fairness and penalize people whose only offense is to succeed?

Why punish those who have worked to establish a growing business, an agricultural or economic enterprise creating jobs, generating wealth, and not coincidentally, Mr. Speaker, paying taxes on those funds even as they are accumulated? Why then turn around and tax the survivors, and destroy the businesses or drive them into arcane policies where time and money is drained from job creation in the conventional sense, instead to go to lawyers and accountants, and to drain the productivity of the economic enterprise?

Now, Mr. Speaker, we will have those who come to the floor, and we should acknowledge the fact, as my colleague from Illinois and now Missouri has done standing on that side of the aisle, there will be those who will join with us in a bipartisan way tomorrow, but there will be others who say, ''Yes, this tax is unfair, but we cannot vote to do this now;'' or, ''not this way;'' or maybe, ''There is a cheaper way to do this,'' for political advantage or partisan embarrassment.

Mr. Speaker, I would simply say to the American people on the eve of this historic debate, accept no cheap substitutions. Join with us to put this death tax to death, because the power to tax has in this instance for too many families, for too many farms and ranches and small towns and essential businesses, become the destroyer of their worlds and their vision and their very livelihoods.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Arizona for stating in very eloquent and concise terms really what this debate is about, because on a fundamental level, inasmuch as we talk sometimes about these issues in abstract terms, this really is another issue, and we have discussed many of them as we have talked about the President's agenda, that affects very real people in a very real and personal way.

As we move through trying to implement an agenda which, because of these good economic times and because of the hard work of the American people, has generated more money in the Federal Treasury than is necessary to run the cost of government, the American people I believe, and the President asked for it when he spoke right here behind us in this Chamber, the American people want and deserve a refund.

I think that if we look at the marriage penalty, which in my State affects 75,000 couples, if we talk about the per child tax credit which we acted on last week, which affects 119,000 children in South Dakota and their parents, it is about taking the dollars that are coming in here that are more than are necessary to run the cost of government, protecting and walling off Social Security, addressing the long-term needs to reform Medicare, paying down the Federal debt in historic levels, levels never before seen; certainly not seen in the last 40 years, when our colleagues on the other side ran this Chamber. I do not know when the last time is when we have had substantial paydown of the Federal debt.

But we have had an opportunity to allow the American people to keep some of this surplus which is theirs in the first place. The President has said it, it is the people's money. We need not forget that.

So whether it is the marriage penalty or the per child tax credit, the death tax, reducing marginal rates, it is important that the American people understand that they have overpaid the cost of government, very simply, very fundamentally. When that happens, just in the same way as when they go into the store to buy a pair of shoes and they hand the clerk a $100 bill for an $80 pair of shoes, they don't say, ''Keep the change.'' They have overpaid the cost of the Federal government.

This is where the American people I think really need to be tuned into this debate, because it is their money we are talking about. We all know that if it stays here in Washington, it is going to get spent on more and bigger government programs.

It all comes back to the basic question, somebody talked about ideology earlier of who has the power: Does Washington, D.C. have the power, or does the American family have the power?

We happen to believe as a matter of principle that when we have an opportunity to allow the American people in this country to keep more of their hard-earned dollars, they have more power and more control of over their lives to make decisions that are in the best interests of themselves also and their families and their communities. That really is what this debate is all about.

Tomorrow is another chapter in that debate. We take up the death tax.

Again, I hope that we can successfully piece together a tax relief package that incorporates principles that not only provide tax relief, but tax reform and tax fairness to the American people.

The interesting thing about this is that our friends on the other side, they will complain and holler, but they are coming along. They have already agreed to more tax relief than this President vetoed last year when we acted upon it.

They are now rolling out alternatives, all kinds of alternatives. They may not like exactly the way we are doing it, but they understand what the American people understand. That is that this is their money, the Americans' money, and we need to make sure they are able to keep it.

I appreciate the gentleman from Arizona joining us this evening, and the gentleman from Missouri, for their thoughtful comments and observations. I expect the gentleman will be engaged in that debate tomorrow as it gets under way as a member of the Committee on Ways and Means. We thank the gentleman for his efforts to lead the charge to eliminate not only the death tax but a lot of the other inequities in the Tax Code.

I would say to the gentleman from Missouri, again, I appreciate the chance to conduct this discussion this evening. Hopefully we will get the debate under way. The debate is joined.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today and the balance of the week on account of personal business.

Mr. LATHAM (at the request of Mr. ARMEY) for today and April 4 on account of the death of his father.

Mr. WALDEN of Oregon (at the request of Mr. ARMEY) for today on account of attending a funeral.

Mr. WOLF (at the request of Mr. ARMEY) for today on account of attending a funeral.

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. DELAHUNT) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PRICE of North Carolina, for 5 minutes, today.

(The following Members (at the request of Mr. KOLBE) to revise and extend their remarks and include extraneous material:)

Mr. OSBORNE, for 5 minutes, April 4.

Mr. BILIRAKIS, for 5 minutes, today and April 4.

Mr. GRUCCI, for 5 minutes, today.

Mr. LINDER, for 5 minutes, April 4.

Mrs. MORELLA, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. KELLER, for 5 minutes, April 4.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 4, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1415. A letter from the Regulatory Contact, Grain Inspection, Packers, and Stockyards Administration, Department of Agriculture, transmitting the Department's final rule—Fees for Commodity and Rice Inspection Services (RIN: 0580–AA74) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1416. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Commander of Air Combat Command (ACC) is initiating a single-function cost comparison of the ACC Communications Group to include functions such as configuration and interoperability management, data-link, desktop software development, and Ground Tactical Air Control System at Langley Air Force Base, Virginia, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

1417. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph W. Mobley, United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

1418. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Edward Moore, Jr., United States Navy, and his advancement to the grade of Vice Admiral on the retired list; to the Committee on Armed Services.

1419. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Equal Credit Opportunity [Regulation B; Docket No. R–1040] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1420. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Savings [Regulation DD; Docket No. R–1044] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1421. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Consumer Leasing [Regulation M; Docket No. R–1042] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1422. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regulation Z; Docket No. R–1043] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1423. A letter from the Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Affairs, transmitting the Department's final rule—Assessments (RIN: 2550–AA15) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1424. A letter from the Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, transmitting the Department's final rule—Rules of Practice and Procedure (RIN: 2550–AA16) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1425. A letter from the Assistant General Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Allocation of Operating Subsidies Under the Operating Fund Formula [Docket No. FR–4425–I–12] (RIN: 2577–AB88) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1426. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporaton's final rule—Rescission of Deposit Broker Notification, Recordkeeping and Reporting Requirements (RIN: 3064–AC48) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1427. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Coal Miners; Delay of Effective Dates (RIN: 1219–AA74) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1428. A letter from the Acting Assistant Secretary for Mine Safety and Health, Department of Labor, transmitting the Department's final rule—Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners; Delay of Effective Dates (RIN: 1219–AB11) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1429. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received March 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1430. 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; Exemption From Premarket Notification; Class II Devices; Pharmacy Compounding Systems [Docket No. 00P–1554] received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1431. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 01–04), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1432. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report pursuant to title VIII of Public Law 101–246, the Foreign Relations Authorization Act for Fiscal Year 1990–91, as amended; to the Committee on International Relations.

1433. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–597, ''21st Century Financial Modernization Act of 2000'' received April 03, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

1434. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Fiscal Year 2000 Annual Program Performance Report; to the Committee on Government Reform.

1435. A letter from the Acting Assistant Secretary, Policy, Management and Budget and Chief Financial Officer, Department of the Interior, transmitting the Department's Annual Accountability Report for Fiscal Year 2000; to the Committee on Government Reform.

1436. A letter from the Secretary, Department of Labor, transmitting an Annual Report on Performance and Accountability for FY 2000; to the Committee on Government Reform.

1437. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's FY 2000 Performance Report; to the Committee on Government Reform.

1438. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the Corporation's Fiscal Year 2000 Annual Program Performance Report and the Fiscal Year 2002 Performance Plan; to the Committee on Government Reform.

1439. A letter from the Director, Office of Government Ethics, transmitting the Annual Program Performance Report for FY 2000; to the Committee on Government Reform.

1440. A letter from the Chair, Railroad Retirement Board, transmitting an Annual Program Performance Report for Fiscal Year 2000; to the Committee on Government Reform.

1441. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting a report on FY 2000 Accountability; to the Committee on Government Reform.

1442. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Arkansas River Basin Population of the Arkansas River Shiner (RIN: 1018–AG12) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1443. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Groundfish Fisheries Off Alaska; Final 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries Off Alaska [Docket No. 010112012–1070–02; I.D. 011101B] (RIN: 0648–A082) received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1444. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 Feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands [Docket No. 010112013–1013–01; I.D. 032601B] received March 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1445. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of Fishery for Pacific Mackerel [Docket No. 000831250–0250–01; 031901D] received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1446. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's ''Major'' final rule—Disaster Assistance; Cerro Grande Fire Assistance (RIN: 3067–AD12) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1447. A letter from the Secretary, Judicial Conference of the United States, transmitting the Biennial Survey of Article III Judgeship Needs in the U.S. courts of appeals and the U.S. district courts; to the Committee on the Judiciary.

1448. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, as of December 31, 2000 and 1999, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

1449. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's ''Major'' final rule—Assistance to Firefighters Grant Program (RIN: 3067–AD21) received April 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1450. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Claims Based on the Effects of Tobacco Products (RIN: 2900–AJ59) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1451. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans' Affairs, transmitting the Department's final rule—Signature by Mark (RIN: 2900–AK07) received April 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision: Farmland Industries, Inc. v. Commissioner—received March 26, 2001, 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. SENSENBRENNER: Committee on the Judiciary. H.R. 768. A bill to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (Rept. 107–32). Referred to the Committee on the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 107–33). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 601. A bill to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, and for other purposes; with amendments (Rept. 107–34). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 581. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (Rept. 107–35). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 182. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with amendments (Rept. 107–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes; with an amendment (Rept. 107–37). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 974. A bill to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, and for other purposes, with amendments (Rept. 107–38). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 111. Resolution providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes, (Rept. 107–39). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FERGUSON (for himself, Mr. KENNEDY of Rhode Island, Mr. SMITH of New Jersey, Mr. SCHROCK, Mr. SAXTON, Mr. QUINN, Mr. LATOURETTE, Mr. ROGERS of Michigan, Mr. PLATTS, Mrs. KELLY, Mr. SWEENEY, Mr. GILMAN, Mrs. JOHNSON of Connecticut, Mrs. ROUKEMA, Mr. GILCHREST, Mr.

OXLEY, Mr. GRUCCI, Mr. BURTON of Indiana, Mr. NEY, Mr. BOEHLERT, Mr. REYNOLDS, Mr. WELDON of Pennsylvania, Mr. MCHUGH, Mr. WALSH, Mrs. BIGGERT, Mr. DAVIS of Illinois, Mr. HINCHEY, Mrs. JONES of Ohio, Mr. MCDERMOTT, Mr. CONYERS, Mr. OWENS, Mr. OBERSTAR, Mr. KUCINICH, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. BALDACCI, Mr. FRANK, Ms. BROWN of Florida, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. SHIMKUS, Mr. EHLERS, Mr. SHERWOOD, Mr. LOBIONDO, Mrs. CAPITO, Mr. ENGLISH, Mr. LANTOS, and Mr. HOUGHTON):

H.R. 1330. A bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act; to the Committee on Education and the Workforce.

By Mr. ARMEY (for himself, Mr. LIPINSKI, Mr. CANNON, Mr. FORD, Mr. BONILLA, Mr. BLAGOJEVICH, Mr. BALLENGER, Mrs. BONO, Mr. BUYER, Mr. CANTOR, Mrs. JO ANN DAVIS of Virginia, Mr. TOM DAVIS of Virginia, Mr. FOSSELLA, Mr. GILLMOR, Ms. HART, Mr. HOSTETTLER, Mr. ISAKSON, Mr. KOLBE, Mr. MCHUGH, Ms. PRYCE of Ohio, Mr. REHBERG, Mr. ROGERS of Michigan, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, and Mr. TANCREDO):

H.R. 1331. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H.R. 1332. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on the Judiciary.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H.R. 1333. A bill to amend title 35, United States Code, to provide for improvements in the quality of patents on certain inventions; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. NADLER, and Mrs. MALONEY of New York):

H.R. 1334. A bill to convey certain Federal properties on Governors Island, New York; to the Committee on Resources, and in addition to the Committee on Government Reform, 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. ALLEN (for himself, Mr. SAXTON, Mr. BALDACCI, Mrs. MALONEY of New York, Ms. BALDWIN, Mr. BLUMENAUER, Ms. DEGETTE, Mr. DELAHUNT, Mr. HINCHEY, Mrs. JONES of Ohio, Mr. KUCINICH, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. SANDERS, Mr. THOMPSON of Mississippi, Mr. TIERNEY, and Ms. WOOLSEY):

H.R. 1335. A bill to reduce emissions of mercury, carbon dioxide, nitrogen oxides, and sulfur dioxide from fossil fuel-fired electric utility generating units operating in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Financial Services, Transportation and Infrastructure, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAKER (for himself, Mr. UDALL of Colorado, Mr. FOLEY, Mr. VITTER, Mrs. THURMAN, Mr. TAUZIN, Mr. TANCREDO, Mr. MCCRERY, Mr. SHOWS, Mr. SESSIONS, Mr. DELAY, and Mr. HERGER):

H.R. 1336. A bill to amend the Internal Revenue Code of 1986 to extend the period for filing for a credit or refund of individual income taxes to 7 years; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, and Mr. KENNEDY of Rhode Island):

H.R. 1337. A bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENTSEN:

H.R. 1338. A bill to provide for the designation of an Assistant Secretary of State for Victims of International Terrorism; to the Committee on International Relations.

By Mr. BERRY:

H.R. 1339. A bill to provide market loss assistance during fiscal year 2001 to owners and producers on farms who are eligible for a final payment for fiscal year 2001 under production flexibility contracts entered into under the Agricultural Market Transition Act; to the Committee on Agriculture.

By Mr. BILIRAKIS (for himself, Mr. BROWN of Ohio, Mr. UPTON, Mr. LANTOS, Ms. HART, Mr. GREEN of Texas, Mr. BALDACCI, and Ms. MCKINNEY):

H.R. 1340. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that part or all of any income tax refund be paid over for use in biomedical research conducted through the National Institutes of Health; to the Committee on Ways and Means, and in addition to the Committee on Energy and 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. COLLINS:

H.R. 1341. A bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 1342. A bill to amend the Internal Revenue Code of 1986 reduce individual captial gains rates; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mrs. MORELLA, Ms. BALDWIN, Mr. FRANK, Mr. GEPHARDT, Mr. SKELTON, Mr. KOLBE, Mr. FOLEY, Mr. SHAYS, Mrs. KELLY, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. LOFGREN, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. WEINER, Mr. SCHIFF, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Mr. BALDACCI, Mr. BARRETT, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mrs. BIGGERT, Mr. BISHOP, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mrs. JOHNSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. LUTHER, Mr. MALONEY of Connecticut, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PRICE of North Carolina, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SANDLIN, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SNYDER, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WALSH, Mr. WAXMAN, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 1343. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CONYERS, Mr. DEFAZIO, Mr. NADLER, Mr. OLVER, Ms. PELOSI, Mr. STARK, and Ms. WOOLSEY):

H.R. 1344. A bill to provide for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. FRANK:

H.R. 1345. A bill to amend the Immigration and Nationality Act to establish a Board of Visa Appeals within the Department of State to review decisions of consular officers concerning visa applications, revocations, and cancellations; to the Committee on the Judiciary.

By Mr. FRANK:

H.R. 1346. A bill to amend title 18, United States Code, to eliminate the prohibitions on

the transmission of abortion related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. GIBBONS (for himself and Ms. BERKLEY):

H.R. 1347. A bill to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''; to the Committee on Government Reform.

By Mr. HUTCHINSON (for himself and Ms. HOOLEY of Oregon):

H.R. 1348. A bill to provide funds to the National Center for Rural Law Enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. ISAKSON:

H.R. 1349. A bill to repeal the 50 percent limitation on courses offered through telecommunications for student financial assistance programs; to the Committee on Education and the Workforce.

By Ms. SANCHEZ (for herself, Mr. ABERCROMBIE, Mr. ALLEN, Mr. BACA, Mr. BALDACCI, Ms. BALDWIN, Mr. BENTSEN, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CUMMINGS, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DOOLEY of California, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FRANK, Mr. FROST, Ms. HARMAN, Mr. HINCHEY, Ms. NORTON, Mr. HOLT, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JOHNSON of Connecticut, Ms. KILPATRICK, Mr. LANTOS, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MEEHAN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PAYNE, Ms. RIVERS, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHAYS, Mr. SIMMONS, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. TIERNEY, Mr. TOWNS, Ms. VELAZQUEZ, Ms. WATERS, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. SHERMAN):

H.R. 1350. A bill to restore freedom of choice to women in the uniformed services serving outside the United States; to the Committee on Armed Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. QUINN, Mr. FILNER, Mr. SIMMONS, Mr. SHOWS, Mr. HILLEARY, Mr. HILL, Mr. PETRI, Mr. LUTHER, Mr. FOLEY, Mr. HALL of Ohio, Mr. BARCIA, Mr. SHAYS, Mr. OLVER, Mr. HORN, Mr. STRICKLAND, Mr. BARR of Georgia, Ms. WOOLSEY, Mr. FOSSELLA, Mrs. MEEK of Florida, Mr. JOHNSON of Illinois, Mr. MASCARA, Mr. BOEHLERT, Ms. DELAURO, Mr. BARTLETT of Maryland, Mr. LAFALCE, Mr. GOODLATTE, Mr. DAVIS of Florida, Mr. LAHOOD, Mr. LAMPSON, Mr. ENGLISH, Mr. LEVIN, Mr. CAMP, Mr. BALDACCI, Mr. SHIMKUS, Mr. MALONEY of Connecticut, Mr. WYNN, Ms. HOOLEY of Oregon, Mr. FRANK, Mr. FALEOMAVAEGA, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. COYNE, Ms. MCKINNEY, Ms. CARSON of Indiana, Mr. LARSON of Connecticut, Mrs. THURMAN, Mrs. JONES of Ohio, Mr. MCNULTY, Mr. DOYLE, Mr. SKELTON, Mr. PAYNE, and Mr. DEAL of Georgia):

H.R. 1351. A bill to amend title 38, United States Code, to provide for Government furnished headstones or markers for the marked graves of veterans; to the Committee on Veterans' Affairs.

By Mr. JONES of North Carolina:

H.R. 1352. A bill to amend title 10, United States Code, to codify and make modifications to certain provisions relating to ''Buy American'' requirements; to the Committee on Armed Services.

By Mr. KENNEDY of Minnesota:

H.R. 1353. A bill to amend the Public Health Service Act and titles XVIII and XIX of the Social Security Act to sustain access to vital emergency medical services in rural areas; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself, Mr. GRAHAM, Mr. WEINER, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Mrs. MCCARTHY of New York, Mrs. MYRICK, Mrs. MALONEY of New York, Mr. SHOWS, Ms. ESHOO, Mr. THOMPSON of Mississippi, Mr. LANGEVIN, Mr. TRAFICANT, Mr. ISRAEL, Mr. SERRANO, Mr. ANDREWS, Ms. HOOLEY of Oregon, Mr. NADLER, Mrs. ROUKEMA, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mrs. THURMAN, Mr. MCNULTY, and Mrs. KELLY):

H.R. 1354. A bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE (for himself and Ms. WATERS):

H.R. 1355. A bill to merge the deposit insurance funds at the Federal Deposit Insurance Corporation; to the Committee on Financial Services.

By Mrs. LOWEY:

H.R. 1356. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods containing spices, flavoring, or coloring derived from meat, poultry, other animal products (including insects), or known allergens bear labeling stating that fact and their names; to the Committee on Energy and Commerce.

By Mr. MCCRERY (for himself, Mr. NEAL of Massachusetts, Mr. BRADY of Pennsylvania, Mr. CAMP, Mr. CRANE, Ms. DUNN, Mr. ENGLISH, Mr. FOLEY, Mr. HAYWORTH, Mr. HERGER, Mr. HOUGHTON, Mr. HULSHOF, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Mr. KLECZKA, Mr. LEWIS of Kentucky, Mr. MATSUI, Mr. MCDERMOTT, Mr. MCNULTY, Mr. POMEROY, Mr. RAMSTAD, Mr. RYAN of Wisconsin, Mr. SHAW, Mr. TANNER, Mr. WATKINS, and Mr. WELLER):

H.R. 1357. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself and Mr. ROYCE):

H.R. 1358. A bill to remove the sanctions imposed on India and Pakistan as a result of the detonation by those countries of nuclear explosive devices in 1998, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Financial 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. MCNULTY:

H.R. 1359. A bill to amend the Internal Revenue Code of 1986 to expand and extend the ability of certain exempt organizations to avoid recognizing a gain on the sale of property used directly in the performance of an exempt function; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. KING, Mr. ABERCROMBIE, Ms. LEE, Ms. SLAUGHTER, and Mr. QUINN):

H.R. 1360. A bill to ensure project labor agreements are permitted in certain circumstances; to the Committee on Education and the Workforce.

By Mr. NETHERCUTT (for himself, Mr. LAFALCE, and Mrs. CAPPS):

H.R. 1361. A bill to provide for coverage of all medically necessary pancreas transplantation procedures under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and 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 Ms. NORTON (for herself and Mr. ABERCROMBIE):

H.R. 1362. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OTTER (for himself, Mr. HANSEN, Mr. YOUNG of Alaska, Mr. MICA, Mr. RADANOVICH, Mr. SIMPSON, Mr. GIBBONS, Mr. BASS, Mr. JONES of North Carolina, Mr. CANNON, Mr. NETHERCUTT, Mr. MCINNIS, Mr. SCHAFFER, Mr. COOKSEY, Mr. HEFLEY, Mr. HERGER, Mr. STUMP, Mr. GILCHREST, Mr. HASTINGS of Washington, Mr. ISAKSON, Mr. HAYES, Mr. WALDEN of Oregon, Mr. REHBERG, Mr. FLAKE, and Mr. BOSWELL):

H.R. 1363. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1364. A bill to restore to taxpayers awareness of the true cost of government by eliminating the withholding of income taxes by employers and requiring individuals to pay income taxes in monthly installments, and for other purposes; to the Committee on Ways and Means.

By Mrs. ROUKEMA (for herself, Mr. FLETCHER, Mr. WU, Mr. CALLAHAN, Mr. GILMAN, Mrs. MORELLA, Mr. CONYERS, and Mr. BOEHLERT):

H.R. 1365. A bill to amend title III of the Elementary and Secondary Education Act of 1965 to provide for digital education partnerships; to the Committee on Education and the Workforce.

By Ms. SANCHEZ (for herself, Mr. LEWIS of California, Mrs. TAUSCHER, Mr. CONDIT, Mr. FARR of California, Mr. BACA, Mrs. CAPPS, Mr. COX, Mr. WAXMAN, Mr. GARY G. MILLER of California, Mr. BERMAN, Mr. FILNER, Ms. SOLIS, Mr. LANTOS, Mr. MATSUI, and Mr. HONDA):

H.R. 1366. A bill to designate the United States Post Office building located at 3101 West Sunflower Avenue in Santa Ana, California, as the ''Hector G. Godinez Post Office

Building''; to the Committee on Government Reform.

By Mr. SAXTON (for himself and Mr. SIMMONS):

H.R. 1367. A bill to provide for the conservation and rebuilding of overfished stocks of Atlantic highly migratory species of fish, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1368. A bill to amend the Internal Revenue Code of 1986 to remove the requirement of a mandatory beginning date for distributions from individual retirement plans; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. STENHOLM, Mr. MOORE, Mr. HILL, Mr. JOHN, Mr. BOYD, Ms. HARMAN, Mr. THOMPSON of California, Mr. TURNER, Mr. ROSS, Mr. TAYLOR of Mississippi, and Mr. BISHOP):

H.R. 1369. A bill to amend the Congressional Budget Act of 1974 to require a three-fifths majority vote in the House of Representatives or Senate to waive the point of order against considering spending or revenue legislation for a fiscal year before a concurrent resolution on the budget is in place for that fiscal year, and for other purposes; to the Committee on Rules.

By Mr. SOUDER:

H.R. 1370. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes; to the Committee on Resources.

By Mr. STARK (for himself, Mr. MATSUI, Mr. FILNER, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. FRANK, Ms. SOLIS, Ms. MCCARTHY of Missouri, Mr. GEORGE MILLER of California, Mr. CRAMER, Mr. LEVIN, Mr. ALLEN, Mr. DOGGETT, Mr. KENNEDY of Rhode Island, Mr. CONYERS, and Ms. CARSON of Indiana):

H.R. 1371. A bill to provide for grants to State child welfare systems to improve quality standards and outcomes, and to authorize the forgiveness of loans made to certain students who become child welfare workers; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 1372. A bill to prohibit the expenditure of Federal funds to conduct or support research on the cloning of humans, and to express the sense of the Congress that other countries should establish substantially equivalent restrictions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 1373. A bill to designate the facility of the United States Postal Service located at 310 South State Street in St. Ignace, Michigan, as the ''Robert W. Davis Post Office Building''; to the Committee on Government Reform.

By Mr. STUPAK:

H.R. 1374. A bill to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building''; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. WATKINS, Mr. FROST, Mr. PAUL, Mr. COSTELLO, Mrs. EMERSON, Mr. FARR of California, and Mr. OSBORNE):

H.R. 1375. A bill to amend title XVIII of the Social Security Act to adjust the labor costs relating to items and services furnished in a geographically reclassified hospital for which reimbursement under the Medicare Program is provided on a prospective basis; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. BLUMENAUER, Mr. MATSUI, Mr. FARR of California, Mr. OSE, Mr. RADANOVICH, and Mr. DOOLEY of California):

H.R. 1376. A bill to amend the Internal Revenue Code of 1986 to provide that transfers of family-owned business interests shall be exempt from estate taxation; to the Committee on Ways and Means.

By Mr. THORNBERRY (for himself, Mr. CUNNINGHAM, Mr. SAM JOHNSON of Texas, and Mrs. TAUSCHER):

H.R. 1377. A bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the Uniformed and Overseas Citizens Absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Veterans' Affairs, the Judiciary, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 1378. A bill to authorize grants for certain water and waste disposal facility projects in rural areas; to the Committee on Agriculture.

By Mr. UDALL of Colorado:

H.R. 1379. A bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself and Ms. DEGETTE):

H.R. 1380. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 1381. A bill to direct the Secretary of the Interior to establish the Cooperative Landscape Conservation Program; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 1382. A bill to authorize increased fines for improper use of vehicles that results in damage to public lands or national forests, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico (for himself, Mr. HAYWORTH, Mr. KILDEE, Mr. WATTS of Oklahoma, Mr. CAMP, Mr. KENNEDY of Rhode Island, Ms. DELAURO, and Mr. BROWN of Ohio):

H.R. 1383. A bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional Medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000; to the Committee on Energy and Commerce.

By Mr. UDALL of New Mexico (for himself and Mr. CANNON):

H.R. 1384. A bill to amend the National Trails System Act to designate the Navajo Long Walk to Bosque Redondo as a national historic trail; to the Committee on Resources.

By Mr. OXLEY:

H. Con. Res. 93. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

By Mr. ABERCROMBIE (for himself, Mrs. MORELLA, Ms. BALDWIN, Mr. BLUMENAUER, Mr. BALDACCI, Ms. BROWN of Florida, Mr. CONYERS, Ms. DELAURO, Mr. ENGEL, Mr. FILNER, Mr. HONDA, Ms. MCCARTHY of Missouri, Mr. MCNULTY, Mrs. MINK of Hawaii, Ms. NORTON, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mrs. TAUSCHER, Mr. WYNN, Mr. PASTOR, Mr. BACA, Ms. CARSON of Indiana, Mr. LANTOS, and Mr. GUTIERREZ):

H. Con. Res. 94. Concurrent resolution recognizing the significance of Equal Pay Day to demonstrate the disparity between wages paid to men and women; to the Committee on Government Reform.

By Mr. TANCREDO:

H. Con. Res. 95. Concurrent resolution supporting a National Charter Schools Week; to the Committee on Education and the Workforce.

By Mr. TRAFICANT:

H. Con. Res. 96. Concurrent resolution expressing the sense of Congress that the People's Republic of China should release immediately the crew members of the United States Navy EP-3E Aries II reconnaissance aircraft that made an emergency landing on the Chinese island of Hainan on April 1, 2001, and should release immediately and intact that aircraft in accordance with international law; to the Committee on International Relations.

By Mr. BERMAN (for himself and Mr. BOUCHER):

H. Res. 110. A resolution providing that it shall not be in order in the House of Representatives to consider certain funding measures for the United States Patent and Trademark Office; to the Committee on Rules.

By Mr. FOLEY (for himself, Mr. STENHOLM, Mr. SIMMONS, Mr. KOLBE, Mr. SWEENEY, Mr. MILLER of Florida, Mr. KELLER, Mrs. THURMAN, Mr. SHERWOOD, Mr. MOORE, Ms. HART, Mrs. JO ANN DAVIS of Virginia, Mrs. WILSON, Mrs. MINK of Hawaii, Mr. THUNE, and Mr. BUYER):

H. Res. 112. A resolution recognizing the upcoming 100th anniversary of the 4-H Youth Development Program and commending such program for service to the youth of the world; to the Committee on Education and the Workforce.

By Mr. MCKEON:

H. Res. 113. A resolution urging the House of Representatives to support events such as the ''Increase the Peace Day''; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII,

14. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to Resolution H.P. 958 memorializing the United States Congress to either provide 40% of the national average per pupil expenditure to assist states and local education agencies with the excess costs of educating children with disabilities or amend the Individuals with Disabilities Education Act to

allow states more flexibility in implementing its mandates; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. JACKSON-LEE of Texas:

H.R. 1385. A bill for the relief of Gao Zhan; to the Committee on the Judiciary.

By Mr. ROTHMAN:

H.R. 1386. A bill for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. THOMAS and Mr. HASTERT.

H.R. 10: Mr. GEKAS, Ms. BALDWIN, Mr. ISRAEL, Mr. GUTIERREZ, Mr. DOOLITTLE, and Ms. CARSON of Indiana.

H.R. 17: Mr. OSBORNE and Mr. BOSWELL.

H.R. 21: Mr. CLEMENT and Mr. WAMP.

H.R. 25: Mrs. MINK of Hawaii, Mr. SIMMONS, and Ms. SLAUGHTER.

H.R. 28: Mr. HULSHOF, Mrs. WILSON, and Mr. WEXLER.

H.R. 31: Mr. SPENCE.

H.R. 51: Mr. MCINTYRE, Mrs. BIGGERT, and Ms. SANCHEZ.

H.R. 61: Mr. PETRI.

H.R. 126: Mr. BONIOR and Mr. KUCINICH.

H.R. 128: Mr. BONIOR, Ms. LEE, and Mr. NADLER.

H.R. 134: Mr. FOLEY.

H.R. 144: Mr. GONZALEZ.

H.R. 162: Mr. LAFALCE, Ms. SOLIS, Mr. DELAHUNT, Mr. CLYBURN, Mr. DOYLE, and Ms. SLAUGHTER.

H.R. 168: Mr. GILLMOR and Mr. TOM DAVIS of Virginia.

H.R. 179: Mrs. DAVIS of California, Mrs. BIGGERT, Mr. UNDERWOOD, Mr. HAYES, and Ms. SANCHEZ.

H.R. 183: Mr. PALLONE.

H.R. 184: Mr. TOWNS.

H.R. 214: Mr. BALLENGER and Mr. KENNEDY of Minnesota.

H.R. 236: Mr. FERGUSON, Ms. SOLIS, Mr. GIBBONS, and Mr. LEWIS of Kentucky.

H.R. 280: Mr. LAHOOD, Mr. LATOURETTE, Mr. DUNCAN, Mr. TAYLOR of North Carolina, Mrs. BONO, Mr. TAYLOR of Mississippi, Mr. NORWOOD, Mr. RILEY, Mr. TRAFICANT, Mr. WATKINS, Mr. ROHRABACHER, Mr. SPENCE, and Mr. PETRI.

H.R. 281: Ms. HART, Mrs. LOWEY, Mr. CRAMER, and Mr. RUSH.

H.R. 285: Mr. GONZALEZ, Mr. NADLER, Mr. CAPUANO, and Mr. GUTIERREZ.

H.R. 288: Mrs. BIGGERT.

H.R. 290: Mr. FOLEY.

H.R. 298: Mr. CRANE and Mr. PLATTS.

H.R. 303: Mr. SCOTT and Mr. CLAY.

H.R. 320: Mr. FOLEY.

H.R. 326: Mr. LANGEVIN and Mr. SHERMAN.

H.R. 336: Mr. ENGLISH and Mr. RUSH.

H.R. 340: Mr. CAPUANO, Mr. CROWLEY, Mr. FRANK, and Mrs. JONES of Ohio.

H.R. 347: Mr. CLEMENT.

H.R. 356: Ms. MCCARTHY of Missouri.

H.R. 374: Mr. HEFLEY and Mr. ISSA.

H.R. 380: Ms. JACKSON-LEE of Texas and Mr. KILDEE.

H.R. 382: Mr. GOODE.

H.R. 385: Mr. CALVERT.

H.R. 394: Mr. STUPAK, Mr. GILLMOR, Mr. BARR of Georgia, Mr. MORAN of Kansas, Mr. PETERSON of Minnesota, Mr. FROST, Mr. HANSEN, Mr. DICKS, Mr. MCGOVERN, Mr. MCINTYRE, and Mr. PLATTS.

H.R. 396: Mr. BARR of Georgia, Mr. WOLF, Mrs. CAPITO, and Mr. PETERSON of Minnesota.

H.R. 400: Mr. GRUCCI, Mr. GILMAN, Mr. PHELPS, Mr. RYUN of Kansas, Ms. SCHAKOWSKY, Mr. GUTIERREZ, Mr. COSTELLO, Mr. BLAGOJEVICH, Mr. RUSH, Mr. JACKSON of Illinois, Mrs. CUBIN, Mr. BUYER, and Mr. OSE.

H.R. 432: Mr. KUCINICH and Ms. KAPTUR.

H.R. 433: Mr. KUCINICH and Ms. KAPTUR.

H.R. 458: Ms. HART.

H.R. 466: Ms. SLAUGHTER.

H.R. 475: Mr. SIMMONS and Mr. SCHROCK.

H.R. 476: Mr. ENGLISH and Mr. BARTON of Texas.

H.R. 478: Mr. HINCHEY.

H.R. 482: Mr. CANTOR, Mr. PENCE, Mr. HILLEARY, and Mr. HAYES.

H.R. 499: Mr. WAXMAN, Mr. LANTOS, Mrs. LOWEY, Mr. EVANS, Ms. SOLIS, Mr. PASCRELL, Mr. NADLER, Mr. GUTIERREZ and Mr. WEXLER.

H.R. 500: Mr. RUSH and Mr. RANGEL.

H.R. 512: Mr. ISRAEL, Mr. OLVER, Mr. FOLEY, Mr. STENHOLM, Mr. BLAGOJEVICH, Mr. CAPUANO, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. KLECZKA, Mr. UDALL of New Mexico, and Mr. LAHOOD.

H.R. 513: Mr. ISRAEL, Mr. OLVER, Mr. FOLEY, Mr. SHOWS, Mr. CAPUANO, Mr. KLECZKA, Ms. BALDWIN, Mr. UDALL of New Mexico, Ms. HART, and Ms. VELAZQUEZ.

H.R. 514: Mr. FOLEY.

H.R. 521: Mr. FRANK.

H.R. 525: Mr. KENNEDY of Rhode Island and Mr. GRAHAM.

H.R. 527: Mr. FOLEY, Mr. SHAW, and Ms. HART.

H.R. 537: Mr. ROYCE, Mrs. BIGGERT, Mr. HASTINGS of Florida, and Mr. PASCRELL.

H.R. 544: Mr. LANGEVIN, Mr. NADLER, and Ms. SLAUGHTER.

H.R. 548: Mrs. ROUKEMA, Mr. MICA, Mr. BALDACCI, and Mr. SKEEN.

H.R. 571: Mr. JONES of North Carolina, Ms. CARSON of Indiana, and Ms. MCKINNEY.

H.R. 572: Mr. KING, Mr. MCNULTY, Mrs. KELLY, Mr. DEFAZIO, Mr. COYNE, Mr. HYDE, Mr. STEARNS, Mr. CLEMENT, Ms. CARSON of Indiana, and Ms. HOOLEY of Oregon.

H.R. 577: Mr. CLEMENT.

H.R. 579: Mr. GUTIERREZ.

H.R. 596: Mr. MATSUI.

H.R. 599: Mr. LAFALCE, Ms. SOLIS, Mr. SANDERS, Mr. DELAHUNT, Ms. CARSON of Indiana, and Mr. RUSH.

H.R. 602: Mr. CLAY, Mr. GORDON, and Mr. HONDA.

H.R. 606: Mr. CRENSHAW, Mr. DAVIS of Florida, and Mr. RANGEL.

H.R. 611: Mr. BENTSEN, Mr. UDALL of Colorado, Ms. SOLIS, Mr. BALDACCI, Mr. LANTOS, Mr. PENCE, Mr. DELAHUNT, and Mr. PETRI.

H.R. 612: Mr. KENNEDY of Rhode Island, Ms. SLAUGHTER, Mrs. MALONEY of New York, and Mr. BORSKI.

H.R. 619: Mr. ABERCROMBIE, Mr. CONYERS, and Mr. POMEROY.

H.R. 630: Mr. SKELTON.

H.R. 634: Mrs. BIGGERT, Mr. COX, Mr. KINGSTON, Mr. RYAN of Wisconsin, and Mr. BASS.

H.R. 638: Mr. ENGEL.

H.R. 659: Mrs. MALONEY of New York, Mr. DEFAZIO, Ms. DELAURO, and Ms. BALDWIN.

H.R. 662: Mr. BUYER, Mr. BONILLA, Mr. COMBEST, Mr. MCHUGH, Mr. WYNN, Mr. MOORE, Mr. UDALL of Colorado, Mr. DEAL of Georgia, Mr. WELDON of Pennsylvania, Mr. SESSIONS, Mr. MCCRERY, Mr. HERGER, Mr. BARTLETT of Maryland, Mr. RYUN of Kansas, Mr. BALDACCI, Mr. UPTON, Mr. BOYD, Ms. HART, Ms. DELAURO, Mr. JOHNSON of Illinois, Mr. WATKINS, Mr. SCARBOROUGH, and Mr. TRAFICANT.

H.R. 663: Mr. WYNN, Mr. SANDERS, Mr. FILNER, and Mr. REYES.

H.R. 664: Ms. LOFGREN, Mr. KENNEDY of Rhode Island, Ms. CARSON of Indiana, Mr. KILDEE, Mr. MATSUI, Mr. MOORE, Mr. HILL, Mr. FLETCHER, Mr. BLUNT, Mr. LUCAS of Oklahoma, Mr. RODRIGUEZ, Mr. OWENS, and Mr. ISRAEL.

H.R. 665: Mr. CARSON of Oklahoma.

H.R. 672: Mr. FARR of California.

H.R. 683: Ms. JACKSON-LEE of Texas and Mr. HONDA.

H.R. 686: Mr. HASTINGS of Florida, Mr. BOUCHER, Mr. KIND, Mr. CLEMENT, Mr. BALDACCI, and Mrs. JONES of Ohio.

H.R. 687: Mr. BOUCHER, Mr. BALDACCI, Mr. MCGOVERN, and Mr. CAPUANO.

H.R. 696: Mrs. CHRISTENSEN, Mr. MCNULTY, Mr. CAPUANO, Mr. FRANK, Mr. PAYNE, and Mr. FILNER.

H.R. 699: Ms. WOOLSEY.

H.R. 717: Ms. DELAURO, Mr. SMITH of Washington, Mr. BONILLA, Mr. TERRY, Mr. FERGUSON, Mr. PAYNE, Mr. MEEHAN, Mr. CARSON of Oklahoma, Ms. SCHAKOWSKY, and Mr. SWEENEY.

H.R. 737: Mr. MCGOVERN, Mr. SHIMKUS, and Mr. SANDLIN.

H.R. 770: Mr. HONDA.

H.R. 774: Mrs. JOHNSON of Connecticut and Mr. LAHOOD.

H.R. 776: Mr. LAHOOD.

H.R. 777: Mr. LAHOOD.

H.R. 781: Mr. STARK, Mr. SABO, Ms. HARMAN, Mr. OBERSTAR, and Mr. DAVIS of Illinois.

H.R. 782: Mr. FROST.

H.R. 786: Ms. MCKINNEY.

H.R. 790: Mrs. MALONEY of New York.

H.R. 804: Mr. LEWIS of Kentucky.

H.R. 808: Mrs. MALONEY of New York, Ms. DEGETTE, Mr. GILLMOR, Mr. ROTHMAN, Mr. JENKINS, Mr. LEWIS of Georgia, Mr. GREENWOOD, Mr. WU, Mr. REYES, Ms. SLAUGHTER, Mr. GILCHREST, and Mr. MALONEY of Connecticut.

H.R. 817: Mr. GOODE.

H.R. 818: Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. MCCARTHY of Missouri.

H.R. 822: Ms. WOOLSEY.

H.R. 823: Mr. CUNNINHAM.

H.R. 826: Mr. LEWIS of Kentucky.

H.R. 827: Mr. OSE, Mr. PASCRELL, and Mr. MENENDEZ.

H.R. 870: Mrs. CAPPS, Mr. LATOURETTE, Mr. CLAY, and Ms. SANCHEZ.

H.R. 876: Mr. BOUCHER and Mr. THORNBERRY.

H.R. 883: Mr. PETERSON of Minnesota, Mr. DELAY, Mr. SHOWS, Mr. HILLEARY, Mr. GREEN of Wisconsin, Mr. OTTER, Mr. GIBBONS, Mr. STUMP, Mr. MANZULLO, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. CUNNINGHAM, Mr. STEARNS, Ms. EMERSON, Mr. JONES of North Carolina, Mr. BURTON of Indiana, Mr. SESSIONS, Mr. BERRY, Mr. SKEEN, Mr. SIMPSON, Mr. NETHERCUTT, Mr. CALVERT, Mr. SAM JOHNSON of Texas, Mr. SCHAFFER, Mr. BUYER, Mr. AKIN, Mr. REHBERG, Mr. TANCREDO, and Mr. DUNCAN.

H.R. 899: Mr. SHIMKUS.

H.R. 907: Mr. LARSON of Connecticut.

H.R. 909: Mr. POMEROY.

H.R. 911: Mr. LANTOS and Mr. MATSUI.

H.R. 912: Mr. SOUDER, Mr. MURTHA, Mr. CRANE, Mr. LEVIN, and Mr. BRADY of Pennsylvania.

H.R. 913: Mr. DAVIS of Illinois.

H.R. 914: Mr. SAM JOHNSON of Texas.

H.R. 917: Ms. ESHOO.

H.R. 919: Mr. MCGOVERN and Ms. HART.

H.R. 949: Mr. KOLBE, Ms. HART, and Mr. HASTINGS of Washington.

H.R. 951: Mr. BEREUTER, Mr. CONYERS, Ms. MCCARTHY of Missouri, Mr. GOODE, Mr. UDALL of New Mexico, Ms. BALDWIN, Mr. CLAY, Mr. OSBORNE, and Mr. HINCHEY.

H.R. 959: Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mr. GONZALEZ, and Mr. DEFAZIO.

H.R. 969: Mr. BROWN of South Carolina, Mr. PLATTS, Mr. HYDE, and Mr. WELDON of Florida.

H.R. 974: Mr. SHERMAN.
H.R. 993: Mr. HYDE.
H.R. 1004: Ms. BROWN of Florida.
H.R. 1008: Mr. OSE, Mr. LATHAM, and Mr. SOUDER.
H.R. 1014: Mr. MOORE, Mr. HASTINGS of Florida, Ms. NORTON, Mrs. MALONEY of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABERCROMBIE, Mr. FILNER, Mr. EVANS, Mr. LEWIS of Georgia, Mrs. MINK of Hawaii, and Ms. BROWN of Florida.
H.R. 1016: Mr. TRAFICANT and Mr. SHOWS.
H.R. 1019: Mr. GUTKNECHT, Mr. SENSENBRENNER, Mr. SESSIONS, Mrs. MYRICK, and Mr. SPENCE.
H.R. 1024: Mr. CRANE, Mr. BACHUS, Mr. MATSUI, Mr. CRENSHAW, Mr. SHAW, Mr. PETRI, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, and Mr. LEWIS of Georgia.
H.R. 1051: Ms. CARSON of Indiana, and Mr. DAVIS of Illinois.
H.R. 1052: Mr. DINGELL, Mr. ISRAEL, and Mr. DAVIS of Illinois.
H.R. 1053: Mr. DAVIS of Illinois.
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H.R. 1057: Mr. DAVIS of Illinois.
H.R. 1058: Mr. DAVIS of Illinois.
H.R. 1059: Mr. DAVIS of Illinois.
H.R. 1060: Mr. FRANK, Mr. LANTOS, and Mr. DAVIS of Illinois.
H.R. 1061: Mr. DAVIS of Illinois.
H.R. 1072: Mr. HASTINGS of Washington, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. BALDACCI, and Mr. PAUL.
H.R. 1073: Mr. ROTHMAN, Mr. HILL, Mr. MATSUI, Ms. WOOLSEY, Mr. SHERMAN, Mr. KANJORSKI, Ms. HOOLEY of Oregon, Ms. LEE, Mr. MCNULTY, Mr. NEAL of Massachusetts, Mrs. JONES of Ohio, Mr. BACA, Mr. BLUMENAUER, Mr. TOM DAVIS of Virginia, Mr. GORDON, Mr. DOYLE, Mr. HILLIARD, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. LIPINSKI, Mr. HOLT, Mr. HASTINGS of Florida, Mr. MENENDEZ, Ms. NORTON, Mrs. ROUKEMA, Mr. SANDERS, Mrs. EMERSON, Mr. ISRAEL, Mr. MALONEY of Connecticut, Mr. DICKS, Ms. PELOSI, Mr. OWENS, Mr. ENGEL, Ms. MCCARTHY of Missouri, Mr. BAIRD, Mr. GOODE, Mr. KENNEDY of Rhode Island, Mr. TOWNS, Mr. WELLER, Mr. STRICKLAND, Mr. WYNN, and Mr. CAPUANO.
H.R. 1075: Mr. CONDIT.
H.R. 1078: Mr. OBERSTAR.
H.R. 1082: Mr. BARCIA, Mr. GUTKNECHT, Mr. CLEMENT, and Mr. SANCHEZ.
H.R. 1086: Mr. BLAGOJEVICH.
H.R. 1088: Mr. LATOURETTE.
H.R. 1089: Mr. LATOURETTE and Mr. RUSH.
H.R. 1100: Mr. HOSTETTLER.
H.R. 1117: Mr. BLAGOJEVICH, Mr. SIMMONS, Mrs. LOWEY, Mr. RANGEL, Mr. HONDA, Mr. KENNEDY of Rhode Island, and Mr. DELAHUNT.
H.R. 1119: Mr. MCGOVERN.
H.R. 1127: Mr. SESSIONS.
H.R. 1129: Mr. MCGOVERN and Mr. CLEMENT.
H.R. 1130: Mr. MCGOVERN and Mr. GEORGE MILLER of California.
H.R. 1135: Mr. CLEMENT and Mr. PICKERING.
H.R. 1136: Mr. DAVIS of Illinois and Mr. CLEMENT.
H.R. 1137: Mr. HINCHEY and Mr. FROST.
H.R. 1144: Mr. RUSH.
H.R. 1150: Mr. PICKERING.
H.R. 1155: Mr. CAMP, MR. FRELINGHUYSEN, Mr. BILIRAKIS, Ms. PRYCE of Ohio, Mrs. THURMAN, Mr. BAIRD, Ms. BERKLEY, and Mr. SCHIFF.
H.R. 1162: Mr. DEFAZIO, Mr. SERRANO, and Mr. FATTAH.
H.R. 1170: Mr. LANTOS, Mr. OBERSTAR, Mr. NADLER, and Mr. UNDERWOOD.
H.R. 1180: Ms. BALDWIN, Ms. ROYBAL-ALLARD, Mr. HAYWORTH, and Mr. HASTINGS of Florida.
H.R. 1195: Mr. GUTIERREZ and Mr. KING.
H.R. 1203: Mr. NETHERCUTT and Mr. OTTER.
H.R. 1227: Mr. ENGLISH.
H.R. 1230: Ms. KILPATRICK, Mr. BROWN of Ohio, Ms. RIVERS, Mr. PETERSON of Minnesota, Mrs. MINK of Hawaii, Mr. LEVIN, Mr. CONYERS, and Mr. RANGEL.
H.R. 1234: Mr. GEORGE MILLER of California, Mr. CLAY, and Mrs. MEEK of Florida.
H.R. 1238: Mrs. JOHNSON of Connecticut, Mr. FOLEY, and Ms. NORTON.
H.R. 1242: Ms. ROS-LEHTINEN.
H.R. 1252: Mr. BLUMENAUER, Mr. BERMAN, Mr. REYES, Ms. WOOLSEY, Ms. KILPATRICK, Ms. VELAZQUEZ, Mrs. MINK of Hawaii, Ms. SLAUGHTER, Mr. CONYERS, and Mr. RUSH.
H.R. 1271: Mr. BURR of North Carolina, Mr. HASTINGS of Florida, Mrs. NORTHUP, Mr. VITTER, and Ms. BERKLEY.
H.R. 1274: Mr. WAMP.
H.R. 1280: Mr. CRANE, Ms. MCKINNEY, Mr. FROST, and Mr. BORSKI.
H.R. 1291: Mr. ROGERS of Michigan and Mr. SKELTON.
H.R. 1300: Mrs. MEEK of Florida and Mr. LEWIS of Georgia.
H.R. 1306: Mr. MCGOVERN, Mr. GONZALEZ, Ms. DELAURO, Mr. PASCRELL, Mr. CLAY, and Mr. RUSH.
H.R. 1307: Mr. WAXMAN, Mr. WOLF and Mr. DAVIS of Illinois.
H.R. 1308: Mr. HASTERT, Mr. BRADY of Texas, Mr. DOOLITTLE, and Mr. SESSIONS.
H.R. 1311: Mr. FRANK.
H.R. 1323: Mr. RANGEL, Mr. HASTINGS of Washington, Mr. UNDERWOOD, and Mrs. NAPOLITANO.
H.J. Res. 15: Mr. RAHALL and Mr. LEACH.
H.J. Res. 20: Mr. RYUN of Kansas and Mr. BARTON of Texas.
H.J. Res. 36: Mr. GEKAS, Mr. PETERSON of Pennsylvania, Mr. GRAVES, Mr. LINDER, and Mr. TIBERI.
H.J. Res. 40: Mr. KOLBE.
H. Con. Res. 17: Mr. TIERNEY, Mr. THOMPSON of California, Ms. DELAURO, Mr. KOLBE, Mr. BENTSEN and Mrs. JOHNSON of Connecticut.
H. Con. Res. 26: Mr. FRANK.
H. Con. Res. 42: Mr. PASCRELL and Mr. LEVIN.
H. Con. Res. 58: Mr. HORN.
H. Con. Res. 59: Mrs. ROUKEMA, and Mr. BILIRAKIS.
H. Con. Res. 72: Mr. MCGOVERN, Ms. HART, and Mr. PICKERING.
H. Con. Res. 89: Ms. HOOLEY of Oregon, Mr. SIMPSON, and Mr. ROHRABACHER.
H. Res. 56: Ms. SCHAKOWSKY, Mr. DEFAZIO, Ms. DELAURO, Mrs. LOWEY and Mr. PAYNE.
H. Res. 91: Mr. HOEFFEL.
H. Res. 97: Mr. BORSKI, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. OLVER, Mrs. NAPOLITANO, Mr. MEEKS of New York, Mrs. BIGGERT, Ms. CARSON of Indiana, Mr. KLECZKA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARRETT, Mr. FOLEY, Mr. SCOTT, Mr. KUCINICH, Mr. SANDERS, Mr. FILNER, Ms. VELAZQUEZ, and Ms. DELAURO.
H. Res. 109: Mr. EVANS, Mr. RANGEL, and Mr. SPRATT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 933: Mr. TOWNS.
H.R. 1193: Mr. DOOLITTLE.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, TUESDAY, APRIL 3, 2001 No. 47

Senate

The Senate met at 9 a.m. and was called to order by the Honorable BOB SMITH, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Edward J. Arsenault, Diocese of Manchester, Manchester, NH.

PRAYER

The guest Chaplain, Rev. Edward J. Arsenault of the Diocese of Manchester, Manchester, NH, offered the following prayer:

Gracious God, You give without measure. We offer You praise and honor for the gifts which You have bestowed upon our Nation: natural splendor, freedom from all forms of oppression, a national spirit of enterprise and achievement, and a desire to serve the less fortunate in whom we see Your face.

We ask that You bless those who serve our Nation in this hallowed Chamber. It is here that bold ideas are scrutinized, important decisions are reached, and the lofty vision of a nation is made new. May the exchange among our Senators be imbued with a profound sense of the responsibility which they bear to You, to one another, and to those whom they serve: the people of this great Nation.

Lord, when our faith is weak, make us strong. When our hope is dampened, make us bold. When our charity is measured, make us mindful that Your love knows no bounds. May all that is done here today have its origin in You and, by You, be brought to fulfillment. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BOB SMITH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 3, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BOB SMITH, a Senator from the State of New Hampshire, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. SMITH of New Hampshire thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from New Mexico.

SCHEDULE

Mr. DOMENICI. Mr. President, the leader has asked me to announce that today the Senate will immediately resume consideration of the budget resolution. Senators who have amendments and opening statements should work with the bill managers on obtaining floor time. A few hours were used up during last night's session, and therefore there are under 50 hours remaining. Senators should be prepared for votes throughout each and every day this week in an effort to complete the budget resolution prior to the end of this week.

I thank my colleagues for their attention.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent to speak as in morning business for up to 2 minutes.

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

THE GUEST CHAPLAIN

Mr. SMITH of New Hampshire. Mr. President, I rise today to congratulate Father Ed Arsenault for the moving prayer we just heard. Father Ed is a cabinet secretary for administration and chancellor of the Diocese of Manchester, NH. The Diocese of Manchester, of course, encompasses the entire State of New Hampshire. He is also the pastor of St. Pius X parish in Manchester where he shows great compassion for the poor and the needy.

As secretary for administration, Father Ed is responsible for the daily operation of the diocesan administration, and as chancellor he oversees the maintenance of all records in the diocesan archives and serves as executive assistant to Bishop John B. McCormack in the daily operations of the bishop's office.

Father Ed holds a masters in divinity from St. Mary's Seminary in nearby Emmitsburg, MD. He was ordained a priest by Bishop Leo O'Neil on June 1, 1991.

Father Ed is very special to me and my family because he is our spiritual adviser and has been for many years. He sponsored my wife Mary Jo as she actually converted to Catholicism. Father Ed also presided over the marriage of my daughter Jenny to her husband Eric in New Hampshire in 1998.

It is a privilege to have Father Ed join us in the Senate to share his words of prayer with our Nation. Father Ed's friendship and spiritual guidance have been a blessing to me and my family

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

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for many, many years. I am proud and honored to sponsor Father Ed as guest Chaplain.

I thank my friend, the Chaplain of the Senate, Lloyd Ogilvie, for allowing Father Ed to be here.

Also, I recognize Father Ed's brother, Michael, his aunt Jeri, and mother Ann who are here today to witness this wonderful occasion.

I yield the floor.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001–2011

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

Pending:

Amendment No. 170, in the nature of a substitute.

Mr. DOMENICI. Mr. President, I am working with the ranking member on a startup schedule this morning. I suggest the absence of a quorum to be charged to our side.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. Mr. President, we have begun debate on the budget resolution, the budget resolution for the country for the next year. Under the rules of the Senate, we are also required to put it in the context and the framework of a 10-year budget, and so begins what is in many ways perhaps the single most important debate that we will have this year. It is the question of choices we make with respect to the priorities of the Nation.

Our President has said on many occasions that it is the people's money; we ought to give the money back to the people. I think all agree that the President is exactly right when he says it is the people's money. Of course it is. That is exactly right. But I think we also understand that there are more choices than just giving the money back to the people by way of a tax cut. There are certain things that we do collectively as the people of a nation which we cannot do individually: for example, providing for our national defense.

There are other things that we do as a society to make it a better nation. We have a Social Security system to safeguard our elderly. We have a Medicare program to provide for the health of our senior citizens. We have support for education because we all understand that is the Nation's future.

We also have a national debt, a publicly held debt that, as we meet here today, is $3.4 trillion. But there is another debt that we don't talk very much about. That is the gross debt of the United States. That gross debt is $5.6 trillion. While we say many times we are paying down the publicly held debt, and that is true, it is also true that the gross debt of the United States is actually increasing. I think that confuses many people.

The publicly held debt is that debt which is held by people outside of the Government. It is debt held by the public. And the public is not just the public here in America; the debt is also held abroad. It is held by Japan, by Germany, and by other countries. That is the publicly held debt, $3.4 trillion as we meet here today.

But the gross debt of the United States is the debt not only owed to the public but the debt that is owed to other government entities. For example, the trust funds of the United States—the general fund of the United States owes the Social Security trust fund hundreds of billions of dollars. Under the President's proposal and under all other proposals, the way we are going to be paying down the publicly held debt is to take the surpluses that are in Social Security and use those to pay down the publicly held debt. Because the money is not needed by Social Security at the moment, and will not be needed for the next decade, that money is in surplus. It is those surpluses—the surpluses that are in the trust funds—that are being used to pay down the publicly held debt.

While we pay down that publicly held debt, obviously we are creating another debt. The debt we are creating as we pay down the publicly held debt with trust fund moneys is a debt to the trust funds from the general fund of the United States. That debt is increasing.

While we talk about surpluses, I think we should be ever mindful that these surpluses are temporary. When we get past this 10-year period, we are going to face, instead of surpluses, deficits. We know that. The Comptroller General of the United States has warned that we will face a demographic tidal wave when the baby boom generation retires. And then these surpluses turn to substantial deficits.

With that in mind, the Democratic alternative to the budget proposed by our colleagues on the other side has adopted these fundamental principles. First, we protect the Social Security and Medicare trust funds in every year. Second, we pay down a maximum amount of the publicly held debt. Third, we provide for an immediate fiscal stimulus of $60 billion to give some lift to this economy. In fact, we believe that is what we ought to be debating on the floor of the Senate this week. We think we ought to be talking about the fiscal stimulus package. Instead of a budget resolution talking about the next 10 years, we ought to be talking about a fiscal stimulus package for this year. Fourth, we believe we should provide significant tax relief for all Americans, including rate reduction, marriage penalty relief, and estate tax reform.

In addition, our budget reserves resources for high-priority domestic needs, including improving education, a prescription drug benefit, strengthening of our national defense, and funding agriculture. Those are very clear priorities of the American people.

The American people tell us in meeting after meeting: We want you to improve education. We want you to invest in our kids. And they are right. Our budget responds to that call. They also say: We want a meaningful prescription drug benefit. We know that the pattern and practice of medicine have changed since Medicare was enacted and we ought to have a modernized Medicare, one that includes a prescription drug benefit. That is costly. But we have provided for it in our budget. And strengthening our national defense; there is broad bipartisan consensus that our defense must be strengthened. Additional resources must be provided. If they are going to be provided, they have to be in the budget. That is what we have done with our budget. Finally, we have provided $750 billion to strengthen Social Security and to begin to address our long-term debt. We think that is critically important.

The budget on the other side provides nothing for this purpose—no dollars to strengthen Social Security for the long term. Not any investment in dealing with our long-term debt which is coming as certainly as night follows day.

We believe these are the priorities of the American people that ought to be included in any budget. I will go to the specifics that demonstrate we have kept faith with those principles.

We start with the projected surplus of $5.6 trillion. As I said last night, it is important that we remember this is just a projection. It may not come true. In fact, if there is one thing of which we are certain, it is the uncertainty of this forecast. Even the agency that made the forecast says it is highly uncertain. The people who made the forecast say to us there is only a 10-percent chance that number is going to come true—10 percent. They say there is a 45-percent chance there will be more money. They say there is a 45-percent chance there will be less money. Which way would you bet, after the events of the last 8 weeks since this forecast was made? Is the economy strengthening or weakening? Is it more likely the money will be less than forecast or more than forecast? I feel safe in predicting it is likely to be less than was forecast.

Whether that is right or that is wrong, the reality is we know $5.6 trillion over 10 years is a very uncertain projection. When the forecasting agency made the estimate, they informed

us, looking at their previous forecasts and the variance from what they projected and what actually came true, they said this could be anywhere from a $50 billion deficit to over a $1 trillion surplus in the 5th year alone, based on the previous variances in their forecasts. So it is highly uncertain.

Then we take out the Social Security trust fund. We protect it. We protect the Medicare trust fund. That leaves us with a non-Social Security non-Medicare remainder of $2.7 trillion that is left.

The Senator from Texas, Mr. GRAMM, put up a very interesting chart last night. He started with the same projection of surplus, but when he subtracted out trust funds, he only subtracted out the Social Security trust fund. There was not any mention of the Medicare trust fund in his presentation. There was no mention at all. I guess that should not be surprising because he has argued there is no Medicare trust fund. He said there is no surplus in the Medicare trust fund.

That is not what the law says. That is not what the actuaries say. That is not what the reports of the Congressional Budget Office say. That is not what the President's own budget document says. All of them make very clear there is a trust fund surplus in Social Security and there is a trust fund surplus in Medicare. Medicare Part A has a surplus of anywhere from $400 billion to $500 billion. The Congressional Budget Office says it is $400 billion. The President's budget document says it is over $500 billion. Medicare Part B is in rough balance over the 10-year period.

The Senator from Texas says: Oh, no, Part B is in deficit. It is not in deficit. That is just not so. He tries to make the case by saying only 25 percent of the funding for Medicare Part B comes from premiums; 75 percent comes from the general fund. That has nothing to do with being in deficit. That has to do with the law that we have passed in the Congress. We have said 25 percent of the funding of Part B will come from premiums and 75 percent will come from the general fund. It has nothing to do with being in deficit.

So the reality is there is a trust fund surplus in Medicare of $400 billion, according to the Congressional Budget Office—$500 billion according to the President's own budget documents. We believe every penny of it ought to be protected. It should not be raided for any other purpose. That is a fundamental difference between the budget offering on this side and the budget offering that we make. We believe this money should not be shuffled off to some contingency fund available for other uses. We believe it ought to be protected in each and every year.

Of what is left, we believe a third ought to go for a tax cut. That would be a net tax cut excluding the interest cost of $745 billion over the next 10 years. We believe that is affordable.

Then we believe about a third ought to go for these high-priority domestic needs. We have made very clear and very specific what those needs are: $311 billion for a prescription drug benefit. That funds a prescription drug benefit that would be available to all who are Medicare eligible. It would be on a voluntary basis. It would be a significant benefit—not the most generous, by any means, of those that have been offered on the floor of the Senate in various proposals but nonetheless a significant benefit. The President's proposal is half as much. But of course 75 percent of people who are on Medicare will get no benefit under the President's plan. We do not think that is a serious prescription drug benefit plan.

We provide $193 billion for infrastructure and education. It is not enough to just talk about these as priorities. If they are priorities, they need to be funded, and no one is more important than education.

Third, we provide $100 billion over the 10-year period for additional resources for our national defense because we think that is critically important as we go forward and, fourth, we provide another $140 billion for other mandatory and health care expenditures. A very big chunk of this is for health care expansion so more people can be covered. We do not make the specific decision in the budget resolution about how that should be done, but we provide the resources so it can be done.

Then we take a third of the non-trust-fund money and use it to address our long-term debt: $750 billion to strengthen Social Security because that is the source of most of our long-term debt. This $750 billion is also available as a strategic reserve in case these projections aren't ready.

Then the interest costs associated with the other elements of the plan, because anytime you cut taxes, anytime you spend money, that increases your interest cost because the money is not paying down debt. If we are not providing a tax cut, if we are not spending money, then we are using it to pay down debt. To the extent we pay down debt, we reduce interest costs. So if we use the money for other purposes, if we provide a tax cut as we do, or if we spend money on high-priority domestic needs as we do, then there is less money going to pay down debt and that means additional interest costs.

Let me make the point that we are doing far more dedicating of resources to paying down debt than our friends on the other side of the aisle. The President has said he would dedicate $2 trillion to paying down debt and his $2 trillion comes from the Social Security trust fund. We have reserved all of that money from the trust funds for paying down publicly held debt, $2.5 trillion plus $400 billion for the Medicare trust fund. So we are dedicating more money to paying down the publicly held debt than is the plan on the other side. In addition, we have reserved $750 billion for the long-term debt.

We have tried not only to emphasize the short-term debt and the publicly held debt but to also focus on the long-term debt facing our Nation. If you add the one-third of what remains after we protect the trust funds with the trust funds money which will go to paying down debt, we have a combined total of nearly $3.7 trillion out of the $5.6 trillion for paying down short-term and long-term debt.

That is the fundamental difference between our plan and their plan. They have a much bigger tax cut. We have much more for paying down short-term and long-term debt.

The Senator from Texas tried to say last night that the real difference is spending. No, it isn't. There are some differences in spending because we make more of a commitment to these high-priority domestic needs—education, prescription drugs, national defense, health care, and expansion. We spend more money in those high-priority areas. But that isn't the biggest difference between us. The biggest difference between us is that we have reserved over two-thirds of these projected surpluses for paying down short-term and long-term debt. The President has reserved about 35 percent of the money for that purpose.

I have done this comparison chart to try to get at the heart of the differences between our proposal and their proposal.

You can see from the GOP budget that while the President says he will only use $2 trillion to pay down publicly held debt, his budget numbers actually show that he is using all of the Social Security money for paying down publicly held debt. We do the same.

On the Medicare trust fund, we have reserved all $400 billion. The President's proposal has taken that money and put it in an unallocated category. We will get to that as we go through this comparison.

On tax cuts, the President proposes $1.6 trillion; we propose $745 billion.

On spending, the President proposes $713 billion over the 10 years above the so-called baseline. We are at $743 billion because of the high-priority domestic needs of education, health care, prescription drugs, and national defense.

Here is the place where there is a major difference. We have the strategic reserve to strengthen Social Security and deal with our long-term debt. They have nothing for that purpose in their budget. We have $750 billion.

As I indicated before, the interest cost on the Republican budget is $472 billion; $490 billion in our plan.

If you add up the totals in the Republican plan, it comes to $4.8 trillion, ours is $5.6 trillion, and they have left unallocated $846 billion. Let's remember that $400 billion of that is from the Medicare trust funds. They call it unallocated. It is fully allocated. It is fully committed. It is committed to the trust fund.

By saying it is unallocated, by saying it is available for a contingency, they are opening up the Medicare trust fund

for the raid—the raid that has gone on in the past, the raid we have been able to stop the last 3 years. They are getting ready to raid the Medicare trust fund all over again.

If we take that out of their contingency fund, we are left with just under $500 billion. That is not enough to cover education, prescription drugs, national defense, and the alternative minimum tax reform that is made necessary by the President's tax cut plan because the President's tax cut plan which he advertises as costing $1.6 trillion actually will cost a great deal more than that because it will require us to change the alternative minimum tax.

Currently, about 2 million people are caught up in the alternative minimum tax. The President's plan will put over 30 million people under the alternative minimum tax. Boy, are they in for a big surprise. They thought they were going to get a tax cut. They thought they were going to get a reduction. What they are going to get is caught up in the alternative minimum tax.

Thirty-million taxpayers—nearly one in four taxpayers in our country—are going to be caught up in the alternative minimum tax under the President's plan. It costs $300 billion to fix. On top of his $1.6 trillion tax cut, it will cost another $300 billion to fix the alternative minimum tax.

Then, of course, you have the interest cost associated with the President's tax cut and fixing the alternative minimum tax. That is another $500 billion. Now we are talking real money.

The reported cost of $1.6 trillion, of course, is reestimated by the budget experts of the Congress. I can tell you that they reestimated just part of his plan and they found it costs much more than $1.6 trillion. Over in the House, they reestimated just part of his plan and it went up in cost by $126 billion.

The $1.6 trillion plan, the $1.7 billion plan, then you have to fix the alternative minimum tax, which is another $300 billion, and then you have the associated interest costs, which is another $500 billion. Now you are talking real money—$2.5 trillion from their supposed projected 10-year surplus of $5.6 trillion.

Unfortunately, $3.1 trillion of that, according to the President's numbers—because his is slightly different from the Congressional Budget Office number—$3.1 trillion of that $5.67 trillion is trust fund money. It is trust fund money—$3.1 trillion of $5.6 trillion is trust fund money.

Then you take the President's tax plan; it costs $2.5 trillion when you include all of the costs. You can see he has used all the non-trust-fund money for his tax cut plan. That is the fundamental problem with the President's plan. That is the fundamental problem with trying to find a way to get his plan to add up.

For just a moment I would like to talk about the question of reconciliation. Very soon we may face the vote on reconciliation. I think it may be one of the most important votes not just in this debate but it may be one of the most important votes in all of our service time in the Senate. It may be one of the most important votes that affects the role of this institution. Why do I say that?

Reconciliation was created for deficit reduction. It was created to short-circuit the normal way of doing Senate business, giving Senators the right to extend debate and giving Senators the right to amend legislation. The reason Senators were given those rights was that our Founding Fathers believed it was critical to the constitutional functioning of the U.S. Congress.

They created the House of Representatives with Members serving 2-year terms to respond to the heat of the moment, to respond to the public passion. They created the Senate to be the cooling saucer, to be the place where debate and amendment could prevent serious mistakes. That is the constitutional role of the Senate. It is absolutely critically important to the functioning of our democracy.

Reconciliation sweeps all of that away. Reconciliation has special procedures that allow only 20 hours of consideration of legislation on the floor of the Senate—no extended debate, no right by every Senator to amendment. That is all out the window. That reconciliation process was put in place for a purpose. The purpose was the deficit crisis that was facing the country. It was designed to be a way to raise taxes and cut spending to reduce deficits. That is why reconciliation was put in place. It was not designed for programs to increase spending or to cut taxes. That is just the opposite of for what reconciliation was created. I repeat, reconciliation was created for deficit reduction.

It would be a perversion of the reconciliation process to use it for spending or for tax cuts. That is not deficit reduction. That is the opposite of deficit reduction. That is for what reconciliation ought to be reserved. Everything else ought to be under the regular order of the Senate, permitting Senators the right to extended debate, permitting Senators the right to amend because that is the constitutional role for this body. To change that role is a fundamental threat to the constitutional structure of the Senate.

Nothing could be more important in this debate because if we fundamentally make the Senate of the United States into the House of Representatives, we have fundamentally changed the nature of this institution. We have fundamentally—and perhaps for all time—altered what our Founding Fathers intended for the Senate.

I remember so well back in 1993–1994, there was a different administration, there was a different hot issue of the moment; it was health care. A group of us, including the father of the distinguished occupant of the chair who was part of a group, a bipartisan group, were given the primary responsibility to write a health care reform bill. That administration very much wanted that legislation. It was their highest priority. But they knew they could not get it through the regular order. They could not get it through the regular Senate process. They could not get 60 votes to stop a filibuster.

So they came to a group of us and asked us if we would support the use of the reconciliation process for a massive new spending program, a $138 billion spending program to expand health care coverage. And that group of us said: No. As much as we wanted to reform the health care system, as much as we wanted to expand coverage, we said that would be an abuse of the reconciliation process because it was not for deficit reduction, it was for new spending, and we could not go along with that request. We could not support it because it went beyond a procedural question.

That was a fundamental question of the operation of this institution, a fundamental question of the operation of the Senate and its constitutional role. We could no more support the use of reconciliation for a spending program as we could for a tax-cutting program because neither were intended to be used under the special rules of reconciliation that reduced the rights of each and every Senator to extended debate and the right to amendment.

In fact, under reconciliation we are limited to 20 hours on the floor of the Senate, and one side or the other can give back all of its time. They can give back 10 hours. Then you are down to 10 hours, 10 hours of debate and amendment on a bill that would provide a $2 trillion tax cut.

Is that what our Founding Fathers intended? Is that what the Founding Fathers intended for the Senate, that there would be a limitation and a restriction on debate, on something that would provide a $2 trillion tax cut, that that should be limited to 10 hours of debate and amendment? I do not think so. I do not think that is what they intended.

I do not think that is what they intended for a spending measure either. I do not think they ever intended you could only have 10 hours of debate and discussion on something that could spend hundreds of billions of dollars. No, no. That was not the role of the Senate. That fundamentally threatens the role of the Senate. That undermines the role of the Senate. That neuters this Senate. And if we neuter that role, we have fundamentally altered what our Founding Fathers intended.

This goes way beyond the question of a tax cut. This goes to everyone's vision of what this Chamber should be about. I believe, as our Founding Fathers did, that the role of the Senate is to be the cooling saucer. This is where we should have extended debate. This is where Senators should have the

right to offer amendments, and to have them voted on, and to have our colleagues ultimately held accountable as to their votes. There should be no rush to judgment. There should be no process that short-circuits all of the protections that are given to individual Senators so they can represent their individual States and protect the rights of a minority. When I am asked what the fundamental problem is with the budget plan that has been offered by the other side, I go back to this chart because, to me, the numbers tell the story. We start with a projected surplus of $5.6 trillion. But $2.6 trillion of that is Social Security; $500 billion is Medicare. Now, these numbers are slightly different than the numbers I used on my chart because I was using CBO numbers. We are required to do that in the Budget Committee. These are the President's numbers. Instead of a Social Security trust fund that the Congressional Budget Office says amounts to $2.5 trillion, the President says it is $2.6 trillion. The Congressional Budget Office says the Medicare trust fund is $400 billion; the President's office says $500 billion. This is the President's budget. So I am using the President's numbers.

That leaves us with $2.5 trillion of non-trust-fund money. We take out the Bush tax cut—$1.7 trillion, as reestimated by the House—we take out the cost of the alternative minimum tax reform that will be required by his plan—it is not part of his plan, but it is required by it—that costs another $300 billion, the interest cost—$500 billion—of the tax cut and the alternative minimum tax fix and the Bush spending proposals above the baseline of $200 billion. That adds up to $2.7 trillion, and the President is ''in the hole'' by $200 billion.

Where does it come from? There is only one place I can find it can come from, and that is the trust funds. That is the problem with the President's plan. It does not add up. It is right into the trust funds before we ever get started.

Mr. President, I see there are Members waiting to offer amendments. By prior agreement, I am going to stop talking for the moment, and we will have remarks from the other side of the aisle, and then we will go to the first amendment, which will be an amendment from our side on prescription drugs. With that, I thank the Chair and yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I appreciate the kindness of my colleague and good friend from North Dakota.

We have a lot of work to do this week. I know we are going to be getting to amendments, but I thought it would be important to talk a little bit about the ''Blueprint for New Beginnings'' submitted by the President on February 28 and how we intend to implement our agenda in this congressional budget resolution offered by the chairman of the Budget Committee.

As we all know, the Congressional Budget Act puts a deadline on adoption of the budget resolution. It must be signed, sealed, and delivered by April 15. That is an important deadline for a couple of reasons. It is the tax filing deadline. As Americans put together their tax returns, they see newspaper stories about how their tax money is being spent. We certainly have their attention then, and taxpayers who calculate the tax burden say: What am I getting in return? Then they see the details of the budget in their newspapers and they get to decide whether it is worth it or not. Are they getting all the Government they deserve, or are they paying for too much Government?

Second, April 15, an early deadline, is important to keep us on track for the rest of the year. As a member of the Appropriations Committee as well as the Budget Committee, I know that the two committees have to work together to figure out how much we are going to spend for the coming year, and then the subcommittees need to work up the 13 individual bills to meet these targets. We should pass them and sign them into law by October 1.

We have had trouble getting the appropriations bills passed on time in recent years and I guess even before then. Last year the complete package was not signed into law until December 21. By that time, several of us had already written our letters to Santa Claus. We would have rather gotten a lump of coal in our stocking than to be still dealing with appropriations bills at that late date.

If we were to miss the budget deadline now, it would make our timeframe even more of a problem, and we could lag further and further behind the rest of the year.

There was a very interesting exchange last Friday about that between the distinguished Senator from West Virginia and the Senator from Arizona. I say this is one of the central issues that often gets overlooked in this discussion. If we miss the deadline now, we are set up for missing deadlines all year long, deadlines we have enough trouble meeting as it is.

These are not simply arbitrary dates that do not matter. When we fail to have a budget in place by the start of the fiscal year, the agencies are severely affected. They do not know how to plan, they are put in limbo, and we pass short-term continuing resolutions. That just keeps the doors open and keeps us busy with make-work, passing of the short-term continuing resolutions.

One cannot develop a consistent year's plan for the operation of an agency with a stop-and-start, stop-and-start continuing resolution agenda. This causes agencies and the programs to be less effective in serving our citizens. In turn, we get further behind in our preparations as well.

I am unwilling to say that we can afford to miss the April 15 deadline facing us knowing that to do so will put us even further behind. We must move forward using the best information we have, and the information we have turns out to be pretty good.

We expect a $5.6 trillion surplus over the next 10 years. Out of that, we set aside $2.5 trillion of Social Security money. A bipartisan consensus has already developed that this money should be used for Social Security. It is not used for additional spending. It goes to pay down the debt held by the public, and that is the only way we can put money in the bank.

We gave ourselves a little extra leeway, a little extra breathing room so we can borrow again down the road when we need to pay benefits to retiring baby boomers. That is $2.5 billion in debt reduction, putting that money, again, to use for Social Security later.

Some have said we do not do much debt reduction under the President's proposal. Mr. President, $2.5 trillion is not enough? That is out of a total of $3.4 trillion in debt held by the public.

At the end of the 10 years covered by this budget resolution, less than $1 trillion will be left of the debt. We know that under this formula we will retire all the debt that is actually possible to retire. The only question is when we will reach that point.

Federal debt is used as an investment for many Americans and other people around the world. Pension plans use it as a safe place to put their funds. They will not want to part with it unless we pay a big premium to make it worth their while to give up that investment. It makes no sense for us to pay down debt to the point that we would have to pay a premium to buy back the obligations that people hold.

I do not know about the occupant of the chair, but certainly in our family when my son was growing up, we bought savings bonds. We expected over a period of time the Federal Government would pay the interest on that debt and that he would have a long-term investment in a federally guaranteed, federally safe investment. To buy all those savings bonds back, as well as the bonds held by funds, not only disrupts the planning in the private sector, but probably cannot be done without paying a premium.

When I say there is only so much debt we can pay down, I believe any economist will tell you the price to buy some of that debt down is exorbitant. There is no reason for us to pay down debt before it is due if we are going to have to pay a premium.

After we set aside Social Security money and pay pretty much all the debt we can, we still have $3.1 trillion left. That is a lot of money to meet critical priorities.

One of the priorities, obviously, is Medicare. Since this program was set up in the sixties, medicine has made tremendous progress. Problems that required expensive hospital stays now

can be treated with prescription drugs. It is cheaper for the taxpayer and better for the patient. It makes sense to have a reformed Medicare plan that includes prescription drug coverage.

Clearly, one of the things we must do in this Congress is reform Medicare. Fortunately, we have bipartisan work going on with the Senator from Louisiana and the Senator from Tennessee coming up with a plan that makes some sense instead of the current plan where we have the Government trying to control the costs merely by setting prices when the patients and the providers control the usage.

As I have said before, that system does not make sense. The Health Care Financing Administration, which is right in the middle of the system, has made it even worse. They have imposed arbitrary cuts. For example, they have put more than one-third of the home health care agencies in the Nation out of business by demanding too great a cut in their reimbursement. We need to put Medicare on a sound footing. We need to blow up the current function of HCFA and move into a system that has some rational being, some commonsense approach to ensuring that we provide the services and that we do so in a cost-effective manner.

I hope we will get to the Medicare reform proposal because people in the health care field tell us that Medicare and HCFA are the biggest problems. Over the last 8 to 10 years, the problems we have seen with HCFA administering Medicare under the Balanced Budget Act have been huge. They are probably the most unresponsive agency in the Federal Government. If our experience in small business is anything like the experience other committees have had, we can assure our colleagues this is a system that is not working.

We will have the money in Medicare for reform. There is surplus in one of the Medicare trust funds. The hospital insurance trust funds will be nearly $400 billion over the next 10 years. This budget resolution ensures all that money can be used for Medicare purposes, and it allows us to pay, at least in part, for prescription drug coverage.

I believe my colleague on the other side of the aisle rounded that figure up to $500 billion, but the figures we have are about $392 billion. That is a little bit of a rounding up error.

Mr. CONRAD. Will the Senator yield?

Mr. BOND. Of course.

Mr. CONRAD. I tried to make clear in my presentation, and I know the Senator wasn't here, there are two different sets of numbers. One is the President's number from the Office of Management and Budget. He says there is $500 billion in the Medicare trust fund Part A. The CBO says $400 billion or the specific amount of $392. That is the difference.

I have tried to be clear throughout on those differences, that it is a difference between the agencies. The CBO that we must use says $400 billion, and the President's Office of Management and Budget says $526 billion. That is the difference.

Mr. BOND. I thank my colleague. As he said, we do use Congressional Budget Office numbers in the congressional budget resolution.

In any event, we will round that up to $400 billion. I think we found a basis of agreement. We have already overcome one of the big hurdles, and we now, at least for this side, agree it is $400 billion.

However, one of the fundamental issues that separates our side of the aisle from our Democratic friends is what we do with that money. It is set aside for Medicare. I agree with Senator DOMENICI and voted on March 13 for his version of the lockbox that allows Medicare money to be spent on Medicare. It sounds like common sense to me. That is what we have a trust fund for, to provide for Medicare. So let's use it. That is how we make prescription drugs affordable. That is how we make Medicare reforms and make the programs stronger, solvent for the long term, and ensure our senior citizens will continue to have not only Medicare coverage but, if they have prescription drug coverage, they will continue that. If they don't, they will have a prescription drug option and low-income seniors will get assistance for their prescription drug payments.

Our friends on the other side of the aisle want to lock the money away completely with a flawed so-called lockbox that would not allow Medicare money to be used for Medicare. We don't think that makes sense. That approach would have jeopardized the growing consensus that we need to provide prescription drug coverage. The Democratic approach would have made it unaffordable. Medicare money should be spent for Medicare. I am committed to that. But the so-called lockbox that wouldn't allow Medicare money to be spent even on Medicare is counterproductive and unrealistic.

Finally, after setting aside Social Security money, after paying down as much debt as we can, and after making prescription drug coverage available in a reform Medicare program, we have money left over to return to the hard-working folks who earned it in the first place—or, better yet, not really returning it; we are leaving it in their pockets.

I don't know how many of you have the workout T-shirt that I have from the small business community. It says it is the money that we sent to Washington; it is not the IRS. It is not theirs; it is ours. We are sending it to Washington because they need it. If Washington doesn't need it, we need to leave it in their pockets. We need to leave it in the pockets of the hard-working American families who have debts they have to pay. They have needs they have to secure for their families. Our proposal would leave more of that money in their pockets.

We have $1.6 trillion in tax relief. Leaving that money in the pockets of families, farmers, and small businesses will have a tremendous impact.

As chairman of the Small Business Committee, I listen to small businesses every day, 21.2 million of whom are taxed at personal rates. In other words, the taxes from the businesses flow to them. They are either proprietorships or partnerships or limited liability corporations, subchapter S. corporations, and instead of being taxed in the corporate entity, they are taxed at the personal level. Mr. President, 21.2 million pay income taxes based on personal rates.

When we lower marginal rates as proposed by the President, No. 1, we are giving the greatest tax relief to the low-income people. Six million people at the bottom of the income-tax-paying ladder are taken off the income tax rolls. If you are a family of four making $35,000 a year, you get knocked off the income tax rolls altogether. A family of four making $50,000 a year receives a 50-percent tax reduction: $1,600 will be the reduction. Up the scale, a farmer or businessman will have reductions in income taxes that will allow them to save, to invest in equipment, to invest in technology, to hire more workers, and to pay more to the workers.

We have had a tremendous explosion in the productivity of our workforce in recent years because we have invested in information technology. Where did that come from? No. 1, from the reductions in capital gains rates. It encouraged more money to go into the productivity-enhancing work of each business. Chairman Alan Greenspan and other reputable economists agree that if you want to give a boost to the economy, which is sagging, which was not rescued by the last 50 percentage bases point rate reduction by the Federal Reserve, the best thing to do is tax relief, tax reduction. The best kind of tax reduction is the marginal rate reduction.

A few years ago, we agreed 28 percent ought to be the top marginal rate. I think most people, if surveyed over what is the maximum the Federal Government ought to take from anybody's income that they worked to earn, would answer maybe 30 percent. We are not going to come anywhere near that. We will lower that 39-percent bracket, which because of the cockamamie scheme of phaseout of deductions, becomes as high as 44 percent in some areas. We will lower that rate to 36 percent but still leave the top 1 percent of the taxpayers paying more of the total tax burden than they do today. That is very important for our economy. That is very important for the healthy growth of small businesses, improving the balance sheet of families, and strengthening our communities.

Second, we will fix the marriage penalty. It is ridiculous to punish citizens for getting married. We ought to encourage stable households and relieve the burden that comes when two working married partners move into a higher tax bracket than they would if they were single.

Second, we need to fix the death tax by getting rid of it. It is ridiculous for the tax collector to show up at people's weddings. It is even more ridiculous for the tax collector to show up at a funeral.

There was a recent movie, ''Four Weddings and a Funeral.'' For the IRS, four weddings and a funeral makes five taxable events. We fix that unfairness in the budget resolution. We get rid of the death tax that erases an entire lifetime of work and productivity by making small businesses sell out just to pay taxes. We also eliminated the costly burden of inheritance tax planning and insurance costs that put unnecessary drags on small businesses while the owner is still alive and trying to plan around the death tax.

One of the best arguments for getting rid of the death tax is the complexity of the code. Many have had an opportunity to listen to Larry Lindsey. We know the death tax only brings in about 1 percent of the revenue. But think of the significant number of pages in the Tax Code that were put in there to try to shore up the death tax to make sure people could not get around the death tax. Add to that the tens of thousands of dollars that farmers and small businesses have to pay just to figure out how to get around the death tax and you see why it is such a nonproductive burden on the economy.

A farm friend of mine was telling that in his father's final illness they had to spend $97,000 on legal and accounting fees just to try to figure out how to keep the farm together to make it a viable agricultural productivity unit. They wasted $97,000 that could have gone a long way towards a downpayment on a new tractor or other equipment they needed on the farm.

Speaking about the death tax, there is an article in yesterday's Washington Post from four African American leaders calling for the repeal of the death tax. Many fellow citizens have been able to participate in our economy for a long time and have accumulated assets across several generations. For African Americans who are often getting into the economic life for the first time thanks to the civil rights movement and others, the death tax is holding them back. A generation that has finally gotten to enjoy some level of opportunity is finding that the death tax can undo decades of progress.

For example, Robert L. Johnson, chief executive of Black Entertainment Television and an organizer of the campaign, said the group was influenced by recent efforts by very wealthy white Americans such as William Gates, Senior, and members of the Rockefeller family to fight repeal with similar ads.

Johnson said although it might be easier for people who have accumulated assets for generations to support the tax, many African Americans have built up wealth only since the passage of the Civil Rights Act. He goes on to say on behalf of the group that repealing the tax will help close a wealth gap that has left the net worth of an average black family one-tenth of that of the average white family. He also said the group believes the estate tax is a form of double taxation because businesses have already paid taxes on earnings.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

[From the Washington Post, Apr. 2, 2001]

BLACK GROUP SEEKS REPEAL OF ESTATE TAX

BUSINESSMEN SAY LEVY INCREASES DISPARITY IN WEALTH AMONG RACES

(By Glenn Kessler)

Opening a new front in the battle over the estate tax, more than three dozen African American business leaders this week plan to support repeal of the tax because they say it helps widen the wealth gap between whites and blacks.

President Bush has made repeal of the tax levied on the assets of wealthy Americans when they die a key part of his $1.6 trillion, 10-year tax plan. The House is scheduled to vote Wednesday on a bill that would repeal the estate tax by 2011, and that day the group will run full-page advertisements in major newspapers to make clear its support for repeal. Bush fared poorly among African American voters in the presidential election.

Robert L. Johnson, chief executive of Black Entertainment Television and organizer of the campaign, said yesterday the group was influenced by recent efforts by ''very wealthy white Americans,'' such as William Gates Sr. and members of the Rockefeller family, to fight repeal with similar ads.

Johnson, who said he is worth more than $1.5 billion, said although it might be easy for people who have accumulated assets for generations to support the tax, many African Americans have built up wealth only since the passage of the Civil Rights Act in 1964.

Even then, he said, African Americans often face subtle forms of discrimination, such as difficulty in getting bank loans, and have had to build up businesses by catering mostly to black customers.

Now, Johnson said, this first generation of significant black wealth is threatened by the estate tax. Not only might the tax force the sale of businesses with few liquid assets to pay it, but it also prevents passing on wealth to the next generation, he said.

''Many members of a white family may be wealthy in their own right,'' he said. In the black community, where a business executive may have been the first in a family to go to college, ''all that wealth is in one person's hand, but others are living hand to hand.''

Repealing the tax, he said, will help close a wealth gap that has left the net worth of the average black family one-tenth that of the average white family. He also said that the group believes the estate tax is a form of double taxation, because businesses have already paid taxes on earnings.

About 98 percent of all descendants do not pay estate tax because the first $675,000 of an estate is exempt for taxation, an exemption that is due to rise to $1 million by 2006 under current law. Only 47,500 estates paid estate tax in 1998, the most recent year for which figures are available. Businesses that oppose the tax say preparations for it, such as buying insurance, are costly and a drain on capital.

Johnson estimates he pays about $200,000 to $300,000 in annual insurance premiums, and said insurance costs were akin to ''transferring wealth out of the black community to the majority community.''

Other members of the group include Earl Graves, publisher of Black Enterprise magazine; Ernie Green, managing director of Lehman Brothers Inc.; Ed Lewis, chief executive of Essence Communications; and Dave Bing, chairman of the Big Group of automotive suppliers.

Johnson said the black community's support for repealing the estate tax might give Bush an opening.

''If he's smart, he'd take the opportunity to reach out to these African American business leaders and say, 'We agree on at least one thing. What else can we talk about?' ''

Mr. BOND. I have lots more to say about this budget resolution, and regrettably I will have a chance to say it. But at this point I think it appears that people are here and ready to move on. So I will thank the Chair and yield the floor.

The PRESIDING OFFICER. (Mr. ALLEN). The Senator from North Dakota.

Mr. CONRAD. Mr. President, there were a couple of statements made by my colleague from Missouri that I think require a response.

First, with respect to how much debt can be retired, the President has said only $2 trillion of publicly held debt can be retired. But when we examined the budget offering by my colleagues on the other side, we saw they have reduced the debt by $400 billion over that. Perhaps at some point we could get a clarification on how much debt they intend to pay down because while the President has repeatedly said there is $1.2 trillion that can't be retired, when we examined the budget documents from our colleagues on the other side, we saw they have paid all but $800 billion of publicly held debt.

So there seems to be some conflict within the troops on the other side. Which is it? Is it, as the President says, that there is $1.2 trillion you cannot pay down, or is it as the budget document that has come from our colleagues on the other side says, which is, no, it is not $1.2 trillion, it is $800 billion?

I think the $800 billion comes closer to the truth, by the way, than the President's assertion that you can only pay down $2 trillion of the publicly held debt and that there is $1.2 trillion that can't be retired. Again, the budget document that has been provided by the other side says they are prepared to pay publicly held debt down to the level of $800 billion.

The second point: When we do an analysis, a detailed cashflow analysis on paydown of debt, we find that if you save all of Social Security and Medicare trust funds, you have no cash buildup problem until 2010. There is no cash buildup problem until 2010. So all this talk about you are going to be paying premiums and you are going to be paying foreign debtholders more than they should be paid, that just does not match the facts.

That whole scenario arose out of the notion that we do not have a tax cut, that we do not have any additional spending initiative. But under both plans, under the Republican plan and our plan, there are significant tax cuts and there are spending initiatives. The fact is you have no cash buildup problem until the year 2010, and you may well not have it then because this 10-year forecast may not come true.

So I hope we are not debating kind of in the fog with respect to paying down debt and that some are trying to pay down more debt than is available to pay down. Certainly that is not the case based on the testimony received in the Senate Budget Committee.

Finally, on the estate tax, a point that my colleague made on the other side, we do have a difference on the estate tax. We believe it ought to be fundamentally changed, that it bites at much too low a level on estates. We believe that ought to be substantially changed. We believe a couple ought to be able to preserve $4 or $5 million without having any estate tax; a small business or a farm, $8 or $10 million without paying any estate tax; and we think we ought to phase in those dramatic increases very quickly.

It is interesting; the proposal on the other side does not relieve a single estate of taxation in the next 10 years. Their proposal cuts the tax rates on the wealthiest estates first. I call it the upside down approach. Instead of expanding those estates that are not subject to taxation, our Republican friends have a proposal that cuts the rates on the wealthiest estates first, does not relieve a single estate of taxation over the next 10 years, and makes this promise out there: Well, just be patient; at the end of 10 years we will eliminate it. We will eliminate it. We will eliminate it in the second 10 years right when the baby boomers start to retire and the cost of elimination is $750 billion for that second 10-year period.

I say to my colleagues I do not think it will ever happen. What will happen is, if we go that route, they will come up with another name for another tax and they will put it on and people will have lost the opportunity in this 10-year period to have our plan pass.

Our plan, which would dramatically increase the exemptions for estates, our plan, which would shield $4 or $5 million for a couple, $8 or $10 million for a small business or farm so that they do not pay any estate tax, is significant. It would relieve 40 percent of estates from taxation in the first year. Forty percent of currently taxable estates would be relieved of taxation in the first year. We would relieve two-thirds of all taxable estates from any taxation over the 10 years of this budget plan.

Contrast that to what the Republicans have. They do not relieve a single estate of taxation in the next 10 years. They cut the rates on the wealthiest estates first. I don't know where they came up with that plan, but I don't think that plan is going to enjoy much popular support. It certainly does not in my State.

We are now ready to turn to amendments.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield myself time off the budget resolution. I yield myself up to 10 minute, Mr. President.

First I want everybody to know that while my friend who is managing on the Democrat side might choose to answer every detail of research given on this side, I am not going to do that in reference to what he talks about in the Chamber. I will every now and then indicate why I think it is wrong.

I want to make sure we start with everybody understanding what the Republican budget proposal is. I am pleased to have the other side say they would do it differently. But I want to make sure everybody in the country understands that based upon the regular budget concepts that we have been using now for a long time with reference to what is within a budget, what is not within a budget: This is the budget. It is very simple. I don't want to say it is right because I have just asked that perhaps the other side not be so dogmatic and say right and wrong. But I would say it is what the President asks us to do, with a few changes.

Frankly, it is a very good budget, if you want to give the American people, the average family, a substantial portion of this surplus; if you want to give that back to them so they can spend it for themselves as they see fit, perhaps sitting around a table saying we are going to get $1,600 back, we are going to get $1,200 back, which is the average in my State; $1,600 is the average in Texas. They are going to say every year we are going to get that much; what can we do with it? Frankly, I will trust any choice they make sitting around that table rather than us keeping it up here in the Federal Government and making that choice for them.

This is a very basic budget. I am sorry it was prepared when we were still meeting in small rooms. So next time we have it, it will be very big so people will not have to strain. I told them order it twice as big so it will not be so tough for me to explain it.

Everyone agrees if you use the Congressional Budget Office estimates, which we are bound to do—and incidentally, to my friend, the ranking member, when he asked about the debt service and how do we get at these numbers, there is a simple answer: We use the Congressional Budget Office estimates. So that question of us, How do we get the debt service paid like we are? The Congressional Budget Office estimates, which we are supposed to use.

The Congressional Budget Office has estimated a $5.6 trillion surplus. Everybody starts with that over 10 years. I want to editorially comment on it.

There has been some talk about should we use that number. Let me make sure everybody knows what I think. I think absolutely we should use that number because, if you look at what they tell us, what the CBO tells us, the Congressional Budget Office, they say using modest economics, modest productivity, modest growth, and assume a couple of downturns over the next decade, that is the number they recommend.

All the other business about it could be four times higher and it could be three times lower—they are telling us that might happen. But then you ask them: But what do you recommend? That is what they recommend. That number. That means in the next decade that is going to be sitting around up here, not being needed to pay for the ordinary operations of Government—unless we choose it as an opportunity for spending and we say we are going to spend a bunch of money. Then that will come down. We will not have that much. We will tell you what we think we ought to spend because we think it is right.

Next, take out all the Social Security money, everything that is supposed to go toward the debt on Social Security. I don't think there is any argument there, that is $2.5 trillion. Then what we call the rest of the Government surplus, $3.1 trillion—the rest of the Government surplus.

Then the President of the United States has asked us to approve a budget resolution that says the committees that write the taxes can lower taxes up to $1.6 trillion. Interestingly enough, my friends in the Senate, and anybody else who is interested, this budget resolution does not tell us which tax cuts are going to take place. So when we get up and say we know what the Republicans' tax proposal will be, we know what the Democrat's tax proposal will be—not so. We don't know because the tax-writing committee will write whatever they want with reference to tax cuts, and make sure they do not exceed $1.6 trillion. That is all we are doing in this budget.

If you want to talk about whose estate tax is better, you have to work on that in the Finance Committee when you write up the bill. When you talk about which kind of marginal rate cuts you are going to have, they will continue to say Republicans want to cut the taxes for the rich. We say we want to cut everybody's marginal rates and, in fact, for those in the middle-income area, they get a rather substantial tax cut, each and every one of them, because their marginal rates are going to be cut. But that may not happen because the tax-writing committee will write what they can work out among themselves.

The next amendment will be offered by the ranking member of that Finance Committee. He cannot stand up here and say this is what the Republicans say they are going to do in the Finance Committee and I know they are going

to do it. He is probably going to say, whatever you say to him, we are going to work our will and he is going to be part of that working our will.

Next, available for other priorities—$1.5 trillion. Identified priorities: Medicare, prescription drugs $200 billion, the surplus for Medicare, for Part A, is $400 billion, and the debt service that it causes is $400 billion.

The important thing is, no matter what is said on the other side, under our budget there is $1/2 trillion—$500 billion—that is not spent. It goes nowhere. It is there to be used as a contingency fund over the next 10 years. That is it, plain and simple.

The other side may choose to put in some other numbers. They have another place they want to say we are going to put $700 billion because we are waiting around for somebody to draft up a program that will let people, independently, invest in investment accounts.

The point of it is last time I saw that it was part of Social Security reform. The last time I heard about it, it disappeared from the horizon, it seems to me, until the stock market comes back. A lot of other things are not dependent on that stock market, but you come down here to try to sell an overhaul of the Social Security system that includes investing money now in independent accounts that involve the common stocks of America, I think it would be a logical thing going through everybody's head, why don't we wait a year or two? I think that is what is going to happen. I wish it was not. So this is what we normally put in a budget. We believe it is a good budget for the American people.

Having said that, I want to make sure everybody knows that, plain and simple, as this Senator sees it, every time we get close to giving the American people a large sum of the surplus back so they can use it, a new project, program, or activity is invented by the other side to spend it. It is presented with great, great ardor, with great effectiveness. All of a sudden, something that was never used before in a budget, never thought necessary, as soon as we get close to giving those American people a big tax break up pops another one: Here is $700 billion you ought to set aside for something else. Here is $500 billion more you should spend on Medicare plus agriculture.

Just remember, those who are listening, you will hear many things. But for the most part, it will be: We have found some way to use more of this surplus for Government purposes rather than for individual purposes. Up pops the spending, up pops the new idea that will restrain what we can give the taxpayers of America.

I have been at it a long time. I was one who stuck with it to get balanced budgets. I believe this is fair. I believe we are going to have a balanced budget, we are going to keep a balanced budget, we are going to pay down the debt as much as you can, and we are going to end up giving the American people back some of their money. That is a very simple plan. The President offered it and it was pretty good.

I yield myself 2 more minutes.

Remember that all of these proposals build on a budget that the President sent that has a 4-percent increase built into it, and for the decade almost has 4-percent growth every year. All of that is taken for granted. Everybody should understand that. Then whatever people are offering on top of that means more than 4 percent which means less tax reform and less tax rebates, less tax cuts.

The budget before us does one other good thing. It says, tax-writing committees, you can use $60 billion out of this year's surplus as this year's stimulus so long as you fix the marginal rates so that you get a double whammy: current stimulus and a permanent fix for the American economy and its performance over time for the American people who are sitting around about now paying their taxes. We are saying to them: We want your taxes to be less; we want to give you some back. In addition to the stimulus, we want to prepare the economy for long-term growth.

I yield the floor. I understand the other side has an amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I listened to my colleague.

First of all, let me say that I have enormous respect for the chairman of the committee. He is a good chairman. He is a fair chairman. But we do have a significant difference of opinion with respect to the budget that is before the country.

The chairman believes that the size of this tax cut is the appropriate way to go. He tries to poster it as a question of spending versus tax cuts. But that is the old debate. That is the tired debate. It doesn't relate to the facts of their budget.

It is not the proposal that we have made. The fundamental difference is we have reserved 70 percent of the money for short-term and long-term debt reduction. They reserve, under the President's plan, about 35 percent of the money for debt reduction.

The fundamental difference is not a difference between taxing and spending. The fundamental difference is a question of do we do more debt reduction as we advocate or more of a tax cut as they advocate?

We have a substantial tax cut but one that is half as big as theirs because we reserve the difference for money to deal with our long-term debt that is primarily Social Security. We say: Look, we have had the Comptroller General of the United States come and tell us the situation we face.

The Social Security and Medicare trust funds face cash deficits as the baby boomers retire. Yes, we are in surplus today, but we are headed for deficits tomorrow. We say in our plan that we ought to set aside some of their money they want to use for a tax cut to deal with the long-term debt crisis facing our country.

That is the difference. That is the big difference between their plan and our plan. They want it all for a tax cut. We want half of it for a tax cut, and we want half of it to begin to deal with our long-term debt crisis that is facing this country.

If we want to strengthen Social Security for the future, we have to have resources to do it, whether it is individual accounts as many on their side advocate, and some on our side, or whether it is the Social Security Plus plan advocated by Vice President Gore in the Presidential campaign or whether it is the privatization plan that their President advocates. From where is the money going to come?

The chairman of the committee puts up a chart. You can't find a single dime set aside to strengthen Social Security for the long term—not one thin dime. You can't find a penny to deal with this long-term debt problem, not a penny.

That is the difference between us.

We reduce the size of the tax cut so that we have resources to strengthen Social Security for the long term to deal with this long-term debt crisis.

Look at what we are told. The Social Security and Medicare trust funds start to run into massive deficits in this second 10-year period.

Let me conclude. When they say this is a question of the Democrats just wanting to increase spending, no, this isn't a question of Democrats just wanting to increase spending.

Let's go to the facts. The facts are under our plan the Federal role will continue to shrink. Last night the Senator from Texas said facts are stubborn things. Indeed they are.

Here is our spending proposal. The role of the Federal Government would continue to decline. In fact, it would go to the lowest level since 1951 under our proposal. This is not increased spending. This is reducing the role of the Federal Government so more resources can be dedicated to debt reduction—both short-term and long-term under our plan.

That is the fundamental difference between these plans.

Our friends on the other side want to take all of the non-trust-fund money and put it out for a tax cut. We say, no, that is not wise. Yes, half of it could be used for a tax cut, but half of it ought to be used to deal with our long-term debt crisis; that we ought to strengthen Social Security for the long term.

That is the fundamental difference between these plans. And it is a profound difference. It recognizes, No. 1, the uncertainty of the forecast. Any 10-year projection is uncertain.

More than that, it recognizes that at the end of this 10-year period, the baby boomers start to retire. These surpluses turn to deficits, and we have an obligation to deal with that long-term

debt. We have reserved $750 billion for that purpose. That money could go into individual accounts.

When they talk about money going back to the people, you add up our tax cut and the money that is available to deal with long-term debt, which happens to be the people's debt—we talk a lot about the people's money; it is also the people's debt—you have the people's short-term debt and the people's long-term debt. We say let's reserve 70 percent of the money to deal with the people's short-term and long-term debt.

Our friends on the other side want to take all the non-trust-fund money and use it for a tax cut. They don't want to reserve one single dime to deal with this long-term debt crisis facing the country, not a penny. There is no money reserved for the long-term debt situation of the country.

They will say we reserve the Social Security trust fund money. Good. That is a good start. But what do you do next? What do you do after you reserve the money for the Social Security trust fund and the Medicare trust fund? Do you provide a single dime? Is there a single penny in there to deal with the long-term crunch that we all know is coming? No, not a penny.

They are getting ready to take it out of the Social Security trust fund, which, of course, will just move up the date of insolvency for the Social Security trust fund.

We say reserve every penny of the Social Security trust fund for Social Security, every penny of the Medicare trust fund for Medicare, and out of what is left take $750 billion to strengthen Social Security for the long-term to deal with the long-term debt that is facing this country.

This isn't a question between taxes and spending. No. It is part of it because there are places where we think more resources could be reserved for a prescription drug benefit, to improve education, and to strengthen national defense. But we also believe most of this projected surplus ought to be dedicated to debt reduction, short term and long term. And we do twice as much as they do.

That is a simple truth. That is the simple difference. It is a big difference for the future of this country.

We are going to go to our first amendment and Senator BAUCUS.

The PRESIDING OFFICER (Mr. BOND). The Chair recognizes the Senator from Montana.

AMENDMENT NO. 172 TO AMENDMENT NO. 170

(Purpose: It is the purpose of this amendment to establish a prescription drug benefit under Title XVIII of the Social Security Act, without using funds generated from either the Medicare or Social Security surpluses, that is voluntary; accessible to all beneficiaries; designed to assist beneficiaries with the high cost of prescription drugs, protect them from excessive out of pocket costs, and give them bargaining power in the marketplace; affordable to all beneficiaries and the program; administered using private sector entities and competitive purchasing techniques; and consistent with broader Medicare reform)

Mr. BAUCUS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself, Mr. ROCKEFELLER, Ms. STABENOW, Ms. MIKULSKI, Mrs. MURRAY, Mr. DAYTON, Mr. WYDEN, Mrs. CLINTON, Mr. REED, and Mrs. CARNAHAN, proposes an amendment numbered 172 to amendment No. 170.

Mr. BAUCUS. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. BAUCUS. Mr. President, this amendment is very simple. It provides the funds necessary to establish a good, solid prescription drug benefit in the Medicare program for our seniors and disabled. That is what it does. It is not excessive. It is not gold plated. It is not, frankly, the total benefit that some of our seniors would like. But it is a good, solid benefit—coverage that would meet the commitment that so many of us have made so many times to our seniors.

To offset the cost of the new benefit, the amendment would make a very modest reduction in the size of the proposed $1.6 trillion tax cut. It would be very modest.

Let me put this amendment in perspective. Medicare was enacted in 1965. Since then, the practice of medicine has changed dramatically. No one doubts that. Today, more often than not, medicine involves not only a trip to the doctor, but a trip to the pharmacy to pick up a prescription drug as part of therapy.

At the same time, we all know that drug prices are rising very fast. In the year 2000, drug prices rose by 11 percent. Since 1990, prescription drug spending has more than tripled.

Let's go beyond the statistics and look at the effect on real people. Take the drug Prilosec. It is used to treat ulcers and digestive problems. If you don't have health insurance, it might cost you $1,400 a year. If you are a senior citizen living on Social Security payments of about $10,000 a year—and many seniors are—that is more than 10 percent of your income on one prescription. I ask you, how many seniors have only one prescription? Virtually none. They have several. They have to.

Or take Lipitor, which is used for diabetes. It costs $680 a year. For Procardia, which is for hypertension, it costs $900 a year. And the list goes on.

The result is that Americans who do not have drug insurance coverage pay the highest prices for prescription drugs of anyone in the industrialized world. Let me repeat that statement. It is startling. Americans who do not have insurance coverage pay the highest prices for prescription drugs of anyone in the industrialized world. I think that is something we do not want to continue.

We are not talking about relatively a handful of people. Over the years, as the importance and expense of prescription drugs has grown, more and more seniors have been affected. Today, about 35 percent of Medicare beneficiaries lack direct coverage for outpatient prescription drugs—35 percent. And that probably understates the problem.

For example, one study has shown that only about 50 percent of seniors have drug coverage throughout the year, and for many who do have coverage, it is often limited, inadequate.

In rural areas, it is even worse. There the problem is particularly severe. In my State of Montana, 76 percent of Medicare beneficiaries live in rural areas. A National Economic Council study of last year showed that rural beneficiaries are 50 percent less likely than their urban counterparts to have drug coverage.

Here is another way to look at it. Rural Medicare beneficiaries use 10 percent more prescriptions than the people in the cities, but they pay 25 percent more out of pocket for their drugs. They are more likely to use drugs but pay more than 25 percent out of pocket than people who live in cities.

This lack of coverage is reflected in the letters I receive every day. And I am sure you, Mr. President, and every senator in this body receives letters very similar to what I am going to read. For example, a woman from Columbus, MT, a rural part of my State wrote:

Senator Baucus, it is so vital to me and thousands of other senior citizens that prescription drugs be put entirely under Medicare. I drew $5,890 in Social Security in the Year 2000, and my prescription drugs cost me $7,514. . .so you can see it is a struggle to keep things paid.

She paid a lot more in drugs than she got in Social Security benefits—a lot more, almost a couple thousand dollars more.

And I heard this from a senior citizen in Havre, MT. She wrote:

Senator Baucus, I am a senior citizen on a fixed income. I take medication to deal with anxiety. That medicine used to cost me $20; now it costs me almost $60. Something should be done about this.

How right she is. In fact, I will bet virtually everyone in this Chamber

agrees, something should be done about this.

That is where the budget resolution comes in. Simply put, the budget resolution proposed by the Senator from New Mexico does not go far enough. It does not set aside funds that are needed, funds to support a solid prescription drug program. In other words, it sells our seniors short.

I will be more specific. The budget resolution sets aside about $153 billion over 10 years for a new prescription drug program. That tracks with the President's proposal, the so-called ''immediate helping hand.''

I am not critical of the President, nor am I critical of the senator from New Mexico. Their proposal is a start. It acknowledges the need to expand prescription drug coverage. It makes a good-faith effort to get there. But even though it is a start, it has two very significant problems that have to be remedied. First of all, the budget resolution does not even cover the cost of the President's proposal. CBO now estimates the President's proposal would cost $207 billion over 10 years. So the budget resolution is more than $50 billion short. The chart behind me shows that; that is, the budget proposal offered by the Senator from New Mexico falls short and does not even do what the President's helping hand suggestion purports to cover. So it fails in that regard.

Second, we probably all know that the President's proposal in and of itself isn't going anywhere. Even it is too short. It is not enough. When Secretary Thompson had his nomination hearing before the Finance Committee, there was a lot of talk about prescription drug proposals. But not a single member of the committee spoke up to support the President's proposal. Why? Because it was so inadequate.

That is not surprising. The proposal has several defects. One, it requires States to implement a new program they do not want. It also delays many tough decisions on Medicare reform.

Most significantly, it leaves half of all seniors behind, without coverage. Anyone with an income above $20,000, for example, if they do not have prescription drug coverage now—as I mentioned, about 35 percent of American seniors do not have a plan. They will not have it under the President's proposal.

This chart behind me shows in the circle all of the seniors now not getting prescription drug coverage. On the left, is the helping hand provision. About half the seniors will be covered under the helping hand proposal. The black on the far right shows about half of the seniors would not get coverage under the proposal.

Now, it could be argued that the budget resolution does not lock in the President's proposal. After all, it does not mandate any particular approach. It just establishes the overall funding. True. At the same time, it is clear that if we set aside only $153 billion over 10 years, we will not be able to write a prescription drug coverage bill that goes far enough to provide universal coverage to all our seniors.

Here is what the head of the CBO told our committee two weeks ago:

> [A] universal benefit would be a pretty thin benefit . . . . If you're going to spread $150 to $160 billion over the entire population, it won't provide a great deal for any one person.

He is commenting on the helping hand proposal offered by the President. So whether you focus only on the President's proposal or more broadly on what you could accomplish for $153 billion , the budget resolution is obviously much too short.

The amendment that Senators GRAHAM, KENNEDY, and I have offered is designed to address this shortfall. How do we do it? We do it by providing more resources from the budget surplus for prescription drug coverage. It basically doubles the amount that is available from $153 billion to $311 billion. By doing so, the amendment gives us room to design a good, solid prescription drug program, something that is going to work. We don't want to pass something so inadequate that not only is it paltry, but it just won't work. It would be disingenuous. It would be a false promise to our seniors. We have to do enough that works. Not a gold-plated program, but a solid one.

To offset the cost, our amendment reduces the size of the tax cut by $158 billion, or about 10 percent. Since $153 billion is already provided for in the budget, we take $158 billion out of the tax cut, totaling about $311 billion. That is our amendment. That still allows us plenty of room to cut tax rates, reform the estate tax, the marriage penalty, and other necessary changes to the code.

Some will argue that a $1.6 trillion tax cut is the Holy Grail. It is sacrosanct. We can't touch it. It is locked in stone. It is almost in the Constitution. That is what we hear, that we must pass a tax cut that large at all costs, regardless of the consequences, regardless of the other important priorities that would have to be shunted aside. I disagree.

The process of writing a budget resolution is a process of setting priorities. A large tax cut is an important priority, but so is the health and welfare of our senior citizens. So I ask the Senate to strike a balance, and that is precisely what our amendment does.

Mr. President, we may hear a counterproposal, a second-degree amendment to accomplish some of the same objectives by taking the money out of the so-called contingency fund, rather than by reducing the proposed tax cut by $158 billion. This is an honest debate. Where do we get the money? Do we take it out of the contingency funds, or do we take it out of the tax cut? That is the question with which this body is confronted.

We know that the contingency fund has been accounted for by as many times as there are Senators in this body and more than that, because each Senator has different ideas how to use that contingency fund.

That contingency fund is not going to be there. Let me indicate why. If you take the final amendment in the contingency fund presented by the Senator from New Mexico, he said it is about $450 or $500 billion—I am not sure exactly which—here are some of the claims against the contingency fund in various ways: uninsured benefits, people want to start providing a benefit for the 43 million Americans who are uninsured; the alternative minimum tax, what is that going to cost us? That is going to cost us $200 to $300 billion. We all know we are going to fix the alternative minimum tax defect. Extenders, tax extenders, not in the budget, another $200 billion. Already that is close to $600 billion.

Business tax breaks, does anybody here think there are not going to be some business tax breaks in this bill, say $200 to $300 billion? Agriculture, that is not in here. Disaster assistance, that is not in here. That is about $100 billion over 10 years. Education, $150 billion; missile defense, possibly another $200 billion. There is just so much in here or not in here that if we honestly look at the tradeoffs, either reducing the tax cut by $158 billion or using the contingency fund for a prescription drug benefit, it is clear where the money is going to be and where the money is not going to be.

I know many Senators in this body think they can't touch the $1.6 trillion tax cut. That it is just a given. But nothing is a given around here. We are here to make choices. We are here to represent our people. I will bet dollars to doughnuts that if you were to ask all of the people in your State, and if every senator were to ask all the people in their own States, what do you prefer, a $1.6 trillion tax cut with no prescription drug benefit, except a very modest one that won't work, or a tax cut reduced by $158 billion for a real honest-to-goodness prescription drug benefit that will work, we all know what the answer to that will be. People will say: Of course. That is such a modest nick in the tax reduction for something so good and so needed. There are so many seniors destitute and down and out who need prescription drug help. That is a no-brainer.

Compare that with asking: Should we try to get the benefit out of the contingency fund? We all know, we are adults, we have been around here a while, that is kind of a phony issue, that contingency fund, because everybody knows the claims on it are more than the number of senators in this body.

Let's do what is right. It is a very modest reduction in the President's proposed tax cut, a modest reduction that clearly makes sense. I ask senators to forget what the party ideology says for a moment. Maybe just for a nanosecond, someone might say: Gee, that is a good thing to do.

In so saying, I urge senators to support the amendment offered by myself and Senators GRAHAM and KENNEDY, reserve the remainder of my time, and yield to the senator from Florida.

Mr. REID. The time would be off the bill, Mr. President.

Mr. CONRAD. Mr. President, may I indicate that Senator GRAHAM's time will come off the resolution.

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

Mr. GRAHAM. Mr. President, before I turn to the specific issues raised by the amendment offered by my friend and colleague from Montana, myself, and others, I will make a couple of general comments about the context of this discussion of the budget resolution.

We are looking at the world as if it ended exactly 10 years from the end of this fiscal year. That is a very artificial restraint.

At a meeting of the Senate Finance Committee on March 29, a former Director of the budget office during the administration of the first President Bush made this statement in response to a question about the artificiality of the 10-year limit. Dr. James Miller stated:

> I think the timeframe does matter. We sort of lull ourselves into, when I was budget director, in 5-year timeframes, and now you are looking at 10-year timeframes, and it is appropriate to look beyond that. And what we know, of course, is that they'll be running big surpluses until about 2020, whatever. And then we will be running deficits again.

During that hearing, I used the important historical fact that on March 30, my daughter Suzanne's triplet daughters had their sixth birthday. I can report it was a happy celebratory occasion. If my daughter and her husband were to view the economic consequences relative to their triplets as we are about to do with this budget, they would stop the clock 10 years from now when their triplets had their 16th birthday. That would give a very false impression of what the true cost of raising triplets in the 21st century is going to be because 2 years after their 16th birthday will be their 18th birthday, the year in which, hopefully, they will all be entering college. Any family who has some idea of what college costs for one child in the year 2001 can calculate what the costs are going to be for three children and project what they are likely to be in another 12 years from now.

In many ways our Nation is similar to my daughter's family. We have some very big expenses that are coming just beyond this 10-year timeframe. What is driving those big expenses is a contract. Actually, it is a series of contracts between the American people and their Federal Government.

Those contracts provide that when Americans reach retirement age, they will become eligible for economic assistance in the form of Social Security, a contract they have been paying for throughout their working life through a payroll deduction plan, and they will also become eligible for Federal assistance in paying their health care costs, a contract which in part, through the Part A hospital trust fund, they have also been paying for throughout their working life.

The numbers of Americans today who are cashing in that contract are relatively modest. I happen to be 64. In November of this year, I will become fully eligible for Social Security and Medicare. When I become eligible, I will place a relatively modest burden on the trust funds because, frankly, there were not a lot of people born in 1936. It was the depth of the Depression and most people did not see that as a propitious time to be adding to the size of their family.

Right after World War II, Americans started having babies in record numbers. It is those babies who will begin to become eligible for Social Security and Medicare in about the year 2011, just after this 10-year window shuts down, and they will rapidly increase in numbers. As Dr. Miller said, by the time of 2020, whatever, then we will be running deficits again.

In my judgment, the context in which we need to look at all of the issues we are discussing is not the 10-year context but the generational context of the next 25 years so that we will be taking into account this enormous number of Americans who will be eligible for the contract rights they have been paying for in Social Security and Medicare.

Another thing is going to be happening to that population. Not only will it be reaching retirement age, but that generation is going to start living longer. The average life expectancy of an American when Social Security was established in the mid-1930s, after one reached 65, was about 7 years. Today, the average age for an American female who reaches 65 is almost 20 years, and it is almost 16 years for an American male.

During this century, those ages beyond 65 will continue to grow. So we are going to have a much larger population over 65 and that population will live substantially longer, placing additional economic challenges to the Federal Government.

In my judgment, the key step we should be taking now to prepare for that is to save every dollar of the trust funds of Social Security and Medicare for their intended purposes. We should do this to the maximum extent possible by paying down the national debt, and then we need to be creative after we have reached the point that we have paid off the national debt fully or to the extent feasible, as to how we can continue to reserve those funds so that they will be available when this tidal wave of retirement comes in the next decade.

Those are some of the contexts for the discussion on the issue that will dramatically affect this generation that will soon be retiring, and that is the quality of the Medicare program they will become eligible to receive.

I strongly support the addition of a prescription drug benefit to Medicare. Frankly, if anyone were to suggest that a Medicare program be fashioned today and not include prescription drugs, they would be considered to be a dinosaur in terms of what is a modern health care system.

This belief that Medicare should include prescription drugs is now widely accepted by the American people. Both the candidates for President in the year 2000 committed to work for a prescription drug benefit for older Americans.

I have been conducting a poll on my Senate Web site for over a year on the question of Medicare prescription drugs. The first question we ask is, Should Medicare coverage include a prescription drug benefit?

I have no professions as to the statistical appropriateness of this poll. It is just anybody who logs on to our site and takes advantage of the opportunity to express their opinion. But of those who have done that—this, as I said, represents over a year of citizens who have taken advantage of this poll—88 percent have answered the question: Yes; Medicare coverage should include prescription drugs. I think that is close to representative of what the American people believe about this issue.

The challenge is before us this week to make a determination: Are we going to provide in this budget resolution a sufficient amount of funds to provide an affordable, comprehensive, realistic prescription drug benefit within Medicare?

I submit the proposal which is contained in the budget resolution as submitted is not an adequate proposal to provide that comprehensive benefit.

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

Mr. GRAHAM. I ask for an additional 10 minutes.

Mr. CONRAD. We will be happy to provide the Senator an additional 10 minutes off the resolution.

Mrs. HUTCHISON. Mr. President, the Senator intends to take 10 more minutes; is that correct? May I ask, then, that following the Senator from Florida, I be able to speak for 15 minutes.

Mr. KENNEDY. Reserving the right to object, and I do not intend to object, but I have a similar request; that I follow the Senator from Texas.

Ms. STABENOW. I also ask to follow the esteemed Senator from Massachusetts.

Mr. CONRAD. Perhaps we can propound a unanimous consent request. Mr. President, I ask unanimous consent that the Senator from Florida, Mr. GRAHAM, continue for 10 minutes; then turn to the Senator from Texas, Mrs. HUTCHISON, for 15 minutes; then go to the Senator from Massachusetts, Mr. KENNEDY, for 15 minutes; and then go to the Senator from Michigan, Ms. STABENOW, for 10 minutes.

The PRESIDING OFFICER (Mr. ENZI). Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, my understanding is there are 7 minutes remaining on the amendment. I want to reserve 5 minutes on the amendment.

Mr. FRIST. Mr. President, reserving the right to object, are we alternating back and forth on the sides? I did not hear the unanimous consent request.

Mr. CONRAD. There were no requests on the Senator's side. We can certainly do that.

Mr. FRIST. If not, I want to be inserted wherever convenient following Senator HUTCHISON, if we are alternating back and forth.

Mr. CONRAD. I amend the unanimous consent request to 10 minutes for the Senator from Florida, then 15 minutes for the Senator from Texas, then back to our side for 15 minutes to the Senator from Massachusetts. How much time does the Senator from Tennessee want?

Mr. FRIST. Twelve minutes.

Mr. CONRAD. Twelve minutes to the Senator from Tennessee, and then come back to the Senator from Michigan for 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAUCUS. I have 5 minutes.

Mr. CONRAD. The Senator from Montana had previously requested and, as I understood it, reserved 5 minutes off the amendment. All of these other times are off the resolution on our side. On the Republican side, I am assuming they will be off the amendment.

Mrs. HUTCHISON. Off the resolution.

Mr. CONRAD. Off the resolution.

Mr. BAUCUS. I suggest, frankly, under the rules, each side has 30 minutes. This side has virtually used up 30 minutes, and none of the time has been used on the other side. My suggestion is during this debate we also use time off the amendment as well as time off the resolution, but we start first with the amendment and then the resolution so that is taken care of.

Mrs. HUTCHISON. That is not my intention. My intention is to take time off the resolution.

Mr. CONRAD. I repeat my unanimous consent request and we reserve 5 minutes off the amendment for the Senator from Montana.

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

The Senator from Florida.

Mr. GRAHAM. The amendment on which we are debating provides $153 billion in new budget authority in outlays for a prescription drug benefit for the period 2002 through 2011. As my colleague, Senator BAUCUS, has already indicated, the assessment of the plan that President Bush has submitted would be that it would have a cost over that 10-year time period of $207 billion. So the amount of money requested in the budget resolution would not even be adequate to finance the barebones, available only to low-income elderly, high-deductible plan that President Bush has recommended.

If we were to try to take his plan and stretch it as he states he will attempt to do during the last 6 years of this 10-year period to cover all Medicare beneficiaries, the effect of that would be to provide a plan which could require as much as a $1,750 deductible before any beneficiary was eligible for payment under the prescription drug benefit.

As Senator BAUCUS has already demonstrated, the Director of the CBO has described the attempt to stretch a universal benefit under the amount of dollars available as not providing a great deal for any one person.

There is a second defect in this plan in addition to its inadequacy. That is the fact that it purports to use Part A funds as the means of paying for this prescription drug benefit. That is quite directly stated in the plan which has been passed by the House, where their budget resolution specifically says prescription drugs will be paid through the Part A trust fund.

The Senate resolution is not that explicit, but as you go through the analysis provided by the Senator from North Dakota and the Senator from Montana, you inevitably come to the conclusion that the proposal is to switch the Part A trust fund surpluses to a contingency fund and then use that contingency fund for a variety of purposes, including the payment of prescription drug costs to the Federal Government.

The Part A trust fund is one of those contracts between the American people and their Federal Government. That Part A is intended to pay for hospital costs, not for other costs. If we are intending to add to the Part A trust fund a new obligation to pay for prescription drugs, then we are going to have to ask ourselves how are we going to provide the additional dollars that will be required for the Part A to be able to meet its current obligations of paying hospital costs and take on this new, nonactuarially balanced responsibility for prescription drugs.

I believe this amendment being offered presents the opportunity to tell the American people we are serious about providing a prescription drug benefit and that we recognize the urgency of doing so.

Today, prescription drug benefits for older Americans, which have traditionally been provided from other sources, are rapidly declining. There are four areas in which, traditionally, Medicare beneficiaries have received some prescription benefit. Medigap, which is the purchased insurance, is becoming so expensive that fewer than 5 percent of the Medicare beneficiaries today are purchasing it. Managed care has been dramatically reducing prescription drug benefits. In my State of Florida, it is common for there to be a $500 per year maximum of prescription drug benefits. Many elderly use that in less than 2 months.

Retiree plans are becoming less prevalent and less generous, and Medicaid—my State of Florida is an example has restricted prescription drug benefits to just three medications.

In every area, the places that the elderly have looked to in the past for benefits are declining. At the same time, the cost of drugs is rapidly increasing. The average yearly drug spending per Medicare enrollee today is $1,756. This is projected to increase to $4,412 by the year 2010.

The time is urgent. We face this issue of the necessity of providing a meaningful prescription drug benefit for older Americans, and to do so through the Medicare program. What would be the outline of an appropriate plan? I think an appropriate plan would have the following characteristics: It would be voluntary in the same way the physician benefits which are currently provided through Part B of Medicare are voluntary. It would be comprehensive. It would be available to all Medicare beneficiaries. It would be adequate.

Today, the physician component of Medicare is paid 75 percent by the Federal Government, 25 percent by monthly premiums. I propose for this prescription drug benefit it be an equal, a 50/50, division of responsibility between the Federal Government and the Medicare beneficiary.

Projections have been that at that level of support we could anticipate substantial voluntary participation in this plan, sufficient participation to maintain its actuarial soundness and to avoid the cherry-picking or adverse selection of only those who were the most in need. This would be within Medicaid—hopefully, a reformed Medicare. It would use an insurance model. It would emphasize to people that this is not just a dollar-for-dollar exchange for products you know you will purchase. It also represents a transfer of the risks that you might become seriously ill and your prescription drug costs dramatically increase.

We would provide for a deductible at the beginning of the process, but also very important, a stop loss, once you have expended $4,000. At that point, the Federal Government would pay the full cost of your prescription drugs.

We believe this is an affordable plan. Last year, a plan with these characteristics was costed as $245 billion for a 10-year period. Today, it is estimated that the same plan will cost $311 billion for 10 years, which is some indication of how rapidly prescription drug costs, particularly those drugs that are most used by older Americans, have been increasing.

The American people want and expect this Congress will provide a prescription drug benefit. They have a right to expect that benefit will not be a sham, that it will provide meaningful, comprehensive, adequate coverage for all seniors who elect to participate in this program. They have a right to expect it will not be done at the sacrifice of their current contractual expectations in terms of hospital benefits. Those hospital benefits have been paid for over the years in their payroll

taxes. This is not the time to raid that fund to try to finance a prescription drug benefit. It should be done through a combination of general revenue Federal funds and the premiums paid monthly by the beneficiaries on an equally shared basis.

That is what our amendment will finance. I urge my colleagues who are serious about telling their constituents they voted for a prescription drug benefit to vote for this amendment.

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR RECESS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate recess from 12:30 to 2:15 for weekly party conferences to meet and the time be counted equally with respect to the budget resolution.

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

Mrs. HUTCHISON. Mr. President, I rise today on the resolution itself. I am very proud of the budget resolution that has been produced. I commend Senator DOMENICI for his leadership in making sure we address all the needs of our country in the most responsible way. I want to address the basics of this resolution: debt reduction, tax relief, protecting Social Security and Medicare, and increasing spending in our priority areas.

Every household and every business in America increases spending in some areas and decreases spending in some areas because you set your priorities and you decide what you want to spend more money for and what you care less about and would not increase for the following year. That is what has been done in this budget resolution.

First, let's talk about debt reduction. This budget resolution provides for the largest and fastest debt reduction in the history of our country. We will pay off $2.3 trillion of our $3.2 trillion in publicly held debt over the next 10 years. Not only is this an aggressive schedule, but it is the maximum debt reduction possible unless we want to pay a penalty, which would not make economic sense. So without penalties, we are paying down this debt to the maximum extent possible.

Under this budget resolution, the Government's publicly held debt will decline from 35 percent of the gross domestic product to 7 percent in 2011, the lowest level in 80 years. By comparison, the publicly held debt was 80 percent of the gross domestic product in 1950, following World War II; it was 42 percent of gross domestic product in 1990, following the cold war; and by 2011, under this budget track, it will be 7 percent. That is a healthy debt ratio and most certainly a healthy reduction.

Tax relief. We are going to have $5.6 trillion in surplus over the next 10 years. We are proposing to divide that right down the middle and set aside all of the Social Security and Medicare surplus so that those items will only be spent for those two very important programs. But of the other half, which is the income tax withholding surplus, which means that people are sending $2.5 trillion more to Washington than we need to fund the current programs, we want to return $1.6 trillion, leaving approximately $1 trillion for added spending because we are going to add spending in our priority areas.

The overall budget increase is 4 percent. There will be more in some areas such as public education—11.5 percent—and there will be less in some areas. There will be dead even expenditures 1 year to the next in some areas. In some cases, projects have already been finished and they do not need more funding.

So we are taking the responsible approach of saying $1.6 trillion goes back into the pocketbooks of the people who earned it. What is going to happen with that $1.6 trillion? That money will go back into the economy, either through spending, savings, or investment, all of which is better than having it sit in Washington doing nothing for the economy. In fact, some economists say it is a drag on our economy to have this big a surplus sitting in Washington, doing nothing. It is better to be in the pocketbooks of the people who earned it so it will go back into the economy and create the jobs and the prosperity that will keep the economy strong.

We are talking about a $5.6 trillion tax relief package. But Senator DOMENICI, to his great credit, came up with the idea that we are watching the economy stagnate right now. So why don't we take $60 billion, which is the surplus we have available right now, and give it back to the people right now. So $60 billion is set aside.

The Democrats and the Republicans have agreed on that figure. Senator CONRAD has agreed on the $60 billion figure. That is in the budget we will pass today. How that $60 billion is returned to taxpayers I do not know. We will talk about that later. We will hammer it out. But now that we have the number in the budget, the people of our country will know they are going to get some relief immediately.

No. 3, protecting Social Security and Medicare. We want to make sure that Social Security is secure. That is our No. 1 priority. That is exactly what we do in this budget resolution. The Social Security surplus will be used for Social Security, and it will also reduce the debt because we have the surplus that is there for Social Security. The same is true for Medicare. The budget resolution ensures that every dime of Medicare Part A will be used for Medicare, for paying down the debt. It also provides—and this is important; Senator GRAMM was talking about this before I spoke—$153 billion over the next 10 years will go for prescription drug benefits and options in Medicare because all of us know that people are having a harder time paying for their prescription drugs.

Prescription drugs have taken the place of surgery. They have taken the place of hospital stays. They have lessened the cost of health care in general. But the drugs are expensive so we need to accommodate that added expense as we are reforming Medicare. This budget provides the means to do that.

So what is left? Our funding priorities. We are increasing our priority areas 11.5 percent for education. That is our No. 1 priority area and it is the biggest expenditure in the budget. A 4-percent overall annual increase is going to be higher than the rate of inflation. So I think that is quite responsible.

In addition, we are going to double the spending at the National Institutes of Health for the research so we can, hopefully, find the cure for breast cancer and colon cancer and all of the diseases, heart disease—we are pouring the money into the research because we want to try to cure these diseases.

We have treatments for these diseases but in many instances we don't have the cure. That is what doubling the NIH budget does.

We are going to increase national defense spending. That is our first responsibility. Curing Social Security and providing for the national defense is our first-line responsibility. We are going to make sure that the men and women who give their lives to protect our freedom will have the support they need to do the job. We are going to give them higher pay. We are going to give them education benefits. We are going to give them health care benefits, and we are going to give them better health. We owe them that. They are doing a job for our country that no one else can do.

We are going to have the next generation of technology so that we keep our superiority in national security; so that we keep the air superiority we have seen just in the last year absolutely perform in the way we had hoped it would.

We are going to keep the superiority of our defenses because we know that the best defense is a good defense. We know that peace will come through strength. Knowing that we have the best is the best deterrent that we can have for any country that might choose to fool around with America.

I am proud of this budget resolution. I am proud of the President of the United States.

There is a new era in Washington. I hope we can keep the promises we made to the American people and pass a responsible budget resolution with responsible spending and responsible tax relief for every hard-working American.

I yield the remainder of my time to Senator FRIST.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. The Senator from Massachusetts was to follow the Senator from Texas. The Senator from Texas has 4 minutes remaining.

Does she intend to allow the Senator to use her time?

Mrs. HUTCHISON. Mr. President, I had 15 minutes, and it is my intention to yield the remainder to Senator FRIST.

Mr. CONRAD. Mr. President, reserving the right to object, we have a unanimous consent agreement in place. The unanimous consent agreement provided for time for the Senator from Texas, and then we were to go to the Senator from Massachusetts, and then back to the Senator from Tennessee. I think what has been suggested would be out of order.

The PRESIDING OFFICER. The Senator from Massachusetts was next to be recognized.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand it, I have 15 minutes. I ask the Chair to let me know when I have 12 minutes left.

Mr. President, first of all, I commend Senator CONRAD, the ranking member of the Budget Committee, for his excellent presentation both last evening and this morning. I also commend him for his deep and profound and thoughtful analysis of the whole budget that is before the Senate at this time in the rather unusual form because, as I think every Member understands, we don't have the President's budget.

I think all of us believe we should have the actual budget of the President so we can find out the President's priorities and the cuts that are going to be made in the various programs rather than predicting or surmising what might be in that particular proposal.

I commend Senator CONRAD for the very strong analysis he has made of this. From any fair reading of the debate, to date, one would have to find that the presentation made has been clear and convincing—that we are not going to be able to do all things for all people. We are not going to be able to afford these very dramatic tax cuts, which I believe are too large, too unfair, and too unpredictable, and still deal with the many challenges that we are facing.

I commend the Senators from Montana and Florida, Mr. BAUCUS and Mr. GRAHAM, for their leadership on this issue of prescription drugs. They have made a very effective case. It is one which I strongly support. I thank them.

It is a clear indication of the priorities on this side of the aisle that our first amendment is on the issue of prescription drugs. This amendment recognizes the enormous need for giving assurances for prescription drugs to our seniors. I want to underline that fact. Today, as was pointed out in the presentation of Senator BAUCUS of Montana and the presentation of the Senator from Florida, this is really a life and death issue.

Our debate on the budget is really a question of priorities, and it is also a question of values. What we are saying with this amendment is that we put a high priority on the issue of prescription drugs—guaranteeing an affordable, dependable, reliable, and effective prescription drug program for our seniors in this country, and for others in desperate need.

There is a critical failure to make that commitment in the underlying budget proposal. As has been debated on the floor of the Senate on a number of different occasions, the issue of prescription drugs is a life and death issue.

This budget is about priorities. We are talking about life and death issues. For senior citizens, prescription drugs are as important as going to the hospital today. They are as important as the physician's care.

If you can, imagine what would happen in this country if the Senate of the United States decided to take away all guarantees of hospitalization under Medicare. The country would be in an uproar. If we decided to take all guarantees of the physician's care away, the country would not tolerate it. Yet for our senior citizens, make no mistake about it, prescription drugs are life and death to them.

I listened to my good friend—she is my good friend—from Texas talking about investing in the NIH and producing these new miracle drugs. That will be meaningless unless we are going to set up a system to get the magnificent new drugs out to the people who need them. That is what this amendment is all about.

What we see before the Senate—in terms of choice and in terms of priority—is a Republican budget that effectively provides for a $1.6 trillion tax cut for the wealthiest individuals, and only $153 billion for the Medicare program.

For the over 1 million individuals who are making more than $1 million, they will get $729 billion. Those seniors who are on Medicare and need prescription drugs get $153 billion. These tax breaks are for the millionaires who benefited very well over the last several years. We are going to give them $729 billion and $153 billion for the 39 million senior citizens and others who depend on Medicare.

Who are these senior citizens who depend on Medicare? The average senior citizen who depends on prescription drugs and Medicare is 73 years old, a widow, about $14,000 in income, with multiple ailments.

Do we understand that? A senior citizen making about $14,000 gets one-fifth in this budget what we are going to give the wealthiest 1 percent. This is the question of priorities.

This chart shows very clearly that about 80 percent of all seniors have incomes under $25,000. Those are the people about whom we are talking.

This issue is about priorities. Are we going to give tax breaks to the wealthiest individuals or are we going to say—as a matter of national priority—our senior citizens are a priority? They are in desperate need for a prescription drug program.

With all due respect to the proponents of the administration's budget, in the proposal that is before us, just look at what they say in justifying their position on prescription drugs: ''If the Committee on Finance of the Senate reports''—if. Do you think the word ''if'' is in there for the tax cut? This is what the words for the tax cut are: ''the amount by which the aggregate levels of Federal revenues should be reduced.'' It is mandated here. It is mandated for the tax cut but not with regard to prescription drugs.

It says: ''If the Committee on Finance of the Senate reports a bill . . . which improves the solvency of the Medicare programs''—what does that mean, ''improves the solvency of the Medicare programs''? That is ''wordspeak'' for if they are going to cut out benefits, because here it says: ''without the use of new subsidies from the general fund.'' Those words ''which improves the solvency'' mean if we report out of the Finance Committee—if they are going to report a bill—it is going to improve the solvency of the Medicare program by cutting out other benefits, because it says here ''without the use of new subsidies from the general fund.''

Therefore, the only way you are going to get prescription drugs is if they decide to do it, and it is only going to happen if they make cuts in the Medicare program and if the bill ''improves the access to prescription drugs.''

Wouldn't you think they would at least put the words in there that would guarantee prescription drugs? No. It is ''access to prescription drugs.''

What in the world is happening? ''Access to prescription drugs''—is that the President's old program, a ''helping hand'' for prescription drugs? Is it a welfare benefit program? What is it? All it says is ''access to prescription drugs.'' It is no guarantee that there will be an effective prescription drug program that will be universal, that will be comprehensive, that will have basic and comprehensive coverage, and that will be affordable, like in the Baucus proposal. It also says: if there is ''. . . access to prescription drugs for the Medicare beneficiaries, the chairman of the Budget Committee of the Senate may''—may—''revise the allocations, but not to exceed the . . . $153 billion.''

We know what is going on here. The Budget Committee on the one hand mandates tax cuts for the wealthiest individuals. There is no contingency in this budget proposal with regard to taxes. There are no ifs, ands, or buts; there is a mandate for the Finance Committee on taxes, but not for prescription drugs. You would think if they were going to put this completely inadequate amount of money into the budget for prescription drugs, they would actually say: ''When the Committee on Finance does report a prescription drug program.'' But, oh, no.

So make no mistake about it, this is phony. It is made up. No senior citizen

in this country can take any—any—satisfaction whatsoever from what has been included in the budget proposal.

The proposal that is before the Senate at this time by the Senators from Montana and Florida remedies that. It puts us on record to say that this is a national priority, this is a reflection of our budget priorities, this is a reflection of our values. We are going to insist that we have an opportunity to express it in this budget, and we shall.

Now I think for those who are watching this debate, there are four major criteria by which we should evaluate the budget plan:

Is it a fiscally responsible and balanced program? As has been pointed out by the Senator from North Dakota and others, it does not meet that test.

Does it protect Social Security and Medicare for future generation retirees? It flunks that test.

Does it adequately address the urgent needs, such as the prescription drug program and the real enhancement which is necessary if we are going to make education a priority in this country? We will have an amendment that will be offered by our colleague and friend, the Senator from Iowa, Mr. HARKIN, on that issue.

And does it distribute the benefits of the surplus fairly amongst all Americans? It fails that test.

If the American people care about prescription drugs, this amendment is the way to go. It is well thought out. It is responsive to the challenge. It is absolutely essential to meet the health care needs of our senior citizens, at a time when their prescription drug coverage is dropping right through the bottom.

A third of our seniors have no coverage. A third of our seniors have no coverage. Another third have employer-sponsored retiree coverage, but it is in rapid decline. We have seen how that has fallen off 40 percent in the last few years.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. KENNEDY. Then we have seen what has happened in Medicare HMOs. Last year, 325,000 Medicare beneficiaries were dropped from their Medicare HMOs. This year it is 934,000—three times as many in 2001 as were dropped in 2000. People have to be asking: Business as usual? I hear from the other side: Business as usual. Business as usual.

We are challenging that theory with this amendment. We believe this is a reflection of the true values of the American people and the true priorities of American families. I hope the amendment will be adopted.

I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. FRIST. I thank the Chair and ask that the Chair notify me when I have 2 minutes remaining.

The PRESIDING OFFICER. Yes. The Senator has the 12 minutes of his time plus the 4 minutes yielded to him earlier. The Chair will notify the Senator when there are 2 minutes remaining.

Mr. FRIST. Thank you, Mr. President.

I rise to continue our dialog and debate this morning on Medicare, how we improve Medicare, how to strengthen Medicare for our seniors, as well as for our individuals with disabilities.

We are in the middle of the budget debate which sets the framework for our policies over the coming days and weeks and months of this year.

I am a little more optimistic than the Members I heard this morning because I think we have a unique opportunity, an opportunity that is reflected in the budget put forth by both President Bush and Senator DOMENICI, as reflected in the budget resolution that is before this body—a body that aims at what I think is most important when we look to our seniors or our individuals with disabilities because what they really want is health care security; that if they need care at a certain time, it will be available for them and include the hospital bed, the surgeon's knife, the operation, the outpatient unit, the doctor's visit, and prescription drugs. That is where the opportunity comes in. So I would like to speak to that shortly.

We are talking about the budget today, so let me begin with what the President's budget is, what is reflected in the budget resolution before us, and what are the numbers.

If we look at Medicare, and we look at fiscal year 2002, the Medicare outlays would be $229 billion. It is a large number, but until you start looking at other numbers, how large is it? And what happens to it?

In that first year, it is $229 billion. Our budget, the budget we are talking about on the floor, goes out, year by year, to year 5 and year 10. In year 10, that $229 billion in the budget resolution put forth by Senator DOMENICI is up to $459 billion. That is in the budget. That is about an 111-percent increase, if you compare the first year on out to 11 years. And that is the resolution. If you look at year 5, just to give you the overall numbers, there is a year-5 number of $291 billion, which represents a 42-percent increase, an increase of about $92 billion. Thus, we are talking about marked increases in the Medicare budget as we go forward.

In addition to that, there is $153 billion in addition to that—the increases I just talked about—which is placed on top of it, to be directed to modernization, to strengthening Medicare, to give our seniors more security by including prescription drugs. And I hope, as we modernize Medicare, and as we strengthen Medicare, we do other things—in fact, I would say we absolutely have to do that if we want to have a program that is going to be sustained over time—such as more preventive care, more chronic care, better care for heart disease, for lung disease, and for cancers.

That is where it comes back to the great opportunity we find before us that is laid out in the policy behind this budget; that is, that we have the opportunity to strengthen Medicare, to improve Medicare, to modernize Medicare, to bring it up to the sort of standards today that we see so broadly distributed in the private sector.

I should add, what Senators and Members of the Congress get, what the President of the United States gets, what Federal employees get—our seniors deserve it, and individuals with disabilities deserve it.

When I say strengthen Medicare, which this budget allows us to do, I am talking about improving it, making it stronger, injecting energy into the program to make it more responsive to the individual needs of seniors or individuals with disabilities.

When I say improve Medicare, which this budget allows, and the policy behind it almost assures, I am talking about adding a benefit, such as prescription drugs, which will be universally available, adding more elements of preventive care and chronic care, disease management, the sort of disease management that is routine in the non-Medicare world but which cannot, because of this rigid stratification and micromanagement, be included in Medicare today.

I am talking about strengthening, improving, and modernizing Medicare. One has to be careful when saying ''modernize Medicare.'' People ask, What does that mean? Does it mean laying off people? It is just the opposite: to have more value from Medicare. We need to bring it up to speed, to make sure our seniors get the same options, opportunities, and choices that we have as Federal employees. That is the opportunity we have.

The problem we must address as we increase this budget from $229 billion this year under the Bush proposal, the Domenici proposal, to $309 billion in year 6, to $459 billion in year 11 in this budget, is Medicare today is based on a 1965 health delivery system. Think of the cars you were driving in 1965. Some of them are pretty nice on the road today if they have been buffed, polished, and kept tuned. There are not many people who would want to be driving today the same car they drove in 1965. We must continue to invest in Medicare because of outdated benefits.

We have to add $153 billion, which we have done in the underlying bill because right now we do not have prescription drugs. As a physician who has prescribed and written tens of thousands of prescriptions, I know the value of those prescription drugs. They absolutely have to be a part of the toolbox, the tools, the armamentarium that physicians and nurses, recipients, beneficiaries, individuals with disabilities, and seniors can use to maximize quality care, and that is health care security.

There are no outpatient prescription drugs as a part of Medicare today, and

that is the challenge this body has, especially as we develop policy, and that will come, in part, in this budget debate, but really after the budget debate by the Finance Committee and elsewhere.

Limited access to new technologies: Most people know it takes not just weeks and months but years and sometimes an act of Congress to get new technology considered in Medicare today. Our seniors deserve better.

Little preventative care today in Medicare: A lot of our seniors, as I travel around the country at hometown meetings say: I like my Medicare, and it is good. Medicare has been a hugely successful program over the last 35 years, and I, as a physician, have seen it day in and day out, and it has been hugely successful.

What a lot of people do not realize—and it was clearly apparent in the hearings we had in the Subcommittee on Public Health of the Finance Committee—is that the benefits that are in the private sector have continued to improve, where the benefits in Medicare have been stagnant; they have not changed or changed slowly. That is why it is outdated. We absolutely must strengthen, improve, and modernize it.

Right now Medicare only covers 53 percent of a senior's health costs. Ask a senior: Of health care costs over the next 10 years, how much will be covered by Medicare? Many think 80 percent or 85 percent but in truth it is 53 percent.

Micromanagement: Again, that is a product of us being well intended, passing laws year after year, and giving it to an organization called the Health Care Financing Administration which has layered regulation on regulation to the point the regulations, rules, and explanations that cover that simple doctor-patient relationship amount to 135,000 pages of regulations. The Internal Revenue Service has about 40,000 pages of regulations.

Those regulations governing the relationship between the doctor and patient are not 45,000, 50,000, 60,000, 80,000; it is 135,000 pages of micromanaging regulations. We have to simplify it. We have to streamline and modernize so we can meet the individual needs of our seniors.

In this whole idea of micromanagement, improving Medicare, there are 10,000 different prices coded for everything you do in that doctor-patient relationship. As you talk to a patient, you treat them, diagnose them, send off their tests, and there are 10,000 different prices. Even on top of that, they are different in 3,000 different communities.

The inefficiencies, the lack of value in Medicare today, have to be improved as we go forward.

I listed the baby boomers. There is going to be a huge increase in the number of seniors. We have to prepare for the future.

We just had the Medicare report from the Medicare trustees. It is strange. One reads the newspapers and sees this optimism about Medicare; that it is on sound footing right now. Medicare, one could argue, is on sound footing, I guess, although I will show it certainly is not as sound as we think. The rate at which we are depleting the HI trust fund—I will show my colleagues shortly—is depleted rapidly as we go forward.

This is the budget, so I am going to talk a little bit about the numbers as we go forward, again, to show the background.

There are two trust funds, Part A and Part B, in Medicare. We need to look at health care security—Part A is hospitals and Part B is physicians and prescription drugs, which we as a body will add and hopefully integrate into Medicare—we need to look at it as a whole.

As a physician, when I am treating a patient with a particular problem and I diagnose that problem, I do not start thinking of all these different programs. I like to integrate that: Should that patient go in the hospital? Should we treat that patient as an outpatient? Should we try a newly effective drug? Should we use a generic drug? One needs to think in an integrated fashion.

If we look at just the Part A trust fund and Part B—roughly the Part A trust fund is about half; Part B is the other half—the Part A trust fund is what we talk about when we talk about solvency.

On this chart, if we look at just the HI trust fund, Part A, hospitals, green is what we actually spend and red is income. The important point is, in 15 years, in the hospital trust fund, we will be spending more than we will be taking in. We are deficit spending.

A lot of people say: We do not have to worry about Medicare modernization now: why worry? That is 15 years from now; we will have new technology; costs will come down; we will have prescription drugs. What they do not think about is although the Part A trust fund does not begin deficit spending until 2016, look how quickly the blue line diminishes over time to 2029.

When we look at the Medicare program as a whole, today we are deficit spending. Right now Medicare as a whole—Part A and Part B—is spending more than it is taking in. I just showed the HI trust fund for hospitals, which is about half the overall program; in 2002, indeed, there is a surplus. So people feel pretty good: Let's not worry about modernizing Medicare.

Part B, which people around here for some reason do not pay much attention to but is a significant part, we have a draw on the General Treasury. We are basically taking money out of the General Treasury and putting it into Medicare to the tune in 2002 of $93 billion. Therefore, if one looks at the entire Medicare program A and B together, we are deficit spending to the tune of $58 billion this year, and from 2002 to 2011 it will be $980 billion of deficit spending.

I go through this explanation to set the backdrop because we have a huge challenge as we go forward. We have to, I believe, inextricably link new benefits, such as prescription drugs, which absolutely have to be a part of Medicare—to A and B, hospitalization and physician care—and make it an integral part. There are lots of reasons. One I just showed: We are deficit spending now. If we add on top of that further deficit spending, or put a program which could potentially just explode, all of a sudden our seniors lose their health care security. All of a sudden a program which is in deficit spending now has a potential for increasing deficit spending. We have to do it the right way.

Adding a new benefit such as prescription drugs has to be part of modernization and improving a program, an integral part of the program. We will hear a call for including prescription drugs. The challenge before this body is how, given these numbers, this degree of deficit spending, we put in a new benefit that, I argue, has the most powerful internal drive to explode, to be out of control—larger than any social program we have seen in this body.

That is a pretty big statement, but that is how strong this internal demand is for prescription drugs.

Think about a mother who is dying. You want the very best drug available to reverse that course. You will demand it. You will try to pay for it in any way possible. You will ask the Government for it, the taxpayer for it; you will take it out of your pocket. That is the money we are seeing with prescription drugs because they are revolutionary today. Isn't it great they are, the fact you can have crippling arthritis and for the first time you can get up and get around.

Look at what we are getting ready to add on Medicare, rightfully so, but we have to do it the right way. This chart illustrates prescription drug expenditures in the United States of America from 1965 to 1999. You see the huge growth in total prescription drug expenditures. For seniors alone, it is probably about a third of that. If we project to the future, what we are getting ready to add to Medicare—again, appropriately so—this is what we just saw, in red, and this chart shows, in 2001, 2003, 2005, and 2007, explosive growth. We need to come back and do it right. We have to integrate prescription drugs in overall modernization.

I strongly support the proposal put forth by Senator DOMENICI and President Bush. It increases Medicare spending to $459 billion over the next 10 years and increases it by $153 billion for prescription drugs.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today as a proud cosponsor of this very important amendment to the budget resolution. I thank the Senator from Montana for his leadership on

this issue and on the Finance Committee, as well as the Senator from Florida and my leader on the Budget Committee, the Senator from North Dakota. I very much appreciate his ongoing leadership on this important issue.

As a personal aside before speaking about this amendment, I come from the great State of Michigan with Michigan State University. If I might say to the Senator from North Dakota, we are looking forward to betting you in hockey on Thursday evening.

Now to the serious issue before the Senate. This is an issue of priorities for the American people as we look at the next 10 years. We all agree it is difficult to look into the crystal ball 10 years from now. We are being asked to do that, and many Members are cautious and concerned about locking in the next 10 years on revenues since it is not possible to be accurate. We know that. Chairman Greenspan called it educated guesses.

We do know when we are debating this list of priorities that the President has laid out a plan that says if you were to put Medicare and Social Security surpluses aside—and he does choose to spend part of those, which we will debate later—if you put that aside, the President has said the only priority for the American people for 10 years is a tax cut geared to the wealthiest Americans that we hope will trickle down to everyone else.

Now, in Michigan, the people I represent want a tax cut as one of the priorities for the future. I support an across-the-board tax cut that gives as much as possible to middle-income families working hard every day, sending kids to college, to help moms and dads and seniors with their prescriptions, and put money in their pockets, and family farmers and small businesses, as one of the priorities of the country. I support that. I don't think it is the only priority for the next 10 years.

What we are talking about today in this amendment is another very important priority; that is, updating Medicare to cover the costs of prescription drugs to assure our seniors, who have been promised that Medicare would be there, that health care would be there when they retire, that those who were disabled and were promised Medicare would be there, that in fact, it really is.

We all know that the only way to guarantee Medicare is to cover prescription drugs. That is what this amendment does. It makes it real. It says when you look at this budget and you look at the real costs over 10 years of about $2.5 trillion that is put aside for one priority, a tax cut, we are asking for a very small amount, just a little amount, to come from that $2.5 trillion over into prescription drug coverage for seniors to modernize Medicare—$158 billion. I believe that is a very small change with a very big impact for our seniors and our families.

I am concerned for most of our seniors. Most of the seniors in Michigan, most of the seniors in America, will not receive any of the tax cut being proposed. But if we want to put money back in their pockets, we have a chance to do that through this amendment by lowering the costs of their medicine. We all know it is the right thing to do. I bet there is not a person in this esteemed body who did not talk about the importance of prescription drugs and how seniors shouldn't have to choose between their medicine and their meals when they were out campaigning.

Now is the time when the rubber meets the road, the time when we have a chance to vote what we have talked about and the real priorities of the country. I can't explain, when a senior citizen comes to me and says he has been told by his doctor there is a pill he can take that will stop him from having open-heart surgery, why the pill costs $400—one pill a month, $400. Medicare will pay for the operation. It won't pay for the pill. He asks me how that makes any sense. I have to say it doesn't make any sense.

Now is the time to correct that. Today, right now, as we are on the floor, there are seniors sitting down at the kitchen table deciding: Do I eat today or do I take my medicine? Do I pay my utility bill or do I take my medicine? Do I cut my pills in half? Do I take them every other day?

I have doctors coming to me expressing grave concerns about seniors who put themselves in serious health jeopardy by trying to self-regulate their medication—every other week, every other day, doing something they shouldn't to make the pills last longer. We all know the stories. This amendment says we are serious about fixing it.

This is not an issue we have made up. I heard our esteemed budget chairman say that every time we talk about tax cuts, we Democrats make up an issue and it just pops up because we want to spend money. I know the issue of prescription drug coverage is not made up. Everybody in my State, young or old, knows the need to cover prescription drugs and make them available for our seniors is not made up. It is very serious and it is very real. It is very unfair, as we found in a statewide study throughout my State. There we looked at the costs that uninsured seniors pay when they walk into the pharmacy versus somebody with insurance. We found on average they pay twice as much. That is not fair.

If you have insurance and they can negotiate a good discount, you get a better deal. Medicare needs to be there to give our seniors a better deal. That is what this is about: updating Medicare to cover the way health care is provided today, having Medicare out there getting our seniors a better deal so they can live in dignity and respect and have the promise kept that was made in 1965 when Medicare was enacted.

This is an important amendment. I commend my colleagues, again, for their leadership in this area. With just a small change, we can begin to get some balance back in this debate about the budget. We have a number of important priorities facing our country. I believe a tax cut is one of those, as is paying down the debt to keep money in people's pockets, with lower interest rates, as are jobs. I also believe lowering the cost of prescription drugs is a critical part of this pie.

I ask my colleagues, if not now, when? We are not going to do it if we are running deficits. We are not going to be able to do it if we move into a serious recession. If we cannot update Medicare now and keep the promise to our seniors and the disabled when we have surpluses, we never will. We should admit it and stop talking about it, stop using it as a campaign issue.

This is the opportunity for us to do what everybody is talking about: provide a substantial Medicare prescription drug benefit and make sure that, in fact, it does something real for our seniors to allow them to live in dignity and have the quality of life they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I commend the Senator from Michigan who is a valued member of the Senate Budget Committee. She is new to this body, but she is certainly not new to the issues because she served with distinction in the House of Representatives and was a leader on many of these issues in the House of Representatives. She brought that knowledge and that commitment to the issues to the Senate.

There has been, really, no new member of the Budget Committee who has been any more responsive in terms of commitment to the work of the Budget Committee than the Senator from Michigan. She cares deeply about getting our fiscal house in order and keeping it there. She cares deeply about the right priorities for the country, including improving education and providing a prescription drug benefit. She has made a very valuable contribution to the work of the committee.

I think she was disappointed, as I was, that we did not have a markup in the Budget Committee. We did not even attempt to mark up a budget for our colleagues, which is unprecedented. But I want to say she has made a valuable contribution during the deliberations of the committee and the set of hearings we had and in producing the Democratic alternative. I thank her very much for those contributions.

Senator DORGAN from North Dakota is in the queue for time to speak, and I yield him 10 minutes off the resolution.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I am here to talk about this amendment,

but I say to my colleague, Senator CONRAD, I also am interested in coming over at some point soon and spending a little time talking about this budget resolution and especially the issue of the increase in public debt. I want to go through with the chairman of the Budget Committee, the issue of the increase in public debt over a 10-year period, which seems to me incompatible with this notion that we have such large surpluses that we can provide a 10-year tax cut costing trillions of dollars. If that is the case, why is the public debt increasing in this very budget resolution? I will do that at a later time, but I am here now to talk about the issue of prescription drugs.

We know there are a large number of citizens, especially senior citizens, in this country who cannot afford the prescription medicines they must take, the prescription medicines prescribed by their doctors necessary to continue a healthy lifestyle. All of us have an opportunity day to day and week to week, as we are in our respective States, to talk to older Americans who are taking increasing amounts of prescription drugs and paying more for them.

Senior citizens represent 12 percent of our country's population. Yet they consume one-third of this country's prescription drugs. Why is that the case? In one century, we have increased the life expectancy in our country by nearly 30 years—from 48 to nearly 78. I know some wring their hands and gnash their teeth and mop their brow because of all the problems we have with Medicare and also with Social Security. All of those problems are born of success: people are living longer and have better lives. Let us not gnash our teeth too much about the success of having people living much longer in this country. We can and should address the financing issues in Social Security and Medicare, and we can do that without, in my judgment, great difficulty.

One of the issues with people living longer, and one of the issues with the substantial amount of new medicines available to prolong life in this country is, how do we pay the bill? Especially if you are consuming prescription drugs whose cost is increasing substantially at a time when you have reached that retirement age, the time in life when your income is decreasing a great deal, how do you address that?

The proposal by members of my caucus in the Senate, the Democrats, as well as a proposal now by the Bush administration, is to provide a prescription drug benefit for senior citizens. We proposed to put it in the Medicare program. The prescription drug proposal, as a part of this budget, needs to be sufficient so the prescription drug benefit will work for senior citizens.

We all know the cost of prescription drugs is going up dramatically, 15 to 16 percent a year in increased costs for prescription drugs. Part of that is increased utilization and part is price inflation. But we all understand the consequences of these increased prices to senior citizens.

I have told my colleagues of a woman who came to me one evening at a meeting I had in the northern part of North Dakota. She was perhaps 75 years old. At the end of the meeting, she approached me and said: Senator DORGAN, I am retired. I am getting up in age. I have to take several medicines to treat diabetes and heart trouble. But I don't have any money. I am left without any assets or income of any sort and I can't afford to take these medicines. Yet my doctor says I really must take these medicines.

As she began to talk to me, her chin began to quiver and her eyes welled with tears and it was clear she was on the edge of crying because she knew what she had to do. She needed to take this medicine to prolong her life and treat her illnesses and she didn't have the money to do so. This goes on across this country all the time.

I was at a hearing in Dickerson, ND, one day and a doctor said he had a senior citizen as a patient who had breast cancer. After the patient had surgery, the doctor prescribed a medicine and said this medicine is something you must take because it will reduce your chances of recurrence of cancer. The woman looked at the doctor and said: Doctor, there isn't any way I can take that medicine. I can't possibly afford that medicine. I will just have to take my chances with breast cancer.

I was at a hearing in New York with my colleague, Senator SCHUMER, when one of the witnesses talked about going to the grocery store but always going to the back of the store first where the pharmacy was because first she had to buy her prescription drugs. Only then would she know how much money she would have left to purchase food. I have heard that a dozen times, if I have heard it once.

Should we do something about this? The answer is clearly yes.

The Senate budget resolution provides a certain amount of money for a prescription drug benefit. But let me quote the Congressional Budget Office Director, Dan Crippen, who said in testimony before the Senate Finance Committee:

> If you are going to provide $150 billion over the entire Medicare population—again for 10 years—it won't provide a great deal for any one person.

The money provided in the Republican budget resolution does not even cover the cost of the President's own Healthy Hand prescription drug proposal. About 25 million of the nearly 40 million Medicare beneficiaries would be ineligible for the President's plan.

If the amount proposed by the President in his budget were used to provide a universal drug benefit in Medicare—which is really what we ought to do—it would provide about $200 coverage for a beneficiary for the first year.

This debate is about choices. The budget debate is always about choices. The most significant choice is the front end of this debate, and according to the President, is the tax cut.

I believe we are going to enact a tax cut. I will support a tax cut. But I don't believe we ought to have a tax cut to the tune of trillions of dollars—and, yes—that is more than $1.6 trillion as proposed by the President. Everyone scores it at well over $2 trillion.

To do that when we don't know what the future will bring with respect to this economy, to do that at a time when we have the public debt increasing and not decreasing, and to do that when we don't have sufficient resources to improve our schools, or, yes, in this circumstance on this amendment, to provide enough resources so that we have a prescription drug benefit under the Medicare plan, in my judgment, shortchanges all Americans.

It means we will have an increasing Federal debt—not decreasing. It means we are short of doing what we ought to do to make this a better country—improving our schools, providing for the family farmers during tough times, and in this amendment providing for a prescription drug benefit for Medicare.

My colleagues have offered the amendment today in the hope that we could reach agreement in this Senate. At least between the two political parties, doing this makes sense. Adding a prescription drug benefit to the Medicare program makes sense.

I think everyone agrees that if the prescription drugs had been available when Medicare was created that are available now, clearly we would have had a prescription drug benefit in the program.

Said differently, if we had no Medicare program but we were going to create one in the year 2001, just as clearly it would include a prescription drug benefit, because we are moving away from acute care hospital stays, we are moving towards outpatient procedures in medical facilities, and especially we are moving towards prescription drugs that allow people to live without having acute-care health. That is much less expensive in many ways.

These new medicines that are available are breathtaking, lifesaving medicines. They are good for researchers on the public payroll—at NIH and elsewhere—those in private prescription drug companies, and others. It is good for them. We are developing wonder drugs that allow people to do things they wouldn't have before thought possible.

But it is very expensive. We ought to find a way to say to those who have reached their declining income years in life: We want to help you be able to afford the prescription drugs you need to continue to live your life.

This isn't some luxury. This isn't some optional expenditure. The prescription drugs are necessary for senior citizens who are in many cases required to take 2, 5, 10 or even 12 different kinds of prescription drugs a day. It is very expensive to do so.

We must pass this amendment to make room in this budget for a prescription drug benefit in the Medicare program. That is why I support this amendment.

Let describe a couple of other different priorities, if I might.

Mr. President, 100 years from now everyone in this Chamber will be dead. It is an ominous thought, but it is true. The only historical reference about who we were and what we did here will be to look at this budget and see what we did that was considered valuable: What were our priorities? What did we think was important for this country?

This budget represents the framework by which future generations can judge us. Every time in this country we have tried to do something new, there have been those who have said no. They opposed everything for the first time. It didn't matter what it was—Social Security, Medicare, minimum wage—you name it; they opposed it.

This budget resolution establishes our priorities.

Let me describe a few priorities.

First, a tax cut. Yes, let's so do that, and let's make it fair. Is it fair that the top 1 percent of the taxpayers pay about 21 percent of all income taxes and payroll taxes but would get 43 percent of the tax cut? Absolutely not. Let's do a tax cut. Let's make it fair.

Second, let's pay down the Federal debt. I want to ask the chairman of the committee and others why the public debt is increasing on page 6 of this budget resolution over 10 years.

Third, what about other priorities? I mentioned schools. Does anybody think our future doesn't depend on improving our schools? Of course it does. Should we and could we improve our schools? Of course. But we must have the resources to do that as well.

In addition to improving our schools, we know we need to pass an amendment such as this to provide a prescription drug benefit in the Medicare program.

We need to have room in this budget resolution to help family farmers given these price valuations. If this country believes that we are a better country because of families living on and operating America's farms all across this country, then when family farmers face collapsing commodity prices, they have a right to expect that we will help them during tough times.

There are so many other priorities to which we must pay some attention, such as the issue of agricultural research. I come from a State with a significant livestock industry. And we face the scourge of foot and mouth disease—some call it hoof and mouth disease—and the prospect of mad cow disease, the prospect of a disease that could devastate our livestock industry. This ought to persuade all of us to address more quickly this issue of increases in basic research in agricultural areas and research in dealing with a safe food supply.

All of these areas require our attention.

Let me say again that if we are going to have a tax cut in this year, we will, I hope, agree between Republicans and Democrats to a thoughtful and fair tax cut that says to the American people: Yes, this is your money. Yes, we want to give it back, and we want to do that in a fair way.

But I think the American people want us to invest in the future of this country as well, even as we provide tax cuts for the benefit of our children and pay down the Federal debt. If you run up a Federal debt during tough times, it seems to me that during better economic times you ought to be able to pay it down. This country has not had a period that has been any better in general for the American economy than the last 7 or 8 years. We ought not end this period with substantial increases in Federal indebtedness.

We have a lot of priorities. My hope is when we look back at the work of this Budget Committee and decisions by this Congress, we will have said: Yes, this Congress reflected the right priorities for this country; yes, we made the right investments; yes, we voted for a tax cut that was a fair tax cut; and, yes, we decided to commit ourselves not just to talk about paying down the Federal debt but to really paying down the Federal debt even as we have experienced the surpluses that come from better economic times.

I believe the hour of 12:30 has arisen. I yield my time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to speak for 2 minutes.

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

Mr. DOMENICI. Mr. President, I do not come to the floor to try to answer all the various arguments made. I would just like to say to the American taxpayers: It ought to be interesting to you, Mr. and Mrs. America who are paying taxes, because, in fact, what is happening here is, instead of the opportunity to give the taxpayers back some of this $5.6 trillion surplus—a number we cannot hardly understand—instead of putting that right up at the top of the priority list, we are speaking about priorities. But isn't it interesting, every single priority is to spend more of the taxpayers' money. All the priorities that are being stated here are spending a part of this surplus to spend on something for Americans.

The whole difference is that we suggest you put the taxpayer at the top of that list, not at the bottom of the list—at the top of the list—and that instead of using their money for new programs and add-ons, whatever it is, that we ought to consider them first. Included in that is the President's tax plan which is good for the economy.

I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I ask unanimous consent for 1 minute.

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

Mr. CONRAD. Mr. President, I say to my colleague, who not only do I respect but for whom I have genuine affection, when he says this is just a question of spending versus tax cut, he knows better. Those are not the choices. They really are not. The choices are tax cuts, spending, and addressing debt.

The real difference between our two plans—the biggest difference—is they have twice as much for tax cuts and we have twice as much for debt reduction. That is the real difference. Yes, we also have some additional spending for prescription drugs, education, agriculture, and a prescription drug benefit because we think those are the priorities of the American people.

But let there be no doubt, the fundamental difference between us is we are for more debt reduction; they are for more of a tax cut. That is where it lies.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, at 12:32 p.m, the Senate recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Senator from Maryland.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001–2011—Continued

Ms. MIKULSKI. Mr. President, I yield myself 10 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

AMENDMENT NO. 172

Ms. MIKULSKI. Mr. President, I rise in strong support of the Baucus-Graham amendment. This amendment reserves $311 billion for a Medicare prescription drug benefit that will be reliable for seniors, affordable for the taxpayers, and will be undeniable when it comes to being able to buy a prescription drug. It will put us on a road to a benefit that meets patient needs, can be sustained by our U.S. Government, and yet is affordable with seniors.

Honor your father and mother is not only a good commandment by which to live, but it is a very good policy by which to govern. We believe we ought to put it in the Federal law books. We should honor our fathers and our mothers by adopting the Baucus-Graham amendment to create a prescription drug benefit that does mean something for America's seniors.

Regrettably, the Bush plan is rather spartan and skimpy. It includes only $153 billion for a prescription drug benefit. That seems to be a lot of money,

and it is, but when one estimates what it would take to provide a real prescription drug benefit, the cost is much more. That comes from reliable experts in the field.

First of all, I am concerned about how the President's plan would work. It would provide block grants to States to develop programs, but these programs would only be for the very low-income seniors, despite the fact that half of the seniors who need help are in the middle-income bracket.

What do I mean by low income? I mean $11,000 a year or less. If you are a senior and you have an income of $11,000 or less, you might be eligible for President Bush's plan. However, as we have all gone throughout our communities, what is one of the issues we hear the most? We need a prescription drug benefit, say the seniors.

The ''sandwich'' generation is caught in the middle of providing tuition for their children's education and looking out for their moms and dads. They are saving for their own retirement, helping mom and dad pay for their prescription drugs, and trying to afford the rising costs of college tuition for their children.

The middle class is, once again, caught in the vice. If you are in the middle class, you cannot afford it. If you are very wealthy, you can buy your own prescription drugs. Under the Bush plan, if you are very poor, your Government will help you.

I want to be on the side of all senior citizens, and that is why we are for the Baucus-Graham approach.

Under the Bush plan, coverage will vary—where you live; what kind of plan your State set up. If my colleagues think we have had problems with the Patients' Bill of Rights, wait until we get into the Bush plan on prescription drugs. This means that a senior in Maryland might have generous coverage, but if that senior visits a sister in Virginia, just over the Potomac bridge, they might not have as good of a benefit.

We cannot have a prescription drug benefit for seniors based on the zip code of where they live. We are ''one nation under God, indivisible . . . .'' How about having one Medicare prescription drug program that is also indivisible. President Bush is choosing a lavish tax cut over creating a real Medicare prescription drug benefit.

Let me give you a hypothetical constituent: A 75-year-old widow, on an income of $20,000 a year, has a stroke. Her prescription drugs will cost about $4,200 a year. That comes out to $350 a month. The Democratic drug benefit would save her her about $150 a month or $1,700 a year. Remember, under Graham-Baucus, the Democratic plan would save her $1,700. That is almost a $1,600 difference from what she would get in the Bush tax cut. That is what she could get in a Bush tax cut. Remember, at $20,000 a year, with a tax break based on income, she would get $141 a year. I think if you would ask the American people what they want, they would want a prescription drug benefit that would help pay the bills as well as keep the money in the senior's pocketbook.

Another example. An elderly couple with an income of $30,000 a year. Their combined drug costs, say, are $6,000 a year. Their daughter is helping pay drug bills, taking money from the kids' college fund. Under the Democratic plan we could save them $2,000 a year. The Bush tax cut would save them practically nothing.

These examples show that the Democrats have their priorities in order. First, we must make good on the promises we have made to our seniors. Second, we must make sure we balance the books not only today but into tomorrow. The Democratic alternative is making a down payment on that balloon payment that is coming due on Social Security and Medicare. The constituents who have written and called me to ask why they or their parents cannot get the medicines they need do not want to hear about a lavish tax cut. They want to hear about Medicare, about a Medicare prescription drug benefit that will be reliable, affordable, and undeniable.

America is the nation that invented most of the miracle drugs. This was done through the brilliance of American science and really public investments. They came through the Tax Code, the way we work with NIH. No one should have to choose between life-saving medication or putting food on the table. No one should have to cut their pills in half to make them last longer. No one should have to spend half of their pension on drugs. That is why we need to pass Baucus-Graham, because we have really a compelling need. Anywhere I go in Silver Spring, MD the senior citizens would rather have a prescription drug benefit that will save $1,700 a year and, more importantly, save a life than a $141-a-year tax credit.

I hope we can get our priorities in order, our books balanced, help get some money into the pocketbooks of our citizens, but let's also make sure we meet the compelling needs of our constituents.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, I ask that we go into a quorum call and the time be charged equally.

Mr. REID. Will the Senator yield for a question before we go into a quorum call.

Mr. CONRAD. I am happy to yield.

Mr. REID. I say to my friend who is manager of this legislation, are we arriving at a point shortly where we will be able to vote on this amendment?

Mr. CONRAD. We certainly are on this side. We have used virtually all time off the amendment, and we would be prepared to go to a vote very quickly. I put a call into two offices of Senators who are vitally interested in the prescription drug amendment, and I have asked them to come to the floor immediately. So we are awaiting their appearance, and then we would prepare to go to a vote.

Mr. REID. Will the Senator allow me to ask another question. I think it would be good for the Senate, good for the country, if we voted on as many of these amendments as possible, so that the people of the country know how we stand on these issues. It is my understanding that the Senator has a number of issues he wants to bring up in an effort to amend this vehicle we have before us.

Would the Senator indicate, first of all, if he agrees we should have a vote, and then will the Senator tell us some of the things he hopes we can vote on in the next few days?

Mr. CONRAD. I agree with the Senator from Nevada. I think it would be very useful for us to use our time in a way that is disciplined so that we have a debate and a discussion and that we are able to have votes on a series of amendments after a reasonable debate. As the Senator knows, under the rules, if we have not debated the amendments until the time runs out, we will still vote. We will do it without time for debate. So it is critically important that we be disciplined.

We believe we ought to have amendments on education, on strengthening national defense, on additional paydown of debt, and, of course, we will be having an important amendment on the question of whether or not reconciliation will be used in this process.

So those are just a few of the amendments that will be considered before we are done. It is very important that there be time for debate and discussion so that Members can be informed before they cast their votes.

Mr. REID. If the Senator will yield for one additional question, I think the people in North Dakota believe the same way as the people in the State of Nevada. They believe there should be a reasonable tax cut, but the number-one priority of the people in Nevada is to do something about the extraordinary debt that has piled up. Will the Senator from North Dakota agree that his constituents believe the same as mine?

Mr. CONRAD. I think people in North Dakota have a great deal of common sense. They know that we have piled up an extraordinary Federal debt. As we visit here today, we have a $5.6 trillion gross Federal debt. Under the President's plan, that will increase to over $7 trillion. So I think we have an obligation to the taxpayers of this country, to the fiscal future of our families, to do everything we can to put pressure on this debt, to keep it from continuing to grow. And that is really the focus of the Democrat alternative.

Mr. REID. If the Senator will yield for one more question, is the Senator going to have an amendment offered by someone on this side of the aisle to have a discussion as to whether or not we should pay down the debt more or that all the money should go to tax cuts?

Mr. CONRAD. We will have, in fact, a series of amendments on the question of what the priorities really are for the country. We believe we should have a significant tax cut, but we do not believe we can afford one of the President's size without threatening to said us back into deficit and without threatening to raid the trust funds of Social Security and Medicare. For that reason, we will be proposing a series of amendments to further pay down this national debt.

I notice that one of the Senators is here who has been very active on the question of the prescription drug benefit and somebody who has really been a leader on the Senate Budget Committee in trying to get a prescription drug benefit under the Medicare program, one that would really have the resources to provide a meaningful prescription drug benefit. That would be the Senator from Oregon.

I yield the floor.

The PRESIDING OFFICER. Who yields time to the Senator?

Mr. CONRAD. I yield 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank the Chair.

First, I thank the Senator from North Dakota. If there is one change that the Democratic Party has tried to transmit over the last decade, it has been the question of emphasizing fiscal responsibility. I want to make it clear to the Senator from North Dakota how appreciative I am that he has pounded away again and again in the committee and on this floor how important it is to reduce the national debt.

In my view, that is the single most important message the Democrats have tried to communicate over the last decade. I am so pleased he has emphasized it again today.

I will speak briefly on this question of prescription drugs because in the last year I have come to the floor of this Senate more than 25 times to talk about the need for a bipartisan initiative in this area. The fact is, the Baucus amendment, the amendment on prescription drugs, will allow Members to bring together legislators of both political parties to come up with a sensible prescription drug benefit that will contain the spiraling costs that our seniors face.

It would be built around the proposition that there would be defined benefits that senior citizens in every community would be entitled to. It would be a benefit that would be part of the Medicare program. Finally, it would be a benefit that allows containment of costs by offering senior citizens choices and alternatives in the marketplace.

What pleases me about both the Baucus amendment and the alternative that the ranking member, Senator CONRAD, has put before this body, is that it goes right to the heart of the question; that is, ensuring that we have resources to do the job right. The fact is, America can't afford not to do this job right. I hear from physicians in my home State, for example, that they have actually put senior citizens in the hospital in order to get prescription drug coverage because those older people could not afford their medicine on an outpatient basis.

Colleagues, think about the insanity of such a system that can rack up $40,000 or $50,000 worth of costs for medicines in a hospital rather than spending perhaps $500 or $600 on an outpatient prescription drug benefit so a senior citizen can, for example, have a leg ulcer treated on an outpatient basis.

Under the Baucus amendment, it will be possible to have those resources, to bring together Democrats and Republicans in this body, and get the job done right. We all understand the extraordinary revolution we have seen in the medicine field over the last few decades. Everybody acknowledges if we were to design Medicare today, not a Republican nor a Democrat would advocate leaving out a prescription drug benefit. It is going to take the resources to do the job right. It seems to me the Baucus-Graham amendment makes those resources available. By the way, it is an approach that would be consistent with what we did in the Senate Budget Committee last year on a bipartisan basis—Senator SNOWE, Senator SMITH, and I—and is consistent with a variety of other approaches.

I hope my colleagues will recognize what we are trying to focus on today is, first, the single most important message of Democrats in the last decade, which is we have to have fiscal responsibility. That is why we emphasize today the question of paying down the debt. Second, we do want this country to make a handful of well-targeted investments in our future. In my view, one of those key areas would be prescription drug coverage. When it comes to paying for this benefit, this country can't afford not to do prescription drug coverage right.

I yield the floor.

Mr. CONRAD. Mr. President, I suggest the absence of a quorum, and I ask that the time be charged equally to the resolution.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. Mr. President, I will comment for a moment on the role of the Senator from Oregon in the Senate Budget Committee. He has been among the most innovative Members in trying to find ways to extend a prescription drug benefit and to do it with bipartisan support. In the Senate Budget Committee last year, he worked with one of our colleagues on the other side of the aisle, the Senator from Maine, Ms. SNOWE. They offered the amendment that opened the door to a prescription drug benefit last year. It is that model that again is being pursued this year in an attempt to reach across the aisle to find bipartisan consensus on a prescription drug benefit that would be meaningful for the American people.

I wanted to take a moment while he was here to thank the Senator. He has spent countless hours working to come up with prescription drug proposals that would have bipartisan support. I thank and commend him publicly.

Mr. WYDEN. If the Senator will yield briefly, I thank him for that.

What the Baucus amendment does is allow Members to put together that bipartisan effort that would encourage an approach that is within Medicare, with defined benefits, based on real marketplace choices, so there would be cost containment. I thank Senator CONRAD and Senator BAUCUS for emphasizing the two key messages of this party.

First, our message of the last decade, which is that fiscal responsibility is paramount. One does that with the focus on debt reduction. Second, that we can have a handful of well-targeted investments in our country's future. That is what the Baucus amendment does. I am very pleased to be associated with both Senators' efforts.

Mr. CONRAD. I thank the Senator from Oregon for his contribution on the committee.

To give the Senator from Montana a little backdrop, the Senator from Montana reserved 5 minutes off the amendment. That time is still available. It is up to the Senator from Montana whether he wishes to use that time or I am happy to give him time off the resolution. We don't have a Member on the other side of the aisle present, but hopefully there are people watching and listening. We are prepared to go to a vote on the prescription drug amendment. We hope the manager on the other side of the aisle appears in short order and tells us what the plan is on their side. We are prepared to go to a vote in very short order.

I yield 5 minutes off the resolution to the Senator from Montana.

Mr. BAUCUS. Mr. President, I don't want to overdramatize this point, but I think it is accurate. If this amendment doesn't pass, an extremely modest amendment—and I mean extremely—there is a very good chance, more than a 50-percent probability, that this Congress will not pass a prescription drug benefit bill this year.

Why do I say that? I say that because the amount in the resolution is so small that seniors won't use it. Why do I say that? I say that roughly the $153 billion in the budget resolution under earlier estimates would require a deductible of about $2,000. How many seniors are going to want to participate in a prescription drug program with a deductible of $2,000? This is voluntary. This is not a mandatory program under

this amendment. It is all voluntary. Contrast that with catastrophic, years ago, which was mandatory; this is voluntary. Seniors will not use it. It is not worth it.

We will be making a false promise if we attempt to pass something such as that. We won't pass it because too many seniors will already have exposed it for what it is.

Instead, we are suggesting, by our amendment, take a very small sliver out of the $1.6, $2.6 trillion tax bill, however you want to categorize it. We know for sure it is a lot more than $1.6 trillion by definition. Frankly, $2.6 trillion is conservative. Take out a small sliver—$158 billion, that is all—and add it on to the $153 billion that is contained in the budget resolution. That adds up to $311 billion over 10 years for prescription drugs. That will be the beginning for a modest drug prescription benefit provision for seniors who now do not have prescription drug coverage because of where they live in the country because they are poor or because no plan offers it.

Do not forget, health benefit plans today providing prescription drug coverage to seniors are every year dropping more and more people from their plans. Medicare+Choice last year dropped 900,000 seniors. The year before, 400,000. Why? Because costs are going up. So they are dropping people out, which forces them back to nothing or any Medicare we may have.

I suggest taking a small sliver—it is small compared to the huge tax cut the President is proposing as contained in this budget resolution—and giving it to the literally millions of seniors who do not have any prescription drug coverage, with the cost of drugs rising as fast as they are and utilization rising as fast as it is. Who is going to be hurt if we cut down one-sixth, two-sixths? It will probably come out of the most wealthy, maybe a sliver out of the estate tax, maybe a sliver out of the top rate. Who knows?

Certainly, according to America's values, our country's priorities, who we think we are as Americans, this only makes sense. There are seniors who are so wonderful—our mothers, our fathers, our grandmothers, our grandfathers, many of whom gave so much to this country through the Depression. Why in the world can't we at least say to them, we will take a sliver out of this tax cut and give it to you, a senior citizen who today has no prescription drug coverage? Because that is what is right.

Let me just say this as a reminder. Senior citizens in America who are not now covered under a prescription drug benefit plan, some company or whatnot, pay the highest prescription drug costs in the industrialized world. That is a fact. That is about 35 percent of American seniors. Up to 50 percent are just inadequately covered or intermittently covered. But 35 percent of American seniors, at least, pay more for prescription drug benefits today than do seniors in any other country in the industrialized world. Where is the United States of America? Where are we? Who do we think we are? We brag about ourselves and our values. Let's step up to the plate. It is a very modest amendment. I urge its adoption.

Mr. CONRAD. I yield 5 minutes off the resolution to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I thank the Senator from North Dakota.

As the able Senator from Montana has indicated, we desperately need a prescription drug benefit. The question is, What form is it going to take? Are we going to fund it fully enough so it really has any meaning?

If we go with a prescription drug benefit of about $153 billion, the fact is we are going to end up with deductibles that could be anywhere between $2,000 and $15,000 for people who are sick.

You cannot do that. If you are going to do a prescription drug benefit, you have do it properly, fund it adequately, so all people are able to take advantage of it.

That is done in the Baucus amendment because he, the Senator from Montana, puts it at $311 billion over a period of 10 years. It does the job. It means you are not going to have people paying so much out-of-pocket expense that they simply cannot afford to go down and get prescription drugs at all.

I would say, in the panoply of things that are needed by Americans, a prescription drug benefit, the prospect thereof, the psychological benefit thereof, the medical benefit thereof, is virtually at the top of the list.

We very recently passed something called a Coal Miners' Health Benefit Fund Program. It was approved by OMB, which never does that kind of thing, because they believe that a prescription drug benefit used on people of average age 80 years will in fact save money for Medicare, keep people out of hospitals, and keep people from having to use other parts of Medicare, thus saving money overall for Medicare. We are never going to find out what we can do with prescription drugs, how much cost we can either save or not, until we do something and do it fully. The Baucus amendment does that, and I hope it is successful.

I yield the floor.

Mr. CONRAD. Mr. President, I yield myself 2 minutes off the resolution.

I thank the Senator from West Virginia for his comments on the prescription drug benefit. There is perhaps no senior member of the Senate Finance Committee who is more knowledgeable about health care issues than the Senator from West Virginia. The Senator from West Virginia has led the fight to expand health care coverage, including a prescription drug benefit, on the Senate Finance Committee. We very much appreciate his leadership.

With that, Mr. President, I yield the floor. I suggest the absence of a quorum, and I ask we charge the time equally on the resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I would like to ask the Senator from North Dakota to yield me some time.

Mr. CONRAD. I am happy to yield 10 minutes to the Senator from Nevada.

Mr. REID. I appreciate that very much.

I am very concerned. We talked very briefly a little while ago about this. We keep talking about a tax cut. People in Nevada realize, if we pay down this huge debt in any way, it will be a tax cut for everybody. It will be a tax cut for everyone because we know if this burden is taken away from the American people, they will pay less for their car and their boat—if they are fortunate enough to have one—certainly their house, and the debt they have on their credit cards every month.

Does the Senator agree, one of the biggest tax cuts we could give the American people is to pay down the debt?

Mr. CONRAD. I think, if we have learned nothing else from the 1980s, the one thing we should have learned is that the best strategy is one that puts our fiscal house in order and keeps it there. It is eliminating deficits and beginning the process of paying down debt that has helped us trigger the longest economic expansion in our Nation's history.

When I look at the proposal on the other side, I see they talk about paying down the maximum amount of publicly held debt. But if you look on page 5 of their proposal, the amendment that was offered here by the chairman of the Senate Budget Committee, the public debt, which is currently listed at $5.6 trillion, rises under that proposal to $6.7 trillion. That is under the headline of public debt.

They have talked a lot about reducing the publicly held debt, but here is the chart. Here is what has happened to the gross Federal debt from 1980 where, you can see, it was $909 billion. In 1999 it has gone up to $5.6 trillion. Under their proposal on page 5, they would take this debt up to $6.7 trillion. That is the proposal they have before this body.

Mr. REID. Mr. President, will the Senator yield? I think I have the floor. I would like to develop this colloquy a little bit.

What I heard the Senator say, as I have said on the floor before—I believe there is no one in Congress who knows numbers better than the Senator from North Dakota on the Budget Committee—is if we pass the budget that is

now before this body as it is written, the public debt will go up and not down. Is he saying that?

Mr. CONRAD. I am saying what this document says. This is not my calculation. This is their calculation. This is their document. This is their amendment.

Mr. REID. Will the Senator repeat how much it goes up?

Mr. CONRAD. It goes from $5.6 trillion today—that is where this chart leaves off. And under their proposal the public debt goes up every year until it reaches $6.7 trillion.

Mr. REID. My friend has talked a lot the last month about an idea that I hope is going to be in the form of an amendment to this budget. As I understand what the Senator from North Dakota has been advocating, if, in fact, we have a surplus—and thank goodness we do have a surplus—one-third of that should be applied toward reducing the debt, one-third should be used to give the American people a much deserved tax cut, and one-third should be left so that we can do something about the huge class sizes—reduce class size, build some new schools, fund IDEA, the program for the physically and emotionally disadvantaged children.

Hasn't the Senator talked about the need to have one-third for tax reduction, one-third for deficit reduction, and one-third to make sure we can fund some of the programs that even President Bush says we need? Is the Senator going to do that in the form of an amendment to this package?

Mr. CONRAD. Yes, we will. I think part of the confusion comes from the language that we use. Our friends on the other side of the aisle are talking about reducing the publicly held debt. That is not the full debt of our country. The gross Federal debt is the full debt.

They talk about having the maximum amount of reduction in the publicly held debt. At the very time they are doing that, we are seeing the gross Federal debt of the country continuing to climb.

Their budget does not do anything about this long-term debt expansion.

That is the difference between us. We not only are dedicating more of the projected surplus to paying down the publicly held debt, which is really the short-term debt—that is the debt that is outstanding in the public—but we are also offering for the first time that anybody has had a budget proposal before this Congress to do something about this gross debt, this long-term debt, this debt that is building in Social Security and Medicare. It is a liability out there that is growing geometrically.

This has already happened to the gross debt of the United States. It has skyrocketed and it will continue to grow under the proposal that our friends on the other side of the aisle have made. Their own budget document says they are going to take the gross debt of the United States, which is $5.6 trillion today, and increase it to $6.7 trillion all the while they talk about a massive tax cut. It really makes you wonder if there is not confusion about language here.

Mr. REID. When we talk about saving one-third of the surplus for programs, one of those programs is something that President Bush talked about wanting. And that is now the subject matter of the first amendment before this body; is it not? That is a prescription drug benefit for Medicare.

My first elective job was as a member of a hospital board—at that time the largest hospital in Nevada, Southern Nevada Hospital. It was in 1965 that Medicare came into being. Medicare is a wonderful program. It has been proven to be a great program even since then—imperfect but it is a good program. But in 1965, when Medicare came into being, there was no need for prescription drug benefits because there were not a lot of prescriptions that met the needs of the senior population at that time. It has only been in the last 35 years that prescription drugs have come out that now keep people alive. They can make people more comfortable, and they heal people.

How can we as the only superpower left in the world have a program for senior citizens to take care of their medical problems and we don't have prescription drug benefits? It is my understanding that in the Senator's amendment, one-third is going to be reserved for programs. Part of that money will be used for a prescription drug benefits for seniors. Is that not right? And in the program that the Republicans have offered, there is no money in their prescription drug benefit.

Is that fair?

Mr. CONRAD. As we have said, this program provides half as much for prescription drugs. The budget proposal that they have made provides $153 billion. But everybody acknowledges that is not sufficient and that there is simply not enough money there to provide a meaningful prescription drug benefit.

They are engaged in a little bit of what I would call fiscal sleight of hand.

If you look at our proposal, we take this projected surplus, and we are quick to acknowledge that this is a 10-year projection. It is highly unlikely to ever come true.

We believe the prudent thing to do is to be cautious in light of the basis of all we are doing being a 10-year forecast. We save all of the money for the Social Security trust fund, all of the money for the Medicare trust fund, and with what is left we talk about one-third for a tax cut, one-third for these high-priority domestic needs, including prescription drugs and infrastructure and education.

Anyone who has flown or driven on a highway knows that we need additional funds for infrastructure in America. And education is the highest priority of the American people for additional resources.

We also believe we need to strengthen our national defense and then provide additional resources especially for health care and disasters. Because we know we are going to have a certain number of disasters every year, we believe we ought to provide funding for it.

Finally, the last one-third would be for long-term debt and to strengthen Social Security and provide a strategic reserve in case these forecasts are wrong; then, of course, the interest costs associated with all three of those.

We believe we have a cautious, conservative program—one that dedicates the vast majority of the money for debt reduction.

Here is why: The Social Security trust fund money is not needed for Social Security at the moment. That goes to pay down the publicly held debt. The President uses $2 trillion of that money for the same purpose—to pay down the publicly held debt.

We also reserve all the Medicare trust fund money. That will go for paying down the publicly held debt. We have $2.9 trillion reserved for debt paydown.

In addition to that, we have another $750 billion for our long-term debt. This is where our friends on the other side don't have a nickel for this purpose. They don't have any money to deal with the long-term debt.

In our proposal, of the $36.5 trillion forecasted surplus, we are reserving $3.65 trillion for the paydown of short-term and long-term debt. That is in comparison to the President's plan that only has $2 trillion. We have nearly twice as much to pay down long-term debt and short-term debt.

Mr. REID. Will the Senator yield 5 more minutes?

Mr. CONRAD. If you do not mind, we should ask the Senator from Minnesota who is next on our list.

Mr. REID. If I could just ask one more question.

Mr. CONRAD. I yield an additional minute to the Senator.

Mr. REID. Will the Senator indicate why he put his $2.7 trillion across from non-Social Security and non-Medicare? Why is that in red?

Mr. CONRAD. That is in red because we believe it would be profoundly wrong to use any of the Social Security trust fund money or any of the Medicare trust fund money for other purposes. That has been done in the past. We have just stopped doing it in the last 3 years. We believe we shouldn't go back to the bad old days of raiding the trust funds and using the money for other purposes. We have reserved all of the Social Security money and all of the Medicare trust fund money for the purposes intended.

I thank the Senator from Nevada for his questions. I ask the Senator from Minnesota how much time he would like.

Mr. WELLSTONE. I say to my colleague, I am actually speaking on the amendment. I can do this in under 5 minutes.

Mr. CONRAD. I yield the Senator from Minnesota 5 minutes off the resolution itself.

The PRESIDING OFFICER (Mr. BOND). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, later on I will have a chance to come out here, with my colleague, Senator HARKIN, with an amendment that deals with funding for education and children. That is the heart and soul to me. I guess if there is any one issue that I am more emotionally connected to than any other, it would be anything and everything that deals with children and education.

But I have listened carefully to this debate. I want to say this: We have all the numbers. The Republicans have $153 billion. I think we have $311 billion or thereabouts. I want to get away from the numbers and just simply say this about this debate. For a good period of time that I have been a Senator, we were running deficits. The goal was deficit reduction. Then I had hoped that when the economy began to do better, and we began to see surpluses—I hope we will continue to do so; who knows what will happen over the next few years—but I had this hope that now, with an economy that was doing better, and with some surpluses, that finally—finally—as a Senator from Minnesota, I would be able to do really well for people. It would not just be stopping the worst, it would be doing the better.

I mentioned children and education, but I want to mention elderly people and prescription drug coverage. I can tell you, in the State of Minnesota, 65 percent of the elderly people, senior citizens, have no prescription drug coverage whatsoever. They have no coverage at all. I can also tell you all of the stories about people who cut the pills in half—and you have heard them all—or the stories about people during the cold winter where it is either they are going to be able to afford a prescription drug or have heat because if they get their prescription drug, they can't afford their heating bill and they go cold.

I want to do this a different way. I want to say to my colleagues on the other side of the aisle, I had two parents with Parkinson's disease—two parents. That is rare. Both of them took the drug selegiline. It is not an inexpensive proposition. When I think about my own parents, and my mother Mencha Daneshevsky, who was a cafeteria worker, she didn't make much money. My parents did not make much money. I think they made something over $20,000 a year. I don't know what their income was; they didn't really tell me. But believe me, it was a moderate income.

What we have out here is a choice. Either you are in favor of Robin-Hood-in-reverse tax cuts, with maybe 40-plus percent of the benefits going to the top 1 percent, or you are in favor of making an investment above and beyond reducing the debt and protecting Social Security and Medicare that everybody is talking about on our side of the aisle—and I say good—and you are also for making some investments in people, you are for making sure that senior citizens—our parents and our grandparents, who built this country on their backs—are able to afford prescription drugs.

The benefit offered by the other side would not have helped my parents much, and it does not help most of the people in Minnesota who are senior citizens. I do not know why we can't do this.

Any day of the year, I am comfortable saying to people in Minnesota I did not go for the $2.5 trillion in tax cuts. I wanted to go for some tax cuts. I wanted to go for tax cuts that would be a stimulus. I wanted to go for tax cuts that would in the main help working families, but I did not go for the $2.5 trillion. Too much of it was Robin Hood in reverse.

Most important of all, I did not go for it because I felt if we had a surplus, we could live up to our commitment to making sure that we could afford prescription drugs. I don't know why we can't do that. I don't know why we can't get real. And I don't know why we can't spend the amount of money that we need to spend to make sure that people in our States—elderly people, senior citizens—can afford prescription drugs. I just don't understand that.

So we will have a vote. I think the vote is on a basic value question. It is a matter of priorities. I want to come out on the floor and indicate my strong support for this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I thank the Senator from Minnesota. I appreciate his contribution to the debate.

Let me just say to colleagues, very soon we will be going off this amendment. The other side has announced their intention to provide an amendment in the second degree to our amendment. I wish they would not do that. I wish they would permit a straight consideration of our amendment by the body. But they have announced their intention to amend our proposal in the second degree, and then we will have a debate on the amendment that they offer. That is being drafted.

So if there are colleagues who are listening, if they would like to come to the floor to give their opening remarks on the budget resolution, this would be a good time to do that. We have called a number of offices for those who are in line in terms of the informal queue we have here to speak on the resolution. But if you would notify your Members, those who are in the queue, to come, this would be a good time to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, please.

The PRESIDING OFFICER. Please state the parliamentary inquiry.

Mr. DOMENICI. What is the status in terms of time on the amendment from the other side, the Democrat amendment?

The PRESIDING OFFICER. There is 30 minutes remaining on the Baucus amendment for the Senator from New Mexico and 7 minutes for the Senator from Montana.

Mr. DOMENICI. OK. Mr. President, I yield myself 10 minutes. I say to my good friend, the ranking member, and Senator REID, we clearly do not intend to take a long time before we are ready to vote on this amendment except we will offer a second-degree amendment. It is just being written up. And it is moving a lot of numbers around, which is not easy, as you all know. But that is being done as expeditiously as possible.

Let me suggest that in the basic budget that we bring to the floor, we have a number in it that is proposed to be used for prescription drugs, along with reform of Medicare; that number is $156 billion.

I understand what the Democrats would like to do now, and everyone should just understand it is probably the beginning of a few more like this. They would take $156 billion of what our President proposes that we consider the tax cut for the average American—and the marriage tax penalty, and a solid death reform measure, and, indeed, making sure that the American families with children get a doubling up of their child credit—that all of that might fit in this $1.6 trillion, but we do not know what parts of it. But we are saying, let's give it a chance.

This amendment says, let's take $156 billion of that, and let's take it out of the tax relief measure and put it into a fund for Medicare prescription drugs or into the Medicare Part A trust fund. We do not think that is necessary. We do not think you have to take anything out of the tax cut that is planned in order to make sure we have sufficient revenues, sufficient resources to take care of prescription drugs. We can do that.

As a matter of fact, we will propose an amendment that will be a second-degree amendment to that one. We will propose one that will, indeed, take care of and make sure that our senior citizens know that there is going to be ample money for them and their prescription drug program. In fact, it could be perhaps as big as the one being recommended. It is just that none of us knows. None of us knows precisely what that program is going to cost because it involves reforming Medicare, and a prescription drug program. If you listen to the voices, they are all over myriad programs in terms of what prescription drugs might look like.

So essentially, in due course, we will say, here is our proposal. And just so everyone understands, we will not use any of the President's tax relief program that is for average Americans, for

married couples, for those others who might be considered as part of the tax relief effort.

Again I remind everyone that Senators can come to the floor from either side and tell us what, indeed, this tax plan is going to look like because they choose to pick a part of the President's proposal—understand it is a proposal—or they choose a part of what somebody else is going to propose that is going to be part of this tax plan and talk as if we are doing that in this budget resolution.

I am sure that before we are finished, a few people listening who did not want to learn about budget resolutions will learn a little bit because we have to talk a little bit of budget language but not very much.

Essentially, no one knows what the tax bill is going to look like. In fact, I am sure the Presiding Officer in his home state of Missouri has talked to his people as to what he thinks it is going to look like. I am quite sure he did not say that it is exactly, in every respect, what the President has proposed because we do not know that.

What we know is that $1.6 trillion out of a $5.6 trillion estimated surplus can be used for tax reduction for the American people. That is what we know—$1.6 trillion, not $1.6 trillion minus a whole bunch of things, such as the $156 billion we would take out of that tax reform proposal. We take it out and make it $156 billion less.

When that Medicare prescription drug plan comes up—and we will talk about our amendment—we will talk about what it ought to be, and it will be related to something very practical on which everybody can count. Then it will say that we do not need to take it out of the tax relief package if, indeed, it costs the maximum amount we are going to allow, which I do not believe it will. We would not be taking that money from the taxpayers. They would be getting their full tax cut. We would take it out of the contingency fund in this budget.

As I understand it, when I started, there were 20 minutes remaining on the amendment—10 minutes on the Democratic side on the amendment.

The PRESIDING OFFICER. Seven.

Mr. DOMENICI. That does not mean if someone wants to talk with the time coming off the budget resolution they cannot.

I want to finish our discussion on the amendment and offer our second-degree amendment and have a vote on it. It would be a very good thing for us to explain to the American people how we are going to take care of Medicare without reducing the tax cut Americans can look forward to in various forms. The committee that writes tax laws will write that particular bill.

If my friend is willing to move ahead so we can offer the amendment, I am willing to yield back——

The PRESIDING OFFICER. The Chair advises the Senator from New Mexico, there are 7 minutes under the control of the Senator from Montana and 23 minutes under the control of the Senator from New Mexico.

Mr. DOMENICI. I reserve the remainder of my time. I am finished for now, if the Senator from Oklahoma wants to speak.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I hope our Republican friends are not going to propose that we have a magic asterisk for a prescription drug benefit. I hope they are not going to come in with a second-degree amendment that says: We are just going to have this money come out of thin air somewhere, and we are going to provide an unspecified amount of money for a prescription drug benefit and not identify precisely from where that money is coming.

On our side, we have reserved the Social Security and Medicare trust funds in total for the purposes intended. We have not permitted a raid on those funds for any other purpose.

With what is left, we provided a third for a tax cut, a third for these high-priority domestic needs, including a prescription drug benefit fully funded, fully identified, and the final third to deal with long-term debt, strengthening Social Security so that when the baby boomers retire, that promise can be kept.

What I am hearing is that the Republicans may propose to open up the Medicare trust fund to provide a Medicare prescription drug benefit. That, to me, would be classic double counting. That trust fund for Medicare is needed to keep the promises that have already been made. If they are now going to make a new set of promises and fund it out of that same trust fund, that is the kind of double counting that will get this country into financial trouble. That is exactly what happened in the 1980s that plunged this country into dramatic deficits and a vastly expanded debt.

Let's put up the chart about what happened back in the eighties. I hope we do not forget the lesson we learned then. Let's go back to 1980 when we had the proposal for massive tax cuts combined with a big buildup in national defense. We can see what it did to the debt and deficits of the United States. The debt skyrocketed in the decade of the eighties.

If now we are going to hear this same old siren song—massive tax cut—and then we are going to also have big new spending priorities that are supposed to come out of trust funds that are already committed, that is exactly the kind of fiscal folly that did such damage back then. The difference is we had time to recover in the 1980s. There is no time to recover in this decade because, at the end of this decade, the baby boomers start to retire, and then we will see the full results of fiscal missteps, of fiscal mistakes. If we have oversubscribed this projected surplus, we will pay a terrible price as a nation.

I hope very much we do not go back to the bad old days of debt, deficits, and decline. That is not the way to proceed. Instead, we ought to be cautious; we ought to be prudent; we ought to reserve the trust funds for the purposes intended and not use them for any other purposes.

Mr. President, if I can inquire as to the time remaining on the budget resolution.

The PRESIDING OFFICER. The Republican side has 21 hours 53 minutes; the Democratic side has 20 hours 5 minutes.

Mr. CONRAD. I thank the Chair.

Mr. DOMENICI. How much was there on the Republican side?

The PRESIDING OFFICER. Twenty-one hours 53 minutes.

Mr. DOMENICI. Plenty of time. I suggest the absence of a quorum and ask it be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. NICKLES. Mr. President, I ask unanimous consent the time I speak be charged to the Senate resolution.

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

Mr. NICKLES. Mr. President, I wish to make a couple of comments in regard to Medicare, Medicaid, and prescription drugs, and to speak in opposition to the amendment pending before the Senate now, offered by my friend and colleague from Montana, Senator BAUCUS. This amendment purports to say we will do something positive on prescription drugs. It actually takes drugs away from low-income people next year, in the year 2002 and the year 2003.

The underlying budget that Senator DOMENICI proposed in the President's budget put in significant dollars, $11.2 billion in 2002, $12.9 billion in 2003, and $14.8 billion in 2004, for low-income people, to get immediate assistance to help them buy expensive drugs. It employs medicaid to help those who can't help themselves; let's get that money to them, through the States, and make it effective now.

Unfortunately, the amendment before the Senate strikes that language. It eliminates the $40-some-odd billion of the President's Helping Hand Program and increases Medicare, raising taxes and spending, without Medicare reform.

I happen to be on the Finance Committee. I am in favor of Medicare reform. I want to improve Medicare and to provide prescription drug benefits. I think we can do that. To say we don't want to do anything for low-income people in the first 3 or 4 years, and to create a new entitlement for Medicare without reforming and saving Medicare

simultaneously, in my opinion, is a serious mistake.

This amendment, while very well intended, would do damage to the system. It would not get prescription drugs to the people who desperately need help, and need help now.

Everyone in this body knows that Medicare is a ticking time bomb. We need to save it. We need to expand benefits—including prescription drugs—but it cannot all be done simultaneously. We can do it the right way, this Congress and in a bipartisan fashion.

Elimination of the Helping Hand Program, where we give assistance to those who need it the most, would be devastating. I urge my colleagues to work together, see if we can't do both, see if we can't get assistance to the States to help those who really need it, immediately, so we can have some assistance in the year 2002.

For an example, under the President's proposal there is $11.2 billion in the year 2002 for drug assistance for low-income people; under the Baucus amendment, there is only a $100 million expenditure for prescription drugs.

Certainly the Domenici proposal, the President's proposal, does a lot more in the year 2002.

I compliment my colleague from New Mexico. I urge our colleagues not to support the underlying Baucus amendment and see if we cannot come up with something to provide a prescription drug benefit in Medicare, as well as reforming Medicare. I disagree with those who say we shouldn't use Medicare trust funds to do that, to help pay for prescription drugs.

Medicare is financed by a payroll tax, on all wages, at 1.45 percent. That is matched by the employer, with another 1.45 percent. If my math is correct, that is 2.9 percent on all payroll. There was an enormous tax increase for Medicare that was enacted as a result of President Clinton's tax increase in 1993. This was when they increased the base for Medicare taxation away from the Social Security base, which right now I believe is $80,000. The Democrats put a tax on all wages, even if wages equal $1 million or $2 million or $10 million. A tax of 2.9 percent on all wages to help pay for Medicare.

The reason there is a surplus in Medicare funds is because of an enormous tax increase. Basically, it is a payroll tax. It is not a Medicare tax as we know it. It is a payroll tax increase passed by the Clinton administration in 1993.

This is a new tax for anybody who makes over the Social Security base amount, which used to be 70-somethousand dollars and is now climbing up. Why not let those people help pay for Medicare prescription drugs? I heard the argument, we can't use Medicare tax to pay for Medicare benefit. I disagree with that. I don't think that makes sense.

I urge my colleagues to use common sense, to use Medicare funds to pay for Medicare benefits. That includes prescription drugs. Do it in context with overall Medicare reform. Increasing benefits, without fixing the system, when we know demographically we have some challenges ahead—is only doing a small part of the job. Unless we take every step necessary to reform and provide benefits we are making a mistake.

Mr. CONRAD. Will the Senator yield?

Mr. NICKLES. I am happy to yield.

Mr. CONRAD. What happens, if you take a prescription drug benefit out of the Medicare trust fund, to the solvency of the Medicare trust fund?

Mr. NICKLES. Mr. President, I think my colleague raises an interesting point. What my colleagues have tried to do on the Democrat side is to institute a new Medicare benefit without financing it by Medicare. In other words, use general revenues to finance anything.

I think if it is Medicare, it ought to be financed under the Medicare system. Maybe that is old fashioned. But if we are going to give it the Medicare designation, that is what it should be. A lot of people want to move a lot of different funds and have general revenues subsidize Medicare, but Medicare taxation is growing, and growing substantially.

Let me give a couple of examples. Maximum taxation right now for a person who makes $76,000, paying Social Security and paying Medicare: Social Security tax equals $9,000; Medicare tax equals over $2,000. I remind my colleagues they have to pay for those taxes with aftertax dollars. They already have to pay income tax on those dollars to pay Social Security and Medicare tax. I am not sure everybody is aware of that. I think it is grossly unfair. Maybe one of these days we will be able to fix that. Right now, we haven't fixed it.

So people can understand this dilemma, a person who makes $80,000 has to pay $9,000 Social Security tax, $2,000 in Medicare tax, and they have to do it with aftertax dollars. So to pay that $11,000, in reality they have to make about $14,000 or $15,000. That is the present system.

Now our colleagues are saying: That is not enough; we want to have a whole lot of general taxation—in other words money coming out of your income tax to also pump into the system because we are increasing benefits faster than you can pay for them. That is the argument that is being made on the other side. I disagree with that.

I think to just say let's increase new benefits and to have it outside of any Medicare reform is grossly irresponsible. I tell my friend and colleague, I do not think that makes sense.

I have a couple of other comments on the exploding cost of Medicare. You can almost take whatever estimate is out there and multiply it by two or three and it is still not going to be enough. Many people are proposing prescription drug benefit. If you have a prescription drug benefit that some people are advocating and you do not have proper cost controls and so on, this cost can explode.

Last year in the budget resolution we had a couple of Medicare provisions. We said, let's have $20 billion we can put in immediately and another $20 billion contingent on Medicare reform, for a total of $40 billion over 5 years.

Then, if I remember, the Senator from Virginia, Mr. Robb, came up with an amendment on the floor that said that is not enough. Let's come up with another proposal, let's do it to the tune, if I remember, of $248 billion. That was his proposal. We voted on that proposal. We defeated that proposal. That proposal had enormous cost impacts and an enormous cost share of up to $80 copays, a huge expense. Yet it still was not enough for the Democrats.

Now we have a proposal that is not 100 and not 40 over 5, not 138—that is the President's proposal—over 10. Somehow that is still not enough, even though it is a lot more than we passed last year. The Democrats want to double the President's figure.

They have not calculated a program and they do not have an estimate of what the copays are going to be. They don't have anything. They say whatever you have, we are going to double it and you cannot use Medicare funds to pay for it. That simply does not make sense.

If somebody makes $1 million, 2.9 percent of that is $29,000. There are a fair number of people who make that amount. There is a lot going into Medicare, and we are not going to let them use some of that money for prescription drugs? That is the argument being made on the other side. It just does not make sense.

I urge my colleagues to go about dealing with prescription drug benefits in a fiscally responsible way, not just to try to score points. It is not responsible to double the figure just because there is political capital in doing so. Let's work together to come up with something that is financially responsible, that is solvent, that will not be putting our kids at a disadvantage.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I was very interested to hear the lack of response to the question that the Senator from North Dakota posed to the Senator from Oklahoma. The Senator from Oklahoma answered every question except the one that was posed to him. The simple question that was asked was what happens to the solvency of the Medicare trust fund if you use money out of that trust fund to provide a prescription drug benefit?

The correct answer to that question is, you reduce the solvency of the Medicare trust fund. You make the trust fund go broke even sooner. That is what this chart shows.

If you raid the Medicare trust fund to provide a prescription drug benefit, you

make Medicare go broke sooner. That is why we on our side have taken the fiscally responsible course. The fiscally responsible course is to pay for a prescription drug benefit but not to touch one dime of the Social Security trust fund or the Medicare trust fund because that only endangers the solvency of those trust funds.

So we have proposed a fiscally responsible plan, one that protects every penny of the Social Security trust fund, every penny of the Medicare trust fund, and then, with what remains, provides a tax cut with one-third of the money; with one-third of the money provides for the high-priority domestic needs including a specific program for prescription drugs. No, no, this is not just a matter of putting up a number. This is based on policy. This is based on a plan that is a prescription drug plan that is universal. Everybody who is eligible for Medicare can sign up. It is voluntary. If you do not want to belong, you do not have to belong. It provides enough support so people would actually be in the program, so you are not just getting the sickest people in and have a program that will not stand scrutiny over time. Then, with the final third, to fund this long-term debt that is growing because of our Social Security liability.

That is a fiscally responsible plan. We do not rob Peter to pay Paul. We do not raid the Medicare trust fund to provide a new set of benefits when you need the money in that trust fund to keep the promises already made.

The correct answer to the question I posed to the Senator from Oklahoma is, if you take money out of the Medicare trust fund to fund a prescription drug benefit, you hasten the insolvency of the Medicare trust fund. It goes broke sooner. We should not do that. That is a mistake.

I thank the Chair.

The Senator from Montana wants time off the resolution?

Mr. BAUCUS. Five minutes?

Mr. CONRAD. I yield to the Senator from Montana for 5 minutes.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I listened closely to my good friend, the Senator from Oklahoma, and his basic arguments against the pending amendment. As I heard him, he had a basic argument that the pending amendment would not provide benefits fast enough. I take it that he would rather follow the provisions contained in the budget resolution, which he believes will get benefits to seniors more quickly.

I do not know if my good friend knows, whenever we have tried that in the past—that is, block grant programs like CHIP—it takes States a couple of years at least to implement the program. It is never something that comes up and is implemented right away.

Second, a lot of States do not want the provision that is contemplated in the budget resolution. Why don't they want it? Because they cannot afford it. They do not have the matching funds.

Furthermore, some State legislatures like Montana's meet every other year. Consequently, it would take a couple of years for those States to enact the measure that is contemplated by the ideas of the Senator from Oklahoma.

I might also add, for those States that already do have a plan in place, they will just use the Federal money to substitute for the State money. It is a zero sum game. We are not adding anything. The evidence and testimony before our committee are clearly along those lines.

I might also say that if the majority is thinking of getting a prescription drug benefit out of the contingency fund we hear so much about, they should just work out the numbers. I know these are the numbers the Senator from Oklahoma is working off of. They show that in the years 2005 to 2006, the contingency fund for those years will be in deficit by about $5 or $6 billion. That means that if there is any kind of meaningful prescription drug benefit program, it has to come out of the hospital insurance trust fund. There are only two places it can come from.

We need to provide help for our States—particularly rural States—and rural hospitals. It is difficult for them to makes ends meet under Medicare. It is important for all of us to remember that more than half of the income for some rural hospitals is from Medicare receipts. Raiding the hospital trust fund would hurt those rural hospitals, and that's not something we want to do.

I also want to lay to rest a misconception that might exist. The amendment I am offering contemplates Medicare reform. It does not preclude Medicare reform. In fact, the chairman of the committee and I, my staff and the staff of the chairman of the committee, have been talking about different Medicare reform options to go with a prescription drug benefit. It is true that there are all kinds of different Medicare reform provisions. Obviously, the most extreme are not going to be passed this year.

My amendment basically says, OK, there is probably not going to be enough money in the contingency fund.

And if our only other option is the hospital insurance trust fund, we certainly don't want to do that. I suggest taking a very small sliver out of the President's tax cut proposal—about $158 billion—to fund a prescription drug benefit for our seniors. That $158 billion would supplement the $153 billion that is already contained in the budget resolution, providing $311 billion total for a prescription drug benefit that is going to work and that is paid for.

I believe that when you do something, you should do it now, and do it right the first time. ''Right the first time'' for me is enough to come out to get the program started.

The PRESIDING OFFICER. The Senator's 5 minutes has expired.

Mr. CONRAD. Mr. President, how much time will the Senator from North Carolina need? I will provide 10 minutes off the budget resolution.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 10 minutes.

Mr. EDWARDS. Thank you, Mr. President.

We are at a unique time in our country's history. We have an opportunity to do things that we haven't had the chance to do before. But in order to take advantage of this unique moment in our country's history, we must make the right decisions and make the right choices. I think we have to begin by being straight with the American people.

First, we need to be honest about the fact that none of us know what is going to happen 5, 6, or 7 years from now. For us to suggest otherwise is nonsense. The American people do not know what is going to happen, and we don't know what is going to happen. Any reputable economist in the country will say that there is no way to predict what is going to be happening 5 or 6 years from now in our economy.

Second, in being straight with the American people, we need to stop suggesting that we can have it all. There is a suggestion being made by some people in Washington that, in fact, we can have it all. We can have a huge tax cut. We can do everything we need to do for our public school system. We can give you prescription drugs. We can do everything we need to do to help our military men and women. We can have everything. Well, that is not the truth. That is not being straight with the American people. And I think the American people know this.

There are two basic principles around which I hope this debate will revolve. First, we don't know what is going to occur 5 or 6 years from now; second, no American family can have everything and we as a nation can't have everything.

First, on the issue of what is going to happen 5 or 6 years from now, what we know from experience is that when budget surplus projections were made—actually, they were talking about the deficit at the time in the Reagan administration—the projections were off by hundreds of billions of dollars. When George Herbert Walker Bush was President of the United States, exactly the same thing occurred. The projections were off by hundreds of billions of dollars. The same occurred in the Clinton administration. Common sense would tell us that the current projections are just as speculative. The Secretary of the Treasury and Chairman Greenspan have all suggested exactly the same thing.

So what we know with certainty is that we cannot predict where we will be 5 or 6 years from today.

The President's tax cut is loaded to the last 5 years of their 10-year period. The bulk of the costs and the bulk of the benefits fall in that last 5 years. It

is also during that last 5 years that most of the projected surplus falls.

We have two things occurring simultaneously. The bulk of the costs of the tax cut and the benefits occur at exactly the same time that the bulk of the surplus projection occurs, and also at the same time that those surplus projections are riskiest, when they are least reliable.

Does it make common sense for us to have a huge tax cut, the bulk of which coincides with the time when the surplus projections are at greatest risk for being wrong? We know these projections are going to be wrong. That is the one thing we don't have any doubt about. We just do not know how wrong. And we need to be straight with the American people about that.

So knowing these projections are going to be wrong, what is the sensible thing to do? The sensible thing to do is to have a more moderate tax cut that protects Social Security, that protects Medicare, and make sure the tax cut is fair to all the American people.

If 5 or 6 years from now—and we can't predict right now what is going to occur—the surpluses actually exist, and we have enacted a moderate tax cut, we have done everything we can to pay down the debt, and if we have protected Social Security and Medicare, we can do something else. We can do another tax cut.

In the alternative, or even in addition, we can also do something about what we know is coming in the next decade—the retirement of the baby boomers. No one is talking about that, but this is going to put a tremendous strain on the Social Security system. But we know it is coming.

One suggestion which has been made by the Concord Coalition is that we have mandatory IRAs; that we use some part of the surplus at that point to provide mandatory IRAs to the people around the country, which helps deal with the demographic shift that we know is coming in the next decade. This is something we can talk more about, but we need to start focusing on this before it is too late.

What I am suggesting is the common sense thing to do, knowing the unreliability of the surplus projections, knowing that we need to pay down our debt, knowing that we need to protect Social Security and Medicare, is to have a more moderate tax cut now and to pay down the debt to the extent we are able to pay it down.

No one in this body wants to saddle our kids with these huge interest payments that are being made now on our national debt. And we don't want to pass the debt itself on to our kids either. The best thing we can do for them is make sure we pay down this debt.

In addition to that, we don't want to make our kids take care of us because Social Security is insolvent. They shouldn't have to take care of us because we failed to protect Social Security.

We have an extraordinary opportunity to address these problems right now. The key is that we not squander it.

Second, I want to emphasize that we must be straight with the American people and not suggest to them that they can have everything. It is just not the truth.

We can have a tax cut, and we should have a tax cut. But we can't have a tax cut of the size the President is proposing and do all the other things that are being talked about—education, for example.

Having been to schools all over my State in North Carolina, I know how desperately we need to make a real effort to improve our education system in this country.

We have actually done some great things in North Carolina. Some of what the President is proposing is patterned after North Carolina—tough accountability, measurement, identification of the schools that are not performing, that are low performing, and making an intense effort to turn those schools around.

This is what we did in North Carolina when we went through that process and identified the schools that were low performing, in addition to having tough accountability, we sent real experts in to turn the schools around. In those schools that are in poor school districts that did not have the resources, we helped them; we gave them the resources they needed to turn the schools around.

We know that needs to be done. Unfortunately, under this budget resolution, that is probably impossible. We cannot expect to have effective education reform if we don't commit ourselves to do what is needed. We have to have a balanced, thoughtful approach to this issue.

Secondly, I want to mention our military men and women. We have military bases that are very important to us in North Carolina. I have been there. I have talked to our military men and women. These are people who are devoting their lives to protect us, to defend us. They have, in many cases, inadequate housing. Some of them are having to live on food stamps. This is an embarrassment to us as a nation.

We have to do something for our military men and women. The problem is, we can't do everything. We can't have a huge tax cut and still do what needs to be done in these other areas. But what we can do is have a more moderate tax cut that doesn't jeopardize our commitment to important national interests and that doesn't jeopardize Social Security and Medicare. And most importantly, we can pay down the debt, not saddle our kids with it.

What we ought to do is not spend money we do not have, to not spend money if we have no idea whether it will ever come into existence. Why is that not the responsible thing to do?

The PRESIDING OFFICER. The 10 minutes allotted to the Senator has expired.

Mr. EDWARDS. Mr. President, I ask unanimous consent for an additional 5 minutes off the resolution.

The PRESIDING OFFICER. Does the Senator from North Dakota yield an additional 5 minutes?

Mr. CONRAD. I am glad to give 5 minutes off the resolution.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 additional minutes.

Mr. EDWARDS. I thank the Chair.

Mr. President, the key to this—in this debate, and in our discussion, our dialog with the American people—is that we tell them the truth. We do not know what is going to happen 5 or 6 years from now. In addition to that, we have to be responsible when we decide what to do about this budget resolution. They can't have everything. They know it. American families can't have everything they want, and they know as a nation that we can't have everything we want.

We also have to make absolutely sure that this tax cut we enact is fair; that it is fair to everybody; that the benefits are not directed at a particular part of our society. We need to make sure that everybody gets a benefit—including those people who work but only pay payroll taxes and don't pay income taxes; those people need to be included in any tax cut.

We need to make sure it is balanced so that middle-income people all across this country get a substantial benefit, so that working families get a substantial benefit.

So the principles we should be guided by are: No. 1, having a moderate, fiscally responsible tax cut; No. 2, making sure Social Security and Medicare are protected; and, No. 3, making sure this tax cut is fair—fair to all Americans, not unfairly benefitting one part of our society.

In conclusion, we are at a remarkable moment in our country's history. We have a chance to have a real impact not only over the course of the next decade but over the course of the next century. But we can only do it if we make the right decisions, if we are careful and deliberate and thoughtful, and if we are straight with the American people. We can have a balanced, moderate tax cut, giving real tax relief to the American people. We can pay down our debt, which is the responsible thing to do. We can preserve and shore up Medicare and Social Security. And we can have a tax cut plan that is fair to all Americans. But in order to do that, we have to begin by telling the American people the truth. And the truth is, we don't know what is going to happen 5 or 6 years from now, and they can't have everything.

We as a nation have important decisions to make. We have important choices to make. Those choices are going to have consequences for our country, and for our children.

Mr. President, I yield the floor.

Mr. NELSON of Florida. Mr. President, will the Senator from North Carolina yield for a question?

The PRESIDING OFFICER. The Senator from North Dakota controls the time.

Mr. CONRAD. I am happy to yield time off the resolution to the Senator from Florida for the purposes of a question or for any other purpose.

Mr. NELSON of Florida. The Senator from North Carolina has made such a compelling argument. I just want to question him about his people in North Carolina and their feelings about paying down the national debt. Would he further expound on that?

Mr. EDWARDS. I have town hall meetings all the time with people in North Carolina, I say to Senator Nelson. Over and over people tell me exactly the same thing, which is, they know that we need to pay off the national debt. They know it is really important to them that their kids not be saddled with this debt and the interest payments on the debt. They know that what has happened over the course of the last 8 or 9 years is we have taken a course of real responsibility. It is one of the reasons we have had such extraordinary economic growth, such extraordinary productivity. They know that in their gut. They do not need an economist to tell them. They know it. They know when they owe money they pay it back. That is what they expect our government to do. They do not want their kids saddled with this debt. So they think it is critically important. I agree with that.

Mr. NELSON of Florida. I suspect the people in North Carolina know, as do the people in Florida, that if there is an available surplus out there over the next 10 years, we ought to use it wisely, be fiscally disciplined; and one of the first priorities should be that we pay down the national debt—that we leave some, after we enact a tax cut, in order to be able to pay down the national debt.

Mr. EDWARDS. I say to the Senator, I think that is the only responsible thing to do under the circumstances. That is what I hear from folks in North Carolina. The truth of the matter is, they do not need some fancy projection or some economist to come tell them. It is just common sense. It is the sensible thing to do. And they know it is the sensible thing to do.

Mr. NELSON of Florida. I thank the Senator for yielding.

Mr. EDWARDS. I thank the Senator for the question.

Mr. NELSON of Florida. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, when Senator DOMENICI wants the floor to do something, I will yield. But I want to yield myself such time as I might consume off the resolution to speak about the issue that has been discussed on the other side of the aisle.

I do not question the sincerity of the people who have been speaking to the point that we need to know what is down the road before we give tax cuts. The only thing that is strange about that argument is, they use that argument now, at a time when we have an opportunity to let the people keep some of their own money, at a time when we can have tax relief for every taxpayer who pays income tax.

This somehow is a little bit unjust, to bring up the argument that maybe we can't quite see what the future holds down the road, so we shouldn't give a tax cut. For decades, I have served in Congress, listening to issues of spending—whether or not we should spend more money. I never heard these arguments back in the days of deficits. No one ever said that we could not see down the road far enough, so we should spend a little bit less.

It seems to me that it's very inconsistent to use this argument. I am not questioning the legitimacy of it; I am questioning the fact that it is used when we are talking about tax relief for working men and women, while at the same time, they don't use it when talking about whether we ought to spend more money. Spending more money, without consideration of what is down the road, got us into 28 years of unbalanced budgets and driving up the big budget deficit that we had. So we ought to be as concerned about it on one side of the ledger as we are on the other. I think it is very important—when we are talking about tax relief and the priorities in the budget—that we always keep in mind that the American people are suffering from the highest level of taxation, as a percentage of the gross domestic product, since World War II.

Right now, the rate of tax is 20.6 percent of GDP.

What does 20.6 percent of GDP mean? Compare it to a 40-year average of around 19 percent. Does 19 percent going up to 26.6 percent mean much? Yes, it means a lot, because that money is run through the Federal Treasury. This means political decisions are made on how it is going to be spent. This process does not create new wealth. If it is in the pockets of the taxpayers, whether it is spent or invested, it is going to create new wealth. Money in the taxpayers' pockets turns over many more times in the economy than if government spends it. Wealth is created only in the private sector. Government does not create wealth, it expends wealth.

This situation is as if you had a 7-percent mortgage and you received more income than originally intended. Would you pay down your mortgage at 7 percent or would you invest it in something that was going to pay 9 or 10 percent? If you are a good business person, you are going to invest it in something that pays a higher rate of return.

Returning this money to the taxpayers is going to give us a higher rate of return. It will keep us in line with the 19 percent of the gross domestic product which has been paid to the Federal Treasury as taxes from the American people. Hopefully, it will keep us at a level of expenditures around the same amount or a little bit less than we have spent in the past. This way, we will not build up artificially high levels of expenditures. If taxes grow to 21 percent, we could have a downturn in the economy. Our spending never goes down. We would keep our spending at the high level and then return to the days of deficit spending.

From a standpoint of consistent policy, the level of taxation ought to be the policy which we have had for a long period of time. Taxpayers consider our historical level a legitimate level of taxation, and no economic harm has come from it because the last 20 years have been the best economic years this country has ever had.

From the early days of Reagan through President George W. Bush, these are the best 20 economic years this country has ever had. It is because we have had a fairly consistent policy of taxation that has rewarded productivity and not overtaxed people. Taxes that come to Washington are inefficiently expended.

Also, if we do not do something about that 20.6 percent, at the end of this decade it is going to go up to 22.7 percent. It will continue to grow. The reason it will continue to grow is that we have real bracket creep which increases taxation. You go from one bracket to a higher bracket. We have indexation of taxes, but that is to offset inflation. We have real bracket creep when money is earned at higher levels by individuals, that is how we get this high level of taxation.

Look at the individual income tax. The income tax 4 or 5 years ago was coming in at about 7.2 percent of gross domestic product. I am talking just about the individual income tax. Of all the taxes that come into the Federal Treasury, individual income taxes were a little over 7 percent of GDP. They are now over 10 percent of GDP. This is a very dramatic increase in the money coming into the Federal Treasury from income taxes. From that standpoint, it seems to me this is another reason the people deserve income tax relief.

The individual income tax burden has doubled since President Clinton's tax increase in 1993. That was the biggest tax increase in the history of the country. Reducing the biggest tax increase in the history of our country is where the Bush plan focuses its relief.

For the nervous nellies of the Senate who are concerned about whether we can see down the road far enough when it comes to tax decreases but are not so concerned about seeing down the road of the future when it comes to expenditures, they ought to have some confidence in Alan Greenspan. Mr Greenspan says that over the long term, if the Federal Government continues to collect tax revenue at this record rate, the Federal Government will either spend the money or become a significant holder of private assets.

The Federal Government becomes a significant holder of private assets when it has paid down every penny of the national debt that has come due and it cannot pay down any more without paying tremendous premiums for calling in the bonds. There are some savings bonds we would not want to call in, whether it is young kids saving money through savings bonds or older people who have their money in savings bonds. They think it is very safe.

There may be some of those instruments that we will want to allow people to have for their own well-being. We can pay down every cent on the national debt that can be paid down. But when we get too much money coming in, it burns a hole in our pocket, it will be spent. We do not want that to happen. Suppose it does not burn a hole in our pocket and we do not spend it. What are we going to do with it? We are not going to put it in a mattress at the Treasury Department. We are going to go into the market and buy things that will produce a return on that money. We do not want the Federal Government upsetting the financial markets by buying things on Wall Street or even certificates of deposit. When the Federal Government goes into the market, it goes in a big way that distorts the market. We should not have the Government doing that.

Everybody seems to be hung up on this $1.6 trillion tax cut. The $1.6 trillion tax cut is my personal preference, not that there is anything magic about it, but it is something we have talked about in an election. A person who is elected ought to perform in office commensurate with the rhetoric of that campaign. Consequently, if anybody is surprised about President Bush suggesting $1.6 trillion as tax relief for working men and women, the only shock they should have is that there is now somebody in office who ran on a platform and is presenting the program on which he ran.

That is unusual in politics at all levels in America. This President is determined to help reduce the cynicism towards Government, so most of the ideas he has suggested to Congress in his first 100 days in office are those ideas on which he ran for office, and he wants to perform in office according to that.

I am fortunate as chairman of the Senate Finance Committee to be able to work with the President who has goals I have been trying to accomplish before he ever decided to run for President. I am glad to be able to work through some pieces of legislation that are on his program, which is legislation I have wanted to accomplish.

It is quite easy for me to work for this program, and work for the tax relief for working men and women. Some of these parts of the tax package are parts on which I voted to support. Pieces of program have passed the Senate and House and were vetoed by the previous President. We now have a chance to get these through the Congress, have them signed by the President, and give working men and women tax relief. I hope we move forward on these tax issues.

Most importantly, for people on the other side who are nervous about a tax cut based on 10-year projections, remember, these are nonpolitical people making these projections. They don't have a 1,000-percent batting average. I have noticed them getting much better in the years I have been in the Senate. They seek outside advice and outside predictors of the economic future may be, and compare that information to their own results. They take a fairly intermediate course, not one that projects the most rosy scenarios for the future or the least rosy scenarios for the future, but intermediate scenarios. That is a fairly responsible approach.

For those concerned about taxes, I hope those Members are as consistent and concerned when it comes to expenditures as well. I hope you are just as cautious in making expenditures, not knowing what the future holds, as you want everybody else to be when it comes to tax reductions.

I wonder whether or not the people who are concerned about whether we can look 10 years into the future to make budget policy have any concerns about the fact that Jack Kennedy had a tax cut in 1963, bigger than the tax cut we are talking about, and it only looked ahead 1 year. When the second biggest tax cut of this half century was in 1981 under President Reagan, I don't know that there was any concern that we only looked ahead 5 years at that time. We are trying to look further ahead because it is a wiser way to make public policy.

On the other hand, I wonder how the very same people, raising the very same concerns about not being able to look down the road far enough to make a decision, ever got nerve enough to take out a 30-year mortgage. Surely they had to go to their banker. They had to ask the banker, can I get a 30-year mortgage? They had to show the banker they had the ability to repay that loan over the next 30 years. They had to think for the next 30 years, what is my income going to be? Will I ever be fired? They got a loan, I bet, based upon having some sort of confidence in the future.

That is how we go about making a decision on handling the $28 trillion that is coming into the Federal Treasury over the next 10 years. We decided that a lot of it will be spent and we had to accommodate for inflation during that period of time. We built in 4-percent increases just for inflation and some growth each of the next 10 years. That is all figured into the $28 trillion that is coming in before we figured that we had a $5.6 trillion surplus. Out of the $5.6 trillion surplus, we take all of that money that is in trust funds and put it off the table. We take $1.6 trillion off the table for a tax cut, and what we have left for emergencies is $900 billion. This can be used of prescription drug programs for senior citizens, and unanticipated expenditures.

We have been very cautious as we approach the future. We use the same tools at hand that any citizen has in looking into the future as they borrow or make plans on what they will spend down the road. Two trillion dollars is a lot of money. My guess is this growth of the economy has been figured conservatively enough that we will have much more than that over the next 10 years. We just have to wait. I think this is doable.

Some of my Republican friends said this tax cut ought to be a lot more than $1.6 trillion. I think it is important to build confidence. I think intellectually we can show it is doable. We can pay down every cent on the national debt that can be paid down over the next 10 years. We can have prescription drugs, fund our priorities, and still keep money for working men and women to be further rewarded for the fruits of their labor and the fruits of their minds that have given us this great economy and the great economic growth we have had.

Mr. DOMENICI. Will the Senator yield?

Mr. GRASSLEY. I yield the floor.

Mr. DOMENICI. We are ready to ask for a unanimous consent.

I ask unanimous consent Senator GRASSLEY be recognized to offer an amendment on behalf of himself, Senator SNOWE, Senator DOMENICI, Senator COLLINS, Senator FRIST, and others who want to join on our side. That is an amendment in the first degree regarding Medicare and prescription drugs. I ask that the time between now and 5 o'clock be equally divided for debate on both amendments, and following the use or yielding back of that time, the Senate proceed on two consecutive votes, the first on or in relation to the Grassley amendment, which I have just described as to its cosponsorship, to be followed by a vote on or in relation to the Baucus amendment, without any intervening action or debate, and that no second-degree amendments be in order to either amendment.

Mr. REID. Reserving the right to object, would the Senator from New Mexico agree, prior to the second vote, there be 2 minutes equally divided.

Mr. DOMENICI. Two minutes equally divided, of course.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mrs. CARNAHAN. Mr. President, seniors' ability to afford prescription drugs is a very serious problem. Too many seniors have to make a painful choice between paying for medicine or paying for rent and food. I have heard from many Missouri constituents on this issue. It is time that Congress enacts a comprehensive prescription drug benefit for all seniors. This is why I am cosponsoring and supporting the amendment to the Senate budget resolution that would create a voluntary

prescription drug benefit for all seniors through the Medicare program.

The Democratic amendment makes an investment in an affordable, accessible, and meaningful prescription drug benefit for all beneficiaries. Instead of making a real investment in a Medicare prescription drug benefit, the Republican budget resolution invests only $153 billion over 10 years in this critical initiative. This investment is nowhere near sufficient to meet the need.

The size of the Republican leadership's tax cut would make it impossible to provide the additional investment needed to meet the demand of this important national priority. The Democratic amendment would reduce the tax cut by $158 billion over 10 years and invest a total of $311 billion over 10 years in a Medicare prescription drug benefit for all beneficiaries.

The Democratic amendment to the budget resolution proposes a prescription drug benefit for all Medicare beneficiaries that does not use funds from the Medicare or Social Security surpluses. The amendment will provide a benefit that is voluntary, gives beneficiaries meaningful protection, is affordable to all beneficiaries and the program, and ensures access to the drugs seniors and people with disabilities need at the pharmacies they trust. In addition, it is consistent with broader Medicare reform.

It is time that Congress act on this important matter.

Mr. REED. Mr. President, I rise today to offer my support for the Baucus-Graham Medicare prescription drug amendment. The amendment sets a total of $311 billion for the creation of a Medicare prescription drug benefit. The need for a prescription drug benefit under Medicare grows each and every year. Unfortunately, the budget resolution currently before us fails to meet our seniors tremendous need in this area.

Advances in medical science have revolutionized the practice of medicine. And the proliferation of pharmaceuticals has radically altered the way acute illness and chronic disease are treated and managed. Further fueling these advancements have been annual increases in the budget of the National Institutes of Health, NIH. This year, the NIH is slated to receive an increase of $2.8 billion, which not coincidentally just happens to be equal to the total increase in the entire Department of Health and Human Services, HHS, budget.

While the allocation of $153 billion for both Medicare reform and the creation of a prescription drug benefit is probably the most blatant example of how our most vulnerable citizens are being shortchanged by the budget resolution, the overall budget for HHS is laden with vital programs that are being decimated so the Administration can fund an ever-growing and misguided tax cut. However, we will not know exactly which programs have been sacrificed until after the budget resolution has already passed.

With regard to pharmaceuticals, I am deeply concerned that we are creating a situation like the classic story of Rapunzel, except in this case, scientists and remarkable new medical treatments are in the ivory tower and the people who would most benefit from these lifesaving advancements are on the other side of the moat with no bridge.

Thanks to the years we held the course of fiscal discipline, we now have a historic opportunity to fund our nation's priorities, prepare for future expenditures and return some of the remaining surplus back to the American taxpayer. Later this week, an alternative budget resolution will be offered which I believe strikes the right balance of fiscal discipline and investing in our priorities. It includes adequate funding for a universal Medicare prescription drug benefit for every senior in America.

We are already painfully aware of the fact that remarkable advances in medical science, particularly in the area of pharmaceuticals, do not come without a cost. Since 1980, prescription drug expenditures have grown at double digit rates and today prescription drugs constitute the largest out-of-pocket cost for seniors. For millions of seniors, many of whom are living on a fixed income and do not have a drug benefit as part of their health insurance coverage, access to these new medicines is simply beyond reach.

Even more alarming, it is estimated that 38 percent of seniors pay $1,000 or more for prescription drugs annually, while 3 in 5 Medicare beneficiaries lack a dependable source of drug coverage. This lack of reliable drug coverage for today's seniors is reminiscent of the lack of hospital coverage for the elderly prior to the creation of Medicare. Back in 1963, an estimated 56 percent of seniors lacked hospital insurance coverage. Today, after all our investments in health care and prevention, 53 percent of seniors still lack a prescription drug benefit. This is unacceptable.

The need for a Medicare prescription drug benefit is a top concern for the elderly and disabled in my home state of Rhode Island. Many seniors continue to be squeezed by declines in retiree health insurance coverage, increasing Medigap premiums and the capitation of annual prescription drug benefits at $500 or $1000 under Medicare managed care plans. Seniors in my state are frustrated and burdened both financially and emotionally by the lack of a reliable prescription drug benefit. As their Senator, I am committed to doing all I can to relieve them of this tremendous burden.

While the need for a prescription drug benefit is clear and the desire on the part of some members of Congress is there, action on Medicare prescription drug legislation has been slow. I sincerely hope that this chamber can have the courage to fulfill the promise we made over 30 years ago to provide for seniors' health care needs. Clearly, in today's world that means the provision of prescription drug coverage. The time is now to make the step from rhetoric to action on a Medicare prescription drug benefit. We should all feel compelled to seize this opportunity to strengthen and enhance Medicare for the new millennium.

Mr. DOMENICI. I believe Senator GRASSLEY has the proposed amendment.

Mr. GRASSLEY. Mr. President, I yield myself such time as I may consume.

AMENDMENT NO. 173 TO AMENDMENT NO. 170

Mr. GRASSLEY. I send an amendment to the desk and ask for its immediate consideration. This is for Senator GRASSLEY, Senator SNOWE, Senator DOMENICI, Senator COLLINS, and Senator Frist.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, and Mr. FRIST, proposes an amendment No. 173 to amendment numbered 170.

Mr. GRASSLEY. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 49 strike lines 15 through line 6 on page 50 and insert the following:

SEC. 203. RESERVE FUND FOR PRESCRIPTIONS DRUGS AND MEDICARE REFORM IN THE SENATE.

If the Committee on Finance of the Senate reports a bill or joint resolution, or a conference report thereon is submitted, which reforms the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs, the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by the bill, joint resolution, or conference report but not to exceed $300,000,000,000 for the period of fiscal years 2002 through 2011. The total adjustment made under this section for any fiscal year may not exceed the Congressional Budget Office's estimate of the President's medicare reform and prescription drug plan (or, if such a plan is not submitted in a timely manner, the Congressional Budget Office's estimate of a comparable plan submitted by the Chairman of the Committee on Finance).

SENATOR GRASSLEY'S TALKING POINTS ON HIS MEDICARE AMENDMENT TO THE BUDGET APRIL 2001

Mr. GRASSLEY. Mr. President, the amendment I am offering with Senators SNOWE, DOMENICI, COLLINS, and FRIST this afternoon represents Senate Republicans following through on our commitments. We joined President Bush in committing to strengthen and improve Medicare to meet the needs of older Americans. And the amendment I am offering demonstrates that we will keep that promise.

This amendment provides the flexibility necessary for the Finance Committee to craft legislation that not

only provides necessary reforms and improves access to prescription drugs, but does so in a responsible fashion—so we're not left with uncontrollable spending.

I hear from constituents all the time about things in Medicare that need to be updated. And while prescription drugs is the most visible improvement, it is surely not the only one.

Medicare is operating on a system that is almost a half-century old. There is little doubt in anyone's mind that this system is not only out-of-date, but that it cannot support the surge of baby boomers that will enter the program over the next decade.

We owe it to our beneficiaries to provide high-quality 21st century medicine, we owe it to our providers to let them deliver the care they were trained to provide instead of spending all of their time on paperwork and regulations, and we owe it to our taxpayers to make sure we're spending every dollar wisely—and not wastefully.

I think we have a real opportunity to get Medicare legislation done this year and the amendment I am offering today allows us an opportunity to do just that.

I look forward to working with the President and my colleagues here in the Senate to craft a Medicare proposal that makes sense for beneficiaries and that is fiscally responsible for our taxpayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, my good friend from Iowa, my chairman, is attempting, in a good-faith way, to figure out how we are going to get a greater prescription drug benefit to our seniors. It is clear our seniors need it. The only question that is facing this body is simple: which of the two alternatives, the one offered by the chairman or the one offered by myself, is more likely to get them the benefit?

The circumstance is a bit awkward, a bit difficult. My chairman and myself are offering competing amendments. In a real sense, they are very similar. It is about the same thing. We are both trying to get a prescription drug benefit, and in each case the amount is roughly the same, $300 billion. The amendment of the Senator says up to $300 billion over 10 years. The amendment I am offering says we will add $158 billion to the current $153 billion. That comes out to $311 billion. So we are both talking about $300 billion total in prescription drug benefits for the next 10 years for our senior citizens who, essentially, are currently not covered.

The question really is, Why are we here? We are both talking about $300 billion. What is the big deal? Why don't we just agree and get on with the other amendments?

The point is there is an honest, good-faith difference of opinion as to which of the two is more likely to provide the actual prescription drug benefits. The amendment I have offered very simply states we will take $158 billion out of the $1.6 trillion tax bill and add that to the budget resolution of $153 billion, which means a specific $311 billion for prescription drug benefits which includes reform.

My amendment does not in any way preclude Medicare reform. Certainly, Medicare reform has to be addressed, and I think we should begin to address it this year in the Finance Committee.

The amendment offered by my chairman—he is a great guy, I might add. He is a great Senator and great chairman of the committee. But I think we have a little bit of an honest difference of opinion as to which approach is more likely to get the result. His amendment, if I might read it, is very simple. I will cut out the useless words and just state the pertinent words: If the Committee on Finance of the Senate reports a bill or a joint resolution which reforms the Medicare program and improves the access of beneficiaries, the chairman of the Budget Committee may—underline the word ''may''—revise committee allocations that are appropriate.

It goes on to say the total adjustment made may not exceed the Congressional Budget Office estimate of the President's Medicare reform and prescription drug plan.

Basically, there are several soft phrases and soft words which raise questions as to the degree to which this is going to come to pass. The first soft word is ''if'' the Committee on Finance. It doesn't direct the Committee on Finance to report out a prescription drug bill. It just says ''if.'' Of course, who knows what the Committee on Finance is going to do if it is not mandatory.

Second, it provides even if the Committee on Finance reports out this bill, the committee on budget ''may'' revise committee allocations. Not that it shall revise committee allocations, only that it may.

I think there is probably a pretty good reason why the word is ''may'' and not ''shall.'' That is, to be honest, because we do not have the dollars. The contingency fund—everybody has a claim to it. It most likely will not be there. The only other alternative is to go into the hospital insurance trust fund. We certainly do not want to do that.

The practical result of this amendment, it seems to me, from any fair reading, is that most likely—even though we intend to have the dollars there, intention is not enough—as a practical matter, the dollars are not going to be there so we will not have a meaningful prescription drug benefit.

It also provides the chairman of the Budget Committee ''may'' provide this allocation only ''if'' it does not exceed the estimate of the President's plan in Medicare reform. So it really precludes us in the Senate from adopting any prescription drug plan or Medicare reform plan other than the President's. I think we should have a little leeway on what we are doing.

So the alternative we face is very simple. It is a very simple alternative and Senators will differ about it. Clearly some Senators do not want to touch the tax cut. They think it is what it should be. Other Senators think it is maybe too much. But the choice is very simple. I think this is a fair statement and it is pretty hard for anybody to come up with anything very different than what I am going to say.

The choice is to reduce the President's tax cut—or the Budget Committee tax plan—by about $158 billion over 10 years and add that to the prescription drug benefit called for in the budget resolution for a total of $300 billion, and specify that—which means roughly $311 billion for a prescription drug benefit along with reform—that is option 1—or option 2 is no reduction in the President's tax plan but hope that maybe the Finance Committee will report out a bill, the hope that maybe the chairman of the Budget Committee will come up with the reallocation, and that basically it must conform with the President's number.

I love to think we have the money there under the contingency fund for Medicare prescription drugs that is not out of the hospital insurance trust fund but somewhere else. But this is all so simple. I do not have the list in front of me, but all of the claims on the contingency fund are just innumerable. Alternative minimum tax, it is the tax extenders, it is some business tax cuts, it is pension reform, it is emergency assistance, it is defense.

Does anybody here think in the next 10 years the President of the United States is not going to, under NMD, offer a big significant boost in defense spending, say, next year or the following year? We know it is coming. There is nothing left in this contingency fund. It is just not there.

I do not want to get too technical about this, but even under the budget resolution provided for on the floor, in years 5, 6, and 7, the amount of the contingency trust fund is negative, is $6 billion or $7 billion during that period. That means any plan has to come out of the hospital insurance trust fund.

I made my point. It is a simple alternative. One is definite. It tells the Finance Committee to come up with $300 billion. The other is a big maybe. And the maybe is based on very shifting stands. It is just not solid enough to support the conclusion that the money is going to be there.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, parliamentary inquiry. How much time do we have remaining?

The PRESIDING OFFICER. The Senator has 81 minutes 22 seconds.

Mr. DOMENICI. On the other side?

The PRESIDING OFFICER. They have 13 minutes 43 seconds.

Mr. DOMENICI. I yield myself 2 minutes and then I will ask Senator FRIST

to manage on my side. I have to leave the floor. He and Senator GRASSLEY will finish up the debate.

I say to everybody listening, the plain and simple fact is we propose we not reduce the President's $1.6 trillion tax cut as a means of paying for prescription drug reform because we believe that is exactly what the contingency fund of $500 billion was intended for. We provide a mechanism to make sure that if the President poses a permanent fix to Medicare, or the Finance Committee writes one, in each event they will be funded not to exceed $300 billion.

The Senator says there is a lot of ''ifs'' and ''maybes.'' I want to close by saying: Whatever happens to their amendment, there is no prescription drug bill until the committee writes one, right? So you are saying you are putting the money in and it is all full of ifs and ands and buts and maybes; to wit, you have to write a bill.

Nobody knows when the bill will be written. Why do we put the money in? We are not sure what it is going to be. We have estimates from $346 billion to $500 billion, if necessary.

We think we are doing the judicious thing leaving the tax cut intact and providing for prescription drug reform that is significant that can be up to but not exceeding $300 billion. And we will assign it to the committee on the happening of either of two events: the President submits one which the Congressional Budget Office estimates or the distinguished chairman of the Finance Committee produces one that is costed out. And then we give them the money but not to exceed $300 billion.

That is the summary underneath our proposal. Unless and until we write a bill, there will be no money spent on Medicare prescription drugs because we still have to write the reform measure.

I yield the floor at this point. I yield it to my two friends.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, what a difference a few hours makes. What a dramatic transformation. When we proposed this morning a prescription drug benefit and the funding for it of $311 billion, the other side said: There the Democrats go again. All they want to do is spend money.

But here we are at 4:30 in the afternoon and the Republicans are back. And what do they want to do? They want to spend almost the identical amount of money.

What has occurred here is absolutely fascinating. There has been a transformation. It has been really quite remarkable. All of this morning the Republican line was, Oh, the Democrats just want to spend money. But by 4:30 in the afternoon the Republicans want to spend the same money. The difference is they want to raid the Medicare trust fund, and we want to protect the Medicare trust fund. We want a prescription drug benefit directly and clearly out of surpluses outside of the trust funds.

Let me show you why the proposal of our friends on the other side will put us right into the trust funds. This chart shows the surpluses available under the Republican budget proposal year by year. As you can see, in the year 2005, there is only $7 billion available before they are into the Medicare trust fund. They are here proposing $300 billion of expenditures for a prescription drug benefit. When you divide $300 billion by the 10 years covered, that is about $30 billion a year. If they use $30 billion in the year 2005 for a prescription drug benefit, guess what. They are using Medicare trust fund money to fund a prescription drug benefit. What is wrong with that? That way leads to bankruptcy of the Medicare trust fund at an earlier date. That leads to insolvency of the Medicare trust fund at an earlier date.

That is why our amendment is superior. It is better fiscally. It is better for a prescription drug benefit because we will not permit raiding the Medicare trust fund to fund a prescription drug benefit. We protect every penny of the Social Security trust fund, every penny of the Medicare trust fund, and we fund a prescription drug benefit—the $300 billion they are talking about—out of what is remaining. They are funding the Medicare prescription drug benefit out of the trust fund.

It is just as clear as it can be. This amendment ought to be relabeled the ''Grassley Raid the Medicare Trust Fund Amendment.'' That is what we ought to call it because that is what it does.

I yield the floor.

Does the Senator from Michigan seek time? I yield the Senator from Michigan 5 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I rise to share the concern expressed by my colleagues who have been providing leadership on this budget resolution. I respect the chairman of the Finance Committee, the distinguished Senator from Iowa.

I must rise to indicate that I could not be more concerned about the approach that is being taken on this amendment. I am proud to be a cosponsor of the underlying Baucus amendment that provides a real prescription drug plan for our seniors. No ifs, ands, or buts. It is real. It is there, and it will not come out of the Medicare trust fund.

As to what was said by our distinguished Senator from North Dakota talking about the Medicare trust fund, this budget resolution, unfortunately, is a big shell game. It starts by saying, except for Medicare and Social Security, every penny-plus will go to a tax cut to wealthiest Americans; every penny projected for 10 years of any possible surplus. Then, to pay for funding, it moves Medicare trust funds of $500 billion-plus over into something called the contingency fund.

We have been spending a lot of time trying to shore up Medicare and Social Security and protect it for the future. We know the baby boomers are going to be retiring within the next 11 years. The last thing we need to do is be spending those trust funds.

But because of the way this budget resolution is put together, the entire Medicare trust fund goes from about being protected over to being spent.

This proposal, unfortunately, spends Medicare in order to provide some possible prescription drug coverage. It is an amendment that goes against itself.

We need to be protecting the current Medicare trust fund, modernizing Medicare, and adding dollars so we are strengthening it in terms of prescription drug coverage.

Earlier this afternoon I heard comments on the other side of the aisle talking about how we don't know how we are going to pay for this proposal, that seniors are going to have to wait, and that we can't afford to do this. How long do the seniors of this country have to wait? How long do they have to wait?

I have been in the Congress only 4 years-plus—four in the House and now in this distinguished body in which I am so honored to serve on behalf of the people Michigan. But in the entire time I have been here, we have been talking about updating Medicare to cover prescription drugs. And every day we wait there are thousands or millions of seniors who are sitting down at the kitchen table in the morning saying: Do I eat today or do I get my medicine? Do I pay the utilities today or do I get my medicine?

We don't have that same sense of urgency that I hear from the families in Michigan. We need to have that. Our seniors can't wait.

We don't need smoke and mirrors. We don't need a shell game. We don't need to spend the current Medicare trust fund. We need to be honest and upfront and say that we are willing to take just a small part—less than 7 percent of the tax cut being proposed—to be moved over and provide the seniors of our country help with prescription drug coverage.

The majority of seniors will not benefit from this tax cut. They won't receive the tax cut. The tax cut that we can provide for them, and the money we can put back in their pockets, is by giving them help with their medicine and giving them help with the cost of prescription drugs. That is money back in the pockets of the senior citizens and those with disabilities in our country. I think they deserve something in their pockets as well.

While I support a tax cut that is across the board and geared to middle-class taxpayers, small businesses, and family farmers, I think we can also, if we do this right and we are honest about it and if we put together the right priorities, make sure we keep the promise. If we do not do it now, when will we?

The PRESIDING OFFICER. Who yields time?

Mr. FRIST. I yield myself 12 minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for up to 12 minutes.

Mr. FRIST. How much time do I have?

The PRESIDING OFFICER. The Senator from Tennessee controls 16 minutes 15 seconds.

Mr. FRIST. Mr. President, I yield myself 12 minutes. Please notify me when 2 minutes are remaining.

Mr. President, as I mentioned earlier this morning, we have a tremendous opportunity, I believe. It is reflected by amendments on both sides of the aisle. That opportunity is to expand Medicare in terms of its benefit coverage; that is, adding prescription drugs, which is critically important. It is vital if we want to be able to look seniors and individuals with disabilities in the eye and say: We are going to give you health care security.

That is what Medicare is all about. Why? Because prescription drugs, I believe, has to be a part of Medicare, just as the hospital bed or inpatient hospitalization or outpatient care, to fulfill that responsibility. But to have health care security, it requires us, I believe, to do more than just add a benefit which none of us really know how to add on. None of us have developed the policy through which we can deliver these services as of yet. But adding that benefit alone on to a structure which has, as good as it is, real problems, problems in terms of solvency—and what that means really is sustainability—is irresponsible. When you look at a 40-year-old, or a 50-year-old, or a 60-year-old, they want to know that the Medicare program is going to be there 20 years later. Today we cannot say that in good conscience, unless we modernize the system, improve the system, and strengthen the system.

The way the debate has evolved over the course of the day, now we have two very clear choices. One adds prescription drugs in a right way and one does so in a wrong way. The right way, I believe, is Senator GRASSLEY's amendment. The wrong way is Senator BAUCUS's amendment. I want to explain why.

We link the Grassley amendment to modernization, to strengthening the system, to improving the Medicare system, including prescription drugs—something their amendment does not do. Theirs addresses only the prescription drug concept and does not, as was just said, link to that improvement, that strengthening, that modernization. We want to be able to respond to that individual's needs. That is what Medicare reform is all about.

We believe strongly that reform must be a part of our response—and that is why it is spelled out in the Grassley amendment—where, yes, we are committed to spending an additional $150 billion. That is what the amendment does. But it says on top of that we will spend up to another $150 billion after the policy is formulated. Right now we do not have the policy.

The reason why it is so important to at least think about the policy—to make policy before we fund it—is because of this figure shown right here in relation to prescription drugs. This chart shows the prescription drug demand and the response to that demand from 1965 to 1999. This shows how much has been expended overall. The whole point of this chart is that you can look at what has happened over the last 4 to 5 years. There has been explosive growth of prescription drugs. And we are talking about trying to fund this in some way for seniors, but we do not have the policy yet. So the Grassley amendment says, if we develop that policy—when we develop that policy—either by the President of the United States or the Finance Committee, then let's figure out how much it costs and place that into the budget for up to $300 billion; and only after that has been costed out, so we will know what that policy is going to cost the taxpayers.

Why? If you look ahead on this chart—and on the red chart I showed you to 1999 how much we have been spending; I showed you the explosive growth here—if we do not do it right, with the right policy, if we do not include prescription drugs in Medicare, and integrate it in such a way that we have the tools that in some way can control the cost, constrain the cost, look at what is going to happen. This chart shows what is projected to happen if we do not do anything: explosive growth.

So what we are layering—again, for all people, not just seniors; seniors are about a third of this—if we superimpose and place this, without Medicare reform, on our Medicare system, we cannot look seniors in the eye and say this program is going to be around in 10 years or 15 years. It simply cannot be sustained.

I showed earlier today why that is the case. It is because we are deficit spending. We are spending more in Medicare today. If you look at Part A and Part B, Medicare in the whole, we are spending more today than we are taking in. We are deficit spending even in the Part A. The hospital trust fund will be deficit spending in 2016, but today we are running a deficit. If we superimpose, without the policy, a program of prescription drugs on Medicare without reform, I believe we are behaving irresponsibly, if we are looking at the sustainability of Medicare long-term.

Medicare's problem today: Just look at Part A. It is going bankrupt by 2029. Deficit spending in just 15 years. It only covers 53 percent today of beneficiaries' health care costs. That is right now. And that is going to get worse over time unless we modernize the system.

There is no coverage for prescription drugs. It is a generational timebomb. We are going to be doubling the number of seniors coming into the system over the next 30 years.

Congressional mandates right now through HCFA have resulted in 135,000 pages of regulations governing that doctor-patient relationship. Medicare has simply not kept pace, in terms of quality, access, and the delivery of health care, with our private systems.

So in about 15 minutes we are going to have a choice. The choice is between two amendments, both of which address prescription drugs on the part of the Senate, in the effort, the commitment to include prescription drugs as a part of Medicare. Something, I think just about everybody agrees on. But, again, there is a right way and a wrong way.

I support Senator GRASSLEY's amendment because it says, yes, let's spend the $153 billion that is in the underlying bill, and once we come up with the policy, which we do not have—nobody in this body has it—through the Finance Committee or from the President of the United States, if it is going to cost up to $300 billion, we will be willing, through Senator DOMENICI and the Budget Committee, to add another $150 billion, for a total of $300 billion; but it has to be tied to reform, to modernization, to strengthening the system.

I oppose the Baucus amendment in large part because it does not tie it to reform in any way. It does not basically say, to engage prescription drugs responsibly and integrate it into the system, you have to modernize the system itself.

Secondly, it unnecessarily takes money out of the taxpayers' pocket. Basically, the way they have theirs worded versus the Grassley amendment, the Grassley amendment comes out of the contingency fund. The Baucus amendment takes the money away from the taxpayer by cutting the tax relief which every hard-working taxpaying American deserves today.

I believe this is a very important issue. I believe it does demonstrate the overall commitment on behalf of the Senate that prescription drugs are important, that we have an opportunity to strengthen, to improve, and to modernize the health care system for seniors, for individuals with disabilities; and we ought to seize that opportunity, but we should not behave irresponsibly and throw additional money at a problem that we have not even fully developed the policy to solve.

With that, I urge my colleagues to support the Grassley amendment and to defeat the Baucus amendment when that comes forward.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. I yield 2 minutes to Senator BAUCUS.

The PRESIDING OFFICER. The Senator from Montana is recognized for up to 2 minutes.

Mr. BAUCUS. Mr. President, I listened very closely to my good friend

from Tennessee. I, first, want to make it very clear that the amendment I am offering does contemplate reform, because I do believe we need to move this year to begin Medicare reform at the same time we are providing prescription drug benefits. I want to clear the air on that.

Second, I do not want to belabor this argument. We will be voting very soon. But just to remind Senators, there is a big difference between my amendment and the amendment on the other side. We have the same number of dollars $300 billion for a prescription drug benefit. But the amendment offered by Senator GRAHAM and I is definite. It prescribes a prescription drug benefit. The other amendment says ''maybe,'' and maybe out of a contingency fund.

I want to make this point because it is so glaringly true. We all know there ''ain't'' no money in the contingency fund. There just ''ain't.'' And the reason is because it has been called for so many times—whether for such reasonable things as agricultural provisions, disaster assistance or other provisions in the Tax Code. There isn't going to be a contingency fund by any stretch of the imagination. It is just a hope and a prayer at best. Or else it comes out of the hospital insurance trust fund. And, of course, that is not a great option.

So essentially what it comes down to is this: You have a choice, Senators: You vote for a prescription for prescription drugs or you say: Call me in the morning. That is the choice.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Iowa.

Mr. GRASSLEY. I think I have 8 minutes left. I yield myself 4, and then Senator FRIST wants to speak again.

I will address some of the things the Senator from North Dakota and the Senator from Montana have touched on. The first is to express the philosophy behind the way we have handled this amendment, saying that the Senate budget chairman can plug in a figure after the Senate Finance Committee has produced a bill. The basis of this is that we ought to develop the policy and then put in the amount of money it takes to carry out the policy.

I have no crystal ball to tell me what amount might be necessary for a bill. My friends on the other side have this crystal ball telling them we must have $311 billion for Medicare. They are going to develop a policy around a certain amount of money. I don't think that is the way to do business.

Another difference between these approaches is that they are going to reduce the amount of tax relief that goes to working men and women by some $158 billion. We will use the reserve fund, meaning the money that is left over. After we take out $153 billion of the surplus for Medicare and $1.6 trillion for tax cuts, there is still $900 billion left. Ever since the President proposed his budget, we all understood that some of this left over money would be used for prescription drugs. We are not going to deny the working men and women of this country a tax break that they deserve. We have the money to fund this, but we don't know how much money we need just yet.

We think it is wise to develop the policy first and then pay for the policy you develop, rather than putting up X number of dollars, such as our opposition does, and then building some policy around it.

Now, reading my amendment, my opponents came up with the idea that this amendment is too flexible. Well, flexibility does not mean inaction. Our Senate Finance Committee is going to produce a prescription drug program for senior citizens and at the same time make incremental improvements and changes to Medicare. So he may speak about flexibility. The insinuation is that that is an excuse for no action. The last election was all about prescription drugs. The last election was a mandate to deliver on that. This President is committed to delivering on that, and we are going to.

I yield myself 1 more minute. I point out to my friend from Montana that his amendment doesn't guarantee a Medicare prescription drug benefit any more than mine. We leave opportunities to develop Medicare policy just as they do. Now, let me just chime in for a second and thank Senator SMITH of Oregon for joining me on this amendment.

Now let me address the accusation by my colleague from North Dakota that the amendment I offer today raids the Medicare trust fund. This is absolutely ludicrous. I want to make clear that under my amendment the Medicare surplus will continue to go into the Medicare trust fund. The Medicare trust fund is just like a bank account. When you make a deposit, it increases the balance in your account, and only you can take that money out. But this does not mean that the bank can't use that money to make loans and pay expenses. In fact, that is exactly what any good bank does. At the end of the day, when you go to take your money out of the bank, it is there, because the bank has to make good. When it comes to the Medicare trust fund, the Government has to make good too. My amendment does nothing to change that.

I yield the remainder of the time we have to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes 40 seconds.

Mr. FRIST. On the other side?

The PRESIDING OFFICER. Three minutes 12 seconds.

Mr. FRIST. Mr. President, I very briefly will summarize again my support for the Grassley amendment and my opposition to the amendment offered by the Senator from Montana.

Very quickly: What does the Domenici substitute have in it? It is very important because this reflects the commitment of President Bush and the Senate budget proposal that is before us.

No. 1, in year 1, fiscal year 2002, for Medicare, we will be spending $229 billion. In year 10, when we march out 10 years, that will be increased to $459 billion. That is an increase of 111 percent, an average annual increase of over 7½ percent. That means over the next 5 years in Medicare, in hopefully a modernized, strengthened, improved program, we will be spending $1.3 trillion and, over the next 10 years, $3.3 trillion.

What the Grassley amendment does is basically this. It says in this process of modernization—it is carefully linked to modernization—we can have up to another $150 billion over that period of time after the policy is formulated by the President of the United States or by the Senate Finance Committee. That is acting responsibly. It recognizes that policy has not been discussed to the degree it needs to for us to in any way project what coverage for prescription drugs will be.

I support the Grassley amendment because it allows a total of $300 billion if we modernize, and it says it right in the amendment. I oppose Senator BAUCUS's approach because it takes the money from the taxpayers unnecessarily—that same $300 billion. And No. 2, it does not link it to modernization. We just heard that it does, but if you read it, nowhere in the Baucus amendment does it say anything about modernizing, strengthening or improving the program.

I am very pleased, very proud of the amendment before us. I urge the support of all of our colleagues for the Grassley amendment, with opposition to the Baucus amendment.

I reserve the remainder of our time.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. GRAHAM. Mr. President, in my 60 seconds let me say there are two areas of agreement. Apparently we have now agreed that it is going to take in the range of $300 billion over 10 years to have a credible prescription drug benefit. That is a significant advance. No. 2, frankly, there is no disagreement with the fact that we should strive to reform Medicare. We all start with exactly the same language, which is on page 49 of the amendment, which talks about the Finance Committee reporting reforms in Medicare.

What we also heard in our most recent hearing on this subject is that the most anybody has ever suggested that reform could amount to would be approximately $50 billion in a $3 trillion Medicare program over the next 10 years. Let's not exaggerate what kind of savings we are going to get.

Where we disagree is how we are going to finance this.

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

Mr. CONRAD. I yield an additional 30 seconds to the Senator from Florida.

Mr. GRAHAM. Where we disagree is how we should finance this. What the Republicans are saying is we should do this by essentially using the Part A trust fund. That is the trust fund which people have paid in through their payroll tax and from which they have an expectation of receiving—to read from the Medicare benefits booklet—hospital stays, skilled nursing facilities, home health care, hospice care, and blood care—all the things which are financed out of the Part A trust fund. That is what is going to be raided as we try to now finance a major prescription drug benefit.

We should stay with the proposal of the Senator from Montana to finance this responsibly by reducing by less than 10 percent the projected tax reduction.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Maine.

Ms. SNOWE. Mr. President, I am delighted to co-sponsor this amendment with Senator DOMENICI, the distinguished chairman of the Budget Committee, and Senator GRASSLEY, chairman of the Finance Committee. This amendment has a simple but critical purpose: to increase by $147 billion the reserve fund in this resolution for a Medicare prescription drug benefit and Medicare reform. That is, this amendment would nearly double the reserve fund to $300 billion, with monies coming from the on-budget surplus.

Let me note that nothing in this amendment commits Congress to spend the entire reserve fund. Indeed, in truth we do not yet know what additional resources will be needed. We will know better when the Congressional Budget Office reports estimates several weeks from now on a variety of Medicare reform and prescription drug proposals.

In short, this additional reserve amount will help ensure that the President and Congress will have sufficient resources to enact both a prescription drug benefit and other badly needed Medicare improvements this year.

I am sure my colleagues are very aware of the need for prescription drug coverage, I think the facts underlying this national problem for our nation's senior citizens bear repeating.

When Medicare was created in 1965, it emphasized the private health insurance model of the time, inpatient health care. In fact, the original Johnson Administration Medicare proposal was only for hospital care. Doctor's services, and other outpatient care, was added by Congress as a voluntary program.

Today, thirty-six years later, Medicare, although a great blessing to our nation's seniors, is sadly out of date. It is past time to bring Medicare ''back to the future'' by providing our seniors with prescription drug coverage. Indeed, hardly a day goes by without some announcement of a new and exciting breakthrough in drug therapy, breakthroughs that promise better care for millions of Americans.

The lack of a prescription drug coverage benefit is the biggest hole, a black hole really, in the Medicare system. HCFA will tell you that up to 65 percent of Medicare beneficiaries have drug coverage from other sources. But that number simply doesn't tell the whole story.

Specifically, fourteen percent of Medicare beneficiaries get drug coverage from one of the three Medigap policies that cover drugs. Two of these policies require a $250 deductible and then only cover 50 percent of the cost of the drug with a $1,250 cap. Needless to say, you can reach that cap awfully fast with today's drug prices.

The third policy provides a cap of $3,000 but the premium ranges anywhere from $1,699 to $3,171 depending on where you live. That is a lot of money for someone living on a fixed income.

About 15 percent of seniors get drug coverage from participating in Medicare HMOs. However, we know the Medicare+Choice program has been under great pressure over the last few years, making this source of prescription drugs less reliable.

And another 16 percent receive coverage from Medicaid. Of course to do that, they must be very low-income to begin with and may have to spend a great deal out of pocket for their drugs, what we commonly refer to as ''spending down'', before they are eligible in a given year for coverage.

Finally, there are those lucky enough, 29 percent, to have employer sponsored drug coverage through their retiree program.

Medicare fails today's elderly patients in other ways. The preventive care services offered under Medicare, while greatly expanded, are still insufficient to help seniors remain healthy, and therefore avoid more expensive care later. And routine services such as annual physicals, vision tests and hearing aids are not covered.

Medicare also only provides limited financial protection. Indeed, we must always remember that Medicare is not just about health care, but protection against potentially high costs of health care. The program has a fee-for-service cost-sharing structure that still leaves seniors vulnerable to high costs. Indeed, the traditional fee-for-service Medicare program covers only 53 percent of the average senior's annual medical expenses.

Moreover, management of the Medicare program is burdened by vast bureaucratic complexity and operates in a non-competitive, inefficient manner. It lacks the flexibility to operate differently.

Medicare's financing and accounting is confusing. Medicare currently maintains separate trust funds, one for inpatient hospital and post-acute care, and one for physician fees and other outpatient costs. This separation leads to misleading assessments of Medicare's financial status and again reflects a different era of medicine. There is irrefutable evidence that Medicare's finances are not sustainable or affordable in the long-term.

I daresay that no one in this chamber would disagree that Medicare needs improvements. This amendment will make reform possible.

I also want to take this opportunity to acknowledge the leadership of the President on Medicare reform. The President has laid down six principles, which in my view are the starting point for our efforts. The President is preserving committed Medicare's guarantee of access to seniors. Every Medicare recipient must have a choice of health plans, including the option of purchasing a plan that covers prescription drugs. Medicare must cover expenses for low-income seniors. Reform must provide streamlined access to the latest medical technologies. Medicare payroll taxes must not be increased. And reform must establish an accurate measure of the solvency of Medicare.

The funding for this amendment would come from the on-budget surplus. I know that is a particular problem for some Members across the aisle, because that surplus represents cash from HI payroll tax. Of course, HI taxes are credited first to the HI trust fund, so there is no solvency impact.

But for those Members who believe that this source of funds is a problem, let me simply point out that in 1972, when the Finance Committee first reported Medicare outpatient drug provisions, those provisions would have been funded directly from the HI payroll tax.

I urge all Senators who believe as I do that we must add a Medicare prescription drug plan and improve Medicare in other ways to vote for this amendment.

Mr. CONRAD. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. One minute 15 seconds.

Mr. CONRAD. Mr. President, it has come down to this: We both agree roughly on the amount of money necessary to fund a meaningful prescription drug benefit.

Our friends on the other side of the aisle are $300 billion; we are at $311 billion. There is not much difference there.

There is a profound difference on how to fund that amount of money. We say do not use the trust funds of Social Security or Medicare. Our friends on the other side of the aisle say raid the Medicare trust fund, which we believe is a profound mistake. We ought to fund this proposal, but we ought to do it the right way. We ought to do it the fiscally responsible way. We ought to do it without raiding a dime of trust fund money.

That is our proposal. That, I believe, deserves the support of our colleagues. I reserve the remainder of my time.

Mr. DOMENICI. Mr. President, how much time does the Senator have remaining?

The PRESIDING OFFICER. Eighteen seconds. Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I yield myself the rest of the 18 seconds.

Remember, our amendment uses Medicare money for Medicare. Part A Medicare money is going to be used for Medicare. Part B Medicare money is going to be used for Medicare. We are even going to put general fund money in there to use for Medicare.

How much more do you want? We're putting medicare money aside for Medicare and we're putting extra money aside for Medicare. How much plainer can it be?

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

Mr. CONRAD. It could be clearer if you did not raid the Medicare trust fund for a new benefit, a new promise, when you need the Medicare trust fund money to keep the previous promises. That is how clear it is.

Mr. GRASSLEY. Have you ever heard money is fungible?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 173. The clerk will call the roll.

The assistant legislative clerk called the roll.

The VICE PRESIDENT. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—50

Allard	Frist	Murkowski
Allen	Gramm	Nickles
Bennett	Grassley	Roberts
Bond	Gregg	Santorum
Brownback	Hagel	Sessions
Bunning	Hatch	Shelby
Burns	Helms	Smith (NH)
Campbell	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Ensign	McCain	Voinovich
Enzi	McConnell	Warner
Fitzgerald	Miller	

NAYS—50

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	Mikulski
Bingaman	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Breaux	Feinstein	Nelson (NE)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Carnahan	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	

The VICE PRESIDENT. On this vote, the yeas are 50 and the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the amendment is agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 172

The VICE PRESIDENT. Under the previous order, there will now be 2 minutes of debate on the Baucus amendment.

The Senator from Montana is recognized.

Mr. DOMENICI. I ask unanimous consent that the next vote be 10 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

The Senator from Montana is recognized.

Mr. CONRAD. Mr. President, I think at this point it would be appropriate to welcome the Vice President to the Chamber. We are glad you are here. We hope you will stick around to break the next tie.

The VICE PRESIDENT. I say to the Senator from North Dakota that is my intention.

Mr. DOMENICI. Mr. President, don't say that. The next time we want you in the Chair, we will spread the word to you.

The VICE PRESIDENT. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, I congratulate those who voted for this amendment, because we have now established that we want a $300 billion prescription drug benefit plan over 10 years. Several hours ago, we were at $153 billion. According to the budget resolution, we are now at $300 billion. So there is agreement.

The amendment now pending basically says, OK. Since we have agreement in theory on what the amount should be, let's now lock it in and make sure that the money is, in fact, there. The amendment offered by Senator GRAHAM and I does that. It locks in the money by telling the Finance Committee to come up with a prescription drug bill, by taking just a small sliver $158 billion out of the $1.6 trillion tax bill for prescription drugs. That, with the $153 billion already in the budget resolution, provides $311 billion to give seniors what they need—a meaningful prescription drug benefit.

Now that we have established $300 billion, let's make sure that we put our money where our mouth is. Let's lock the money away instead of providing a hope and prayer that the dollars are going to be there for the prescription drug benefit.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, let me just say this is a typical amendment from that side of the aisle. They would say to our President that we don't like your tax cut, and we want to take $156 billion of it and we want to spend it. They would say they are spending it for some very special purpose. But we can accomplish the same without diminishing what our taxpayers should be getting. They should be getting the President's $11.6 trillion over the next 10 years.

It is plain and simple. This amendment reduces that by $156 billion and puts it in an account to be spent. Whatever they are going to spend it for, it is the beginning of a tax-and-spend approach on the floor for the remaining 2½ or 3 days.

I hope on our side we stay fast. We all voted. We ought to vote the same way. In this instance, it is a ''no'' vote on our side, and they will not prevail, if you will just do what you did. Do it one more time.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BAUCUS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—50

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	Mikulski
Bingaman	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Breaux	Feinstein	Nelson (NE)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Carnahan	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	

NAYS—50

Allard	Frist	Murkowski
Allen	Gramm	Nickles
Bennett	Grassley	Roberts
Bond	Gregg	Santorum
Brownback	Hagel	Sessions
Bunning	Hatch	Shelby
Burns	Helms	Smith (NH)
Campbell	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Ensign	McCain	Voinovich
Enzi	McConnell	Warner
Fitzgerald	Miller	

The amendment (No. 172) was rejected.

Mr. LOTT. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, we are finishing reading a unanimous consent request I will make, but I want to let the ranking member finish reading it. I suggest the absence of a quorum for 1 minute.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, on behalf of the leader and after conferring with the minority, I ask unanimous consent that Senator GRASSLEY be recognized to offer an amendment relative to agriculture and, following the reporting by the clerk, the amendment be laid aside and Senator JOHNSON be recognized to offer an amendment regarding agriculture.

I further ask unanimous consent that the debate tonight run concurrently on both first-degree amendments and the Senate resume debate at 9 a.m. on Wednesday, and the time between 9 a.m. and 10:30 a.m. be equally divided for closing remarks on the agriculture issue.

I further ask unanimous consent that no amendments be in order prior to the votes just described, the votes occur in a stacked sequence beginning at 10:30 a.m., with 2 minutes prior to each vote for explanation, and the first vote occur in relation to the Grassley amendment, to be followed by a vote in relation to the Johnson amendment.

I also ask unanimous consent that following those votes, Senator HARKIN be recognized to offer an amendment relative to education.

Finally, I ask unanimous consent that when the Senate resumes consideration of the concurrent resolution on Wednesday, there be 35 hours remaining for consideration.

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

Mr. DOMENICI. Mr. President, on behalf of the leader, I make the following statement for the information of all Senators. In light of this agreement, there will be no further votes this evening. Any Senator with an interest in agriculture and agricultural issues is urged to remain tonight to debate the issue. The next votes will occur in a stacked sequence at 10:30 a.m. tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the chairman of the Budget Committee for working through this procedure in a fair way and an efficient way. We have used the time relatively well today.

We now have scheduled the next two amendments, or really three amendments because there will be two first-degree amendments on agriculture and then we will go to an education amendment. We also are scheduled to vote on agriculture with time to debate that both this evening and tomorrow.

I want to send a clear message to those colleagues who are concerned about agriculture, as the chairman described. My colleagues need to be here tonight to discuss this issue because there will be limited time tomorrow morning. We will have only an hour and a half when we come back in tomorrow morning to conclude debate on this important set of amendments.

If there are colleagues on either side of the aisle who are concerned about agriculture and want to participate in that debate, they need to know tonight affords the best opportunity because there will be limited time tomorrow.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, obviously I am going to yield to my overused colleague who was asked to offer the last amendment because it came within the jurisdiction of his Finance Committee. Tonight we ask that he offer the Republican amendment, the bipartisan amendment on behalf of agriculture, because he is an expert on agriculture and a lot of people listen attentively to what he has to say.

I yield the floor to Senator GRASSLEY, and he can offer the amendment we have been discussing.

AMENDMENT NO. 174

Mr. GRASSLEY. Mr. President, I send an amendment to the desk for myself, Senator MILLER, and Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa, [Mr. GRASSLEY], for himself, Mr. MILLER, and Mr. DOMENICI, proposes an amendment numbered 174.

Mr. GRASSLEY. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, line 1, increase the amount by $5,112,000,000.

On page 4, line 2, increase the amount by $7,810,000,000.

On page 4, line 3, increase the amount by $8,202,000,000.

On page 4, line 4, increase the amount by $8,658,000,000.

On page 4, line 5, increase the amount by $9,129,000,000.

On page 4, line 6, increase the amount by $8,611,000,000.

On page 4, line 7, increase the amount by $9,101,000,000.

On page 4, line 8, increase the amount by $8,591,000,000.

On page 4, line 9, increase the amount by $8,047,000,000.

On page 4, line 10, increase the amount by $7,470,000,000.

On page 4, line 11, increase the amount by $7,885,000,000.

On page 4, line 15, increase the amount by $5,112,000,000.

On page 4, line 16, increase the amount by $7,810,000,000.

On page 4, line 17, increase the amount by $8,202,000,000.

On page 4, line 18, increase the amount by $8,658,000,000.

On page 4, line 19, increase the amount by $9,129,000,000.

On page 4, line 20, increase the amount by $8,611,000,000.

On page 4, line 21, increase the amount by $9,101,000,000.

On page 4, line 22, increase the amount by $8,591,000,000.

On page 4, line 23, increase the amount by $8,047,000,000.

On page 5, line 1, increase the amount by $7,470,000,000.

On page 5, line 2, increase the amount by $7,885,000,000.

On page 5, line 6, decrease the amount by $5,112,000,000.

On page 5, line 7, decrease the amount by $7,810,000,000.

On page 5, line 8, decrease the amount by $8,202,,000,000.

On page 5, line, 9, decrease the amount by $8,685,,000,000.

On page 5, line 10, decrease the amount by $9,129,000,000.

On page 5, line 11, decrease the amount by $8,611,000,000.

On page 5, line 12, decrease the amount by $9,101,000,000.

On page 5, line 13, decrease the amount by $8,591,000,000.

On page 5, line 14, decrease the amount by $8,047,000,000.

On page 5, line 15, decrease the amount by $7,470,000,000.

On page 5, line 16, decrease the amount by $7,885,000,000.

On page 5, line 19, increase the amount by $5,112,000,000.

On page 5, line 20, increase the amount by $12,922,000,000.

On page 5, line 21, increase the amount by $21,124,000,000.

On page 5, line 22, increase the amount by $29,782,000,000.

On page 5, line 23, increase the amount by $38,911,000,000.

On page 5, line 24, increase the amount by $47,522,000,000.

On page 5, line 25, increase the amount by $56,623,000,000.

On page 6, line 1, increase the amount by $65,213,000,000.

On page 6, line 7, increase the amount by $5,112,000,000.

On page 6, line 8, increase the amount by $12,922,000,000.

On page 6, line 9, increase the amount by $21,124,000,000.

On page 6, line 10, increase the amount by $29,782,000,000.

On page 6, line 11, increase the amount by $38,911,000,000.

On page 6, line 12, increase the amount by $47,522,000,000.

On page 6, line 13, increase the amount by $56,623,000,000.

On page 6, line 14, increase the amount by $65,213,000,000.

On page 17, line 23 increase the amount by $350,000,000.

On page 17, line 24 increase the amount by $350,000,000.

On page 18, line 24, increase the amount by $350,000,000.

On page 18, line 2, increase the amount by $350,000,000.

On page 18, line 3, increase the amount by $350,000,000.

On page 18, line 6, increase the amount by $350,000,000.

On page 18, line 7, increase the amount by $350,000,000.

On page 18, line 10, increase the amount by $350,000,000.

On page 18, line 11, increase the amount by $350,000,000.

On page 18, line 14, increase the amount by $350,000,000.

On page 18, line 15, increase the amount by $350,000,000.

On page 18, line 18, increase the amount by $350,000,000.

On page 18, line 19, increase the amount by $350,000,000.

On page 18, line 19, increase the amount by $350,000,000.

On page 18, line 22, increase the amount by $350,000,000.

On page 18, line 23, increase the amount by $350,000,000.

On page 19, line 2, increase the amount by $350,000,000.
On page 19, line 3, increase the amount by $350,000,000.
On page 19, line 6, increase the amount by $350,000,000.
On page 19, line 7, increase the amount by $350,000,000.
On page 19, line 10, increase the amount by $350,000,000.
On page 19, line 11, increase the amount by $350,000,000.
On page 19, line 15, increase the amount by $5,000,000,000.
On page 19, line 16, increase the amount by $5,000,000,000.
On page 19, line 19, increase the amount by $7,000,000,000.
On page 19, line 20, increase the amount by $7,000,000,000.
On page 19, line 23, increase the amount by $7,000,000,000.
On page 19, line 24, increase the amount by $7,000,000,000.
On page 20, line 2, increase the amount by $7,000,000,000.
On page 20, line 3, increase the amount by $7,000,000,000.
On page 20, line 6, increase the amount by $7,000,000,000.
On page 20, line 7, increase the amount by $7,000,000,000.
On page 20, line 10, increase the amount by $6,000,000,000
On page 20, line 11, increase the amount by $56,000,000,000
On page 20, line 14, increase the amount by $6,000,000,000
On page 20, line 15, increase the amount by $6,000,000,000
On page 20, line 18, increase the amount by $5,000,000,000
On page 20, line 19, increase the amount by $5,000,000,000
On page 20, line 22, increase the amount by $4,000,000,000
On page 20, line 23, increase the amount by $4,000,000,000
On page 21, line 2, increase the amount by $3,000,000,000
On page 21, line 3, increase the amount by $3,000,000,000
On page 21, line 6, increase the amount by $3,000,000,000
On page 21, line 7, increase the amount by $3,000,000,000
On page 41, line 15, increase the amount by $112,000,000
On page 41, line 16, increase the amount by $112,000,000
On page 41, line 19, increase the amount by $460,000,000
On page 41, line 20, increase the amount by $460,000,000
On page 41, line 23, increase the amount by $852,000,000
On page 41, line 24, increase the amount by $852,000,000
On page 42, line 2, increase the amount by $1,308,000,000
On page 42, line 3, increase the amount by $1,308,000,000
On page 42, line 6, increase the amount by $1,779,000,000
On page 42, line 7, increase the amount by $1,779,000,000
On page 42, line 10, increase the amount by $2,261,000,000
On page 42, line 11, increase the amount by $2,261,000,000
On page 42, line 14, increase the amount by $2,751,000,000
On page 42, line 15, increase the amount by $2,751,000,000
On page 42, line 18, increase the amount by $3,241,000,000
On page 42, line 19, increase the amount by $3,241,000,000
On page 42, line 22, increase the amount by $3,697,000,000
On page 42, line 23, increase the amount by $3,697,000,000
On page 43, line 2, increase the amount by $4,120,000,000
On page 43, line 3, increase the amount by $4,120,000,000
On page 43, line 6, increase the amount by $4,535,000,000
On page 43, line 7, increase the amount by $4,535,000,000

Mr. GRASSLEY. Mr. President, I rise to offer a fair and very generous bipartisan agricultural amendment. I am a family farmer. To be fair to my son, my son makes most of the decisions and does most of the work; I try to help him on weekends. I see my role on weekends as being a hired man for my son because I don't live with it every day as he does and I want to rely upon his expertise. But I do have that background and I bring that background to my colleagues to show some understanding and sensitivity that we all ought to have toward the family farmer and agriculture in general.

I know what the agricultural community is currently going through. I think the plan in this amendment will address the immediate needs to stabilize net income, provide enough funding to significantly strengthen a future counter-cyclical program, offer additional money for regulatory relief, enhance conservation efforts, and is fiscally responsible.

Some Members might wonder why it is tough to be a farmer in our current agricultural community. Why, without Government assistance, net income, cash income for the farm is projected to fall to $50.7 billion, which is $4.1 billion below the 1990 to 2000 average of $54.8 billion.

I will lay out some factors. First, input cost. Natural gas prices have recently hit record highs, directly impacting farm fertilizer prices and availability. Almost all of the nitrogen we get for the record corn crops we raise in our State comes from anhydrous ammonia, made from natural gas. The cost is passed through to the farmer.

Due to the past administration's inability to enact a workable energy policy, farmers were left to cope with significant fluctuations in price and demand. These fluctuations have dramatically increased the cost of hydrogen fertilizers and these increased input costs will certainly have a substantial impact on corn producers across the Nation during the coming growing season.

After input costs, it is legitimate to bring up the issue of regulations and their increase in costs. We have the Environmental Protection Agency preparing to implement new rules for concentrated animal feeding operations which will impact an estimated 376,000 confined livestock operations in our country. For example, the costs incurred for compliance for cattlemen could average well over $100,000 per farm. The costs would involve structural measures, engineering fees, and the development of a comprehensive nutrient management plan.

After regulations comes low commodity prices. These are probably the most obvious of all things that people in the city read about regarding the farm income situation. Today in my hometown of New Hartford, IA, where we deliver our corn and soybeans, the cash price for corn is $1.78 and $4.03 for soybeans. These are not lucrative margins. The lack of profitability and production hurts. Three years in a row of low prices—except for soybeans—are lower now than ever before. These low prices have been the rule for the last 3 years. These low prices can actually take some of the best farmers to the breaking point.

After low commodity prices, we have the frustration with the international trade of agricultural products. The European Union still spends a huge amount on agricultural export subsidies. These subsidies of the European Community are the most trade distorting, even trade disruptive, of all agricultural policies. They depress the prices that would otherwise apply to commercial trade. In so doing, they harm the ability of our farmer to compete with European farmers in third country markets. They also reduce the incentive to engage in more efficient production.

The truth is, until we get the European Union to agree to reduce its excessive spending on export subsidies, we will not be as competitive as we could be and should be in world agricultural markets. As a result, our farmers will continue to get lower prices in world agricultural products as long as the American farmer is competing against the German treasury, as opposed to competing against the German farmer. We can compete against that farmer, but it is very difficult to compete against the German treasury.

The best way we can address this problem is to launch a comprehensive new round of multilateral trade negotiations at the World Trade Organization ministerial meeting in Qatar and engage the Europeans directly on this issue. Successfully launching a new round of global trade talks is hardly a sure thing. We have a lot of work to do before we can make this happen. I am not certain we have the necessary international political consensus on this point. Even if we were to advance that new round right now, it would still be a few years before we would see the economic impact, assuming—and you cannot always assume—that American agriculture will win at the bargaining table the way we hope we will win.

We do get victories. Over a period of time we have seen trade distorting practices on agriculture and tariffs on agriculture come down—quite frankly, not as much in the agricultural area as they have come down in almost every other area of manufactured products and services.

We have another trade frustration, and that is the country of China. Currently, negotiations on China's access to the World Trade Organization are stalled in Geneva because China is insisting on claiming developing country status with respect to their agriculture. This would mean that China would be entitled to exempt a higher proportion of trader distorting domestic support spending from the agreed upon caps on such spending than it would be if China is considered to be a developed nation.

Higher domestic support for agriculture and China would mean less excess for American farm products to China. Although this is of prospective harm, not one we are facing immediately, it certainly will not help our farmers if we don't get China to change its position. This isn't something for which we have to wait 5 years. These sorts of negotiations of China's success to the World Trade Organization are going on at various times now or in certain periods of the near months we are in and the months that have passed. This is something that China is going to have to agree to if they expect to get in the World Trade Organization, that they are coming in as a developed nation to meet fully their responsibilities in the World Trade Organization, not begging for some special treatment.

The list of factors affecting the agricultural economy does not detail all of the reasons that our agricultural economy is failing. But it does lay out a number of good reasons why we should be concerned about the strength of the family farms. Our amendment adds $63.5 billion to agriculture's mandatory Commodity Credit Corporation price supports, related programs, and conservation.

Adding this $63.5 billion to the existing $94.2 billion already in the baseline will add up to $150.7 billion in the support for the agricultural economy over the next 10 years of this budget resolution. I believe the additional budget authority provided in the baseline will allow the Agriculture Committee to begin the process of establishing the parameters for our next farm bill. In the interim, the $5 billion provided in fiscal year 2001, the year we are in now, and the $7.35 billion provided for economic assistance, will help farmers survive.

I know my friends and neighbors of Iowa need assistance and a better counter-cyclical program; that is, improvements in the farm program. When we use the word ''counter-cyclical,'' that implies that there will not have to be a dependence upon Congress from year to year voting additional money, but there would be a program that would kick in under circumstances of lower prices.

I also know we need to provide this assistance in a fashion that improves our fiscal responsibility. Massive cash infusions are not the long-term answer to the challenges facing the American farmer. The 1996 farm bill was not created under the assumption that it was the only tire on the wagon. When we passed the 1996 bill, it was supposed to be supported by tax relief and assistance, like the farmers savings accounts legislation that I have continuously introduced and was in a bill the President vetoed last year, and hopefully will be in a bill the new President will sign.

In addition to that, we promised in 1996 increased trade opportunities but, in the period of time since then, we failed to pass trade promotion authority for the President. We also took too long to give farmers new and improved risk management options which, just last year, 4 years late, after it was promised, we finally passed a new crop insurance program.

Due to partisan opposition regarding free trade and tax relief, the only additional wheel that has been placed on this wagon is this crop insurance reform I talked about, and the Government was a long time getting that passed. Any farmer knows if you only have two wheels on a four-wheeled wagon, it does not roll along very well. So if there is, during this debate, criticism of the 1996 farm bill—and there can be some legitimate criticism of the 1996 farm bill—remember, it should not be judged as the total product we promised the farmers in 1996 because what we provided for was a safety net. We found out 3 years later that safety net had some holes in it. We had to pass in 1998, 1999, and 2000, as we are doing now for the year 2001, some patching of that safety net, not because that is something we knew needed to be done in 1996, but because it was a promise that we made in 1996 that there would be a safety net there for farmers, and the money that was provided in 1996 for each of the next 7 years was not enough money. Keeping our promise to the family farmers, we enhanced that in 1998, 1999, 2000, and we will do it again in 2001.

So if there is criticism of the 1996 farm bill, remember that we have, in fashioning past farm bills, when there was a crisis we didn't anticipate when the bill was passed, we supplemented. Go back to 1985, 1984, 1986, in that period of time when we put the ''payment in kind'' program in place. We did not anticipate using that, but because of the low prices, we did.

We did not anticipate using paid diversions to take land out of production, but we used those. They were additional supplemental payments that were not anticipated.

So it does not matter whether it is the 1996 farm bill or the 1990 farm bill or the 1985 farm bill or the 1981 farm bill. When you look ahead 5 years, or as we did in 1996, 7 years, nobody expects you to anticipate all the problems farmers are going to have and write a bill that is going to anticipate it all. But somehow I think people want to leave the impression that is what was intended in 1996. There isn't anybody who has that sort of clairvoyance. So, consequently, we have to act from time to time. That is exactly what we are doing here with this amendment.

The other thing I do not want to hear criticism of is that we did not include the farmers savings account as was promised in 1996. We did not give other trade opportunities as was promised in 1996. We did not provide crop insurance in 1996 as we promised in 1996. We delivered on that in the year 2000. And there are other issues as well. So we have to keep this in perspective.

We have to get those four wheels on the wagon so it rolls along well. As chairman of the Senate Finance Committee, I am committed to providing the much needed tax relief and expand the opportunities our farmers need. But the Congress also made a pledge to family farmers that they would experience this transition throughout the 1996 farm bill. The fact we could not get the wheels on the wagon, coupled with the disastrous recession experienced by our eastern Asian trading partners, which triggered significant slumps in demand for our agricultural commodities has forced the Congress to provide assistance.

If during this period of time the Federal Reserve Board had been a little bit more concerned about liquidity as opposed to inflation, we would have had a little easier and better time as well.

In addition, this amendment works hand in hand then with the $1.6 trillion tax relief package we hope to pass through the Senate Finance Committee. This tax cut package will help American farmers in several ways. First and foremost, farmers generally do business as proprietors, partners, and in subchapter S corporations.

That means marginal rate cuts through this tax bill will help farmers.

Second, many family farmers cannot pass on the farm to their children because of the death tax. The Bush tax cut would rid us of this death tax.

Finally, there are tax cuts such as the farmer savings accounts, to which I have already alluded three times, that will help farmers weather the downside of the cyclical business patterns of farming.

The assistance we provide should not lead to more problems for the family farmers. If government spending is fiscally irresponsible, we will continue to witness artificial land prices and inflated cash rents. This doesn't serve the family farmer. It only makes it more difficult for farmers who rent ground to make a profit.

I ask my colleagues to support this amendment. I particularly thank Senator MILLER of Georgia for his co-sponsorship of this amendment so that it is in fact a bipartisan amendment.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON. Mr. President, I will be offering an amendment to the budget resolution pertaining to agriculture to follow on the amendment of the Senator from Iowa discussing the changes needed relative to agriculture itself. This amendment is cosponsored by my colleague, Senator CONRAD of North Dakota.

This amendment will provide permanency of farm aid for this crop year and will increase the budget for the next 10 years so that Congress can begin to fashion a new farm bill.

This amendment includes $9 billion in emergency farm assistance for fiscal year 2001 and $88 billion in additional agricultural assistance above the Congressional Budget Office baseline over the years 2002 to 2011, including a minimum of $9.4 billion for farm conservation programs. This is roughly a 50-percent increase over the baseline funding for conservation.

Finally, of the $88 billion in additional funds provided to agriculture during fiscal years 2002 through 2011, $58 billion is provided for the fiscal years 2003 through 2007, assumed to be the first 5 years of the new farm bill and also the period when the need for additional assistance, frankly, will be greatest.

We have found an immense shortcoming in the existing farm legislation, and we have augmented that funding in recent years —3 years in a row now—with ad hoc disaster legislation. We seek to make room in this year's budget debate for the eventuality of the need for an additional augmentation to address this year's disaster in the same manner as we have in the past years.

Frankly, the budget numbers contained in this amendment will be less than what many of the farm organizations are coming to Washington contending they will need. Nonetheless, it will assure the ability of Congress to address these issues both for the coming fiscal year and during the duration of the coming farm bill.

I know there are those who will suggest that there is a contingency fund, and we can turn to that in the event those funds are needed. But the contingency fund, as outlined by the President, consists largely of Medicare trust fund dollars. And secondly, the predictable demands on those dollars—the need for increased spending for defense, for tax extenders, for alternative minimum tax reform, for pension reform, for any number of other issues which we know very well will need to be brought up during this Congress—will more than overwhelm the contingency fund. The responsible approach is, instead, to provide explicitly for agriculture in the course of working up this budget resolution.

I believe there will be a significant tax cut. My constituents want a tax cut. I support a significant level of tax relief. But we need to make sure, as we approach this budget resolution, that while on the one hand we do secure the funding necessary for significant tax cut relief, particularly for middle-class and working families, at the same time we balance it in a thoughtful fashion so that we are allowed to pay down debt, strengthen Medicare, strengthen education, and, among other things, take care of our needs in rural America.

Rural America has not prospered over this past decade in the way that most of the rest of our Nation has. These have been growing times, prosperous times across much of America. Much of the rural side of our Nation has struggled under population loss, under low incomes, under staggeringly low agricultural prices, all at the same time input costs—from fertilizer to fuel—have gone through the roof.

Farmers and ranchers all across our Nation have been caught in a terrible bind these last several years, and we need, in the course of putting together this budget resolution, to make sure we have provided the necessary resources so that the Ag Committee can go on with the construction of a new farm bill and so we can avoid the uncertainty of disaster relief in the coming year.

Since 1997, our Nation's family farmers have experienced a price crisis of simply enormous proportions, perpetuated by a series of weather-related disasters in certain regions. Surplus crop production both here and abroad, weak global demand—exports are down—agribusiness consolidation resulting in a loss of market access, and an inadequate farm safety net, all of these coming together are prime reasons, in my opinion, for what is a price crisis both in the grain sector and the livestock sector of our ag economy.

Moreover, given the input-intensive nature of production agriculture, many farmers and ranchers are having to pay more each year for their critical inputs. This situation has put them in a price-cost squeeze, making it nearly impossible to earn returns that cover their expenses.

As a result of woefully inadequate farm bill price protection, Congress has enacted multibillion-dollar disaster programs over the last 3 years—in fact, a record $28 billion in fiscal year 2000. It should be noted that direct Government payments accounted for around three-fourths of net cash income from major field crops in 1999 and for about two-thirds in the year 2000.

USDA predicts 2001 may be the worst year ever. Without supplemental income or emergency aid, USDA estimates that net farm income in 2001 could reach its lowest level since 1984—the absolute depth of the farm crisis in this Nation in recent generations.

That said, I am disappointed that the underlying budget resolution does not include funding for a new farm bill that will ensure economic security for family farmers, ranchers, and rural communities now and into the future. It is clear that the 1996 farm bill's promise to create a bridge to prosperity and less dependence upon Government assistance for farmers has been broken. Three years of costly ad hoc disaster and economic aid programs illustrate the need to revise our farm policy now and to do it in a financially responsible way.

I believe Congress can and should amend current farm policy immediately to provide a more predictable and secure safety net for family farmers. Our amendment also will provide for that opportunity.

I am pleased to join the ranking member of the Budget Committee, Senator CONRAD, to include funding in the fiscal year 2002 budget resolution so that Congress can, in fact, enact changes to the underlying farm bill and provide a more predictable and responsible safety net for our farmers and ranchers throughout this Nation.

There will be tax relief, and there will be significant tax relief. But while the President is correct that the budget surplus, to the extent that it exists, is the American people's money, it is also the American people's farm problem, the American people's education problem, the American people's debt reduction problem, the American people's crisis in any number of other areas which must be addressed in a thoughtful and responsible manner in the course of putting together this budget resolution.

It is my hope, rather than this unending partisan head knocking that has gone on here for far too long, that in fact we can reach some bipartisanship in the creation of this budget resolution which will set the framework then for the budget and tax discussions for the remainder of this 107th Congress.

It makes no sense to me that there has been such a lack of willingness to negotiate, such a lack of willingness to bring both sides together in a bipartisan fashion. What we have here is the people's budget problem. It is one that is solvable if people of good faith will work together in a constructive fashion, understanding there is give-and-take that will be necessary on both sides.

It seems to me what is not constructive, what is not helpful, is where either side takes a ''my way or the highway,'' ''nothing is negotiable,'' ''one side has all the wisdom in the world'' kind of approach, either to agricultural policy or to any other aspect, any other component of the budget issues facing us in America today.

So I look forward to offering this amendment and to continuing debate in the future on the financial aspects of what will be required to bring rural America into the level of prosperity

and opportunity that the rest of America has enjoyed and experienced over this past decade.

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

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold the suggestion of the absence of a quorum?

Mr. JOHNSON. Yes, I withdraw my suggestion.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Dakota.

Mr. DORGAN. Mr. President, the underlying amendment offered by Senator GRASSLEY from Iowa and the amendment that will be offered as a counter to it is exactly what needs to be discussed when we talk about the Federal budget. What are our priorities? What do we think is important in this country? What do we as Senators and Members of the House believe ought to be done? What ranks near the top?

We come, those of us from farm country, to the Congress saying family farming is important to this country. We believe that family farming contributes something very substantial to America; it always has. There was an author who died some years ago named Critchfield who described what family farming provides to our country. He described the origin of family values coming from family farms, and rolling from family farms to small towns, to big cities, refreshing and nourishing the family values of our country. I believe that to be the case. I believe a network of food producers across this country is important to this country's strength and its security.

Some take the position that it does not matter whether we have family farmers. They say: Corporations will farm America. We don't need people living out on the land. We have dairy operations in California that milk 3,500 cows three times a day.

Those are agrifactories, not family farms. We have corporations that will buy land and have tractors big enough to plow as far as you can see. And, yes, they will produce America's food. But this country will have lost something if we decide that family farming is not important in our future. It will have lost part of its culture and its heritage.

Europe has taken a different tack, a different road.

Europe has already decided family farms are important. They want people to be able to live out on the land, to produce their food, and to be able to make a decent living producing their food. The result is, in rural Europe, farmers are doing well and small towns are thriving, as compared to this country where small towns are dying and family farmers are struggling and rural economies are shrinking like prunes.

We have an opportunity in this country to decide what kind of future we want, what kind of an economy we want.

In speaking about farming and its culture for a moment, I come from a town of nearly 300 people. I graduated from a high school class of nine. In my hometown and towns similar to it all across the rural State of North Dakota, wonderful things result from a culture that is important to this country.

Let me give an example. In one community in North Dakota, a man and his wife run a gas station, according to news reports. But they don't want to work all day because they are of retirement age. So at about 1 o'clock in the afternoon, they close their gas station, hang the key to the gas pump on a nail by the door to their gas station, and also have a pad there so if when they are closed you need gas, you take the key, unlock the pump, fill your car, and make a note that you have taken gas. Yes, that happens in America, in rural America, in a very small town in North Dakota.

Another small town in North Dakota, as part of our rural culture, can't keep a cafe open, a town restaurant. So they have all members of the community who are able-bodied sign a sheet to say when they will work for nothing to keep the restaurant open. That is the way they have a restaurant in their town.

Another community had a grocery store close up, and so the city council decided the town would build a grocery store. I was there the day they opened it with a high school band playing on Main Street in this little town of Tuttle, ND, proud as the dickens at the new grocery store they had built for themselves. Some would call it socialism because it is not a private grocery store. The town decided to put together a little nonprofit group, and they built their own grocery store because they lost the store they had. Wonderful things happen in rural cultures where family farms support small towns.

In my home county, some long while ago, there was a robbery. In my little town a robbery is almost unheard of. It prompted the county sheriff, after investigating, to say that there had been no sign of forced entry for the cash that was stolen because the people had gone on vacation for 2 weeks and had not locked their home. Let me repeat that. The people had gone on vacation for 2 weeks and had not locked their home. Why? Because they didn't have a key for their home in any event.

The county sheriff of my home county put out a missive to all the folks in the county saying, if you are going to vacation, you should consider locking your home. And a good many people in my hometown said that was a real problem because they didn't have locks. Then he said something very radical. He said: When you park your vehicle on the main street in Hettinger County, you should consider taking the keys out of the vehicle. A couple of ranchers observed to the county newspaper that they wondered what if people needed to use their pickup trucks. That happens in rural America. That is a rural culture. That is something that is important. That comes from family farms dotting the landscape, providing the economic blood vessels by which small towns survive and thrive.

In this country all too often family farmers are hanging on by their fingertips, struggling during tough times with collapsed commodity prices. Small towns are shrinking and dying all across this country.

I have a map that I haven't brought to the floor. I will bring it to the floor when I offer an amendment in a couple of days that shows the counties in this country that have lost 10 percent of their population in the last 25 years. It is blocked out in red. It is a big egg-shaped area from North Dakota down to Texas. We are depopulating rural America. The middle part of America is losing its population, a century after we homesteaded rural America, a century after we told people: You go out and if you take 160 acres of land and improve that land and build a farm, we will give you the 160 acres. That was under the Homestead Act. That is how people went to the Dakotas at that time. That is how my great-grandmother went there with four kids after her husband had a heart attack. She went to Hettinger County, ND, and pitched a tent, built a home, and created a farm, and the Government gave her 160 acres of land under the Homestead Act. That is the way we populated rural America.

Now that county, as virtually every other county in America, is shrinking like a prune because farmers can't make a living when prices collapse and prices have gone down and down and stayed down.

Now the question is, Does this Congress care? Does this country care? Are we going to, in public policy, decide that family farmers matter, that we want our food produced with a broad network of food producers, families living out there with the yard light shining on a yard and contributing to a culture of the type I have just described that is something unique and wonderful in this country or are we going to take the position that some take that the family farm is similar to the little old diner that got left behind when the interstate came through and we have fond memories of it—but so long.

I hope this Congress decides that family farmers matter to this country. The space between New York and Los Angeles is not just air time. It is a lot of good country. When you get to the middle of America, you find a lot of good people. They struggle to produce crops against all the odds.

Some say: Why do you need something special for farmers? Farmers are no different than the hardware store in town. But farmers are very different. A farmer borrows money to put a seed in the ground in the spring, borrows money to fuel the tractor to put that seed in the ground, and then fertilizes

that seed and hope it grows. If it grows, it is good luck, that crop. If it grows, it is good luck for the farmer. But it might get eaten by insects, it might be destroyed by hail, disease, all number of elements over which farmers have no control can affect that crop. And perhaps if the farmer is lucky enough to take that crop off in the fall and haul it to an elevator, in a world in which nearly half the people are hungry, the grain trade now tells that farmer the food you struggled to raise has no value.

Think of that. In a world in which 500 million people go to bed with a severe ache in their belly every night because it hurts to be hungry and in a world in which half the people don't have enough to eat, our farmers are told their food has no value. It somehow is not a national asset. There is something fundamentally bankrupt about that kind of thought.

My point on this amendment and on this bill is this: Are we going to keep skipping around here, just sort of doing enough to avoid the charge that we are not doing anything or is this Congress going to decide that one of its priorities is to do something to help family farmers so we have family farmers in our future? Does agriculture or family farming matter? We will see.

We know what matters to some. We know to some the only thing that matters is a $1.6 trillion tax cut. I am for tax cuts. It is not exactly political heavy lifting to be for tax cuts. That is zero gravity in politics. You want to go out and say you are for tax cuts. That is not exactly heavy lifting. I am for tax cuts. I am not for $1.6 trillion. I am not for taking money out of the Medicare trust fund in order to do it. I am not for tax cuts at the expense of education or family farming. I am not for tax cuts at the expense of paying down the debt. I am for tax cuts that make sense for our country, that allow us also to pay down the Federal debt, to improve our schools, to help our farmers, and to do the other things we need to do in this country to make this a good place in which to live.

This is all about priorities and balance. We are going to have a couple of amendments offered on the issue of funding agriculture. One is going to be short. The other, shorter than I would like, will address this issue in a much more robust way. We can choose what is our priority.

Look in the rear-view mirror a few years and dig out the debate in the CONGRESSIONAL RECORD that preceded the most recent debate on Freedom to Farm. See who said what. Those who said they were friends of family farmers said we were headed towards nirvana; I see a day in the golden sunset in which farmers will no longer be dependent on the Government and we will have robust, aggressive, decent prices for family farm products all across the country; farmers will be able to make a good living.

They said that when wheat was $5.50 a bushel. And they put in place a farm program that said: We have a new theory. Our theory is, we don't need countercyclical help for farmers. When we have a price valley, let farmers fall into the valley. We don't need a bridge across that price valley.

So Congress passed that legislation. I didn't vote for it. Congress passed that legislation. The price of wheat collapsed, from $5 right off the table. It just flat collapsed.

Every single year since that time, the so-called Freedom to Farm bill has been demonstrated a failure. It doesn't work. We are going to transition for 7 years with transition payments or so-called AMTA payments out of any kind of support for family farmers. That never made sense. If a country says family farming doesn't matter, then that is the route to take. But I expect most in this country believe family farming matters a great deal. Certainly most in this Chamber profess they believe that.

If that is the case, let us finally put together a farm program that works. Let's stop shadowboxing. This is all political shadowboxing. Let's decide this is a priority. And on this day and in this way, we will put together a program that works, something that says to family farmers: You matter, too. You are part of our future. We care about family farming.

I am not going to be apologetic for saying this is important to my State and to our region of the country. This is important to our entire Nation.

As I indicated when I began, Europe has already made this decision, and good for them. This country ought to as well. Europe long ago decided they were hungry once and they will not be again.

How do you make certain you are not hungry? You make certain you have a network of food producers dotting the land, family farms producing America's food—in this case, producing Europe's food. You decide you are going to pay people who work hard on family farms a decent return on that which they produce.

As I said earlier, it is inconceivable to me that which we produce in such great abundance and that which the world needs so desperately—food, coming from our family farms—is deemed to have so little value by the grain trade.

Part of this is an issue some of us will work on together as well, and that is all the monopolies in every direction farmers face. Do you want to put your grain on a railroad? Guess what. The railroads are in monopoly or near monopoly. They are very few. They will tell you where you are going to be and what they are going to charge.

Do you want to sell your grain? It does not matter what kind of milling you are talking about selling it into. The top three or four firms are going to control almost all of them.

Do you have some animals you want to sell—fat steers or hogs? Sell them into the production cycle, and guess what. Two, three, or four firms are going to control 70 or 80 percent of all of the processing.

In every direction farmers face monopolies. They have their fist around the neck of the marketing bottle in a way that chokes family farmers every single way. We need to do something about that. It is time for this country to stand up for some antitrust enforcement and bust some trusts and break some monopolies.

Today we are talking about the priorities. With this budget, what are we committing to decide we are going to have a nation of family farmers in our future? I hope we will make the decision to do enough.

The amendment offered by my colleague from Iowa is short. It is not enough. It does not meet the needs. In any case, it comes from, in large part, the so-called contingency fund. David Copperfield is on television with his special, talking about illusions. He has his match in this Chamber with respect to illusions. We have been hearing about this mythical contingency fund for hours and hours, and we will hear about it all week. It is an illusion.

To the extent any part of it is real, a significant part comes from the Medicare trust fund which was supposed to have been in a lockbox. So now we are talking about Houdini, not David Copperfield, because somebody opened the lockbox and put it in the so-called contingency fund.

We can do a lot better than that. Let us decide this is a priority, that family farmers matter, that family farmers are a priority for this country, and fund it the way it should be funded. We should reject the amendment offered by the Senator from Iowa and accept the amendment to be offered by my colleague from South Dakota and my colleague from North Dakota tonight or tomorrow morning.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is a place where we have some fundamental agreement and yet some disagreement on how to accomplish the goal.

We face a crisis in American agriculture. It is deep, it is abiding, and it is devastating.

Let me put up a chart that shows what USDA tells us will happen to net farm income in the period from 2000 to 2002, the last 2 years on this chart. One can see that net farm income is going to plunge unless we take action.

Senator GRASSLEY is to be commended for taking action by offering his amendment. I disagree with some of the specifics, but I commend him for standing up for American agriculture at a time of extreme need.

The next chart shows what our major competitors are doing in comparison to what we are doing to support our producers.

The European Union, our biggest competitors in world agriculture, is providing $313 an acre of support per

year to their producers. By comparison, we are providing $38 an acre for our producers. Europe is doing nearly 10 to 1 over and above what we are doing—nearly 10 to 1. Those are the very difficult circumstances our farmers face.

We are telling our farmers: You go out there and compete against the French farmer and the German farmer, and while you are at it, take on the French Government and the German Government as well.

That is not a fair fight.

That is just the first part of the equation. Let us go to export assistance. This chart shows that the European Union is flooding the world with agricultural export subsidies. The blue part of this chart is the European share of world agricultural export assistance. One can see the Europeans account for 83.5 percent of all the world's agricultural export subsidies. The U.S. share is that little red piece of the pie, 2.7 percent.

The Europeans are outgunning us on export assistance 30 to 1—10 to 1 on domestic support, internal support, and 30 to 1 on export assistance. We wonder why American agriculture is in trouble. We worry why Europe is gaining world market share. It is very clear if one does an analysis of why that is occurring. It is because they are providing much greater assistance to their producers than we are to ours.

Let us go to the next chart. Here is the history from 1991 to the year 2000. The green line is the prices farmers pay for inputs. That line goes up, up, and away. The red line is the prices farmers have received.

One can see that the peak of what farmers received was in 1996, right before we enacted the last farm bill. Since then, prices farmers have received have gone down, almost straight down.

The gap between the prices farmers pay and the prices on what they sell is growing, is dramatic, and is devastating. That is what has led to the crisis in American agriculture. That is what requires a response. That is why the Senator from Iowa is proposing this amendment. That is why we will propose an alternative that we think is superior, that is better, that has more funding because, very frankly, what the Senator from Iowa has offered is inadequate: $63.5 billion over 11 years will not come close to matching what the Europeans are doing. It will not come close.

Our amendment provides $97 billion over that 11-year period. We fund it in the first year, in the current budget year, out of the surplus and in the succeeding years out of the President's proposed tax cut. We would reduce the size of his tax cut slightly to provide additional support to agriculture.

Why don't we adopt the proposal of Senator GRASSLEY? Very simply because once again the proposal he is offering goes right into the Medicare trust fund to provide support for agriculture.

This next chart shows year by year. This is the problem I addressed on prescription drugs. It repeats itself. These are the year-by-year numbers in the Republican budget. In the year 2005, they only have $7 billion available without going into the Medicare trust fund. The next year they only have $12 billion available.

Senator GRASSLEY's proposal spends $9 billion in the year 2005 for this package. He is going into the Medicare trust fund to provide the resources for agriculture. We say, no. We want to provide the resources for agriculture. We have an amendment at the desk to do it. We provide 50 percent more so we can come close to matching our major competitors, the Europeans. We say, no, we are not going to tap the Medicare trust fund to do it. We are not going to tap the Social Security trust fund or the Medicare trust fund for any other purpose, we don't care how laudatory. We think it is wrong.

If any company in America tried to tap the retirement funds of their employees or the health care trust funds of their employees, they would be headed to a Federal institution, but it would not be the U.S. Congress. They would be headed to a Federal institution. They would be headed for a stretch. It is illegal. You can't raid the trust funds if you run a company. You can't raid the retirement funds of your employees. You can't raid the health care trust funds of your employees, and we shouldn't either. We have stopped this practice the last 3 years and we shouldn't take it back up. We ought to draw a bright line and say no raiding of the Social Security trust fund, no raiding of the Medicare trust fund, not in any year.

That is why we have a different proposal. Our proposal says very clearly, yes, additional assistance to agriculture and substantially more than is in the Grassley plan. We have $97 billion over 11 years; he has $64 billion over 11 years. I think the more important difference is we will not raid the Medicare trust fund to do it. In the first year, this current fiscal year, we take it out of the $96 billion of nontrust fund surplus that is available, and in the succeeding years, we take it by reducing slightly the President's proposed tax cut.

AMENDMENT NO. 176

(Purpsoe: To provide emergency assistance to producers of agricultural commodities in fiscal year 2001, and additional funds for farm and conservation programs during fiscal years 2002 through 2011)

Mr. CONRAD. Mr. President, I call up the Johnson amendment.

The PRESIDING OFFICER. The Grassley amendment is laid aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mr. JOHNSON, for himself, Mr. DASCHLE, Mr. HARKIN, Mr. DORGAN, and Mrs. LINCOLN, proposes an amendment numbered 176.

Mr. CONRAD. Mr. President, I ask unanimous consent reading of the amendment be dispensed.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. CONRAD. I ask unanimous consent Senator JOHNSON be shown as the prime sponsor, that I be shown as a cosponsor, along with Senators DASCHLE, HARKIN, DORGAN, and LINCOLN.

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

Mr. CONRAD. I yield the floor.

Mr. DOMENICI. Mr. President, I don't have anything further to say. I will have a chance tomorrow to speak again. I think we have a unanimous consent agreement that takes over.

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. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak up to 10 minutes each.

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

THE CRISIS IN CHINESE-AMERICAN RELATIONS ON HAINAN ISLAND

Mr. AKAKA. Mr. President, the only way to resolve the current crisis in American-Chinese relations is the prompt and safe return of the 24 American airmen now being detained by the Chinese military on Hainan Island and by the swift return of the U.S. Navy's plane. Only after their return can we begin to discuss other issues with China over this and other incidents affecting our relations.

I am deeply disturbed by the delay in allowing American embassy personnel to meet with our service personnel, and I am concerned about press reports that they are being detained in separate areas. I understand our bilateral consular agreement requires the Chinese to provide full access to American citizens within four days but nothing precludes them from giving such access sooner. Indeed our consular agreement with China requires consular access to all American citizens within 48 hours of receipt of official notification of their detention. As Chinese officials issued statements concerning their detention on April 1, China may already be in violation of its consular agreement with us. The fact that American consular officials are already present on Hainan Island and the extraordinary circumstances surrounding our plane's emergency landing on Hainan provide the Chinese authorities with an opportunity to demonstrate their good will.

Press reports that Chinese personnel have entered our plane and removed equipment are also deeply disturbing. Under international law, the plane enjoys sovereign immune status as the incident took place in international air space and the plane should not have been entered or tampered with. There is no doubt about the location of the incident as even the Chinese Foreign Ministry press spokesman, Mr. Zhu Bang Zao, acknowledged that it took place 104 kilometers, or 65 miles, at sea.

This incident is the most recent in a series of serious episodes in American-Chinese relations since the establishment of diplomatic relations between our two countries. When the Chinese embassy was mistakenly bombed in Belgrade, we moved quickly to assume responsibility and to make appropriate amends. I hope that the Chinese are now willing to take similar steps to defuse the situation and restore the trust necessary between two great nations. It behooves both countries to exercise restraint and respect for each other. The first step towards resolution is for China to release our detained personnel and equipment. Perhaps they do not realize how profoundly affected Americans are by the perception that their fellow citizens are being mistreated or misused as tools of political propaganda. The seizure of the U.S.S. *Pueblo* by North Korea and the takeover of the American Embassy in Iran, as examples, remain sores in the American psyche. We deeply resent the mistreatment of Americans for simply being Americans doing their duty under the protection of international law and agreements. We can also understand China's concern over the loss of its pilot and plane. We regret their loss but prolonging this crisis can benefit neither country nor lead to a reconciliation between us.

A first step needs to be taken. I hope the leaders of our two countries do so soon by opening a direct dialogue. May God bless our servicemen and women who are now suffering this time of trial. Our thoughts and prayers are with them constantly.

THE BIPARTISAN CAMPAIGN REFORM ACT OF 2001

Mr. KERRY. Mr. President, yesterday, at long last, the United States Senate voted to take a first step toward reforming our campaign finance system. This long awaited vote comes after years of partisan delay tactics which have long prevented us from taking an up-or-down vote on this bill. It also comes after an election in which $3 billion was spent in an effort to elect or defeat candidates. Today we have the chance to pass reform which at the very least demonstrates that we've learned a lesson from years of scandal and year upon year of runaway spending.

But let me be clear about something: despite the rhetoric we have heard on the Senate floor, the bill we vote on today is not sweeping reform that will give one party or the other the edge when it comes to funding campaigns. Instead, this bill simply restores, to a certain degree, the campaign finance reform laws that we enacted more than 25 years ago. Back then, in the post-Watergate era, we recognized that it was time to prevent secret stashes of cash from infiltrating our political system. We succeeded in that effort, and I believe the system worked reasonably well for some time, until the recent phenomena of soft money and sham issue advocacy overtook the real limits we had established for our campaign system.

I want to take a minute, to talk about how we got to this point in which our system so desperately needs this modest reform bill. Federal law has prohibited corporations from contributing to federal candidates since 1907. This nearly hundred-year-old ban was enacted in recognition of the fact that corporations accumulate great wealth that could be used to distort electoral outcomes. Labor unions likewise have been barred from contributing to candidates since 1943. In addition, the post-Watergate campaign finance law capped individual contributions to candidates, parties and PACs. These limits were put in place after the country learned a hard lesson about the corrupting influence of money in politics.

Unfortunately, the Federal Election Commission and the courts opened the loopholes that ultimately eviscerated our reform efforts. Soft money first came into play in 1978 when the FEC, the toothless watchdog of our campaign finance laws, opened the door to the cascade of soft money by giving the Kansas Republican State Committee permission to use corporate and union funds to pay for a voter drive benefitting federal as well as state candidates. The costs of the drive were to be split between hard money raised under federal law and soft money raised under Kansas law. The FEC's decision in the Kansas case gave parties the option to spend soft money any time a federal election coincides with a state or local race.

Sham issue advocacy too, has a history that defies the intent of campaign finance laws. In what remains the seminal case on campaign finance, Buckley v. Valeo, the Supreme Court held that campaign finance limitations applied only to ''communications that in express terms advocate the election or defeat of a clearly identified candidate for federal office.'' A footnote to the opinion says that the limits apply when communications include terms ''such as 'vote for,' 'elect,' 'support,' 'cast your ballot for,' 'Smith for Congress,' 'vote against,' 'defeat,' 'reject.'" The phrases in the footnote have become known as the ''magic words'' without which a communication, no matter what its purpose or impact, is often classified as issue advocacy, thus falling outside the reach of the campaign finance laws.

Until the 1992 election cycle, most for-profit, not-for-profit, and labor organizations did not attempt to get into electoral politics via issue advocacy. However, that year a group called the Christian Action Network ran an ad that stretched the distinction between express advocacy and issue advocacy to its limits. The ad, which was broadcast at least 250 times just before the presidential election, was described by a court as giving candidate Bill Clinton a ''sinister and threatening appearance'' before finally wiping his image from the screen. The 30-second spot, entitled ''Clinton's Vision for a Better America,'' denounced what the Christian Action Network labeled Clinton's ''homosexual agenda.'' The ad never used Buckley's ''magic words'' and the Court of Appeals decided that the ad was a discussion of issues related to ''family values'' rather than an exhortation to vote against Clinton in the upcoming presidential election.

The ad by the Christian Action Network and others like it opened the flood gates to more so-called issue advocacy in later elections, resulting in the half-a-billion dollars in sham issue ads that influenced the 2000 elections.

Soft money and sham issue advocacy became predominant features of our campaign finance system even though neither was intended to play a role in our campaigns when the post-Watergate reform laws were written. The result? Last year approximately $1 billion in soft money contributions and sham issue ad expenditures influenced our federal elections. Many who oppose reform will argue that both soft money and sham issue ads are constitutionally protected and should be allowed to continue unfettered. I would like to take just a moment to address those arguments.

We have been told that the ability to donate hundreds of thousands of dollars in soft money is constitutionally protected. The truth is, banning soft money contributions does not violate the Constitution. The Supreme Court in Buckley held that limits on individual campaign contributions do not violate the First Amendment. If a limit of $1000 on contributions by individuals was upheld as constitutional, then a ban of contributions of $10,000, $100,000 or $1 million is also going to be upheld. It simply cannot be said that the First Amendment provides an absolute prohibition of any and all restrictions on speech. When state interests are more important than unfettered free speech, speech can be narrowly limited. Speech is limited in cases of false advertising and obscenity. In addition, we are not, as the saying goes, free to yell ''fire'' in a crowded movie theater. In those cases, there is a compelling reason to limit speech. Buckley, too, said that the risk of corruption or the appearance of corruption warranted limits on individual campaign contributions. Soft money contributions to political

parties can be limited for the same reason.

In addition, in Nixon v. Shrink Missouri PAC, the Supreme Court recently justified its decision to uphold a $1050 contribution limit for elections in Missouri, stating that it was concerned with ''the broader threat from politicians too compliant with the wishes of large contributors.'' It went on to say: ''Leave the perception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance.'' I think the Supreme Court's language bodes well for the likelihood that a soft money ban will be upheld.

Likewise, I believe that the electioneering provisions of the bill will be upheld. It's a trickier case, but I would submit that the bright line test in McCain-Feingold satisfies the Supreme Court's holding in Buckley. The so-called ''magic words'' test of express advocacy has come to provide what is a wholly unworkable test that I believe was never the intention of the Court. The magic words test elevates form over substance, and in practice has proven meaningless. The proof of that is in the half-a-billion dollars in sham issue ads that were aired last year.

I would add that the test in this bill does not stop any advertisements. Advertisements that simply discuss issues, without naming candidates are always permissible. Advertisements that air within 30 days of a primary or 60 days of a general election can discuss issues, as long as the ads do not depict a particular candidate. And any advertisement can be aired at any time, as long as it is paid for with hard money.

A final argument opponents of reform like to make is that we spend less on campaigns than we do on potato chips or laundry detergent. But I would ask the proponents of this argument whether what we are seeking in our democracy is electioneering that has no more depth or substance than a snack food commercial. Because, despite the ever-increasing sums spent on campaigns, we have not seen an improvement in campaign discourse, issue discussion or voter education. More money does not mean more ideas, more substance or more depth. Instead, it means more of what voters complain about most. More thirty-second spots, more negativity and an increasingly longer campaign period. Less money might actually improve the quality of discourse, requiring candidates to more cautiously spend their resources. It might encourage more debates, as was the case in my own race against Bill Weld in 1996, and it would certainly focus the candidates' voter education efforts during the period shortly before the election, when most voters are tuned in, instead of starting the campaign 18 months before election day.

The American people don't buy the arguments made by opponents of reform. The American people want us to forge a better system. A national survey conducted by the Mellman Group in April of last year found that by a margin of 68 percent to 19 percent, voters favored a proposal that eliminates private contributions, sets spending limits and gives qualifying candidates a grant from a publicly financed election fund. That same survey also found that 59 percent of voters agree that we need to make major changes to the way we finance elections. But perhaps the most telling statistic from this survey is that overwhelming majorities think that special interest contributions affect the voting behavior of Members of Congress. Eighty-seven percent of voters believe that money impacts Members of Congress, with 56 percent expressing the belief that if affects the members ''a lot.'' Even when asked about their own representatives, the survey again found that voters overwhelmingly believed that money influenced their behavior. Eighty-two percent believe campaign contributions affect their own members, and 47 percent thought their representatives were affected ''a lot.''

McCain-Feingold is an important piece of legislation that begins to tackle the problems of soft money and issue advocacy I have outlined. I support this legislation, but I would note one serious shortcoming of the bill. It won't curb the rampant spending that drives the quest for money. Unfortunately, we all recognize that creating spending limits is not a simple proposition. In the 1996 Buckley case, the Supreme Court struck spending limits as an unconstitutional restriction of political speech. An important caveat to its decision is that spending limits could be imposed in exchange for a public benefit. I wish we had at our disposal a number of bargaining chips, public benefits that we could trade in exchange for spending limits. However, unless the Supreme Court reverses itself, something I am certainly not expecting in the near future, we must accept that if we want to limit the amounts spent on campaigns, we must provide candidates with some sort of public grant.

The votes we have taken on various amendments addressing public funding make it clear that a lot of my colleagues aren't ready to embrace public funding as a way to finance our campaigns. But it is, in my opinion, the best constitutional means to the important end of limiting campaign spending and the contributions that go with it. Ultimately, I believe in the potential of a system that provides full public funding for political candidates. I would also support a partial public funding system, such as the one I offered in an amendment to this legislation. That amendment would have freed candidates from the need to raise unlimited amounts of money by providing with ''liberty dollars'' in the form of a two-for-one match for small contributions, in exchange for the candidates agreeing to abide by spending limits. I believe that any system that reduces candidates' reliance on private money and encourages them to abide by spending limits will ultimately be the best way to truly and completely purge our system of the negative influence of corporate money.

Many of our states are already engaging in a grand experiment to see if full or partial public funding of campaigns serves the goals of reform. At the state level, politicians are learning that the cost of campaigns can be capped without reducing the effectiveness of a campaign. Challengers are becoming more competitive as their campaigns are infused with public money. Incumbents are learning that they can spend less time fundraising and more time governing if they avail themselves to public campaign funds. And our citizens are learning that their faith in the political process can be restored as money no longer appears to influence the political process.

I am pleased that my home state of Massachusetts is one of the states that is experimenting with a Clean Money, Clean Elections law. The law, which voters adopted by referendum in 1998, will go into effect this year and will provide candidates for state office with full public funding if they agree to abide by spending limits. A recent survey of voters across the state found that three-fourths support the law. I am optimistic that the majority will grow after the law is put to its first test during the upcoming elections.

It seems that Clean Money, Clean Elections laws are off to a good start in the states. But we need to know more about how well these programs work. That is why I am pleased that the managers of this bill accepted an amendment I offered that will require the GAO to examine the impact of Clean Money, Clean Elections laws in states where they have been enacted. Specifically, my amendment will require the GAO to determine more about the candidates who have chosen to run for public office using Clean Money, Clean Elections funds. It will provide us with concrete figures on which offices attract Clean Money, Clean Elections candidates, whether incumbents choose to use clean money, and the success rate of Clean Money candidates.

In addition, the GAO will be able to determine whether Clean Money, Clean Elections programs reduced the cost of campaigns, increased candidate participation or created more competitive primary or general elections.

We should encourage states to experiment with reform. I believe an objective study as required by this amendment will better enable leaders at the state level to evaluate the Clean Money, Clean Elections option. In the end, we may all learn that there is an important role for public financing in state and ultimately federal elections.

As I said before, this bill, which bans soft money, regulates sham issue ads, and provides a study for public funding systems provides a good first start to

reform, and I will therefore support it. I have one serious reservation about the bill, however, and that is its increase in the hard money limits. Although I fully understand the argument that the limits have not kept up with inflation, I am concerned that the increases in individual limits and, most especially, aggregate limits, do not take us in the right direction of decreasing the amount of money in elections. Moreover, this increase simply enables the tiniest percentage of the population that currently contributes large contributions to contribute even more. This increase does nothing at all to increase the role the average voter plays in our election process.

Nevertheless, the vote yesterday is a victory for reform—but it needs to be the first vote, not the last. I want to offer my congratulations to my friends RUSSELL FEINGOLD and JOHN MCCAIN on this victory for reform, passage of a bill that breaks free from the status quo and will help us restore the dwindling faith the average American has in our political system. For too long we've known that we can't go on leaving our citizens with the impression that the only kind of influence left in American politics is the kind you wield with a checkbook. This bill reduces the power of the checkbook and I am proud to support it.

STATEMENT OF INTENT

Mr. SPECTER. Mr. President, I concur with the statement of supporters of the Bipartisan Campaign Reform Act of 2001, with respect to the discussion of the intent of the Specter amendment.

VIOLENCE AND SUBSTANCE ABUSE

Mr. LEVIN. Mr. President, the Josephson Institute of Ethics, a nonpartisan, nonprofit organization, recently released its survey on violence and substance abuse in the United States. The survey finds that a disturbing number of young people have easy access to guns and have brought those guns and other weapons to school in the past year.

According to those surveyed, 47 percent of all high school students and 22 percent of all middle school students reported having easy access to guns. Of those students who reported drinking at school in the past 12 months, those with easy access to guns jumped to an astonishing 71 percent for high school students and 59 percent for middle school students.

Furthermore, 14 percent of high school students and 11 percent of middle school students admitted that they brought weapons to school in the past 12 months. Again, those numbers increased dramatically among students who also reported drinking at school at some point in the last year to 48 percent for high school students and 57 percent for middle school students.

Easy access to guns among our young people is dangerous, but access to guns paired with access to alcohol or drugs is recipe for disaster. And while the vast majority of students will be safe in their classrooms, our youth's easy access to firearms makes 36 percent of high school students and 39 percent of middle school students feel unsafe at school. Unfortunately, unless Congress and acts to curb youth access to guns, in some cases, that fear may become a reality for more and more students.

CONGRESSMAN NORMAN SISISKY

Mr. LIEBERMAN. Mr. President, I rise today to pay my respects to the memory of my dear friend, Congressman Norman Sisisky. Like many of my colleagues, I was shocked and saddened at hearing the news of his sudden passing last Friday. We have lost a respected and treasured colleague; the people of Virginia have lost one of the most committed and effective men ever to serve in the U.S. House of Representatives; and America has lost a distinguished member of what Tom Brokaw has called ''the greatest generation.''

Norm Sisisky was a classic example of the devoted public official our founders envisioned serving in ''the people's house.'' For Norm was a man of the people, someone who worked hard, played by the rules and maintained a steadfast commitment to his family and community.

That he excelled in politics is no surprise to those of us who knew him. He genuinely liked and respected people and they returned that with the trust and affection. His trademark grin and infectious laugh drew people to him. Norm never took himself too seriously, and always took great delight in good-natured banter.

But he did take his job seriously. He was an aggressive advocate for his constituents in Virginia's 4th Congressional district for the past 18 years. He never forgot his roots, and never wavered in his commitment to fighting for the little guy, and he never lost sight of his role as their voice in our great system.

But of all his many and important public accomplishments, Norm Sisisky was probably proudest of his service in the U.S. Navy, and of his advocacy in Congress for our servicemen and women. Those of us who have had the privilege of watching Norm battle on behalf of our armed services from his position on the House Armed Services Committee were always impressed by his extensive knowledge and his keen insight. And we were inspired by his determination to keep our defenses strong, even if we in the Senate occasionally had to face his formidable presence in disagreement in conference.

I will forever remember Norm Sisisky as a man of considerable skill, devotion, humor, and honor. He leaves behind a loving family, devoted friends, and a strong nation. That is his proud legacy.

CHILD ABUSE PREVENTION MONTH

Mr. FEINGOLD. Mr President, as we welcome the blooms of spring this April, we should also take a moment to focus on the well-being of our most precious resource, our children. Since 1983, April has been nationally recognized as Child Abuse Prevention Month. Since then, organizations like Prevent Child Abuse America have been passionate advocates for our children and have raised awareness of this egregious problem. In my own state of Wisconsin, the local chapter of Prevent Child Abuse America in Madison has been an effective leader in the fight against child abuse.

Child abuse is an urgent national problem. According to Prevent Child Abuse America, more than three million children were reported to child protective service agencies as alleged victims of child abuse or neglect in 1998, and about one million of these reports were confirmed. And these numbers just reflect those cases that were reported. Undoubtedly, many more cases go unreported.

Child abuse is not only physical harm, but it can also include emotional abuse and mental damage resulting from physical abuse. The documented physical and emotional harm to children includes chronic health problems, low self-esteem, physical disabilities, and the inability to form healthy relationships with others.

Protecting our children should be a national priority. I urge my colleagues and others to support child abuse prevention efforts to protect our nation's greatest resource, our children. Working together, we can help end child abuse.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 2, 2001, the Federal debt stood at $5,745,399,258,826.83, Five trillion, seven hundred forty-five billion, three hundred ninety-nine million, two hundred fifty-eight thousand, eight hundred twenty-six dollars and eighty-three cents.

Five years ago, April 2, 1996, the Federal debt stood at $5,120,563,000,000, Five trillion, one hundred twenty billion, five hundred sixty-three million.

Ten years ago, April 2, 1991, the Federal debt stood at $3,464,021,000,000, Three trillion, four hundred sixty-four billion, twenty-one million.

Fifteen years ago, April 2, 1986, the Federal debt stood at $2,005,753,000,000, Two trillion, five billion, seven hundred fifty-three million.

Twenty-five years ago, April 2, 1976, the Federal debt stood at $599,291,000,000, Five hundred ninety-nine billion, two hundred ninety-one million, which reflects a debt increase of more than $5 trillion, $5,146,108,258,826.83, Five trillion, one hundred forty-six billion, one hundred eight million, two hundred fifty-eight

thousand, eight hundred twenty-six dollars and eighty-three cents during the past 25 years.

ADDITIONAL STATEMENTS

THE GRAND OPENING OF THE ABERDEEN COMMUNITY BASED OUTPATIENT CLINIC

• Mr. JOHNSON. Mr. President, I would like to congratulate the veterans community of Aberdeen on the opening, on April 11, 2001, of their new Aberdeen Community Based Outpatient Clinic. This important event brings the health benefits that our veterans so richly deserve closer to home.

I would like to commend Ron Porzio, the chief operating officer of the Veterans Administration Medical and Regional Office Center in Sioux Falls, the area veterans service officers, Brown County Veterans Service Officer Tom Gohn, veterans service organizations and the Aberdeen area veterans who have done such an outstanding job of making this project a reality.

I was pleased to hear that Avera United Clinic was named the provider for the new VA outpatient clinic in Aberdeen. Avera has made a solid investment in the community and the state, and it was only logical that the clinic should provide quality health care services to our veterans in the Aberdeen area. This is good news for veterans in northeastern South Dakota because they will be able to receive many medical services at the clinic without having to drive several hours to the Sioux Falls veterans hospital.

Congratulations also need to go to Avera St. Luke's Hospital, Dr. Steve Redmond, Physician's Assistant Kevin Vaughan, Clinic Administrator Leonard Severson, the clinic's support staff, and CR Associates on their new partnership with the VA.

Veterans are our country's heroes, and their selfless actions will inspire generations of Americans yet to come. Our country must honor its commitments to veterans, not only because it is the right thing to do, but also because it is the smart thing to do.

I will continue to lead efforts to ensure that our nation's military retirees and veterans receive the benefits they were promised years ago. While I am pleased with some improvements in military health care funding passed into law last year, I am concerned that more needs to be done. Assuredly, I will continue to fight for military retirees and veterans programs throughout this session of Congress.•

HONORING THE CENTRAL BUCKS EAST CHOIR OF BUCKS COUNTY, PENNSYLVANIA

• Mr. SANTORUM. Mr. President, I would like to take a few moments to recognize an outstanding group of young people from Bucks County, PA. The Central Bucks East High School Choirs, under the direction of E. Scott Teschner and the String Orchestra, under the direction of Eileen Telly, traveled to Washington, DC and Virginia to be adjudicated in Music Festivals throughout the weekend of March 30, 2001.

The 25-member String Orchestra performed at Lanier Middle School in Fairfax, VA on Saturday, March 31, and the choirs sang at W.T. Woodson High School, also in Fairfax. These choirs include a 165-voice Concert Choir, 16-voice Varsity Singers, 16-voice Men's Ensemble and 27-voice Women's Ensemble. Later that evening, these talented students celebrated at an awards banquet and dance, and on Sunday, April 1, 2001, they traveled to the West Terrace of the United States Capitol for a public performance.

This group of students has been recognized for their outstanding choral abilities in Washington, Williamsburg, Orlando, Boston, and Montreal. In addition, they have been recognized since 1991 as the ''Outstanding Choral Program'' in every festival in which they have participated. Performances are judged according to National Standards of Excellence by college choral professors, and the Central Bucks East Choirs consistently earn ''Superior'' ratings. In addition, they are frequently honored with the ''Special Adjudicators Award for Distinguished Performance,'' presented only to the elite choirs in the nation. These singers have also received the ''Spirit of the Festival Award'' for the last 2 years, which is awarded to the organization that bests represents their community and school, and that is the most cooperative and enthusiastic during the festival.

It is without a doubt that this group is an outstanding representation of young people in Pennsylvania and across the country. They have demonstrated tremendous talent both musically and through their leadership and maturity. I enthusiastically congratulate the Choirs and String Orchestra from Central Bucks High School-East, and I extend my best wishes for their future success.•

IN RECOGNITION OF MRS. ARBELIA GREER PENNINGTON WOOD

• Mr. LEVIN. Mr. President, I am delighted to rise today to acknowledge and congratulate Mrs. Arbelia Greer Pennington Wood, a resident from my home State of Michigan, who will be celebrating her 116th birthday on Friday, April 6, 2001.

The child of a sharecropper, Mrs. Wood, who is affectionately called ''Ma'' by her nephews and nieces, was born in Caledonia, MS in 1885. Raised in Alabama, she moved to Detroit in 1934. Throughout her life, she has been guided by devotion to her family and a deep and abiding faith. Though widowed twice, Mrs. Wood has never been alone. She has been actively involved in the lives of her extended family, which includes not only her nieces and nephews, but also children in her neighborhood. Family members and friends have all commented on her cooking abilities and her ability to teach families about cooking, grammar and even carpentry.

In addition to a multitude of nephews and nieces, Mrs. Wood has been blessed to be part of a family noted for its longevity. Her mother lived to be ninety-three years old. A brother of hers lived to be eighty-nine, and many of her younger siblings are currently in their eighties and nineties. One of her nieces has designed a website dedicated to her beloved ''Ma.'' On that website is posted a verse from the Book of Genesis: ''Sarah lived to be 127 years old.'' I cannot help but think that this verse has not only been an inspiration but also a challenge to Ardelia's family.

Mrs. Wood has seen the turn of two centuries. She has also displayed immense courage throughout her life. Twice she has successfully battled breast cancer. In addition, she has participated as a civil rights activist. As a child, Mrs. Woods refused to take the advice of her white doctors to identify herself as being Caucasian. Later in life, she demanded that a Mt. Clemens, MI restaurant serve herself and her darker skinned husband whom they were denying service. The restaurant eventually relented. Arbelia has witnessed the many changes that have affected our society. By caring for her family, actively participating in her church and serving as a midwife, Arbelia Greer Pennington Wood has quietly worked to make this country a better place. Such daily acts of commitment and civic duty are the foundation upon which this nation is built.

Mrs. Arbelia Greer Pennington Wood can take pride on the occasion of her 116th birthday. I am honored to join her family in wishing her a blessed and happy birthday. I hope my Senate colleagues will join me in congratulating Mrs. Arbelia Greer Pennington Wood.•

TRIBUTE TO AMERICAN RED CROSS, MID-RIO GRANDE CHAPTER

• Mr. DOMENICI. Mr. President, I rise to pay tribute to an organization that celebrates a special anniversary in New Mexico this month. The Red Cross, Mid-Rio Grande Chapter this April celebrates its 85th anniversary of being a humanitarian presence in my home state.

Last May, the devastating Cerro Grande wildfire destroyed hundreds of homes in Los Alamos and caused the evacuation of more than 25,000 people in the region. New Mexico residents, business leaders and numerous agencies generously responded to support a relief effort. But one agency stood out as a leader in the swift response to meet emergency needs of the thousands of families affected: the American Red Cross.

The Albuquerque-based Mid-Rio Grande Chapter serves as the Red Cross' lead unit for disaster services in New Mexico. As such, the Mid-Rio

Grande Chapter, working with sister chapters in Los Alamos and Santa Fe, coordinated more than 2,000 volunteers to help ensure that shelters were opened, meals were served, and mental health counselors, nurses, caseworkers and others were available to work with families faced with rebuilding their homes and their lives.

This relief effort, while one of the largest in the state's history, is only one example of the services this Red Cross Chapter provides to disaster victims.

Over the decades, the agency's services have evolved to continue to meet the needs of the communities it serves. The Red Cross was founded in 1881 by Clara Barton. During WWI and WWII, the Red Cross provided extensive services to the members of the U.S. military, supplying more than 80 percent of the bandages used on the battlefields and in the military hospitals. Red Cross nurses and volunteers served in those overseas hospitals, as well as the VA hospitals back home.

Following the wars, new services were formed to meet the needs of veterans. The Red Cross began to expand into home and workplace first aid programs. Swimming lessons and lifeguard training, once unheard of, became a part of hundreds of thousands of children's lives and continues today. CPR and first aid are still taught every week at the Mid-Rio Grande Chapter and around the state and country. In Albuquerque and central New Mexico alone, more than 13,000 people are trained every year.

In New Mexico, the Red Cross also runs a bone and tissue transplantation program. They work closely with United Blood Services to help ensure an adequate blood supply.

In addition to the Albuquerque chapter, the Red Cross also operates chapters in Clovis, Farmington, Hobbs, Las Cruces, Los Alamos, Roswell and Santa Fe.

Throughout program's lifetime, one service has remained constant: disaster relief. Response to fires, floods, windstorms, winter storms, hazardous material spills, transportation accidents, and search and rescue operations has all been part of the everyday work of the American Red Cross, Mid-Rio Grande Chapter. Just last year, they responded to 229 disasters and assisted 285 families, not including the aid given to victims of the Cerro Grande Fire. The Chapter also trains thousands a year in disaster education in an effort to help people prevent, prepare for, and respond to emergencies.

This year, as the Chapter celebrates its 85th anniversary of service, we honor years of commitment and the contributions volunteers have made to our communities by improving and saving lives. These services are made possible only through the generous donations of the people of New Mexico and the nation.

I commend the efforts of the Mid-Rio Grande Chapter of the American Red Cross. I encourage everyone to learn more about the Red Cross and its support services. It is a great organization that relies on public support to ensure that it remains strong and ready to respond to emergency and public safety needs in Albuquerque, the state, the nation, and the world. It is hard to imagine what this country might have been like without the great contributions of one of the world's oldest and largest humanitarian organizations—the American Red Cross.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1297. A communication from the Regulatory Contact of the Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Fees for Official Commodity and Rice Inspection Service'' (RIN0580–AA74) received on March 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1298. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Norway; to the Committee on Foreign Relations.

EC–1299. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Russia; to the Committee on Foreign Relations.

EC–1300. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''List of Communities Eligible for the Sale of Flood Insurance'' (FEMA Doc. 77750) received on March 29, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1301. A communication from the Counsel for Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Operating Subsidies Under the Operating Fund Formula'' ((RIN2577–AB88) (FR–4425–I–12)) received on March 30, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1302. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report concerning the financial statements and schedules for 1999 and 2000; to the Committee on the Judiciary.

EC–1303. A communication from the President of the Foundation of the Federal Bar Association, transmitting, pursuant to law, a report on the financial statements for 1999 and 2000; to the Committee on the Judiciary.

EC–1304. A communication from the Executive Secretary of the Office of Human Research Protection, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Protection of Human Subjects; Delay of Effective Date'' (RIN0925–AA14) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1305. A communication from the Executive Secretary of the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Opioid Drugs in Maintenance and Detoxification Treatment of Opiate Addiction'' (RIN0910–AA52) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1306. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Device; Exemption From Premarket Notification; Class II Devices; Pharmacy Compounding Systems'' (Doc. No. 00P–1554) received on March 29, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1307. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–1308. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–1309. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–1310. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report on the appropriated funds for recruiting functions; to the Committee on Armed Services.

EC–1311. A communication from the Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Use of Restraint and Seclusion in Residential Treatment Facilities Providing Inpatient Psychiatric Services to Individuals Under Age 21: Delay of Effective Date'' (RIN0938–AJ96) received on March 29, 2001; to the Committee on Finance.

EC–1312. A communication from the Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Hospital Conditions of Participation; Anesthesia Services: Delay of Effective Date'' (RIN0938–AK08) received on March 29, 2001; to the Committee on Finance.

EC–1313. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''BLS–LIFO Department Store Indexes—February 2001'' (Rev. Rul. 2001–18) received on March 29, 2001; to the Committee on Finance.

EC–1314. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' received on March 29, 2001; to the Committee on Finance.

EC–1315. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Arkansas River Basin Population of the Arkansas River Shiner'' (RIN1018–AG12) received on March 29, 2001; to the Committee on Environment and Public Works.

EC–1316. A communication from the Acting Vice President of Communications, Tennessee Valley Authority, transmitting, pursuant to law, a report on statistical studies for Fiscal Year 2000; to the Committee on Environment and Public Works.

EC–1317. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report concerning the emergency funding for the State of Michigan; to the Committee on Environment and Public Works.

EC–1318. A communication from the Senior Trial Attorney, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of Computer Reservations Systems Regulations'' (RIN2105–AD00) received on March 29, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1319. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report concerning the alternative power sources for flight data recorders and cockpit voice recorders; to the Committee on Commerce, Science, and Transportation.

EC–1320. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Inseason Adjustment (opens B season pollock fishery in Statistical Area 610, Gulf of Alaska, for 12 hours)'' received on March 29, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1321. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Modification of a Closure (opens pollock fishery in the West Yakutat District, Gulf of Alaska)'' received on March 29, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1322. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Pacific Cod Fishing by Vessels 60 ft. Length Overall and Greater Using Pot Gear in the Bering Sea and Aleutian Islands Area'' received on March 29, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1323. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Closes Pacific Cod Fishing by Catcher Processor Vessels Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Area'' received on March 29, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1324. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Annual Report concerning the Commission's Activities for Fiscal Year 2000; to the Committee on Commerce, Science, and Transportation.

EC–1325. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Amendments to an Emergency Interim Rule Implementing 2001 Steller Sea Lion Protection Measures and Harvest Specifications for the Groundfish Fisheries Off Alaska (provides exemption for fixed gear vessels)'' (RIN0648–AO82) received on April 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1326. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska—Final Rule; Adjusting the Seasonal Apportionment of the 2001 Pacific Halibut by Catch Limits for the Trawl and Hook-and-Line Groundfish Fisheries of the Gulf of Alaska'' received on April 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1327. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of Fishery for Pacific Mackerel'' received on April 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1328. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 feet Length Overall and Longer Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands'' received on April 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC–1329. A communication from the Secretary of State, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1330. A communication from the Secretary of the Department of Housing and Urban Development, transmitting, pursuant to law, a report relating to the Government National Mortgage Association for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1331. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1332. A communication from the Acting Administrator of the Agency for International Development, transmitting, pursuant to law, the Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1333. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Annual Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1334. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1335. A communication from the Acting Chief Executive Officer of the Corporation for National Service, transmitting, pursuant to law, the Annual Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1336. A communication from the Acting Assistant Secretary of Policy, Management and Budget, and Chief Financial Officer of the Department of the Interior, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1337. A communication from the Chairman and Chief Executive Officer of the Farm Credit Administration, transmitting, pursuant to law, the Annual Accountability Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1338. A communication from the President of the African Development Foundation, transmitting, pursuant to law, the Annual Report concerning the Foundation's Financial Statements, Internal Controls, and Compliance for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1339. A communication from the Secretary of Labor and Chairman of the Board, and the Acting Executive Director of the Pension Benefit Guaranty Corporation, transmitting jointly, pursuant to law, the Program Performance Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC–1340. A communication from the Executive Director of the District of Columbia Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report concerning the Financial Responsibility and Management Assistance for Fiscal Year 2000; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 27: A resolution to express the sense of the Senate regarding the 1944 deportation of the Chechen people to central Asia, and for other purposes.

S. Res. 60: A resolution urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia, and for other purposes.

S. Con. Res. 23: A concurrent resolution expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committee were submitted:

By Mr. HELMS for the Committee on Foreign Relations.

William Howard Taft, IV, of Virginia, to be Legal Adviser of the Department of State.

(The above nomination was reported with the recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. HELMS. Mr. President, for the Committee on Foreign Relations, I report favorably in the Foreign Service

the nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning E. Cecile Adams and ending William G. L. Gaskill, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 13, 2001.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOND:

S. 678. A bill to amend the Federal Water Pollution Control Act to establish a program for fisheries habitat protection, restoration, and enhancement, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CLELAND:

S. 679. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HUTCHINSON:

S. 680. A bill to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAPO (for himself, Mr. BAUCUS, Mr. CRAIG, Mr. INHOFE, Mr. MURKOWSKI, Mr. BENNETT, Mr. ENZI, Mr. STEVENS, and Mr. BURNS):

S. 681. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Energy and Natural Resources.

By Mr. McCAIN (for himself, Mr. DODD, Mr. JOHNSON, Mr. WARNER, Mr. DEWINE, Ms. LANDRIEU, Mr. EDWARDS, Mr. BREAUX, Mr. HELMS, Mrs. MURRAY, Mr. REID, Mr. SARBANES, Mr. WELLSTONE, Mr. HOLLINGS, Mr. ROBERTS, Mr. HAGEL, Mr. SMITH of Oregon, Mr. COCHRAN, Mr. REED, Ms. MIKULSKI, Mr. SCHUMER, Mr. THURMOND, Ms. SNOWE, Mrs. LINCOLN, Mr. FITZGERALD, Mr. SHELBY, Mr. CLELAND, Mr. BROWNBACK, and Ms. COLLINS):

S. 682. A bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test; to the Committee on Finance.

By Mr. SANTORUM (for himself, Mr. TORRICELLI, and Mr. SMITH of New Hampshire):

S. 683. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. FEINGOLD):

S. 684. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAYH (for himself, Ms. SNOWE, Mr. GRAHAM, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. LANDRIEU, Mr. KOHL, Mr. JOHNSON, Mr. BREAUX, Mr. ROCKEFELLER, Mrs. CLINTON, and Mr. CARPER):

S. 685. A bill to amend title IV of the Social Security Act to strengthen working families, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 149

At the request of Mr. ENZI, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 149, a bill to provide authority to control exports, and for other purposes.

S. 311

At the request of Mr. DOMENICI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to provide for partnerships in character education.

S. 318

At the request of Mr. DASCHLE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 318, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance.

S. 321

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 361

At the request of Mr. MURKOWSKI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 361, a bill to establish age limitations for airmen.

S. 409

At the request of Mrs. HUTCHISON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 414

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 414, a bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes.

S. 448

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 448, a bill to provide permanent appropriations to the Radiation Exposure Compensation Trust Fund to make payments under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

S. 449

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 449, a bill to ensure the timely payment of benefits to eligible persons under the Radiation Exposure Compensation Act (42 U.S.C. 2210).

S. 466

At the request of Mr. HAGEL, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 466, a bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

S. 472

At the request of Mr. DOMENICI, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 472, a bill to ensure that nuclear energy continues to contribute to the supply of electricity in the United States.

S. 500

At the request of Mr. BURNS, the names of the Senator from Wyoming (Mr. THOMAS), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 500, a bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes.

S. 534

At the request of Mr. CAMPBELL, the names of the Senator from Virginia (Mr. ALLEN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 534, a bill to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

S. 543

At the request of Mr. WELLSTONE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital

gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

S. 581

At the request of Mr. FITZGERALD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 581, a bill to amend title 10, United States Code, to authorize Army arsenals to undertake to fulfill orders or contracts for articles or services in advance of the receipt of payment under certain circumstances.

S. 587

At the request of Mr. CONRAD, the names of the Senator from Georgia (Mr. MILLER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 587, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to sustain access to vital emergency medical services in rural areas.

S. 612

At the request of Mr. FEINGOLD, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 612, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to develop and implement an annual plan for outreach regarding veterans benefits, and for other purposes.

S. 627

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 643

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 643, a bill to implement the agreement establishing a United States-Jordan free trade area.

S. 677

At the request of Mr. BREAUX, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 8

At the request of Mr. CORZINE, his name was withdrawn as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. RES. 55

At the request of Mr. WELLSTONE, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Georgia (Mr. MILLER), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. Res. 55, a resolution designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001 an all future years.

S. RES. 63

At the request of Mr. CAMPBELL, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. Res. 63, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. RES. 65

At the request of Mr. KENNEDY, his name was added as a cosponsor of S. Res. 65, a resolution honoring Neil L. Rudenstine, President of Harvard University.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND:

S. 678. A bill to amend the Federal Water Pollution Control Act to establish a program for fisheries habitat protection, restoration, and enhancement, and for other purposes; to the Committee on Environment and Public Works.

Mr. BOND. Mr. President, I rise today to introduce the Fishable Waters Act with my colleague from Arkansas, Senator LINCOLN. I ask unanimous consent that Senator LINCOLN be listed as a cosponsor. This is consensus legislation from a uniquely diverse spectrum of interests to establish a comprehensive, voluntary, incentive-based, locally-led program to improve and restore our fisheries.

Put simply, this legislation enables local stakeholders to get together to design water quality projects in their own areas that will be eligible for some $350 million in federal assistance to implement for the benefit of our fisheries and water quality. It does not change any existing provisions, regulatory or otherwise, of the Clean Water Act.

The Fishable Waters Act complements existing clean water programs that are designed to encourage, rather than coerce the participation of landowners. This legislation will work because it will empower people at the local level who have a stake in its success and who will have hands-on involvement in its implementation.

It is supported by members of the Fishable Waters Coalition which includes the American Sportfishing Association, Trout Unlimited, the Izaak Walton League of America, the National Corn Growers Association, the National Council of Farmer Cooperatives, the Bass Anglers Sportsman Society, the American Fisheries Society, the International Association of Fish and Wildlife Agencies, and the Pacific Rivers Council. These groups have labored quietly but with great determination for several years to produce this consensus proposal to build on the success of the Clean Water Act.

As my colleagues understand, it is at great peril that anyone in this town undertakes to address clean water-related issues but the need is too great and this approach too practical to not embrace it, introduce it, and work to achieve the wide-spread support it merits.

A companion bill, H.R. 325, has been introduced by Congressman JOHN TANNER in the House. That bipartisan measure is cosponsored by Representatives ABERCROMBIE, BLUNT, BOEHLERT, ALLEN, CLEMENT, NATHAN, DINGELL, ENGLISH, CHRISTOPHER, JOHNSON, LEACH, PALLONE, SAXTON, STENHOLM, and WHITFIELD.

Joining us last year for the kickoff were representatives of the Fishable Waters Coalition and a special guest, a fishing enthusiast who some may know otherwise as a top-ranked U.S. golfer, David Duval. ''Why am I here? I like to fish. I've done it as long as I can remember,'' Duval said. ''I want my kids to be able to have healthy habitats for fish. I want my grandkids and my great-grandkids to be able to do what I enjoy so much, and I think this could make a big difference.''

This bipartisan and consensus legislation is intended to capture opportunities to build on the success of the Clean Water Act. It enables local stakeholders to get together with farmers who own 70 percent of our nation's land to design local water quality projects that will be eligible for some $350 million in federal assistance for the benefit of our fisheries and water quality.

Instead of Washington saying, ''you do this and you pay for it'' and instead of Washington saying, ''you do this but we'll help you pay for it'', this legislation lets local citizens design projects that can be eligible for federal assistance. For farmers, the idea of protecting land for future generations is not an abstract notion because the farmers in my State know that good stewardship is good for them and their families. Their challenge is that while they feed this nation and provide some $50 billion in exports, they do not have the ability to pass additional costs onto consumers like corporations do. For the 2 million people who farm to provide environmental benefits for themselves and the rest of the nation's 270 million people, they need partners because they cannot afford to do it by themselves. This legislation recognizes that reality.

While one can expect a great deal of controversy surrounding any comprehensive Clean Water effort, the consensus that has built around this approach is cause for great optimism that this legislation will be the vehicle to make significant additional progress in improving water quality.

I am pleased to continue work on the Fishable Waters Act with the broad coalition to move the legislation forward to passage and I thank my colleagues Senator LINCOLN and Congressman TANNER. This new generation approach empowers people at the local level who have the greatest understanding and the most at stake in the success of environmental protection. I will be working with new members of the Bush Administration aggressively because I believe that this is philosophically consistent with their modern approach to environmental protection.

I congratulate members of the Coalition for producing and supporting this consensus legislation and I look forward to working with Senator LINCOLN and my other Senate colleagues to move this legislation forward.

I ask unanimous consent to print the text of a one-page summary of the bill in the RECORD.

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

FISHABLE WATERS ACT BILL SUMMARY IN BRIEF

PURPOSE

This legislation begins with the premise the while great progress has been made in improving water quality under the Clean Water Act, more opportunities remain. The particular emphasis on this legislation is on opportunities to address fisheries habitat and water quality needs.

The findings include that it shall be the policy of the United States to protect, restore, and enhance fisheries habitat and related uses through voluntary watershed planning at the state and local level that leads to sound fisheries conservation on an overall watershed basis.

To carry out this objective, a new section is added to the Clean Water Act.

PROGRAM

The legislation authorizes the establishment of voluntary and local Watershed Councils to consider the best available science to plan and implement a program to protect and restore fisheries habitat with the consent of affected landowners.

Each comprehensive plan must consider the following elements: characterization of the watershed in terms of fisheries habitat; objectives both near- and long-term; ongoing factors affecting habitat and access; specific projects that need to be undertaken to improve fisheries habitat; and any necessary incentives, financial or otherwise, to facilitate implementation of best management practices to better deal with non-point source pollution including sediments impairing waterways.

Projects and measures that can be implemented or strengthened with the consent of affected landowners to improve fisheries habitat including stream side vegetation, instream modifications and structures, modifications to flood control measures and structures that would improve the connection of rivers to low-lying backwaters, oxbows, and tributary mouths.

With the consent of affected landowners, those projects, initiatives, and restoration measures identified in the approved plan become eligible for funding through a Fisheries Habitat Account.

Funds from the Fisheries Habitat Account may be used to provide up to 15 percent for the non-federal matching requirement under including the following conservation programs:-The Wetlands Reserve Program; The Environmental Quality Incentives Program; The National Estuary Program; The Emergency Conservation Program; The Farmland Protection Program; The Conservation Reserve Program; The Wildlife Habitat Incentives Program; The North American Wetlands Conservation Program; The Federal Aid in Sportfish Restoration Program; The Flood Hazard Mitigation and Riverine Ecosystem Restoration Program; The Environmental Management Program; and The Missouri and Middle Mississippi Enhancement Project.

The Secretary of the Interior is authorized to develop an urban waters revitalization program ($25m/yr) to improve fisheries and related recreational activities in urban waters with priority given to funding projects located in and benefitting low-income or economically depressed areas

$250 million is authorized annually through Agriculture for the planning and implementation of projects contained in approved plans.

States with approved programs may, if they choose, transfer up to 20 percent of the funds provided to each state through the Clean Water Act's $200 million Section 319 non-point source program to implement planned projects.

Up to $25 million is authorized annually through Interior for measures to restrict livestock access to streams and provide alternative watering opportunities and $50 million is authorized annually to provide, with the cooperation of landowners, minimum instream flows and water quantities.

Mrs. LINCOLN. Mr. President, I rise today to join my neighbor and colleague from Missouri, KIT BOND, in introducing the Fishable Waters Act. This bill is aimed at restoring and maintaining clean water in our Nation's rivers, lakes, and streams. This bill will provide much needed funding for programs with a proven track record of conserving land, cleaning up the environment, and promoting clean and fishable waters. This legislation takes the right approach to reducing non-point source pollution. It's voluntary. Its incentive-based. And it encourages public-private partnerships.

Our State Motto, ''The Natural State,'' reflects our dedication to preserving the unique natural landscape that we cherish in Arkansas. We have towering mountains, rolling foothills, an expansive Delta, countless pristine rivers and lakes, and a multitude of timber varieties across our state. From expansive evergreen forests in the South, to the nation's largest bottomland hardwood forest in the East, as well as one of this nation's largest remaining hardwood forests across the Northern one-half of the state, Arkansas has one of the most diverse ecosystems in the Untied States. Most streams and rivers in Arkansas originate or run through our timberlands and are sources for water supplies, prime recreation, and countless other sues. We also have numerous outdoor recreational opportunities and it is vital that we take steps to protect the environment.

This bill utilizes current programs within the U.S. Department of Agriculture that have a proven track record of reducing non-point sources of pollution and promoting clean and fishable waters through voluntary conservation measures. Existing USDA programs like the Wetlands Reserve Program, the Environmental Quality Incentives Program, Conservation Reserve Program, and Wildlife Habitat Incentives Program, assist farmers in taking steps towards preserving a quality environment.

CRP and WRP are so popular with farmers that they will likely reach their authorized enrollment cap by the end of 2001. Farmers wouldn't flock to these programs unless there was an inherent desire to ensure that they conserved and preserved our Nation's water resources.

Arkansas ranks second in the number of enrolled acres in USDA's Wetlands Reserve Program because our farmers have recognized the vital role that wetlands play in preserving a sound ecology and efficient production.

WRP is so popular in AR that we have over 200 currently pending applications that we cannot fill because of lack of funding. That's over 200 farmers that want to voluntarily conserve wetland areas around rivers, lakes, and streams. We need to fill that void in funding for these beneficial programs. This bill will help farmers in Arkansas and across the nation to voluntarily conserve sensitive land areas and provide buffer strips for runoff areas.

Farmers makes their living from the soil and water. They have a vested interest in ensuring that these resources are protected. I don't believe that our nation's farmer shave been given enough credit for their dedicated efforts to preserve a sound environment for future generations.

As many of you know, farming has a special place in my heart because I was raised on a seventh generation farm family. I know first hand that farmers want to protect the viability of their land so they can pass it on to the next generation. This bill is about more than agriculture through. It strikes the right balance between our agricultural industry and another pastime that I feel very strongly about, hunting and fishing.

Over the years many people have been surprised when they learn that I am an avid outdoorsman. I grew up in the South where hunting and fishing are not just hobbies, they're a way of life. My father never differentiated between taking his son or daughters hunting or fishing, it was just assumed that we would all take part. For this, I will be forever grateful because I truly enjoy the outdoors, and the time I spent hunting and fishing is a big part of who I am today. We are blessed in

Arkansas to have such bountiful outdoor opportunities. For these opportunities to continue to exist we must take steps to ensure that our nation's waters are protected. Trout in Arkansas' Little Red River and mallards in the riverbottoms of the Mississippi Delta both share a common need of clean water. And that is what we are ultimately striving for with this legislation: an effective, voluntary, incentive based plan to provide funding for programs that promote clean water.

I want to again stress the importance of voluntary programs.

We cannot expect to have success by using a heavy-handed, top-down approach to regulate our farmers, ranchers, and foresters into environmental compliance. Trying to force people into a permitting program to reduce the potential for non-point runoff may actually discourage responsible environmental practices.

I agree with the EPA's objective of cleaning up our nation's impaired rivers, lakes, and streams, but firmly believe that a permitting program is not the best solution to the problem of maintaining clean water. Placing another unnecessary layer of regulation upon our nation's local foresters will only slow down the process of responsible farming and forestry and implementation of voluntary Best Management Practices.

This legislation takes the right approach to clean and fishable waters. It's voluntary. It's incentive-based. And it encourages public-private partnerships to clean up our Nation's rivers, lakes, and streams.

I encourage my colleagues to join us in the fight for clean and fishable waters.

By Mr. CLELAND:

S. 679. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CLELAND. Mr. President, today I am introducing legislation to establish the Arabia Mountain National heritage Area in the State of Georgia. The significance of this area and the need to act now is underscored by Metro Atlanta's unprecedented rate of growth. In fact, it has been said that Atlanta is the fastest growing city in civilization.

The area surrounding Arabia Mountain is located only 20 minutes east of Atlanta, near my home town of Lithonia. I speak from personal experience when I say that this area has seen the effects of Metro Atlanta's unbridled expansion, particularly in the past decade. As a result, vital open spaces and farmlands have all but disappeared.

I believe it is essential to preserve what remains of significant natural, cultural, and historic resources in this region. The terrain surrounding Arabia Mountain contains a diverse ecosystem consisting of rare plant species, wetlands, pine and oak forests, streams and a lake. Additionally, this area is home to many historic sites, structure, and cultural landscapes, including the last remaining farm in DeKalb County. On a personal note, I can remember when this town was known as the dairy belt of Georgia. Now, we are down to a single working farm.

My legislation reflects what has been a real grass roots effort to preserve this vital landscape. Over the past several years, local citizens have been working in conjunction with city, county, and State officials to move forward with plans to preserve these resources. In fact, this project has already benefited from significant private contributions of land, money, and professional services which have enabled the Arabia Mountain Heritage Area Alliance to produce a detailed feasibility study which was released on February 28, 2001. However, local efforts to protect and preserve the resources of the area will not fully materialize without the technical assistance of Federal agencies.

Under my bill, the National Park Service, NPS, will be authorized to provide essential technical support in order to develop and implement a plan to manage the natural, cultural, historical, scenic, and recreational resources of the heritage area. Taking into account the diverse interests of the governmental, business, and nonprofit groups within the area, the management plan will assist the local governments in adopting land use policies which maximize the many resources of the region.

I have personally visited this area, and I must reiterate my strong interest in this important preservation effort. I ask unanimous consent that the text of the bill be printed in the RECORD, and urge my colleagues to join me in enacting this legislation.

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

S. 679

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Arabia Mountain National Heritage Area Act of 2001''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use;

(2) the best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities;

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species;

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop;

(5) the archeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity;

(6) the city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States;

(7) the community of Klondike is eligible for designation as a National Historic District; and

(8) the city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities; and

(2) to assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''heritage area'' means the Arabia Mountain National Heritage Area established by section 4.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the heritage area developed under section 6.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Georgia.

SEC. 4. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled ''The Preferred Concept'' contained in the document entitled ''Arabia Mountain National Heritage Area Feasibility Study'', dated February 28, 2001.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

SEC. 5. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—

(1) MANAGEMENT PLAN.—

(A) IN GENERAL.—The management entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the management entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(2) PRIORITIES.—The management entity shall give priority to implementing actions described in the management plan, including—

(A) assisting units of government and nonprofit organizations in preserving resources within the heritage area; and

(B) encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) PUBLIC MEETINGS.—The management entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT.—For any year in which Federal funds have been made available under this Act, the management entity shall submit to the Secretary an annual report that describes—

(A) the accomplishments of the management entity; and

(B) the expenses and income of the management entity.

(5) AUDIT.—The management entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds made available under this Act to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this Act precludes the management entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

SEC. 6. MANAGEMENT PLAN.

(a) IN GENERAL.—The management entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) BASIS.—The management plan shall be based on the preferred concept in the document entitled ''Arabia Mountain National Heritage Area Feasibility Study'', dated February 28, 2001.

(c) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) REQUIREMENTS.—The management plan shall include—

(1) an inventory of the resources in the heritage area, including—

(A) a list of property in the heritage area that—

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area;

(2) provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this Act;

(3) an interpretation plan for the heritage area;

(4) a program for implementation of the management plan that includes—

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan; and

(5) a description and evaluation of the management entity, including the membership and organizational structure of the management entity.

(e) SUBMISSION TO SECRETARY FOR APPROVAL.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this Act until such date as a management plan for the heritage area is submitted to the Secretary.

(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) REVISION.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management entity to submit to the Secretary revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

(g) REVISION OF MANAGEMENT PLAN.—

(1) IN GENERAL.—After approval by the Secretary of a management plan, the management entity shall periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the management entity for any revisions to the management plan that the management entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS.—No funds made available under this Act shall be used to implement any revision proposed by the management entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.— There is authorized to be appropriated to carry out this Act $10,000,000, to remain available until expended, of which not more than $1,000,000 may be used in any fiscal year; and

(b) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds made available under this Act shall not exceed 50 percent.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to make any grant or provide any assistance under this Act terminates on September 30, 2016.

By Mr. HUTCHINSON:

S. 680. A bill to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks; to the Committee on Banking, Housing, and Urban Affairs.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that a copy of the Tornado Shelters Act be printed in the RECORD.

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

S. 680

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 ''Tornado Shelters Act''.

SEC. 2. CDBG ELIGIBLE ACTIVITIES.

(a) IN GENERAL.—Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (22), by striking ''and'' at the end;

(2) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (23) the following:

''(24) the construction or improvement of tornado- or storm-safe shelters for manufactured housing parks and residents of other manufactured housing, the acquisition of real property for sites for such shelters, and the provision of assistance (including loans and grants) to nonprofit or for-profit entities (including owners of such parks) for such construction, improvement, or acquisition, except that a shelter assisted with amounts made available pursuant to this paragraph—

''(A) shall be located in a neighborhood consisting predominantly of persons of low- and moderate-income; and

''(B) may not be made available exclusively for use of the residents of a particular manufactured housing park or of other manufactured housing, but shall generally serve the residents of the area in which it is located; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise made available for grants under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), there is authorized to be appropriated for assistance only for activities pursuant to section 105(a)(24) of that Act, $50,000,000 for fiscal year 2002.

SEC. 3. USE OF AMERICAN PRODUCTS.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available for the activities authorized under the amendments made by this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made

available for the activities authorized under the amendments made by this Act, the Secretary of Housing and Urban Development, to the greatest extent practicable, shall provide to that entity a notice describing the statement made in subsection (a) by the Congress.

By Mr. CRAPO (for himself, Mr. BAUCUS, Mr. CRAIG, Mr. INHOFE, Mr. MURKOWSKI, Mr. BENNETT, Mr. ENZI, Mr. STEVENS, and Mr. BURNS):

S. 681. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; to the Committee on Energy and Natural Resources.

Mr. CRAPO. Mr. President, I am pleased to introduce today the Backcountry Landing Strip Access Act of 2001. Last year, Senators CRAIG and BURNS, and I introduced similar legislation. Although the legislation did not pass, we were able to successfully attach a modified one-year version of our bill to the Interior Appropriations Conference Report for FY 2001, prohibiting federal funds from being used to close any airstrips on lands administered by the Department of the Interior. The legislation I introduce today represents a comprehensive, long-term solution to the problem of backcountry airstrips being temporarily or permanently closed. This bill will preserve our nation's backcountry airstrips and require a public review and comment period before closure of these airstrips.

Idaho is home to more than fifty backcountry airstrips and the state is known nationwide for its air access to wilderness and primitive areas. Unfortunately, many backcountry airstrips have been closed or rendered unserviceable through neglect by federal agencies responsible for land management. These closures occur without providing the public with a justification for such action or an opportunity to comment on them.

Our bill would address this situation by preventing the Secretary of Interior and the Secretary of Agriculture from permanently closing airstrips without first consulting with state aviation agencies and users. The legislation would also require that proposed closures would be published in the Federal Register with a ninety-day public comment period. The bill directs the Secretary of Interior and the Secretary of Agriculture, after consultation with the FAA, to adopt a nationwide policy governing backcountry aviation. I would like to mention that Congressmen C.L. ''BUTCH'' OTTER and JIM HANSEN are also promoting backcountry aviation access in the other body.

This bill and its House companion include a finding of fact that acknowledges the role of backcountry airstrips in supporting aerial firefighters. This finding was not included in the versions introduced last year but it pays tribute to those who joined in last summer's firefighting and disaster relief efforts.

For aerial firefighters backcountry airstrips are analogous to fire engines in a firehouse. In addition, other general aviation craft depend on backcountry strips to provide a safe haven in the case of emergency. Without the airstrips, these pilots would have little chance of survival while attempting an emergency landing. Furthermore, access to the strips ensures a fundamental American service—universal postal delivery. Without access to backcountry airstrips, citizens who live and work in remote areas would not receive their mail.

Pilots often discover that an airstrip has been closed only when they attempt to use it. This represents a grave danger to those who have not been made aware of an airstrip's closure. This bill would ensure that everyone with an interest in backcountry aviation remains informed of a proposed closure and is allowed to comment on it.

This bill is simply about safety and general aviation access. It does not reopen airstrips that have already been closed, nor does it burden federal officials with the responsibility to operate and maintain these sites. In fact, pilots themselves regularly maintain backcountry strips.

The Backcountry Landing Strip Access Act does not harm our forests or our wilderness areas. In fact, backcountry airstrips are regularly used by forest officials to maintain forests and trails, conduct ecological management projects, and produce aerial mapping. Airstrips are located in remote, rugged areas of the west where there are few visitors. Many landing strips have no more than 3–6 takeoffs and landings in a year, and are mainly used for emergency landings.

When the Frank Church Wilderness Act was established in Idaho, it incorporated a provision that existing landing strips cannot be closed permanently or rendered unserviceable without the written consent of the State of Idaho. This bill extends the success of the Frank Church Wilderness Act provision nationwide to preserve airstrips in Idaho as well as other states. In Idaho, we have evolved into a cooperative relationship with federal land managers. I believe the rest of the country can benefit from this philosophy of cooperation.

I urge my colleagues to join with us in our efforts to preserve the remaining backcountry strips.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 681

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Backcountry Landing Strip Access Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Aircraft landing strips serve an essential safety role as emergency landing areas.

(2) Aircraft landing strips provide access to people who would otherwise be physically unable to enjoy national parks, national forests, and other Federal lands.

(3) Aircraft landing strips serve an essential purpose in search and rescue, forest and ecological management, research, and aerial mapping.

(4) Aircraft landing strips serve an essential role in firefighting and disaster relief.

(5) The Secretary of the Interior and the Secretary of Agriculture should adopt a nationwide policy for governing backcountry aviation issues related to the management of Federal land under the jurisdiction of those Secretaries and should require regional managers to adhere to that policy.

SEC. 3. PROCEDURE FOR CONSIDERATION OF ACTIONS AFFECTING AIRCRAFT LANDING STRIPS.

(a) IN GENERAL.—Neither the Secretary of the Interior nor the Secretary of Agriculture shall take any action which would permanently close or render or declare as unserviceable any aircraft landing strip located on Federal land under the administrative jurisdiction of either Secretary unless—

(1) the head of the aviation department of each State in which the aircraft landing strip is located has approved the action;

(2) notice of the proposed action and the fact that the action would permanently close or render or declare as unserviceable the aircraft landing strip has been published in the Federal Register;

(3) a 90-day public comment period on the action has been provided after the publication under paragraph (2); and

(4) any comments received during the comment period provided under paragraph (3) have been taken into consideration by the Secretary of the Interior or the Secretary of Agriculture, as the case may be, and the head of the aviation department of each State in which the affected aircraft landing strip is located.

(b) NATIONAL POLICY.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) adopt a nationwide policy that is in accordance with this Act for governing backcountry aviation issues related to the management of Federal land under the jurisdiction of those Secretaries; and

(2) require regional managers to adhere to that policy.

(c) REQUIREMENTS FOR POLICIES.—A policy affecting air access to an aircraft landing strip located on Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, including the policy required by subsection (b), shall not take effect unless the policy—

(1) states that the Federal Aviation Administration has the sole authority to control aviation and airspace over the United States; and

(2) seeks and considers comments from State governments and the public.

(d) MAINTENANCE OF AIRSTRIPS.—

(1) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall consult with—

(A) the head of the aviation department of each State in which an aircraft landing strip on Federal land under the jurisdiction of that Secretary is located; and

(B) other interested parties,

to ensure that such aircraft landing strips are maintained in a manner that is consistent with the resource values of the adjacent area.

(2) COOPERATIVE AGREEMENTS.—The Secretary of the Interior and the Secretary of Agriculture may enter into cooperative agreements with interested parties for the

maintenance of aircraft landing strips located on Federal land.

(e) EXCHANGES OR ACQUISITIONS.—Closure or purposeful neglect of any aircraft landing strip, or any other action which would render any aircraft landing strip unserviceable, shall not be a condition of any Federal acquisition of or exchange involving private property upon which the aircraft landing strip is located.

(f) NEW AIRCRAFT LANDING STRIPS NOT CREATED.—Nothing in this Act shall be construed to create or authorize additional aircraft landing strips.

(g) PERMANENTLY CLOSE.—For the purposes of this Act, the term ''permanently close'' means any closure the duration of which is more than 180 days in any calendar year.

(h) APPLICABILITY.—

(1) AIRCRAFT LANDING STRIPS.—This Act shall apply only to established aircraft landing strips on Federal lands administered by the Secretary of the Interior or the Secretary of Agriculture that are commonly known and have been or are consistently used for aircraft landing and departure activities.

(2) ACTIONS, POLICIES, EXCHANGES, AND ACQUISITIONS.—Subsections (a), (c), and (e) shall apply to any action, policy, exchange, or acquisition, respectively, that is not final on the date of the enactment of this Act.

(i) FAA AUTHORITY NOT AFFECTED.—Nothing in this Act shall be construed to affect the authority of the Federal Aviation Administration over aviation or airspace.

By Mr. MCCAIN (for himself, Mr. DODD, Mr. JOHNSON, Mr. WARNER, Mr. DEWINE, Ms. LANDRIEU, Mr. EDWARDS, Mr. BREAUX, Mr. HELMS, Mrs. MURRAY, Mr. REID, Mr. SARBANES, Mr. WELLSTONE, Mr. HOLLINGS, Mr. ROBERTS, Mr. HAGEL, Mr. SMITH, of Oregon, Mr. COCHRAN, Mr. REED, Ms. MIKULSKI, Mr. SCHUMER, Mr. THURMOND, Ms. SNOWE, Mrs. LINCOLN, Mr. FITZGERALD, Mr. SHELBY, Mr. CLELAND, Mr. BROWNBACK, and Mrs. COLLINS):

S. 682. A bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test; to the Committee on Finance.

Mr. MCCAIN. Mr. President, I rise today to introduce an important piece of legislation which would have a tremendous impact on the lives of many blind people. This bill restores the 20-year link between blind people and senior citizens in regards to the Social Security earnings limit which has helped many blind people become self-sufficient and productive.

When the Congress passed the Senior Citizens Freedom to Work Act in 1996, we unfortunately broke the longstanding linkage in the treatment of blind people and seniors under Social Security, which resulted in allowing the earnings limit to be raised for seniors only and did not give blind people the same opportunity to increase their earnings without penalizing their Social Security benefits.

My intent when I sponsored the Senior Citizens Freedom to Work Act was not to break the link between blind people and the senior population. In 1996, time constraints and fiscal considerations forced me to focus solely on raising the unfair and burdensome earnings limit for seniors. I am pleased that H.R. 5, the Social Security Earnings Test Elimination bill, finally eliminated this unfair tax on earnings for seniors 65 to 69 years of age. This law is allowing millions of seniors to continue contributing to society as productive workers.

Now we should work together in the spirit of fairness to ensure that this same opportunity is given to the blind population. We should provide blind people the opportunity to be productive and ''make it'' on their own. We should not continue policies which discourage these individuals from working and contributing to society.

The bill I am introducing today is identical to one I sponsored in the last two Congresses. If we do not reinstate the link between the blind and the seniors, blind people will be restricted to earning $14,800 in the year 2002 in order to protect their Social Security benefits.

There are very strong and convincing arguments in favor of reestablishing the link between these two groups and increasing the earnings limit for blind people.

First, the earnings test treatment of our blind and senior populations has historically been identical. Since 1977, blind people and senior citizens have shared the identical earnings exemption threshold under Title II of the Social Security Act.

Now, senior citizens will be given greater opportunity to increase their earnings without losing a portion of their Social Security benefits; the blind, however, will not have the same opportunity.

The Social Security earnings test imposes a work disincentive for blind people. In fact, the earnings test probably provides a greater aggregate disincentive for blind individuals since many blind beneficiaries are of working age, 18–65, and are capable of productive work.

Blindness is often associated with adverse social and economic consequences. It is often tremendously difficult for blind individuals to find sustained employment or any employment at all, but they do want to work. They take great pride in being able to work and becoming productive members of society. By linking the blind with seniors in 1977, Congress provided a great deal of hope and incentive for blind people in this country to enter the work force. Now, we are taking that hope away from them by not allowing them the same opportunity to increase their earnings as senior citizens.

Blind people are likely to respond favorably to an increase in the earnings test by working more, which will increase their tax payments and their purchasing power and allow the blind to make a greater contribution to the general economy. In addition, encouraging the blind to work and allowing them to work more without being penalized would bring additional revenue into the Social Security trust funds as well as the Federal Treasury. In short, restoring the link between blind people and senior citizens for treatment of Social Security benefits would help many blind people become self-sufficient, productive members of society.

I am pleased that this Congress will be focusing on the overall structure of the Social Security system and working together for solutions which would strengthen the system for seniors of today and tomorrow without placing an unfair burden on working Americans. It is absolutely crucial that we include raising the earnings test for blind individuals as a part of any Social Security bill we enact this year.

I urge each of my colleagues to join me in sponsoring this important measure to restore fair and equitable treatment for our blind citizens and to give the blind community increased financial independence. Our nation would be better served if we restore equality for the blind and provide them with the same freedom, opportunities and fairness as our nation's seniors.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 682

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 ''Blind Persons Earnings Equity Act of 2001''.

SEC. 2. RESTORATION OF LINK BETWEEN RULES RELATING TO SUBSTANTIAL GAINFUL ACTIVITY FOR BLIND INDIVIDUALS AND RULES RELATING TO EXCESS EARNINGS UNDER THE EARNINGS TEST.

Section 223(d)(4) of the Social Security Act (42 U.S.C. 432(d)(4)) is amended, in the second sentence, by striking '', if section 102 of the Senior Citizens' Right to Work Act of 1996 had not been enacted''.

SEC. 3. EFFECTIVE DATE.

The amendment made by section 2 shall apply to determinations of an ability to engage in substantial gainful activity made on or after the date of enactment of this Act.

By Mr. SANTORUM (for himself, Mr. TORRICELLI, and Mr. SMITH of New Hampshire):

S. 683. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs; to the Committee on Finance.

Mr. SANTORUM. Mr. President, I rise to join my colleagues, Senators BOB TORRICELLI of New Jersey and BOB SMITH of New Hampshire, in introducing the bipartisan Fair Care for the Uninsured Act of 2001, legislation

aimed at ensuring that all Americans, regardless of income, have a basic level of resources to purchase health insurance. I am pleased that House Majority Leader DICK ARMEY of Texas and Representative BILL LIPINSKI of Illinois have joined in introducing companion legislation in the House of Representatives.

As we all know, the growing ranks of uninsured Americans, currently 43 million, remains a major national problem that must be addressed as Congress considers improvements to our healthcare delivery system. The uninsured are three times as likely not to receive needed medical care, at least twice as more likely to need hospitalization for avoidable conditions like pneumonia and diabetes, and four times more likely to rely on an emergency room or have no regular source of care as compared to Americans who are privately insured.

The Fair Care for the Uninsured Act represents a major step toward helping the uninsured obtain health insurance coverage through the creation of a new refundable tax credit for the purchase of private health insurance, a concept which enjoys bipartisan support.

This legislation directly addresses one of the main barriers which now inhibits access to health insurance for millions of Americans: discrimination in the tax code. Most Americans obtain health insurance through their place of work, and for good reason: workers receive their employer's contribution toward health insurance completely free from federal taxation, including payroll taxes. This is effectively a $120 billion per year federal subsidy for employer-provided health insurance. By contrast, individuals who purchase their own health insurance get virtually no tax relief. They must buy insurance with after-tax dollars, forcing many to earn twice as much income before taxes in order to purchase the same insurance. This hidden health tax penalty effectively punishes people who try to buy their insurance outside the workplace.

The Fair Care for the Uninsured Act would remedy this situation by creating a parallel system for working families who do not have access to health insurance through the workplace. Specifically, this legislation creates a refundable tax credit of $1,000 per adult and up to $3,000 per family, indexed for inflation, for the purchase of private health insurance; would be available to individuals and families who don't have access to coverage through the workplace or a federal government program; enables individuals to use their credit to shop for a basic plan that best suits their needs which would be portable from job to job; and allows individuals to buy more generous coverage with after-tax dollars. And of course the states could supplement the credit.

This legislation complements a bipartisan consensus which is emerging around this means for addressing the serious problem of uninsured Americans: Instead of creating new government entitlements to medical services, tax credits provide public financing to help uninsured Americans buy private health insurance. President Bush has proposed a similar tax credit for health insurance coverage, and Senators JEFFORDS and BREAUX have introduced their own health insurance tax credit proposal here in the Senate. I applaud their efforts for advancing this important public policy initiative, and look forward to working with them to develop a clear mandate for helping America's uninsured.

I would like to apprize our colleagues of a couple of improvements which we have added to last session's bill that I believe will help bring about an even more positive impact on America's uninsured population. First, in an effort to keep premiums affordable for older, sicker Americans, our Fair Care legislation calls for the creation of safety-net arrangements administered at the state level and funded by assessments on insurers. Often called high-risk pools, such arrangements currently exist in 28 states and would be expanded to all 50. In addition, our Fair Care legislation this session would further reduce premiums by permitting the creation of Individual Membership Associations, through which individuals can obtain basic coverage free of costly state benefit mandates.

In reducing the amount of uncompensated care that is offset through cost shifting to private insurance plans, and in substantially increasing the insurance base, a health insurance tax credit will help relieve some of the spiraling costs of our health care delivery system. It would also encourage insurance companies to write policies geared to the size of the credit, thus offering more options and making it possible for low income families to obtain coverage without paying much more than the available credits.

It is time that we reduced the tax bias against families who do not have access to coverage through their place of work or existing government programs, and to encourage the creation of an effective market for family-selected and family-owned plans, where Americans have more choice and control over their health care dollars. The Fair Care for the Uninsured Act would create tax fairness where currently none exists by requiring that all Americans receive the same tax encouragement to purchase health insurance, regardless of employment.

It is my hope that our colleagues will join Senators TORRICELLI, SMITH and me in endorsing this bipartisan legislation to provide people who purchase health insurance on their own similar tax treatment as those who have access to insurance through their employer.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 683

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 ''Fair Care for the Uninsured Act of 2001''.

TITLE I—REFUNDABLE CREDIT FOR HEALTH INSURANCE COVERAGE

SEC. 101. REFUNDABLE CREDIT FOR HEALTH INSURANCE COVERAGE.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

''SEC. 35. HEALTH INSURANCE COSTS.

''(a) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to the amount paid during the taxable year for qualified health insurance for the taxpayer, his spouse, and dependents.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—The amount allowed as a credit under subsection (a) to the taxpayer for the taxable year shall not exceed the sum of the monthly limitations for coverage months during such taxable year for each individual referred to in subsection (a) for whom the taxpayer paid during the taxable year any amount for coverage under qualified health insurance.

''(2) MONTHLY LIMITATION.—

''(A) IN GENERAL.—The monthly limitation for an individual for each coverage month of such individual during the taxable year is the amount equal to 1/12 of—

''(i) $1,000 if such individual is the taxpayer,

''(ii) $1,000 if—

''(I) such individual is the spouse of the taxpayer,

''(II) the taxpayer and such spouse are married as of the first day of such month, and

''(III) the taxpayer files a joint return for the taxable year, and

''(iii) $500 if such individual is an individual for whom a deduction under section 151(c) is allowable to the taxpayer for such taxable year.

''(B) LIMITATION TO 2 DEPENDENTS.—Not more than 2 individuals may be taken into account by the taxpayer under subparagraph (A)(iii).

''(C) SPECIAL RULE FOR MARRIED INDIVIDUALS.—In the case of an individual—

''(i) who is married (within the meaning of section 7703) as of the close of the taxable year but does not file a joint return for such year, and

''(ii) who does not live apart from such individual's spouse at all times during the taxable year,

the limitation imposed by subparagraph (B) shall be divided equally between the individual and the individual's spouse unless they agree on a different division.

''(3) COVERAGE MONTH.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'coverage month' means, with respect to an individual, any month if—

''(i) as of the first day of such month such individual is covered by qualified health insurance, and

''(ii) the premium for coverage under such insurance for such month is paid by the taxpayer.

''(B) EMPLOYER-SUBSIDIZED COVERAGE.—

''(i) IN GENERAL.—Such term shall not include any month for which such individual is eligible to participate in any subsidized health plan (within the meaning of section 162(l)(2)) maintained by any employer of the taxpayer or of the spouse of the taxpayer.

''(ii) PREMIUMS TO NONSUBSIDIZED PLANS.—If an employer of the taxpayer or the spouse of the taxpayer maintains a health plan which is not a subsidized health plan (as so defined) and which constitutes qualified health insurance, employee contributions to the plan shall be treated as amounts paid for qualified health insurance.

''(C) CAFETERIA PLAN AND FLEXIBLE SPENDING ACCOUNT BENEFICIARIES.—Such term shall not include any month during a taxable year if any amount is not includible in the gross income of the taxpayer for such year under section 106 with respect to—

''(i) a benefit chosen under a cafeteria plan (as defined in section 125(d)), or

''(ii) a benefit provided under a flexible spending or similar arrangement.

''(D) MEDICARE AND MEDICAID.—Such term shall not include any month with respect to an individual if, as of the first day of such month, such individual—

''(i) is entitled to any benefits under title XVIII of the Social Security Act, or

''(ii) is a participant in the program under title XIX or XXI of such Act.

''(E) CERTAIN OTHER COVERAGE.—Such term shall not include any month during a taxable year with respect to an individual if, at any time during such year, any benefit is provided to such individual under—

''(i) chapter 89 of title 5, United States Code,

''(ii) chapter 55 of title 10, United States Code,

''(iii) chapter 17 of title 38, United States Code, or

''(iv) any medical care program under the Indian Health Care Improvement Act.

''(F) PRISONERS.—Such term shall not include any month with respect to an individual if, as of the first day of such month, such individual is imprisoned under Federal, State, or local authority.

''(G) INSUFFICIENT PRESENCE IN UNITED STATES.—Such term shall not include any month during a taxable year with respect to an individual if such individual is present in the United States on fewer than 183 days during such year (determined in accordance with section 7701(b)(7)).

''(4) COORDINATION WITH DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.—In the case of a taxpayer who is eligible to deduct any amount under section 162(l) for the taxable year, this section shall apply only if the taxpayer elects not to claim any amount as a deduction under such section for such year.

''(c) QUALIFIED HEALTH INSURANCE.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified health insurance' means insurance which constitutes medical care as defined in section 213(d) without regard to—

''(A) paragraph (1)(C) thereof, and

''(B) so much of paragraph (1)(D) thereof as relates to qualified long-term care insurance contracts.

''(2) EXCLUSION OF CERTAIN OTHER CONTRACTS.—Such term shall not include insurance if a substantial portion of its benefits are excepted benefits (as defined in section 9832(c)).

''(d) MEDICAL SAVINGS ACCOUNT CONTRIBUTIONS.—

''(1) IN GENERAL.—If a deduction would (but for paragraph (2)) be allowed under section 220 to the taxpayer for a payment for the taxable year to the medical savings account of an individual, subsection (a) shall be applied by treating such payment as a payment for qualified health insurance for such individual.

''(2) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under section 220 for that portion of the payments otherwise allowable as a deduction under section 220 for the taxable year which is equal to the amount of credit allowed for such taxable year by reason of this subsection.

''(e) SPECIAL RULES.—

''(1) COORDINATION WITH MEDICAL EXPENSE DEDUCTION.—The amount which would (but for this paragraph) be taken into account by the taxpayer under section 213 for the taxable year shall be reduced by the credit (if any) allowed by this section to the taxpayer for such year.

''(2) DENIAL OF CREDIT TO DEPENDENTS.—No credit shall be allowed under this section to any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

''(3) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2002, each dollar amount contained in subsection (b)(2)(A) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2001' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of $50 ($25 in the case of the dollar amount in subsection (b)(2)(A)(iii)).''

(b) MAINTENANCE OF EFFORT REQUIREMENT.—Section 162 of such Code (relating to trade or business expenses) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) GROUP HEALTH PLAN MAINTENANCE OF EFFORT.—No deduction shall be allowed under this chapter to an employer for any amount paid or incurred in connection with a group health plan (as defined in subsection (n)(3)) for any taxable year in which occurs the date of introduction of the Fair Care for the Uninsured Act of 2001 unless such plan remains in effect for at least 60 months after the date of the enactment of such Act.''.

(c) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of such Code (relating to information concerning transactions with other persons) is amended by inserting after section 6050S the following new section:

''SEC. 6050T. RETURNS RELATING TO PAYMENTS FOR QUALIFIED HEALTH INSURANCE.

''(a) IN GENERAL.—Any person who, in connection with a trade or business conducted by such person, receives payments during any calendar year from any individual for coverage of such individual or any other individual under creditable health insurance, shall make the return described in subsection (b) (at such time as the Secretary may by regulations prescribe) with respect to each individual from whom such payments were received.

''(b) FORM AND MANNER OF RETURNS.—A return is described in this subsection if such return—

''(1) is in such form as the Secretary may prescribe, and

''(2) contains—

''(A) the name, address, and TIN of the individual from whom payments described in subsection (a) were received,

''(B) the name, address, and TIN of each individual who was provided by such person with coverage under creditable health insurance by reason of such payments and the period of such coverage, and

''(C) such other information as the Secretary may reasonably prescribe.

''(c) CREDITABLE HEALTH INSURANCE.—For purposes of this section, the term 'creditable health insurance' means qualified health insurance (as defined in section 35(c)) other than—

''(1) insurance under a subsidized group health plan maintained by an employer, or

''(2) to the extent provided in regulations prescribed by the Secretary, any other insurance covering an individual if no credit is allowable under section 35 with respect to such coverage.

''(d) STATEMENTS TO BE FURNISHED TO INDIVIDUALS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under subsection (a) shall furnish to each individual whose name is required under subsection (b)(2)(A) to be set forth in such return a written statement showing—

''(1) the name and address of the person required to make such return and the phone number of the information contact for such person,

''(2) the aggregate amount of payments described in subsection (a) received by the person required to make such return from the individual to whom the statement is required to be furnished, and

''(3) the information required under subsection (b)(2)(B) with respect to such payments.

The written statement required under the preceding sentence shall be furnished on or before January 31 of the year following the calendar year for which the return under subsection (a) is required to be made.

''(e) RETURNS WHICH WOULD BE REQUIRED TO BE MADE BY 2 OR MORE PERSONS.—Except to the extent provided in regulations prescribed by the Secretary, in the case of any amount received by any person on behalf of another person, only the person first receiving such amount shall be required to make the return under subsection (a).''.

(2) ASSESSABLE PENALTIES.—

(A) Subparagraph (B) of section 6724(d)(1) of such Code (relating to definitions) is amended by redesignating clauses (xi) through (xvii) as clauses (xii) through (xviii), respectively, and by inserting after clause (x) the following new clause:

''(xi) section 6050T (relating to returns relating to payments for qualified health insurance),''.

(B) Paragraph (2) of section 6724(d) of such Code is amended by striking ''or'' at the end of the next to last subparagraph, by striking the period at the end of the last subparagraph and inserting '', or'', and by adding at the end the following new subparagraph:

''(BB) section 6050T(d) (relating to returns relating to payments for qualified health insurance).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6050S the following new item:

''Sec. 6050T. Returns relating to payments for qualified health insurance.''.

(d) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 35 of such Code''.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

''Sec. 35. Health insurance costs.

''Sec. 36. Overpayments of tax.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 102. ADVANCE PAYMENT OF CREDIT FOR PURCHASERS OF QUALIFIED HEALTH INSURANCE.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

"SEC. 7527. ADVANCE PAYMENT OF HEALTH INSURANCE CREDIT FOR PURCHASERS OF QUALIFIED HEALTH INSURANCE.

''(a) GENERAL RULE.—In the case of an eligible individual, the Secretary shall make payments to the provider of such individual's qualified health insurance equal to such individual's qualified health insurance credit advance amount with respect to such provider.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual—

''(1) who purchases qualified health insurance (as defined in section 35(c)), and

''(2) for whom a qualified health insurance credit eligibility certificate is in effect.

''(c) QUALIFIED HEALTH INSURANCE CREDIT ELIGIBILITY CERTIFICATE.—For purposes of this section, a qualified health insurance credit eligibility certificate is a statement furnished by an individual to the Secretary which—

''(1) certifies that the individual will be eligible to receive the credit provided by section 35 for the taxable year,

''(2) estimates the amount of such credit for such taxable year, and

''(3) provides such other information as the Secretary may require for purposes of this section.

''(d) QUALIFIED HEALTH INSURANCE CREDIT ADVANCE AMOUNT.—For purposes of this section, the term 'qualified health insurance credit advance amount' means, with respect to any provider of qualified health insurance, the Secretary's estimate of the amount of credit allowable under section 35 to the individual for the taxable year which is attributable to the insurance provided to the individual by such provider.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

''Sec. 7527. Advance payment of health insurance credit for purchasers of qualified health insurance.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2002.

TITLE II—ASSURING HEALTH INSURANCE COVERAGE FOR UNINSURABLE INDIVIDUALS

SEC. 201. ESTABLISHMENT OF HEALTH INSURANCE SAFETY NETS.

(a) IN GENERAL.—

(1) REQUIREMENT.—For years beginning with 2002, each health insurer, health maintenance organization, and health service organization shall be a participant in a health insurance safety net (in this title referred to as a ''safety net'') established by the State in which it operates.

(2) FUNCTIONS.—Any safety net shall assure, in accordance with this title, the availability of qualified health insurance coverage to uninsurable individuals.

(3) FUNDING.—Any safety net shall be funded by an assessment against health insurers, health service organizations, and health maintenance organizations on a pro rata basis of premiums collected in the State in which the safety net operates. The costs of the assessment may be added by a health insurer, health service organization, or health maintenance organization to the costs of its health insurance or health coverage provided in the State.

(4) GUARANTEED RENEWABLE.—Coverage under a safety net shall be guaranteed renewable except for nonpayment of premiums, material misrepresentation, fraud, medicare eligibility under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), loss of dependent status, or eligibility for other health insurance coverage.

(5) COMPLIANCE WITH NAIC MODEL ACT.—In the case of a State that has not established, as of the date of the enactment of this Act, a high risk pool or other comprehensive health insurance program that assures the availability of qualified health insurance coverage to all eligible individuals residing in the State, a safety net shall be established in accordance with the requirements of the ''Model Health Plan For Uninsurable Individuals Act'' (or the successor model Act), as adopted by the National Association of Insurance Commissioners and as in effect on the date of the safety net's establishment.

(b) DEADLINE.—Safety nets required under subsection (a) shall be established not later than January 1, 2002.

(c) WAIVER.—This title shall not apply in the case of insurers and organizations operating in a State if the State has established a similar comprehensive health insurance program that assures the availability of qualified health insurance coverage to all eligible individuals residing in the State.

(d) RECOMMENDATION FOR COMPLIANCE REQUIREMENT.—Not later than January 1, 2003, the Secretary of Health and Human Services shall submit to Congress a recommendation on appropriate sanctions for States that fail to meet the requirement of subsection (a).

SEC. 202. UNINSURABLE INDIVIDUALS ELIGIBLE FOR COVERAGE.

(a) UNINSURABLE AND ELIGIBLE INDIVIDUAL DEFINED.—In this title:

(1) UNINSURABLE INDIVIDUAL.—The term ''uninsurable individual'' means, with respect to a State, an eligible individual who presents proof of uninsurability by a private insurer in accordance with subsection (b) or proof of a condition previously recognized as uninsurable by the State.

(2) ELIGIBLE INDIVIDUAL.—

(A) IN GENERAL.—The term ''eligible individual'' means, with respect to a State, a citizen or national of the United States (or an alien lawfully admitted for permanent residence) who is a resident of the State for at least 90 days and includes any dependent (as defined for purposes of the Internal Revenue Code of 1986) of such a citizen, national, or alien who also is such a resident.

(B) EXCEPTION.—An individual is not an ''eligible individual'' if the individual—

(i) is covered by or eligible for benefits under a State medicaid plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.),

(ii) has voluntarily terminated safety net coverage within the past 6 months,

(iii) has received the maximum benefit payable under the safety net,

(iv) is an inmate in a public institution, or

(v) is eligible for other public or private health care programs (including programs that pay for directly, or reimburse, otherwise eligible individuals with premiums charged for safety net coverage).

(b) PROOF OF UNINSURABILITY.—

(1) IN GENERAL.—The proof of uninsurability for an individual shall be in the form of—

(A) a notice of rejection or refusal to issue substantially similar health insurance for health reasons by one insurer; or

(B) a notice of refusal by an insurer to issue substantially similar health insurance except at a rate in excess of the rate applicable to the individual under the safety net plan.

For purposes of this paragraph, the term ''health insurance'' does not include insurance consisting only of stoploss, excess of loss, or reinsurance coverage.

(2) EXCEPTION FOR INDIVIDUALS WITH UNINSURABLE CONDITIONS.—The State shall promulgate a list of medical or health conditions for which an individual shall be eligible for safety net plan coverage without applying for health insurance or establishing proof of uninsurability under paragraph (1). Individuals who can demonstrate the existence or history of any medical or health conditions on such list shall not be required to provide the proof described in paragraph (1). The list shall be effective on the first day of the operation of the safety net plan and may be amended from time to time as may be appropriate.

SEC. 203. QUALIFIED HEALTH INSURANCE COVERAGE UNDER SAFETY NET.

In this title, the term ''qualified health insurance coverage'' means, with respect to a State, health insurance coverage that provides benefits typical of major medical insurance available in the individual health insurance market in such State.

SEC. 204. FUNDING OF SAFETY NET.

(a) LIMITATIONS ON PREMIUMS.—

(1) IN GENERAL.—The premium established under a safety net may not exceed 125 percent of the applicable standard risk rate, except as provided in paragraph (2).

(2) SURCHARGE FOR AVOIDABLE HEALTH RISKS.—A safety net may impose a surcharge on premiums for individuals with avoidable high risks, such as smoking.

(b) ADDITIONAL FUNDING.—A safety net shall provide for additional funding through an assessment on all health insurers, health service organizations, and health maintenance organizations in the State through a nonprofit association consisting of all such insurers and organizations doing business in the State on an equitable and pro rata basis consistent with section 201.

SEC. 205. ADMINISTRATION.

A safety net in a State shall be administered through a contract with 1 or more insurers or third party administrators operating in the State.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to reimburse States for their costs in administering this title.

TITLE III—INDIVIDUAL MEMBERSHIP ASSOCIATIONS

SEC. 301. EXPANSION OF ACCESS AND CHOICE THROUGH INDIVIDUAL MEMBERSHIP ASSOCIATIONS (IMAs).

The Public Health Service Act is amended by adding at the end the following new title:

''TITLE XXVIII—INDIVIDUAL MEMBERSHIP ASSOCIATIONS

"SEC. 2801. DEFINITION OF INDIVIDUAL MEMBERSHIP ASSOCIATION (IMA).

''(a) IN GENERAL.—For purposes of this title, the terms 'individual membership association' and 'IMA' mean a legal entity that meets the following requirements:

''(1) ORGANIZATION.—The IMA is an organization operated under the direction of an association (as defined in section 2804(1)).

''(2) OFFERING HEALTH BENEFITS COVERAGE.—

''(A) DIFFERENT GROUPS.—The IMA, in conjunction with those health insurance issuers that offer health benefits coverage through the IMA, makes available health benefits coverage in the manner described in subsection (b) to all members of the IMA and the dependents of such members in the manner described in subsection (c)(2) at rates

that are established by the health insurance issuer on a policy or product specific basis and that may vary only as permissible under State law.

''(B) NONDISCRIMINATION IN COVERAGE OFFERED.—

''(i) IN GENERAL.—Subject to clause (ii), the IMA may not offer health benefits coverage to a member of an IMA unless the same coverage is offered to all such members of the IMA.

''(ii) CONSTRUCTION.—Nothing in this title shall be construed as requiring or permitting a health insurance issuer to provide coverage outside the service area of the issuer, as approved under State law, or preventing a health insurance issuer from excluding or limiting the coverage on any individual, subject to the requirement of section 2741.

''(C) NO FINANCIAL UNDERWRITING.—The IMA provides health benefits coverage only through contracts with health insurance issuers and does not assume insurance risk with respect to such coverage.

''(3) GEOGRAPHIC AREAS.—Nothing in this title shall be construed as preventing the establishment and operation of more than one IMA in a geographic area or as limiting the number of IMAs that may operate in any area.

''(4) PROVISION OF ADMINISTRATIVE SERVICES TO PURCHASERS.—

''(A) IN GENERAL.—The IMA may provide administrative services for members. Such services may include accounting, billing, and enrollment information.

''(B) CONSTRUCTION.—Nothing in this subsection shall be construed as preventing an IMA from serving as an administrative service organization to any entity.

''(5) FILING INFORMATION.—The IMA files with the Secretary information that demonstrates the IMA's compliance with the applicable requirements of this title.

''(b) HEALTH BENEFITS COVERAGE REQUIREMENTS.—

''(1) COMPLIANCE WITH CONSUMER PROTECTION REQUIREMENTS.—Any health benefits coverage offered through an IMA shall—

''(A) be underwritten by a health insurance issuer that—

''(i) is licensed (or otherwise regulated) under State law,

''(ii) meets all applicable State standards relating to consumer protection, subject to section 2802(2), and

''(iii) offers the coverage under a contract with the IMA; and

''(B) subject to paragraph (2) and section 2902(2), be approved or otherwise permitted to be offered under State law.

''(2) EXAMPLES OF TYPES OF COVERAGE.—The benefits coverage made available through an IMA may include, but is not limited to, any of the following if it meets the other applicable requirements of this title:

''(A) Coverage through a health maintenance organization.

''(B) Coverage in connection with a preferred provider organization.

''(C) Coverage in connection with a licensed provider-sponsored organization.

''(D) Indemnity coverage through an insurance company.

''(E) Coverage offered in connection with a contribution into a medical savings account or flexible spending account.

''(F) Coverage that includes a point-of-service option.

''(G) Any combination of such types of coverage.

''(3) HEALTH INSURANCE COVERAGE OPTIONS.—An IMA shall include a minimum of 2 health insurance coverage options. At least 1 option shall meet all applicable State benefit mandates.

''(4) WELLNESS BONUSES FOR HEALTH PROMOTION.—Nothing in this title shall be construed as precluding a health insurance issuer offering health benefits coverage through an IMA from establishing premium discounts or rebates for members or from modifying otherwise applicable copayments or deductibles in return for adherence to programs of health promotion and disease prevention so long as such programs are agreed to in advance by the IMA and comply with all other provisions of this title and do not discriminate among similarly situated members.

''(c) MEMBERS; HEALTH INSURANCE ISSUERS.—

''(1) MEMBERS.—

''(A) IN GENERAL.—Under rules established to carry out this title, with respect to an individual who is a member of an IMA, the individual may apply for health benefits coverage (including coverage for dependents of such individual) offered by a health insurance issuer through the IMA.

''(B) RULES FOR ENROLLMENT.—Nothing in this paragraph shall preclude an IMA from establishing rules of enrollment and reenrollment of members. Such rules shall be applied consistently to all members within the IMA and shall not be based in any manner on health status-related factors.

''(2) HEALTH INSURANCE ISSUERS.—The contract between an IMA and a health insurance issuer shall provide, with respect to a member enrolled with health benefits coverage offered by the issuer through the IMA, for the payment of the premiums collected by the issuer.

''SEC. 2802. APPLICATION OF CERTAIN LAWS AND REQUIREMENTS.

''State laws insofar as they relate to any of the following are superseded and shall not apply to health benefits coverage made available through an IMA:

''(1) Benefit requirements for health benefits coverage offered through an IMA, including (but not limited to) requirements relating to coverage of specific providers, specific services or conditions, or the amount, duration, or scope of benefits, but not including requirements to the extent required to implement title XXVII or other Federal law and to the extent the requirement prohibits an exclusion of a specific disease from such coverage.

''(2) Any other requirements (including limitations on compensation arrangements) that, directly or indirectly, preclude (or have the effect of precluding) the offering of such coverage through an IMA, if the IMA meets the requirements of this title.

Any State law or regulation relating to the composition or organization of an IMA is preempted to the extent the law or regulation is inconsistent with the provisions of this title.

''SEC. 2803. ADMINISTRATION.

''(a) IN GENERAL.—The Secretary shall administer this title and is authorized to issue such regulations as may be required to carry out this title. Such regulations shall be subject to Congressional review under the provisions of chapter 8 of title 5, United States Code. The Secretary shall incorporate the process of 'deemed file and use' with respect to the information filed under section 2801(a)(5)(A) and shall determine whether information filed by an IMA demonstrates compliance with the applicable requirements of this title. The Secretary shall exercise authority under this title in a manner that fosters and promotes the development of IMAs in order to improve access to health care coverage and services.

''(b) PERIODIC REPORTS.—The Secretary shall submit to Congress a report every 30 months, during the 10-year period beginning on the effective date of the rules promulgated by the Secretary to carry out this title, on the effectiveness of this title in promoting coverage of uninsured individuals. The Secretary may provide for the production of such reports through one or more contracts with appropriate private entities.

''SEC. 2804. DEFINITIONS.

''For purposes of this title:

''(1) ASSOCIATION.—The term 'association' means, with respect to health insurance coverage offered in a State, an association which—

''(A) has been actively in existence for at least 5 years;

''(B) has been formed and maintained in good faith for purposes other than obtaining insurance;

''(C) does not condition membership in the association on any health status-related factor relating to an individual (including an employee of an employer or a dependent of an employee); and

''(D) does not make health insurance coverage offered through the association available other than in connection with a member of the association.

''(2) DEPENDENT.—The term 'dependent', as applied to health insurance coverage offered by a health insurance issuer licensed (or otherwise regulated) in a State, shall have the meaning applied to such term with respect to such coverage under the laws of the State relating to such coverage and such an issuer. Such term may include the spouse and children of the individual involved.

''(3) HEALTH BENEFITS COVERAGE.—The term 'health benefits coverage' has the meaning given the term health insurance coverage in section 2791(b)(1).

''(4) HEALTH INSURANCE ISSUER.—The term 'health insurance issuer' has the meaning given such term in section 2791(b)(2).

''(5) HEALTH STATUS-RELATED FACTOR.—The term 'health status-related factor' has the meaning given such term in section 2791(d)(9).

''(6) IMA; INDIVIDUAL MEMBERSHIP ASSOCIATION.—The terms 'IMA' and 'individual membership association' are defined in section 2801(a).

''(7) MEMBER.—The term 'member' means, with respect to an IMA, an individual who is a member of the association to which the IMA is offering coverage.''.

By Mr. HARKIN (for himself, Mr. AKAKA, Mrs. BOXER, Mr. DURBIN, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mr. TORRICELLI, Mr. WELLSTONE, and Mr. FEINGOLD):

S. 684. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national original, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I am pleased to be joined today by Senators MURRAY, MIKULSKI, BOXER, STABENOW, KENNEDY, DURBIN, TORRICELLI, LEAHY, INOUYE, AKAKA, KERRY, WELLSTONE and FEINGOLD to reintroduce the Fair Pay Act, a bill to combat pay discrimination against women.

You might think since Congress passed the Equal Pay Act in 1963, the wage gap wouldn't exist. Unfortunately, however, women continue to be paid only 76-cents for every dollar a white man earns according to the Bureau of Labor Statistics. Women of color experience the most severe pay

inequities: African American women earn only 62-cents on the dollar, Hispanic women only 54 cents.

Earlier today, I released a draft report by the Department of Labor's Women's Bureau that helps to explain the wage gap and gives us insight into fixing it.

This report was done based on my request in the FY 2000 Labor-HHS Appropriations bill. I asked the Women's Bureau to analyze wage data from federal contractors collected over the last two years, focusing on the causes of the wage gap between men and women. This is the first time in at least a decade that such a comprehensive review and analysis of wage data was conducted.

This three-part draft report, finalized by the Department of Labor in January, used updated wage data, including detailed data gathered from a sample of nearly 5,000 of our nation's federal contractors.

This report confirms that the wage gap is real, it's caused in large part by discrimination and women in female-dominated jobs suffer the most. Specifically, the report found that at least one-third, or about 11 cents on the dollar, of the pay gap is caused by pay discrimination against women.

How'd we get there? The study found if you compare women and men, in the same jobs, in the same firm, with the same experience and skills, they are still only paid 89 cents for every dollar a man earns. That 11-cent gap is unexplained, and is what we believe is pay discrimination.

But if you look at women's overall pay against men, when you take into account all of the women who are segregated into what's considered ''women's work'' and receive lower wages, the pay gap becomes 28 cents.

If this kind of occupational segregation were eliminated, the wage gap would close between 10 and 40 percent, according to this report.

It doesn't have to be this way. We can start closing the pay gap right now by simply paying women what they're worth. That's where the Fair Pay Act comes in.

The Fair Pay Act would require that employers pay their workers based on skills, effort, responsibility and effort, regardless if the job is considered so-called ''women's work.''

Millions of women today work in so-called ''women's jobs,'' as secretaries, child care workers, social workers and nurses. These jobs are often ''equivalent'' in skills, effort, responsibility and working conditions to similar jobs dominated by men. But these women aren't paid the same as the men. Work that women have traditionally done continues to be undervalued and underpaid.

That's what the Fair Pay Act would address.

Our bill says that pay discrimination based on the number of women in a job is not only un-American, but it is also illegal.

It doesn't make sense that a nurse practitioner earns less than a physician's assistant. Or that a lead administrative assistant makes less than a city bus driver. Or that a social worker earns less than a parole officer.

I've heard the argument that we don't need the Fair Pay Act, that ''market forces'' will eventually take care of it. The market can't and isn't supposed to take care of everything. You can't fix discrimination with the ''invisible hand.''

Take a look at this chart of the wage gap over the last 20 years. If we continue to rely on ''market forces,'' it will be another century before there's true pay equity for women.

In fact, this study accounts for market forces, and it says that pay in women's jobs has increased, but not nearly enough.

If we had relied on market forces in the past, our country never would have set a minimum wage and we wouldn't be taking Family Medical Leave to care for our newborns or loved ones. We never would have had the Equal Pay Act or the Americans with Disabilities Act.

Some argue that its impossible to compare the wages of different jobs. But, it's done all the time by labor consultants who use ''point systems'' based on skills, responsibility and effort required to determine the value of a job. Jobs that are different may still receive the same total score, meaning, the jobs should be paid about the same. Companies would also develop their own evaluation systems and set their own wages.

My state and 19 others have ''fair pay'' laws and policies in place for their public employees, and my state has never been stronger.

Fair pay is not just a women's issue. It's a working family issue. It's a retirement issue. When women aren't paid what they're worth, we all get cheated. And national polls show that fair pay is a top priority for women.

So I urge my colleagues to support the Fair Pay Act, we owe it to America's working women and their families.

Mr. WELLSTONE. Mr. President, I am pleased to join as a cosponsor of the Fair Pay Act. I hope that this is the Congress that will see this important piece of legislation enacted. I fear the consequences if we do not.

For thirty-eight years, since enactment of the Equal Pay Act in 1963, we have been striving to close the pay gap between men and women. We have made some progress, but not nearly enough.

Today, despite all efforts, women on average earn only 77 cents for each dollar that men earn. That's simply not acceptable. As Susan Dailey, U.S. President of the National Business and Professional Women said, ''Is it acceptable then for women to leave at 1:48 on Thursday afternoon because that's three quarters of a work week?'' No, these differentials are simply not acceptable.

Due to the wage gap, it is estimated that the average 25-year-old woman will lose approximately $500,000 over her working lifetime.

That's unfair, it's unjust. And for that reason alone, we need to support legislation that will address the root causes of this pay inequity.

But not only is it unjust to women, it's unfair to the whole family. It is estimated that the wage gap annually costs America's working families $200 billion. Over ten years that's $2 trillion in lost income to families as a result of wage disparities. That's more than the entire tax cut the Bush Administration is anxious to give back to the wealthiest 1 percent of the population!

This bill can lift families out of poverty. If married women were paid the same as men, their families' rate of poverty would fall by more than 60 percent. If single working mothers earned as much as their male counterparts, their poverty rates would be cut in half.

That's what this bill is about, paying everyone a decent wage, the wage they deserve, so that they can support their families with dignity.

I'm proud that my home state of Minnesota is a leader on this issue. Our state comparable worth law is one of the strongest on the books and serves as a model for other states. In Minnesota, under our law, both state and municipal employees get the benefits of this important protection.

I hope we can follow suit on the federal level. I urge my colleagues to act swiftly on this important measure.

By Mr. BAYH (for himself, Ms. SNOWE, Mr. GRAHAM, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. LANDRIEU, Mr. KOHL, Mr. JOHNSON, Mr. BREAUX, Mr. ROCKEFELLER, Mrs. CLINTON, and Mr. CARPER):

S. 685. A bill to amend title IV of the Social Security Act to strengthen working families, and for other purposes; to the Committee on Finance.

Mr. BAYH. Mr. President, I rise today to introduce legislation that will increase a working family's chances to remain self-sufficient and off of Welfare. Given the dramatic decline in the welfare caseload since 1996, the question remains whether individuals leaving welfare will remain off welfare. In order to fortify the successful welfare reform efforts of the last five years, I along with a bipartisan group of Senators have brought together a legislative package designed to honor work, personal responsibility and strengthen a family's chance to stay self-sufficient.

The Strengthening Working Families Act includes six initiatives designed to support the efforts of families who have made it off welfare, but are at risk of falling backward—especially in a weak economy. The provisions of the package include: (1) Promotion of Responsible Fatherhood; (2) Distribution of Child Support Directly to Families;

(3) Expansion of the EITC for Larger Families; (4) Restoration of the Social Services Block Grant; (5) Encouragement of Employer-sponsored Child Care; and (6) Reauthorization of The Safe and Stable Families Act.

The Strengthening Working Families Act provides those who are trying to be responsible with a hand-up, not a handout. It honors our values, in this case the values of work and self-sufficiency, and strengthens families who take responsibility for their children emotionally and financially.

This proposal to support continued personal responsibility comes as the first stage of welfare reform ends and Congress prepares to tackle welfare's hardest cases in the 2002 reauthorization of Temporary Aid to Needy Families, TANF. Since the welfare system was reformed to require that individuals take responsibility for themselves and their families, caseloads have declined. After peaking at 5.1 million families in March of 1994, the number of families on welfare has declined by more than half, to 2.2 million families in June of 2000. The employment rate for single mothers has increased from 57 percent in 1992 to almost 73 percent in 2000. Even among those remaining on the welfare rolls, work has increased sharply, from about 8 percent of adults in 1994 to 28 percent in 1999.

This is a fiscally responsible approach that will be good for families and good for American taxpayers. As Governor, I reformed welfare in Indiana. In 1994, we spent $247.8 million in Indiana on direct welfare payments to families. By the year 2000, we reduced that number by sixty-six percent, to $83.8 million. If you help people find work and dignity, they become self-sufficient.

A number of recent studies show that between 18 percent and 35 percent of those who leave welfare return to the rolls, however. While these rates are reflective of a good economy with ample employment opportunities, the next few months will indicate what will happen to the welfare rolls during a slowing economy. Many of those who left the rolls are in jobs sensitive to economic downturns: 46 percent are in the service industry and 24 percent work in retail.

The total cost of the package is estimated at $11.5 billion; 80 percent or $8.5 billion of which is directed in tax cuts for working families and small businesses. The administration's budget blueprint includes funding for two titles of this bill: Title I, the fatherhood programs, were included at $64 million a year, $315 million over five years; as well as Title VI, the child welfare program, in its entirety.

In particular, Title I of the bill which promotes responsible fatherhood mirrors S. 653, The Responsible Fatherhood Act of 2001, a bill I introduced earlier this Congress with Senator DOMENICI. Many of America's mothers, including single moms, are heroic in their efforts to make ends meet while raising good, responsible children. Many dads are too. But an increasing number of men are not doing their part, or are absent entirely. The decline in the involvement of fathers in the lives of their children over the last forty years is a troubling trend that affects us all. Fathers can help teach their children about respect, honor, duty and so many of the values that make our communities strong.

The number of children living in households without fathers has tripled over the last forty years, from just over 5 million in 1960 to more than 17 million today. Today, the United States leads the world in fatherless families, and too many children spend their lives without any contact with their fathers. The consequences are severe, a study by the Journal of Research in Crime and Delinquency found that the best predictor of violent crime and burglary in a community is not the rate of poverty, but the rate of fatherless homes.

The Responsible Fatherhood Act of 2001, does three primary things to help combat fatherlessness in America. First, it creates a grant program for state media campaigns to encourage fathers to act responsibly. Second, it funds community efforts that provide fathers with the tools necessary to be responsible fathers. Finally, the bill creates a National Clearinghouse to assist states with their media campaigns and with the dissemination of materials to promote responsible fatherhood.

I want to thank Senator SNOWE for her leadership on this bill. With her support not only does each individual piece of this legislation enjoy bipartisan support, the entire package is bipartisan. In addition, I want to thank Senators BOB GRAHAM, JOSEPH LIEBERMAN, BLANCHE LINCOLN, MARY LANDRIEU, HERB KOHL, TIM JOHNSON, JOHN BREAUX, HILLARY CLINTON, JOHN ROCKEFELLER and THOMAS CARPER for their support.

This bipartisan package to promote personal responsibility will allow us to continue to discuss the successes of welfare reform. I urge my colleagues to support this important legislation.

Mr. KOHL. Mr. President, I rise today as a proud cosponsor of the Strengthening Working Families Act of 2001. I would like to thank Senators BAYH and SNOWE for working so diligently to put this package together. I am pleased that my Child Care Infrastructure Act is included, and I believe it will go a long way towards providing working families the tools they need to succeed.

That's because this bill is based on a simple premise: that working couples who decide to have a family should not be penalized because they both must keep working.

Unfortunately today, many working parents today do not have access to an essential tool for success at work: quality child care. According to the Children's Defense Fund, the average annual cost of child care can be more than the average annual cost of public college tuition. And nothing adds more to these high costs than the dramatic shortage of quality child care in this country.

Increasing the supply of child care has clear benefits, for children, their parents and businesses. Research on the brain has proven the importance of early childhood programs to a child's chances of long-term success in school and in adult life. I have visited many employer-sponsored child care centers in Wisconsin, and they are so often state-of-the-art facilities that significantly enhance early childhood education. And just as importantly, parents are more productive at work when they know that their children have safe, reliable child care.

This bill is aimed at increasing the supply of child care for working families. We provide a 25 percent tax credit to businesses who are willing to take actions to increase the supply of quality child care, including the construction and operation of an on-site or near-site child care center, or providing child care subsidies for their employees.

Increasing the supply of affordable child care is just one part of the fight to help working families succeed, and this bill makes businesses a true partner in that effort.

I am also pleased that the Strengthening Working Families bill also includes ''The Child Support Distribution Act,'' which is similar to legislation I've been working on since 1998, the ''Children First Child Support Reform Act''.

This bill takes significant steps toward ensuring that children receive the child support money they are owed and deserve. In Fiscal Year 1999, the public child support system collected child support payments for only 37 percent of its caseload, up from 23 percent in 1998. Obviously, we still need to improve, but States are making real progress. It's time for Congress to take the next step and help States overcome a major obstacle to collecting child support for families.

There are many reasons why non-custodial parents may not be paying support for their children. Some are not able to pay because they don't have jobs or have fallen on hard times. Others may not pay because they are unfairly prevented from spending time with their children.

But other fathers don't pay because the public system actually discourages them from paying. Under current law, over $2 billion in child support is retained every year by the State and Federal governments as repayment for welfare benefits, rather than delivered to the children to whom it is owed. Since the money doesn't benefit their kids, fathers are discouraged from paying support. And mothers have no incentive to push for payment since the support doesn't go to them.

It's time for Congress to change this system and encourage States to distribute more child support to families. My home State of Wisconsin has already been doing this for several years and is seeing great results. In 1997, I worked with my State to institute an innovative program of passing through child support payments directly to families. Preliminary results show that when child support payments are delivered to families, non-custodial parents are more apt to pay, and to pay more. In addition, Wisconsin has found that, overall, this policy does not increase government costs. That makes sense because ''passing through'' support payments to families means they have more of their own resources, and are less apt to depend on public help to meet other needs such as food, transportation or child care.

We now have a key opportunity to encourage all States to follow Wisconsin's example. Title II of the Strengthening Working Families bill gives States options and strong incentives to send more child support directly to families who are working their way off, or are already off, public assistance. Not only will this create the right incentives for non-custodial parents to pay, but it will also simplify the job for States, who currently face an administrative nightmare in following the complicated rules of the current system.

We know that creating the right incentives for non-custodial parents to pay support and increasing collections has long-term benefits. People who can count on child support are more likely to stay in jobs and stay off public assistance.

This legislation finally brings the Child Support Enforcement program into the post-welfare reform era, shifting its focus from recovering welfare costs to increasing child support to families so they can sustain work and maintain self-sufficiency. After all, it's only fair that if we are asking parents to move off welfare and take financial responsibility for their families, then we in Congress must make sure that child support payments actually go to the families to whom they are owed and who are working so hard to succeed.

Last year, a House version of this bill passed by an overwhelming bipartisan vote for 405 to 18. We must keep the momentum going in this Congress, and finally make child support meaningful for families. Again, I want to thank Senators SNOWE and BAYH for working with me on this issue and for including it in this package.

Mr. ROCKEFELLER. Mr. President, I am proud to join my colleagues in supporting the Working Families package to invest in a series of bipartisan initiatives to support and encourage families that are ''playing by the rules,'' but struggling to make ends meet as they raise their children.

This legislation combines key legislative proposals to help working families, including a targeted expansion of the Earned Income Tax Credit, EITC, for families with three or more children. It is simple common sense that parents with more children need more help in making ends meet. This bill would give the most needy families up to $496 more in the EITC to help working families live with dignity. Our legislation also includes key provisions to streamline and improve the EITC, which is one of our most effective programs to combat child poverty.

Another key component of this package would reauthorize and expand the Safe and Stable Families Act with an additional $200 million a year, as proposed by President Bush. I helped to create this program in 1993 with Senator BOND, and it was expanded and improved in 1997 as part of the Adoption and Safe Families Act. Since this act became law, we have dramatically increased the number of adoptions from foster care. Therefore, we need to increase funding for adoption services and to help the children and their new families overcome the years of abuse and neglect. Further, the bill would improve the Chafee Independent Living program by offering a $5000 scholarship to teens from foster care to encourage them to attend college or pursue vocational training. Abused and neglected children are among the most vulnerable in our society and they deserve our support and care.

For many years, I have worked closely with Senator GRAHAM and a bipartisan coalition to restore funding to the Social Service Block Grant, a flexible program to enable states to provide support for needy children, families, seniors and the disabled. During the welfare reform debates, we promised flexibility to the states and full funding of the Social Services Block Grant at $2.38 billion, and we should keep that promise and restore funding.

Providing provisions to improve our child support system to get payments to the families first has been a longstanding priority for me. Fatherhood is a major issue for our families, and from my work on the National Commission on Children over a decade ago, I know that children do best in families with committed, caring parents. Investing in quality child care is an obvious concern as we continue our efforts on welfare reform and face the challenges of our new economy in which most mothers work.

We should be working together to help our children and our families, so I hope that we will be able to promote this package of bipartisan initiatives that are targeted to some of our most vulnerable families, who are working hard but need help to raise their children with dignity.

AMENDMENTS SUBMITTED AND PROPOSED

SA 172. Mr. BAUCUS (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. ROCKEFELLER, Ms. STABENOW, Ms. MIKULSKI, Mrs. MURRAY, Mr. DAYTON, Mr. WYDEN, Mrs. CLINTON, Mr. REED, Mrs. CARNAHAN, Mr. NELSON, of Florida, Mr. SARBANES, and Mr. LEVIN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

SA 173. Mr. GRASSLEY (for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, Mr. FRIST, Mr. SMITH, of Oregon, and Mr. GRAMM) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 174. Mr. GRASSLEY (for himself, Mr. MILLER, Mr. DOMENICI, Mr. HUTCHINSON, and Mr. HAGEL) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 175. Mr. WARNER (for himself, Mr. HUTCHINSON, Mr. ROBERTS, Mr. INHOFE, Ms. COLLINS, Mr. MILLER, and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 176. Mr. JOHNSON (for himself, Mr. CONRAD, Mr. DASCHLE, Mr. HARKIN, Mr. DORGAN, and Mrs. LINCOLN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 177. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001 and all future years.

SA 178. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, supra.

TEXT OF AMENDMENTS

SA 172. Mr. BAUCUS (for himself, Mr. GRAHAM, Mr. KENNEDY, Mr. ROCKEFELLER, Ms. STABENOW, Ms. MIKULSKI, Mrs. MURRAY, Mr. DAYTON, Mr. WYDEN, Mrs. CLINTON, Mr. REED, Mrs. CARNAHAN, Mr. NELSON of Florida, Mr. SARBANES, and Mr. LEVIN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

On page 2, line 16, decrease the amount by $2,500,000,000.

On page 2, line 17, decrease the amount by $11,073,000,000.

On page 2, line 18, decrease the amount by $7,900,000,000.

On page 3, line 1, increase the amount by $2,418,000,000.

On page 3, line 2, increase the amount by $13,339,000,000.

On page 3, line 3, increase the amount by $18,863,000,000.

On page 3, line 4, increase the amount by $22,694,000,000.

On page 3, line 5, increase the amount by $24,898,000,000.

On page 3, line 6, increase the amount by $29,509,000,000.

On page 3, line 7, increase the amount by $30,953,000,000.
On page 3, line 8, increase the amount by $34,483,000,000.
On page 3, line 12, decrease the amount by $2,500,000,000.
On page 3, line 13, decrease the amount by $11,073,000,000.
On page 3, line 14, decrease the amount by $7,900,000,000.
On page 3, line 15, increase the amount by $2,418,000,000.
On page 3, line 16, increase the amount by $13,339,000,000.
On page 3, line 17, increase the amount by $18,863,000,000.
On page 3, line 18, increase the amount by $22,694,000,000.
On page 3, line 19, increase the amount by $24,898,000,000.
On page 3, line 20, increase the amount by $29,509,000,000.
On page 3, line 21, increase the amount by $30,953,000,000.
On page 3, line 22, increase the amount by $34,483,000,000.
On page 28, line 19, decrease the amount by $2,500,000,000.
On page 28, line 20, decrease the amount by $2,500,000,000.
On page 28, line 23, decrease the amount by $11,200,000,000.
On page 28, line 24, decrease the amount by $11,200,000,000.
On page 29, line 2, decrease the amount by $12,900,000,000.
On page 29, line 3, decrease the amount by $12,900,000,000.
On page 29, line 6, decrease the amount by $14,800,000,000.
On page 29, line 7, decrease the amount by $14,800,000,000.
On page 29, line 10, decrease the amount by $4,200,000,000.
On page 29, line 11, decrease the amount by $4,200,000,000.
On page 30, line 19, increase the amount by $127,000,000.
On page 30, line 20, increase the amount by $127,000,000.
On page 30, line 23, increase the amount by $5,000,000,000.
On page 30, line 24, increase the amount by $5,000,000,000.
On page 31, line 2, increase the amount by $17,218,000,000.
On page 31, line 3, increase the amount by $17,218,000,000.
On page 31, line 6, increase the amount by $17,539,000,000.
On page 31, line 7, increase the amount by $17,539,000,000.
On page 31, line 10, increase the amount by $18,863,000,000.
On page 31, line 11, increase the amount by $18,863,000,000.
On page 31, line 14, increase the amount by $22,694,000,000.
On page 31, line 15, increase the amount by $22,694,000,000.
On page 31, line 18, increase the amount by $24,898,000,000.
On page 31, line 19, increase the amount by $24,898,000,000.
On page 31, line 22, increase the amount by $29,509,000,000.
On page 31, line 23, increase the amount by $29,509,000,000.
On page 32, line 2, increase the amount by $30,953,000,000.
On page 32, line 3, increase the amount by $30,953,000,000.
On page 32, line 6, increase the amount by $34,483,000,000.
On page 32, line 7, increase the amount by $34,483,000,000.
On page 4, line 15, decrease the amount by $2,500,000,000.
On page 4, line 16, decrease the amount by $11,073,000,000.
On page 4, line 17, decrease the amount by $7,900,000,000.
On page 4, line 18, increase the amount by $2,418,000,000.
On page 4, line 19, increase the amount by $13,339,000,000.
On page 4, line 20, increase the amount by $18,863,000,000.
On page 4, line 21, increase the amount by $22,694,000,000.
On page 4, line 22, increase the amount by $24,898,000,000.
On page 4, line 23, increase the amount by $29,509,000,000.
On page 5, line 1, increase the amount by $30,953,000,000.
On page 5, line 2, increase the amount by $34,483,000,000.
On page 4, line 1, decrease the amount by $2,500,000,000.
On page 4, line 2, decrease the amount by $11,073,000,000.
On page 4, line 3, decrease the amount by $7,900,000,000.
On page 4, line 4, increase the amount by $2,418,000,000.
On page 4, line 5, increase the amount by $13,339,000,000.
On page 4, line 6, increase the amount by $18,863,000,000.
On page 4, line 7, increase the amount by $22,694,000,000.
On page 4, line 8, increase the amount by $24,898,000,000.
On page 4, line 9, increase the amount by $29,509,000,000.
On page 4, line 10, increase the amount by $30,953,000,000.
On page 4, line 11, increase the amount by $34,483,000,000.
On page 50, line 3, decrease the amount by $11,073,000,000.
On page 50, line 5, increase the amount by $158,183,000,000.

SA 173. Mr. GRASSLEY (for himself, Ms. SNOWE, Mr. DOMENICI, Ms. COLLINS, Mr. FRIST, Mr. SMITH of Oregon, and Mr. GRAMM) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

On page 49 strike lines 15 through line 6 on page 50 and insert the following:

SEC. 203. RESERVE FUND FOR PRESCRIPTIONS DRUGS AND MEDICARE REFORM IN THE SENATE.

If the Committee on Finance of the Senate reports a bill or joint resolution, or a conference report thereon is submitted, which reforms the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and improves the access of beneficiaries under that program to prescription drugs, the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that bill, joint resolution, or conference report but not to exceed $300,000,000,000 for the period of fiscal years 2002 through 2011. The total adjustment made under this section for any fiscal year may not exceed the Congressional Budget Office's estimate of the President's Medicare reform and prescription drug plan (or, if such a plan is not submitted in a timely manner, the Congressional Budget Office's estimate of a comparable plan submitted by the Chairman of the Committee on Finance).

SA 174. Mr. GRASSLEY (for himself, Mr. MILLER, Mr. DOMENICI, Mr. HUTCHINSON, and Mr. HAGEL) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

On page 4, line 1, increase the amount by $5,112,000,000.
On page 4, line 2, increase the amount by $7,810,000,000.
On page 4, line 3, increase the amount by $8,202,000,000.
On page 4, line 4, increase the amount by $8,658,000,000.
On page 4, line 5, increase the amount by $9,129,000,000.
On page 4, line 6, increase the amount by $8,611,000,000.
On page 4, line 7, increase the amount by $9,101,000,000.
On page 4, line 8, increase the amount by $8,591,000,000.
On page 4, line 9, increase the amount by $8,047,000,000.
On page 4, line 10, increase the amount by $7,470,000,000.
On page 4, line 11, increase the amount by $7,885,000,000.
On page 4, line 15, increase the amount by $5,112,000,000.
On page 4, line 16, increase the amount by $7,810,000,000.
On page 4, line 17, increase the amount by $8,202,000,000.
On page 4, line 18, increase the amount by $8,658,000,000.
On page 4, line 19, increase the amount by $9,129,000,000.
On page 4, line 20, increase the amount by $8,611,000,000.
On page 4, line 21, increase the amount by $9,101,000,000.
On page 4, line 22, increase the amount by $8,591,000,000.
On page 4, line 23, increase the amount by $8,047,000,000.
On page 5, line 1, increase the amount by $7,470,000,000.
On page 5, line 2, increase the amount by $7,885,000,000.
On page 5, line 6, decrease the amount by $5,112,000,000.
On page 5, line 7, decrease the amount by $7,810,000,000.
On page 5, line 8, decrease the amount by $8,202,000,000.
On page 5, line, 9, decrease the amount by $8,685,000,000.
On page 5, line 10, decrease the amount by $9,129,000,000.
On page 5, line 11, decrease the amount by $8,611,000,000.
On page 5, line 12, decrease the amount by $9,101,000,000.
On page 5, line 13, decrease the amount by $8,591,000,000.
On page 5, line 14, decrease the amount by $8,047,000,000.
On page 5, line 15, decrease the amount by $7,470,000,000.
On page 5, line 16, decrease the amount by $7,885,000,000.

On page 5, line 19, increase the amount by $5,112,000,000.
On page 5, line 20, increase the amount by $12,922,000,000.
On page 5, line 21, increase the amount by $21,124,000,000.
On page 5, line 22, increase the amount by $29,782,000,000.
On page 5, line 23, increase the amount by $38,911,000,000.
On page 5, line 24, increase the amount by $47,522,000,000.
On page 5, line 25, increase the amount by $56,623,000,000.
On page 6, line 1, increase the amount by $65,213,000,000.
On page 6, line 7, increase the amount by $5,112,000,000.
On page 6, line 8, increase the amount by $12,922,000,000.
On page 6, line 9, increase the amount by $21,124,000,000.
On page 6, line 10, increase the amount by $29,782,000,000.
On page 6, line 11, increase the amount by $38,911,000,000.
On page 6, line 12, increase the amount by $47,522,000,000.
On page 6, line 13, increase the amount by $56,623,000,000.
On page 6, line 14, increase the amount by $65,213,000,000.
On page 17, line 23 increase the amount by $350,000,000.
On page 17, line 24, increase the amount by $350,000,000.
On page 18, line 2, increase the amount by $350,000,000.
On page 18, line 3, increase the amount by $350,000,000.
On page 18, line 6, increase the amount by $350,000,000.
On page 18, line 7, increase the amount by $350,000,000.
On page 18, line 10, increase the amount by $350,000,000.
On page 18, line 11, increase the amount by $350,000,000.
On page 18, line 14, increase the amount by $350,000,000.
On page 18, line 15, increase the amount by $350,000,000.
On page 18, line 18, increase the amount by $350,000,000.
On page 18, line 19, increase the amount by $350,000,000.
On page 18, line 22, increase the amount by $350,000,000.
On page 18, line 23, increase the amount by $350,000,000.
On page 19, line 2, increase the amount by $350,000,000.
On page 19, line 3, increase the amount by $350,000,000.
On page 19, line 6, increase the amount by $350,000,000.
On page 19, line 7, increase the amount by $350,000,000.
On page 19, line 10, increase the amount by $350,000,000.
On page 19, line 11, increase the amount by $350,000,000.
On page 19, line 15, increase the amount by $5,000,000,000.
On page 19, line 16, increase the amount by $5,000,000,000.
On page 19, line 19, increase the amount by $7,000,000,000.
On page 19, line 20, increase the amount by $7,000,000,000.
On page 19, line 23, increase the amount by $7,000,000,000.
On page 19, line 24, increase the amount by $7,000,000,000.
On page 20, line 2, increase the amount by $7,000,000,000.
On page 20, line 3, increase the amount by $7,000,000,000.
On page 20, line 6, increase the amount by $7,000,000,000.
On page 20, line 7, increase the amount by $7,000,000,000.
On page 20, line 10, increase the amount by $6,000,000,000.
On page 20, line 11, increase the amount by $6,000,000,000.
On page 20, line 14, increase the amount by $6,000,000,000.
On page 20, line 15, increase the amount by $6,000,000,000.
On page 20, line 18, increase the amount by $5,000,000,000.
On page 20, line 19, increase the amount by $5,000,000,000.
On page 20, line 22, increase the amount by $4,000,000,000.
On page 20, line 23, increase the amount by $4,000,000,000.
On page 21, line 2, increase the amount by $3,000,000,000.
On page 21, line 3, increase the amount by $3,000,000,000.
On page 21, line 6, increase the amount by $3,000,000,000.
On page 21, line 7, increase the amount by $3,000,000,000.
On page 41, line 15, increase the amount by $112,000,000.
On page 41, line 16, increase the amount by $112,000,000.
On page 41, line 19, increase the amount by $460,000,000.
On page 41, line 20, increase the amount by $460,000,000.
On page 41, line 23, increase the amount by $852,000,000.
On page 41, line 24, increase the amount by $852,000,000.
On page 42, line 2, increase the amount by $1,308,000,000.
On page 42, line 3, increase the amount by $1,308,000,000.
On page 42, line 6, increase the amount by $1,779,000,000.
On page 42, line 7, increase the amount by $1,779,000,000.
On page 42, line 10, increase the amount by $2,261,000,000.
On page 42, line 11, increase the amount by $2,261,000,000.
On page 42, line 14, increase the amount by $2,751,000,000.
On page 42, line 15, increase the amount by $2,751,000,000.
On page 42, line 18, increase the amount by $3,241,000,000.
On page 42, line 19, increase the amount by $3,241,000,000.
On page 42, line 22, increase the amount by $3,697,000,000.
On page 42, line 23, increase the amount by $3,697,000,000.
On page 43, line 2, increase the amount by $4,120,000,000.
On page 43, line 3, increase the amount by $4,120,000,000.
On page 43, line 6, increase the amount by $4,535,000,000.
On page 43, line 7, increase the amount by $4,535,000,000.

SA 175. Mr. WARNER (for himself, Mr. HUTCHINSON, Mr. ROBERTS, Mr. INHOFE, Ms. COLLINS, Mr. MILLER, and Mr. KYL) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 2, increase the amount by $8,500,000,000.
On page 4, line 16, increase the amount by $6,460,000,000.
On page 10, line 21, increase the amount by $8,500,000,000.
On page 10, line 22, increase the amount by $6,460,000,000.
On page 43, line 15, increase the amount by $8,500,000,000.
On page 43, line 16, increase the amount by $6,460,000,000.
On page 48, line 6, increase the amount by $8,500,000,000.
On page 48, line 7, increase the amount by $6,460,000,000.

SA 176. Mr. JOHNSON (for himself, Mr. CONRAD, Mr. DASCHLE, Mr. HARKIN, Mr. DORGAN, and Mrs. LINCOLN) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

(New Budget Authority)
On page 4, line 1, increase the amount by $9,000,000,000.
On page 4, line 2, decrease the amount by $4,400,000,000.
On page 4, line 3, increase the amount by $12,000,000,000.
On page 4, line 4, increase the amount by $12,000,000,000.
On page 4, line 5, increase the amount by $12,000,000,000.
On page 4, line 6, increase the amount by $11,000,000,000.
On page 4, line 7, increase the amount by $11,000,000,000.
On page 4, line 8, increase the amount by $7,000,000,000.
On page 4, line 9, increase the amount by $6,600,000,000.
On page 4, line 10, increase the amount by $6,000,000,000.
On page 4, line 11, increase the amount by $6,000,000,000.
(New outlays)
On page 4, line 15, increase the amount by $9,000,000,000.
On page 4, line 16, decrease the amount by $4,400,000,000.
On page 4, line 17, increase the amount by $12,000,000,000.
On page 4, line 18, increase the amount by $12,000,000,000.
On page 4, line 19, increase the amount by $12,000,000,000.
On page 4, line 20, increase the amount by $11,000,000,000.
On page 4, line 21, increase the amount by $11,000,000,000.
On page 4, line 22, increase the amount by $7,000,000,000.
On page 4, line 23, increase the amount by $6,600,000,000.
On page 5, line 1, increase the amount by $6,000,000,000.
On page 5, line 2, increase the amount by $6,000,000,000.
(Surpluses)
On page 5, line 6, decrease the amount by $9,000,000,000.
(Revenues)
On page 2, line 17, increase the amount by $4,400,000,000.

On page 2, line 18, increase the amount by $12,000,000,000.
On page 3, line 1, increase the amount by $12,000,000,000.
On page 3, line 2, increase the amount by $12,000,000,000.
On page 3, line 3, increase the amount by $11,000,000,000.
On page 3, line 4, increase the amount by $11,000,000,000.
On page 3, line 5, increase the amount by $7,000,000,000.
On page 3, line 6, increase the amount by $6,600,000,000.
On page 3, line 7, increase the amount by $6,000,000,000.
On page 3, line 8, increase the amount by $6,000,000,000.
(Revenue Reductions)
On page 3, line 13, decrease the amount by $4,400,000,000.
On page 3, line 14, decrease the amount by $12,000,000,000.
On page 3, line 15, decrease the amount by $12,000,000,000.
On page 3, line 16, decrease the amount by $12,000,000,000.
On page 3, line 17, decrease the amount by $11,000,000,000.
On page 3, line 18, decrease the amount by $11,000,000,000.
On page 3, line 19, decrease the amount by $7,000,000,000.
On page 3, line 20, decrease the amount by $6,600,000,000.
On page 3, line 21, decrease the amount by $6,000,000,000.
On page 3, line 22, decrease the amount by $6,000,000,000.
(Debt Held by the Public)
On page 6, line 7, increase the amount by $9,000,000,000.
On page 6, line 8, increase the amount by $18,000,000,000.
On page 6, line 9, increase the amount by $27,000,000,000.
On page 6, line 10, increase the amount by $36,000,000,000.
On page 6, line 11, increase the amount by $45,000,000,000.
On page 6, line 12, increase the amount by $54,000,000,000.
On page 6, line 13, increase the amount by $63,000,000,000.
On page 6, line 14, increase the amount by $72,000,000,000.
On page 6, line 15, increase the amount by $81,000,000,000.
On page 6, line 16, increase the amount by $90,000,000,000.
On page 6, line 17, increase the amount by $99,000,000,000.
(Function 300)
On page 17, line 23, increase the amount by $400,000,000.
On page 17, line 24, increase the amount by $400,000,000.
On page 18, line 2, increase the amount by $1,000,000,000.
On page 18, line 3, increase the amount by $1,000,000,000.
On page 18, line 6, increase the amount by $1,000,000,000.
On page 18, line 7, increase the amount by $1,000,000,000.
On page 18, line 10, increase the amount by $1,000,000,000.
On page 18, line 11, increase the amount by $1,000,000,000.
On page 18, line 14, increase the amount by $1,000,000,000.
On page 18, line 15, increase the amount by $1,000,000,000.
On page 18, line 18, increase the amount by $1,000,000,000.
On page 18, line 19, increase the amount by $1,000,000,000.
On page 18, line 22, increase the amount by $1,000,000,000.
On page 18, line 23, increase the amount by $1,000,000,000.
On page 19, line 2, increase the amount by $1,000,000,000.
On page 19, line 3, increase the amount by $1,000,000,000.
On page 19, line 6, increase the amount by $1,000,000,000.
On page 19, line 7, increase the amount by $1,000,000,000.
On page 19, line 10, increase the amount by $1,000,000,000.
On page 19, line 11, increase the amount by $1,000,000,000.
(Function 350)
On page 19, line 15, increase the amount by $9,000,000,000.
On page 19, line 16, increase the amount by $9,000,000,000.
On page 19, line 19, increase the amount by $4,000,000,000.
On page 19, line 20, increase the amount by $4,000,000,000.
On page 19, line 23, increase the amount by $11,000,000,000.
On page 19, line 24, increase the amount by $11,000,000,000.
On page 20, line 2, increase the amount by $11,000,000,000.
On page 20, line 3, increase the amount by $11,000,000,000.
On page 20, line 6, increase the amount by $11,000,000,000.
On page 20, line 7, increase the amount by $11,000,000,000.
On page 20, line 10, increase the amount by $10,000,000,000.
On page 20, line 11, increase the amount by $10,000,000,000.
On page 20, line 14, increase the amount by $10,000,000,000.
On page 20, line 15, increase the amount by $10,000,000,000.
On page 20, line 18, increase the amount by $6,000,000,000.
On page 20, line 18, increase the amount by $6,000,000,000.
On page 20, line 22, increase the amount by $5,600,000,000.
On page 20, line 23, increase the amount by $5,600,000,000.
On page 21, line 2, increase the amount by $5,000,000,000.
On page 21, line 3, increase the amount by $5,000,000,000.
On page 21, line 6, increase the amount by $5,000,000,000.
On page 21, line 7, increase the amount by $5,000,000,000.
On page 5, line 19, increase the amount by $9,000,000,000.
On page 5, line 20, increase the amount by $18,000,000,000.
On page 5, line 21, increase the amount by $27,000,000,000.
On page 5, line 22, increase the amount by $36,000,000,000.
On page 5, line 23, increase the amount by $45,000,000,000.
On page 5, line 24, increase the amount by $54,000,000,000.
On page 5, line 25, increase the amount by $63,000,000,000.
On page 6, line 1, increase the amount by $72,000,000,000.
On page 6, line 2, increase the amount by $81,000,000,000.
On page 6, line 3, increase the amount by $90,000,000,000.
On page 6, line 4, increase the amount by $99,000,000,000.

SA 177. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001 and all future years; as follows:

On page 4, line 4 strike ''and all future years''.

SA 178. Mr. DOMENICI (for Mr. WELLSTONE) proposed an amendment to the bill S. Res. 55, designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001 and all future years; as follows:

Amend the title so as to read: Designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 3 at 9:30 a.m. to conduct an overnight hearing. The committee will consider national energy policy with respect to impediments to development of domestic oil and natural gas components.

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

COMMITTEE ON FINANCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 to hear testimony on Medicare and Managed Care: Finding Successful Solutions.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 at 10:30 a.m. to hold a business meeting.

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

COMMITTEE ON THE JUDICIARY

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, April 3, 2001 at 10:00 a.m., in SD226.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, April 3, 2001 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON IMMIGRATION

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Immigration be authorized to meet to conduct a hearing on Tuesday, April 3, 2001, at 2:00 p.m. in Dirksen 226.

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

SUBCOMMITTEE ON STRATEGIC

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Subcommittee on Strategic of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 3, 2001, at 2:30 p.m., in open session to receive testimony on the report of the national commission for the review of the National Reconnaissance Office and the report of the Independent Commission on the National Imagery and Mapping Agency.

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

PRIVILEGE OF THE FLOOR

Mr. GRASSLEY. I ask unanimous consent that Lindsay Crawford, Carlo Moreno, Annabelle Bartsch, and Chris Levy, interns on the Democratic staff of the Senate Finance Committee, be granted floor privileges throughout the Senate debate on the budget resolution.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to Public Law 106–310, announces the appointment of the following individuals to serve as members of the Commission on Indian and Native Alaskan Health Care: Sara DeCoteau, of South Dakota and Carole Anne Heart, of South Dakota.

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–533, announces the appointment of the following Senators to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board: The Senator from Hawaii (Mr. AKAKA) and the Senator from South Dakota (Mr. JOHNSON).

NATIONAL MURDER AWARENESS DAY

Mr. DOMENICI. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of Senate Resolution 41, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A Resolution (S. Res. 41) designating April 4, 2001, as ''National Murder Awareness Day.''

There being no objection, the Senate proceeded to the immediate consideration of the resolution.

Mr. SHELBY. Mr. President, S. Res. 41 designates April 4, 2001 as ''National Murder Awareness Day.'' In 1999 alone, 15,533 people were murdered in the United States according to FBI statistics. Murder affects not only the victims themselves, but it affects the lives of countless other family members and friends of victims. While murder rates have decreased from their record highs in the 1980s, further improvement is needed as the murder rate in 1999 was still 5.7 per 100,000 inhabitants—24 percent higher than the 1950 murder rate.

To help address the glaring murder problem in our country, I introduced the National Murder Awareness Day resolution with my colleague Senator SESSIONS. This resolution will raise awareness of the devastating impact murder has on our country. In addition, it recognizes the important role local communities can play in combating the thousands of senseless murders that occur each year.

The idea of devoting a day to raising murder awareness originated with Citizens Against Crime, a grassroots victim's rights organization located in Selma, Alabama. This group was successful in having the Alabama state legislature designate April 4, 2000 as Alabama's ''Murder Awareness Day.'' According to Citizens against Crime, this designation was overwhelmingly successful in mobilizing community resources to address the problem of violent crime in Alabama.

Mr. President, the murder problem in America is complex and will require concerted efforts by people and communities throughout our great country. The National Murder Awareness Day resolution reflects the importance of these efforts. I am pleased my colleagues joined me in passing this important resolution.

Mr. DOMENICI. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 41) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 41

Whereas murder needlessly claims the lives of thousands of Americans each year;

Whereas murder has a devastating effect on the families of victims throughout the United States; and

Whereas local community awareness and involvement can help eliminate the incidences of murder: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2001 as ''National Murder Awareness Day''; and

(2) requests that the President issue a proclamation urging local communities throughout the United States to remember the victims of murder and carry out programs and activities to help eliminate the incidences of murder.

NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. DOMENICI. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from consideration of S. Res. 55, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 55) designating the third week in April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001 and all future years.

There being no objection, the Senate proceeded to consider the resolution.

AMENDMENT NO. 177

Mr. DOMENICI. Senator WELLSTONE has an amendment at the desk. I ask for its consideration and that the amendment be agreed to.

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

The amendment (No. 177) was agreed to, as follows:

On page 4, line 4 strike ''and all future years''.

Mr. DOMENICI. I ask unanimous consent the resolution, as amended, and the preamble be agreed to, the motion to reconsider be laid on the table, the amendment to the title which is at the desk be agreed to, and the motion to reconsider be laid on the table, all without intervening action.

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

The resolution (S. Res. 55), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

[The resolution was not available for printing. It will appear in a future edition of the RECORD.]

The amendment (No. 178) was agreed to, as follows:

Amend the title as to read: Designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the Year 2001.

ORDERS FOR WEDNESDAY, APRIL 4, 2001

Mr. DOMENICI. Mr. President, on behalf of the leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9 a.m. on Wednesday, April 4. 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 at a later time in the day, and the Senate then resume consideration of H. Con. Res. 83, the budget resolution.

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

PROGRAM

Mr. DOMENICI. For the information of all Senators, I say on behalf of the leader, the Senate will resume consideration of the Grassley amendment No. 174, and the Johnson amendment No.

176, both regarding agriculture. By previous consent, the time between 9 and 10:30 a.m. will be equally divided with back-to-back votes to occur at 10:30 a.m. Following those votes, Senator HARKIN will be recognized to offer an amendment regarding education. Other amendments will be offered and therefore Senators should expect votes throughout the day.

I ask the ranking member, when will we be able to see the Harkin education amendment?

Mr. CONRAD. First thing in the morning.

Mr. DOMENICI. Just so we get to look at it during the debate in the morning.

Mr. CONRAD. We will be happy to provide it. We do not have a copy at this point ourselves.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DOMENICI. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:22 p.m., adjourned until Wednesday, April 4, 2001, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate April 3, 2001:

DEPARTMENT OF TRANSPORTATION

DONNA R. MCLEAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE PETER J. BASSO, JR., RESIGNED.

DEPARTMENT OF STATE

JAMES ANDREW KELLY, OF HAWAII, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE STANLEY O. ROTH.

RICHARD NATHAN HAASS, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DIRECTOR, POLICY PLANNING STAFF, DEPARTMENT OF STATE.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

STEPHEN GOLDSMITH, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2005, VICE VICTOR H. ASHE, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant commander

PAULINE F COOK, 0000
PAUL A TITCOMBE, 0000

To be lieutenant

BENES Z ALDANA, 0000
JEFFREY M BROCKUS, 0000
ISMAEL CURET, 0000
MAUREEN R KALLGREN, 0000
STEVEN R KEEL, 0000
MICHAEL T MCGRATH, 0000
MARCEL L MUISE, 0000
FELICIA K RAYBON, 0000
KIN P SZETO, 0000
NAKEISHA B THOMAS, 0000

To be lieutenant (junior grade)

MARIA C ABUZEID, 0000
RICARDO M ALONSO, 0000
MARCUS J AKINS, 0000
DIRK N AMES, 0000
THOMAS B BAILEY, 0000
MICHAEL G BARTON, 0000
CHARLES E BASS, 0000
MICHAEL E BENNETT, 0000
KAILIE J BENSON, 0000
ELIZABETH A BOOKER, 0000
ANDREW T CAMPEN, 0000
MICHAEL S CAVALLARO, 0000
TEALI G COLEY, 0000
KATHERINE M COOCH, 0000
STEPHEN J CORY, 0000
GREGORY L CRETTOL, 0000
MARK A CUNNINGHAM, 0000
MELBURN R DAYTON, 0000
WILLIAM N DELUCA, 0000
JON A DIGIORGIO, 0000
BRIAN K DIVEN, 0000
PHYLLICIA L DIXON, 0000
TROY A DIXON, 0000
STEVEN J DOHMAN, 0000
CHRISTOPHER E DOUGHERTY, 0000
BRENT N DURBIN, 0000
REINO G ECKLORD, 0000
RICHARD C ENGELSTAD, 0000
PATRICK M FLYNN, 0000
CALVIN T FREELAND JR., 0000
GINA L FREEMAN, 0000
CHRISTOPHER R FRIESE, 0000
JEFFREY R FRYE, 0000
TYRON V GADSDEN, 0000
STEVEN M GARCIA, 0000
RILEY O GATEWOOD, 0000
TANYA L GILES, 0000
PETRE S GILLIAM, 0000
RICHARD GONZALEZ, 0000
KELSEY L GORMAN, 0000
MELISSA J HARPER, 0000
HEATH A HARTLEY, 0000
CHRISTOPHER P HOCHSCHILD, 0000
LINDA M HOERSTER, 0000
TANGELA F HUMMONS, 0000
THOMAS A JACOBSON, 0000
KAREN S JOHNSON, 0000
PETER B JONES, 0000
ANDREA KATSENES, 0000
BRIAN R KHEY, 0000
LONNIE T KISHIYAMA, 0000
JAMES B KNAPP, 0000
KURT R KUPERSMITH, 0000
ANDREW H LIGHT, 0000
SIMON A MAPLE, 0000
JOSEPH S MASTERSON, 0000
ELIZABETH A MCNAMARA, 0000
RANDY F MEADOR, 0000
DWAYNE L MEEKINS, 0000
MICHAEL B MENDOZA, 0000
MATTHEW W MERRIMAN, 0000
SANDRA J MIRACLE, 0000
DONALD P MONTORO JR., 0000
MARTIN J MUELLER, 0000
DAVID R NEEL, 0000
CRAIG D NEUBECKER, 0000
PETER S NILES II, 0000
KATHERINE M NILES, 0000
MICHELLE S OBRIENRIPLEY, 0000
MALCOLM L ORR, 0000
DIANE D PERRY, 0000
PETER A PIETRA, 0000
EDWARD H PORNER, 0000
CARMEN A PURTELL, 0000
JACOB J RAMOS, 0000
JASON H RAMSDELL, 0000
KEVIN B REED, 0000
ERIC A REETER, 0000
JAMES P REID, 0000
NICOLE R ROBERTSON, 0000
SEAN P ROCHE, 0000
BRENDA M RODERIG, 0000
CHRISTOPHER A ROSE, 0000
KATHRYN D RUCKER, 0000
CONSTANCE F RUCKSTUHL, 0000
ROSARIO M RUSSO, 0000
RUDOLPH D RUSSO, 0000
DAWN M SEWADE, 0000
DAN T SOMMA, 0000
EDWARD L SONGER, 0000
ALEXIS L TUNE, 0000
MICHAEL L TURNER, 0000
DANIEL W VANBUSKIRK JR., 0000
PAUL G VOGEL, 0000
STEVEN P WALSH, 0000
WILBORNE E WATSON, 0000
MOLLY A WIKE, 0000
SOLOMON J WILLIAMS, 0000
TERENCE J WILLIAMS, 0000
TARIK L WILLIAMS, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEVEN D. CAREY, 0000
LANCE E. ELLIOTT, 0000

To be lieutenant colonel

THOMAS E. LAMBERT, 0000

To be major

RICHARD R. LEMIEUX, 0000

In the Army

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOE L. SMOTHERS, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

LOUIS A. ABBENANTE, 0000
JAMES R. ANDERSON, 0000
STEVEN M. BALMER, 0000
MARGARET M. CAMERON, 0000
RANDALL L. CANTER, 0000
DAVID A. CARRIONBARALT, 0000
TIBOR J. LANCZY, 0000
FLOYD P. ROEHRICH JR., 0000
JAMES M. WILLIAMS, 0000

In the Marine Corps

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DENNIS G ADAMS, 0000
JACK V BUTLER JR., 0000
RICHARD W BYNO JR., 0000
JOSEPH A COPPOLA, 0000
NELLO E DACHMAN, 0000
DAVID W FISHER, 0000
PAUL P HARRIS, 0000
JERALD D HOLM, 0000
MICHAEL J LEWIS, 0000
JAMES R LOGAN, 0000
THOMAS P MCCABE, 0000
WILLIAM A MEZNARICH JR., 0000
THEODORE W MUELLER, 0000
MARVIN L RAHMAN, 0000
LAWRENCE R WOOLLEY, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHARLES E BROWN, 0000
JACKIE O BYRD, 0000
BRIAN K COLBY, 0000
JAMES A CROFFIE, 0000
JOHN T CURRAN, 0000
EGBERT N DAWKINS, 0000
STEPHEN J DUBOIS, 0000
BRIAN A FISHER, 0000
ROBERT W GROSS, 0000
GREGORY B HARAHAN, 0000
RALPH P HARRIS III, 0000
JIMMY F HEGGINS JR., 0000
MARC C HOWELL, 0000
RANDALL D JOHNSON, 0000
THOMAS J JOHNSON, 0000
RICHARD D KULP, 0000
ARTHUR H LABREE, 0000
CARNELL LUCKETT, 0000
JORGE L MEDINA, 0000
RORY F MEEHAN, 0000
ALFRED G MOORE, 0000
WALTER C MURPHY JR., 0000
CHARLES T PARTON, 0000
STEPHEN V PENNINGTON, 0000
DAVID S PHILLIPS, 0000
ROBERT P ROBERSON II, 0000
ELLIOTT J ROWE, 0000
RONALD W SABLAN, 0000
KENNETH A STROUD, 0000
STEVEN C TAYLOR, 0000
PHILLIP R WAHLE, 0000
MICHAEL J WEBB, 0000
DANIEL R WESTPHAL, 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DAVID C. BARTON, 0000

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JAMES W. HUDSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHEILA C. HECHT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PAUL R. FANEUF, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DANIEL L. BOWER, 0000
TEDMAN L. VANCE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S. CODE, SECTION 531:

To be lieutenant

KYLE P. DURAND, 0000
JOSEPH J. ELDRED, 0000
PATRICK J. GIBBONS, 0000
SCOTT G. JOHNSON, 0000
JAMES E. LANDIS, 0000
SALVATORE M. MAIDA, 0000
JAMES A. OUELLETTE, 0000
MICHELLE M. PETTIT, 0000
JEFFREY J. TRUITT, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

EDUARDO C CUISON, 0000
PAUL S DROHAN, 0000
HAROLD A FRAZIER II, 0000
IGOR A JERCINOVICH, 0000
DOUGLAS H MCNEILL, 0000
JESUS A OLCESE, 0000
MARY E WASHBURN, 0000
RICHARD C YAGESH, 0000

To be commander

JOHN J LEE, 0000
LEE R MANDEL, 0000

To be lieutenant commander

GREGORY L ATCHASON, 0000
ANTHONY J CLAPP, 0000
JEFFREY J GRAY, 0000
DAVID E JONES, 0000
RICHELLE L KAY, 0000
LENORA C LANGLAIS, 0000
ROBERT K MCGAHA, 0000

EXTENSIONS OF REMARKS

JUSTICE FOR VICTIMS OF INTERNATIONAL TERRORISM ACT

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BENTSEN. Mr. Speaker, today I am introducing legislation to better coordinate the Federal Government's response to terrorism. Each year, hundreds of thousands of U.S. citizens work and travel overseas, including a growing number of U.S. employees who work on behalf of the energy industry. Regrettably, as we have seen in recent years, U.S. citizens are increasingly at risk by terrorist organizations who hope to exact revenge for U.S. policies, or in the name of greed. Because of a confusing maze of differing of diplomatic and law enforcement concerns, the U.S. victims of such acts are often unable to attain justice, even when the whereabouts of the perpetrators are known by federal authorities.

While the Department of State and the Justice Department can work effectively with nations sharing an extradition treaty with the U.S., too often the lack of such treaties or diplomatic barriers have allowed terrorists to hide from justice behind layers of bureaucracy. Worse still, there is little effective coordination between State and Justice to provide updated information to victims and their families, and neither agency compiles a complete report accounting the federal government's efforts to bring terrorists to justice.

Under this legislation, the Secretary of State would be required to designate an existing Assistant Secretary of State to monitor efforts to bring justice to U.S. victims of terrorism abroad. I believe this provision provides the Department of State with the necessary flexibility to designate the tasks required under this bill without dictating the creation of a new post, or elevating the Office of Counterterrorism with duties most appropriately performed at the level of the Assistant Secretary.

Under this bill, the Assistant Secretary would be required to work directly with the Justice Department and other applicable Federal agencies to identify and track terrorists living abroad who have killed Americans, or engaged in acts of terrorism that have directly affected American citizens. In addition, the Assistant Secretary would provide an annual report to Congress on the number of Americans kidnapped, killed or otherwise directly affected by the actions of international terrorists. Also included in the Annual Report to Congress would be a thorough detailing of what actions State and Justice are undertaking to obtain justice for U.S. victims of international terrorism, and a current list of terrorists living abroad.

One of the most important components of this legislation is the direct assistance of State and Justice in defining outdated or ineffective laws that prevent the aggressive pursuit of international terrorist by the Federal Government. To that end, as part of the Annual Report, the Assistant Secretary would work with the Justice Department to make specific recommendations to Congress on legal remedies needed to bring individual terrorists to justice in the U.S. Should enforcement problems exist, the Assistant Secretary would provide Congress with proposed changes to U.S. law that would allow Justice and State to bring terrorists to justice in the U.S. Further, the Annual Report would work with State to detail known international terrorists, and make recommendations to Congress on best methods of pressuring host governments—such as cutting off of aid, or imposing sanctions. To maintain adequate safeguards, the President would be provided with a national security interest waiver, which must be accompanied with an explanation to Congress when executed.

As Members of Congress, we have a profound duty to provide an effective response when our constituents have been the victims of international terrorists while traveling or working abroad. Through passage of this legislation, we can take important steps in coordinating the Federal Government's response, and ensuring that we have the information necessary to address our laws or diplomatic policies to provide for the aggressive pursuit of terrorists. We can not stand back while our citizens are victimized, or let the lack of coordination between agencies dictate a denial of justice.

I urge my colleagues to better safeguard our citizens by supporting this legislation.

TRIBUTE TO SUSAN TRESKY TOERGE

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mrs. MORELLA. Mr. Speaker, I rise today to salute the American Mothers, Inc., 2001 Maryland Mother of the Year, Susan Tresky Toerge. A resident of Potomac, MD, Mrs. Toerge is an example of a truly altruistic individual as shown through her efforts to her family and to her students.

As an English as a Second Language (ESL) teacher, Mrs. Toerge has impacted the lives of many children across the country educating them on the ways of our country during a point in time when many of these children are most likely frightened and uncertain of their new surroundings. Through her comforting and valuable life lessons, Mrs. Toerge helps these children overcome the challenges faced with being in a new country. In her work and home life, Mrs. Toerge demonstrates that it is possible for women to balance the role of a devoted parent with a full time job and still participate actively in her community. She is truly a role model for women everywhere.

The Maryland Mother of The Year program is sponsored by American Mothers, Inc. (AMI) which was founded on the objective to ''develop and strengthen the moral and spiritual foundation of the home, the community, the nation and the world.'' AMI is also the official sponsor of Mother's Day and has developed outreach programs that include parenting workshops, tutoring and literacy programs.

Mr. Speaker, please join me in saluting Susan Tresky Toerge, whose contributions to her family, state and community have made her truly deserving of the title of Maryland Mother of the Year.

CONGRATULATIONS TO YOKUM CHAPEL AFRICAN METHODIST EPISCOPAL CHURCH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. SKELTON. Mr. Speaker, let me take this opportunity to congratulate the Yokum Chapel African Methodist Episcopal Church, of Malta Bend, Missouri, which will be celebrating its 120th anniversary on May 20, 2001.

Yokum Chapel Church may not have the largest membership but it has continued to serve the people of Malta Bend for the last twelve decades. Malta Bend is a small town with an African-American population of less than five percent. This church and its dedicated congregation have become an integral part of the community that it calls home.

Mr. Speaker, I wish to extend my congratulations to the congregation of Yokum Chapel African Methodist Episcopal Church for their outstanding accomplishment. It is with great pride that I honor their achievement on their one hundred and twentieth anniversary.

CAPITAL GAINS TAX RATE REDUCTION ACT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. COLLINS. Mr. Speaker, today I rise to introduce the Capital Gains Tax Rate Reduction Act. If enacted, this legislation will reduce the top capital gains tax rate from 20% to 10%. Additionally, the lower rate of 10% would be reduced to 5%. The measure would also repeal the 5-year holding rule.

This legislation is needed to spur today's ailing economy. From past rate reductions, we know that the economy responds to the lowering of rates. The impact of reducing the tax burden on investments is to increase activity in the markets. When the tax is reduced, individuals have an incentive to sell assets. These sales spur economic growth, as well as generate revenue for the federal coffers.

Please join me in cosponsoring this important tax rate reduction bill.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE NORMAN SISISKY, MEMBER OF CONGRESS FROM THE COMMONWEALTH OF VIRGINIA

SPEECH OF

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2001

Mr. ROEMER. Mr. Speaker, the death last week of our friend and colleague NORM SISISKY claimed one of our great leaders, and took away one of my respected and personal friends in Congress.

NORM symbolized the very best there is in public service. A good family man, NORM was widely respected for his honesty and integrity. He was also one of the most wonderful, witty and funny people I have known.

On the Intelligence Committee, where I had the privilege to serve with NORM, you could always count on him to give everyone a hard time. Whether he was grilling the director of the FBI, or just kidding around with staff, NORM was relentless when it came to dispensing good humor and well-intentioned grief. But he always did so in the most embracing and engaging way. With a sparkle in his eye, NORM always had the unique ability to say the right thing to break the tension and put a human face on our work.

But there was so much more to NORM SISISKY than just his great sense of humor. When it comes to military and national defense matters, there was no one more knowledgeable or more committed than NORM. His expertise in military affairs enabled him to serve both his district and our nation well.

As a member of the Armed Services Committee and the Intelligence Committee, NORM led the fight to improve our nation's military readiness, enhance our national security, and ensure America's leadership in the world. We owe a great debt of gratitude to NORM for his persistent and visionary leadership on defense matters. Clearly, our military and intelligence communities have lost a great friend.

NORM came to Congress after a long and successful career in the private sector. He put his business skills and knowledge to work in many productive ways, especially helping lead the fight for a balanced budget and smaller government. NORM epitomized the kind of public servant our founding fathers had in mind when they wrote the Constitution: a skilled and successful businessman giving back to his community, and leading Congress with his thoughtful and pragmatic advice.

We will miss NORM's knowledge, his leadership and his wonderful sense of humor. Our friend from Virginia made a huge impact in Congress, both as a leader and as a friend. My sympathies go out to NORM's wife Rhoda, their four sons Richard, Mark, Stuart and Terry, and their entire extended family.

COMMENDING THE 3M FOUNDATION FOR ITS PRESERVATION EFFORTS

HON. BILL LUTHER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. LUTHER. Mr. Speaker, I would like to take this opportunity to mention a recent action by a corporation based in my home State of Minnesota that will go a long way toward improving the quality of life of our residents.

On March 20, 2001, the 3M Foundation gave the Nature Conservancy of Minnesota a gift of $3.2 million to preserve and restore two areas of grassland in the State. Appropriately, it was also the first day of spring. This is the largest gift ever given to the state chapter. The gift will be used to purchase prairie and forest land and to promote community-based conservation efforts. This effort will have a significant and long-lasting impact on Minnesota's wildlife and vegetation. 3M's gift is one that will truly keep giving, offering current and future generations access to some of Minnesota's finest natural treasures.

I commend 3M for its commitment to preserving Minnesota and it is my hope that the good work 3M does will serve as a national example to increase corporate giving and involvement in communities across the country.

THE 15TH NATIONAL DISABLED VETERANS WINTER SPORTS CLINIC

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. STEARNS. Mr. Speaker, I recently had the privilege to participate in an extraordinary event, the 15th National Disabled Veterans Winter Sports Clinic. This year it was held at Snowmass Village at Aspen, CO. Sponsored by the Disabled American Veterans, the Department of Veterans Affairs, and others, this event provides disabled veterans the chance to engage in various outdoor and indoor sports activities.

More than 300 severely disabled veterans took to the ski slopes, tackled rock climbing, went scuba diving, or played sledge hockey. This wonderful program is much more than a source of fun and athletic challenges; it is designed to assist in the rehabilitation of veterans with severe disabilities. Physical activities are essential to improving physical fitness, refining motor skills, and building self-confidence.

Many of these men and women at one time thought that their disability ended hopes for an active, vibrant life. Instead of viewing their physical condition as a barrier to recreation, these individuals saw the opportunity to overcome the obstacle posed by their disability.

The men and women at the clinic did not dwell on adversity; rather they eagerly engaged in the physical trial of sports. This event demonstrated the courage and abilities of these veterans. It also serves as an inspiration to others to be bold in redefining what the disabled can do.

I had the privilege of being Chairman of the Veterans' Health Subcommittee and I now serve as its Vice Chairman. I worked with the VA, the DAV, and other wonderful groups in strengthening the services provided to veterans and I look forward to continuing this cooperation. The Veterans are the only group of Americans that have earned their benefits, they didn't just happen to be here, they earned it on the battlefield, they earned it in service to America.

Serving America's veterans mean exploring new options for enhancing their quality of life. The Winter Sports Clinic exemplifies an innovative approach to honoring the men and women who served in uniform.

CONGRATULATIONS STANLEY GWIAZDOWSKI—2001 PAL JOEY AWARD WINNER

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to fellow Milwaukeean Stanley Gwiazdowski, the St. Joseph Foundation, Inc. 2001 Pal Joey Award winner. Stan will be honored April 23rd at the annual Pal Joey dinner.

Stan is a worthy recipient of the prestigious Pal Joey Award as he has served his country, church, community and family faithfully for many years. He graduated from St. Hyacinth School and South Division High School. Drafted into the Army in 1941, Stan was chosen to attend infantry officers school at Fort Benning, Georgia. Sent overseas for the first time, Stan joined the 34th Infantry Division in Africa. His later Army assignments led him to units in Italy, North Africa and France. Stan received numerous military honors, including the Purple Heart with two Oak Leaf Clusters. Upon his return to the United States, Stan transferred to the Army Reserves. He retired from the Reserves in 1980, after nearly 35 years of military service to his country.

In 1946, Stan was sworn in as a City of Milwaukee police officer. He proudly served in all of the southside Milwaukee districts and was promoted to patrol sergeant and desk sergeant positions. He retired in may of 1980.

Throughout the years, Stan also found time to serve his community. He is the current secretary of the South Side Business Club, a member of the Milwaukee Society, the St. Josephat Foundation, the secret International Mushroom Pickers Society (IMPS), the Reserve Officers Association and Retired Officers Association.

Stan married Rose Kalinowski in 1946. The couple has been blessed with seven children and 12 grandchildren. An avid sheepshead player, Stan is quick with a joke and to volunteer whenever and wherever he may be needed.

It is my distinct pleasure to join Stan's many friends and family members to saluting his many years of service to the Milwaukee community and especially the St. Joseph Foundation, Inc. May God continue to bless you and your family, Stan. Sto lat!

KENT A. ''BO'' COTTRELL

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TANCREDO. Mr. Speaker, today I want to tell you about a great American who resides in Colorado's 6th Congressional District. Mr. Kent A. ''Bo'' Cottrell has one of the most diverse and unique histories of any individual that I can think of. He has been, and still is, a fine musician, he has been a police officer, a fund raiser for charities, he has run for elected office and has been elected for multiple terms as the chairman of the Arapahoe County Grand Old Party. Bo has worked for the governor of our great State in a wide variety of positions and ultimately came to rest as part of a unique business venture.

He attended Indiana State University and was promptly drafted to serve his country in 1963 where he served in Europe with the Military Police for two years. Bo went on to serve in the Jefferson County sheriffs office as an investigator in the late 1960s and worked in law enforcement for six years. During that time, he formed and wrote for a musical group known then and now as ''The Lawmen,'' made up of law officers. They toured and even has a hit single called ''Darn Good Country'' in the DC area which was so popular that the group went to the White House for a visit with President Nixon.

In 1970, a leading local paper in Jefferson County named Bo Cottrell as their pick for the ''Man of the Year.'' His connections in the entertainment industry were leveraged to help Easter Seals in their battle to raise funding and awareness of childrens' health issues and eventually vaulted him to the Board of Directors for the Make A Wish Foundation where he served as its special events director. He worked together with prominent members of the business and entertainment community to raise hundreds of thousands of dollars for charity. He formed Kops and Kids, the Easter Seals Golf Tournament, the Make A Wish Golf Tournament and always strives to better the communities around him.

Due to all of his charitable efforts, in 1990, Bo was presented the ''Point of Light'' Award by President Bush, Sr., in a White House presentation. In 1996 he was a candidate to the Colorado State House in Arapahoe County and, although he did not prevail, he was soon elected to the position of Chairman to the Arapahoe County Grand Old Party from 1997 until 2001.

Another one of my consitutents, Colorado Governor Bill Owens, selected Bo to become a representative on the Parole Board where he presided as Chairman. Bo was soon asked to work with the Colorado Office of Economic Development. In a true expression of his belief in the free-market, Bo gathered his experience dealing with people, both parolees and members of the business community, and began a new and unique business venture. He is now the marketing director of Pure Colorado, a company that bottles our wonderful, and very clean, Rocky Mountain Spring water, and packages it in a unique and innovative way for distribution nationwide.

Bo Cottrell's travels from Military Police officer, to musician, to Marketing Director are diverse and amazing examples in pursuit of the American Dream. He was a compassionate conservative before anyone had even heard of such a thing, he is a great individual and I consider him a good friend.

Mr. Speaker, I am honored to join the Arapahoe County GOP in extending my appreciation to the kindness and good deeds of Mr. Bo Cottrell.

FORTY-FIFTH ANNIVERSARY OF TUNISIAN INDEPENDENCE

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BENTSEN. Mr. Speaker, I rise today to acknowledge the anniversary of the 45th year of independence for the Republic of Tunisia. It was 45 years ago that the Republic of Tunisia was formally established as an independent country. Over the years, Tunisia has forged a strong and solid relationship with the United States that spans beyond bilateral ties to cover issues related to world peace and economic partnership.

The U.S. relationship with Tunisia has survived civil, regional and global conflict. During World War II, Tunisia supported the United States and allied forces as they landed in Northern Africa. During the cold war years, Tunisia established itself as a steadfast ally in the strategically important Mediterranean Sea. As we moved into the post-cold-war years, the Republic of Tunisia has remained a friend and ally of the U.S. and taken steps to develop closer military and economic ties with European allies and NATO.

Today, the Republic of Tunisia continues to make important progress toward democracy by broadening political debate, advancing social programs, developing economic programs encouraging privatization of the banking and financial sectors, and improving the quality of life for its people. Tunisian citizens enjoy universal suffrage, and the nation is considered to be a leader among Muslim nations in safeguarding the rights of women and children. Further, Tunisia has acted as leader and catalyst for peacekeeping missions in suffering countries, contributing military contingents to operations in Cambodia, Somalia, the Western Sahara and Rwanda. Tunisia has also been a voice of moderation in the Arab-Israeli peace process and has called for greater international efforts to fight terrorism.

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.

In commemoration of 45 years of independence for Tunisia, I urge my colleagues to reflect on our strong commitment to Tunisian people, our friends and partners in North Africa.

HONORING ROBERT F. DOLAN, JR.

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mrs. MORELLA. Mr. Speaker, I rise to honor and congratulate Robert F. Dolan, a lifelong resident of Montgomery County, Maryland and the Head Golf Professional at Columbia Country Club in Chevy Chase, Maryland. On November 10, 2000, he was named the 2000 PGA of American Junior Golf Leader, one of the organization's highest service awards.

Mr. Dolan is a longtime advocate of junior golf and a co-founder of several inner-city youth golf programs. He has always viewed golf as a vehicle for teaching young people the values of discipline, determination, honesty, patience, and good sportsmanship.

The award was given for Mr. Dolan's ongoing work with our nation's youth. Through this dedication, he provides opportunities and experiences for children of all ages and abilities to learn, to play, and to enjoy the game of golf. Mr. Dolan is distinguished by his strength of character, his devotion to service, and his outstanding leadership in junior golf.

Bob's devotion to junior golf programs is reflected in his long history of service. He has worked for many years with the Paul Berry Neediest Kids Get Hooked on Golf Program as an advisory board member, organizer, promoter, and instructor. Since 1996, Bob has been involved as a ''Coach the Coaches'' instructor, a program he created to work with Washington, D.C. public school coaches on the proper techniques for teaching golf. He has been the Kemper Open Junior Golf Clinic lead instructor since 1991. Bob is also co-founder and instructor for the ''Summer in the City'' inner-city youth golf program, a four-week instructional program for the youth of Washington, D.C. Bob also serves on the advisory board of the Washington, D.C. First Tee program.

Perhaps his most rewarding contribution, however, is his role as lead instructor at the Special Love/Camp Fantastic Junior Golf Clinic. This is a one-day clinic for children who suffer from cancer, with the golf clinic being the highlight of their retreat weekend.

I congratulate Mr. Robert F. Dolan on this award and his ongoing contributions to junior golf in Montgomery County and the nation. He is a wonderful role model for junior golfers and a true ambassador for the game of golf.

TRIBUTE TO REAR ADMIRAL JAMES CUTLER DAWSON, JR.

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. SKELTON. Mr. Speaker, let me take this means to congratulate and pay tribute to Rear Admiral James Cutler Dawson, Jr., who performed in an outstanding manner as Chief of Legislative Affairs from October 1999 to March 2001.

Rear Admiral Dawson did a fine job during his time in Legislative Affairs. Under his leadership, numerous events and actions surrounding the Navy were expertly managed including ship commissioning, christening, and naming ceremonies; Congressional travel; and official receptions on Capitol Hill. During his tenure, Rear Admiral Dawson also played a key role in working with the Secretary of the Navy and the Chief of Naval Operations to positively affect the future size, readiness, and capabilities of the Navy.

Rear Admiral Dawson worked well with Congressional offices and created widespread opportunities to promote the Navy's message. He executed an outreach plan allowing senior Naval leaders to visit over sixty percent of the Members of Congress. He effectively managed a workshop, allowing district staff members to more efficiently perform casework, and he also managed difficult public relations issues and provided advice and counsel during more than 50 Congressional hearings.

Recently it was announced that Rear Admiral Dawson has been nominated and will be appointed to vice admiral. He will be assigned as commander, United States Naval Forces, Central Command and command the Fifth Fleet in Bahrain.

Mr. Speaker, I wish to expand my congratulations to Rear Admiral James Cutler Dawson, Jr., for achieving such success during his time as Chief of Legislative Affairs. I wish him continued success with his new assignment as Commander of the Fifth Fleet. I know that my colleagues in the House will join me in saluting this fine sailor.

TIMBER TAX SIMPLIFICATION ACT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. COLLINS. Mr. Speaker, I rise to introduce legislation which corrects an inequity in the Internal Revenue Code which affects the sale of certain assets.

Under current law, landowners who are occasional sellers of timber are often classified by the Internal Revenue Service as ''dealers.'' As a result, the seller is forced to choose between a ''lump sum'' payment method or a pay-as-cut contract which often results in an under-realization of the fair value of the contract. While electing the pay-as-cut contract option provides access to capital gains treatment, the seller must comply with special rules in Section 631(b) of the Internal Revenue code. The provisions of Sec. 631 (b) require these sellers to ''retain an economic interest'' in their timber until it is harvested. Under the retained economic interest requirement, the seller bears all the risk and is only paid for timber that is harvested, regardless of whether the terms of the contract are violated. Additionally, since the *buyer* pays for only the timber that is removed or ''scaled'' there is an incentive to waste poor quality timber, to under scale the timber, or to remove the timber without scaling.

The legislation I am introducing will provide greater consistency by removing the exclusive ''retained economic interest'' requirement in IRC Section 631(b). This change has been supported or suggested by a number of groups for tax simplification purposes, including the Internal Revenue Service. I urge my colleagues to join in this tax simplification effort and strongly urge its passage.

LAVELLE RETIRING AFTER 23 YEARS AS JUDGE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to John P. Lavelle, who is retiring after 23 years as a judge of Carbon County, Pennsylvania, including 15 years when he served as the county's only judge.

Judge Lavelle, the son of Irish immigrants, was born in 1931, grew up in Philadelphia and earned his bachelor of arts degree from Niagara University in 1953. He went on to get his law degree from Villanova University in 1958, holding the distinction of being a member of the first class held at the Villanova School of Law in 1953. He interrupted his law studies for two years to serve his country in the Army in Italy and Austria. The same year he graduated from law school, he married Marianne Shutack of Nesquehoning, who can claim a ''first'' in her own right as the first woman admitted to the Carbon County bar.

He began his career in the Philadelphia law offices of renowned criminal lawyer Morton Witkin and also worked briefly for the firm of Bennett & Bricklin. He also indulged his love of classical language by teaching Latin as a part-time professor at Villanova.

In 1959, he moved to Carbon County and began an active general law practice with his wife and his father-in-law, George Shutack. His roots and upbringing gave him a natural empathy for the underdog, and many of his legal battles were fought for average people overwhelmed by big business or big government. Inspired by President John F. Kennedy, whom he deeply admired, he was active in Democratic politics throughout the 1960s and 1970s.

In 1965, he and his wife built a home in Lehighton, where they have lived ever since. He has often assumed a leadership role in improving his adopted community. For example, he helped to obtain the funding for the Carbon County Airport and spearheaded that project in 1961. He was also the first solicitor for the county airport authority and served in that role for 10 years. In 1966, he organized and obtained the charter for the First Federal Savings and Loan Association of Carbon County, helping to bring the county its first federally insured savings and loan association. He also arranged for the financing and construction of the first professional building in Lehighton, as well as Park View House, the first modern commercial apartment building in the town.

The future judge served as county solicitor from 1971 to 1978. He was elected judge in the shortest election campaign in Pennsylvania history, when the state Supreme Court ruled just weeks before the November 1977 election that the governor could not fill the vacant judgeship by appointment because the state election board should have known the judge who was retiring was approaching the mandatory retirement age.

Judge Lavelle assumed his duties with his typical energy and enthusiasm. After a year of study and evaluation, he began to bring the court system into the computer age, automating the antiquated manual record-keeping system, streamlining office procedures and writing new rules of court and manuals to train court personnel in the new system.

In 1979, he initiated a one-day, one-trial system and developed and produced a unique audiovisual orientation program for jurors that is still used today. He also reorganized and restructured all court offices and appointed women to key positions in the court system. In 1980, he worked to obtain federal funding to cover half the cost of converting the old arbitration room on the courthouse's third floor into a modern wood-paneled courtroom.

His courtroom was the focal point for several highly publicized cases during his first term. In November 1979, he made the unprecedented decision to call off and nullify the general election in Carbon County because the voting machines used throughout the county would not permit cross-voting. He also presided at the 1982 murder trial of Robert ''Mudman'' Simon, a motorcycle gang member who was convicted of killing an 18-year-old girl whose body was not found until seven years after her death. He also presided over a 1985 murder trial, which was the first time the battered-wife syndrome defense was used, resulting in an acquittal by the jury.

The Pennsylvania Supreme Court recognized his abilities by appointing him to preside over the two long and complex 1991 civil libel trials of a state Supreme Court justice against the Philadelphia Inquirer. He did not hesitate to file suit against the county commissioners in 1989 when they had refused raises for court employees and removed funds from the court budget. He successfully lobbied the state Legislature the following year to add a second judgeship for the county to handle the court system's heavy workload.

In 1991, he completely revised and adopted new rules of civil procedure, and in 1992 and 1993, he launched new case management systems to expedite the handling of both civil and criminal cases.

On occasion, Judge Lavelle has issued unusual and creative orders to see that justice is done, including sentencing a woman with a long record of calling in false fire alarms to the Lehighton Fire Company to clean the fire trucks for six months. In 1984, he became one of the first trial judges in the state to order a school board and striking teachers to negotiate daily to end a contract impasse.

Judge Lavelle and his wife have four children, who have every reason to be proud of their father's distinguished career.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the long history of Judge John Lavelle's service to the people of Carbon County and all of Pennsylvania, and I wish him all the best in retirement.

TRIBUTE TO CHRISTIAN JOS. BECKER, LIFETIME VOLUNTEER FIREMAN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. ENGEL. Mr. Speaker, today I recognize one of my constituents, Mr. Christian Jos. Becker, for his lifetime of dedicated service to the Westchester County Volunteer Firemen's Association. Mr. Becker began his volunteer work at the age of 42, when he moved from the city of Yonkers to the village of Ardsley.

Over his 33 years of service, Chris has achieved numerous accomplishments, all of which have greatly improved the Westchester area. In 1971, Mr. Becker received the Ardsley Fire Department Fire Fighter of the Year Award for his unwavering dedication in responding to nearly every alarm within his village. Also, he served as the Department's first Secretary for five years.

Though Mr. Becker's firefighting days were caused to come to a close in 1975 due to an illness, his volunteer activities continued on. As Ardsley Fire Department's Delegate to the Firemen's Association in the State of New York and the Westchester County Volunteer Firemen's Association, Chris's services persevered. One of his greatest accomplishments occurred in 1970 when he founded ''The Westchester Volunteer,'' a bimonthly newsletter which supplies relevant news to firefighters throughout the county.

Mr. Becker also sits on both the Public Relations Committee and the Legislative Committee for the Firemen's Association in the state of New York, where he championed notable legislation such as the Cigarette Fire Safety Act and the Requiring of Adoption of the Fire and Building Codes. For all of the good he has brought to their community, the people of Westchester County will forever be indebted to this selfless volunteer.

I am certain that all of my colleagues in the House of Representatives will join me in extending a sincere offer of congratulations, as well as gratitude, to Mr. Christian Jos. Becker. It is a pleasure to recognize such a dedicated man who has used his life to benefit those around him.

BACK COUNTRY LANDING STRIP ACCESS ACT

HON. C.L. ''BUTCH'' OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. OTTER. Mr. Speaker, today I introduced the ''Back Country Landing Strip Access Act.'' This bill, which was introduced in the last Congress by Chairman Hansen of the Resources Committee, will prohibit the federal government from closing airstrips on public lands without the consent of the state aviation authority. I am grateful to Chairman Hansen for letting me re-introduce this bill this year, and would like to thank him and the 23 other original co-sponsors of this bi-partisan bill. I would also like to thank my fellow Idahoan, Senator CRAPO, for introducing this legislation in the other body.

Last year, Idaho and the other western states were threatened by some of the largest firestorms in the history of this country, in which more than 7 million acres of forest lands burned. People around the nation watched transfixed as brave firefighters battled on the ground and in the sky to protect lives and property. Most of those watching may not have been aware that the firefighters on the ground in these wilderness areas were supplied from airstrips on public land. Or that the aerial firefighting efforts depended on back country airstrips as safe havens in the case of emergency. Had back country landing strips not existed, firefighting efforts would have been crippled.

Incredibly, for eight years before the fires the federal government had sought to remove these airstrips. Amazingly, the Departments of Agriculture and Interior had removed numerous airstrips on public lands without even consulting with pilots, land users or state aviation authorities. This heavy handed land management by unelected federal bureaucrats has placed innumerable lives in danger. Imagine if you were a pilot and attempted a dead-stick landing onto an airstrip on your chart, only to find a grove of trees planted in your path. Or, if you evacuated a camper with a medical emergency, and the runway you need had been destroyed by government inaction, the results would be devastating. The Back Country Landing Strip Access Act is a common sense measure that will prevent the closure of landing strips, and will require public notice and state approval for any such proposal.

When this bill was introduced in the last Congress, many federal officials complained that it would place an unreasonable burden upon land management agencies. But how is it unreasonable for the federal government to seek the permission of a state before closing a field that a local community depends upon? Why is it unreasonable for rural communities to fly in the supplies and equipment they need to survive in winter?

Mr. Speaker, I know this bill will work if enacted because we in Idaho have been working with this system for years. When Congress established the Frank Church River of No Return Wilderness Area in 1980, a provision was added that prohibited the federal government from closing any airstrip in the wilderness without the express written concurrence of the State of Idaho. This provision has not ruined the wilderness area. To the contrary, it has allowed the elderly, the handicapped and children to enjoy wilderness areas they would otherwise be unable to reach. It has preserved the ability of outfitters to bring sportsmen to the heart of the wilderness with a minimum of disruption. In short, it is a model for what we seek to accomplish in this bill.

This bill is a common sense measure to restore cooperation between federal and state governments. It does not force the reopening of closed airfields. It does not require the federal government to spend extra money to maintain back country strips. In fact, this bill authorizes the Departments of Agriculture and Interior to enter into cooperative agreements with local groups to maintain back country strips.

America's public lands should not be allowed to become ''no-fly zones.'' I urge my colleagues to join me in supporting this vital legislation, and I am pleased to introduce it today.

HONORING CARLY FITZSIMONS BAKER

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mrs. CAPPS. Mr. Speaker, recently I published a speech in the CONGRESSIONAL RECORD celebrating the centennial of California Polytechnic State University in San Luis Obispo. Today I rise to recognize an extraordinary leader of the Cal Poly community, Carly Fitzsimons Baker.

A graduate of St. Mary's College, Notre Dame, Indiana in 1961 and Cal Poly in 1985, Carly Baker has made countless contributions to the university and to the community of San Luis Obispo County for the past 22 years. While raising 4 children, Mrs. Baker has served as an unsung, yet remarkable partner to her husband, Warren, President of Cal Poly since 1979.

During the past decades of exceptional growth and achievement of the university, Carly Baker has played a central role in the university's efforts to strengthen external relations. Carly's grace, good humor and attention to detail have been evident in every event for visiting dignitaries, university board members, community leaders, donors and the President's Cabinet. The welcoming environment she has created has nourished an expanding circle of university friendships, critical to Cal Poly's future.

Carly Baker has made an enormous difference in our community's quality of life. She has distinguished herself with her contributions to the League of Women's Voters, the Juvenile Justice & Delinquency Prevention Commission, the Women's Shelter, Children's Protective Services, the Children's Center Task Force, the Atascadero State Hospital Advisory Board, the Organization of State Hospital Advisory Boards, and the Performing Arts Center.

Mr. Speaker, Carly Baker has admirers more numerous than she could ever imagine. Today, I speak for all of them to proudly recognize someone whose accomplishments and charm has affected so many in such a positive way. Cal Poly's centennial slogan is ''A Century of Achievement, A Tradition for the Future.'' Let the record show that Carly has played such a significant role in Cal Poly's remarkable achievements and will remain as one of the university's crown jewels well into the future.

Mr. Speaker, I hope my colleagues will join me in congratulating Carly Baker on more than two decades of notable achievements.

TRIBUTE TO PETTY OFFICER 2ND CLASS SCOTT CHISM & SEAMAN CHRIS FERREBY

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. QUINN. Mr. Speaker, I am very saddened to rise today in memory of Petty Officer 2nd Class Scott Chism and Seaman Chris Ferreby.

As seamen assigned to the Coast Guard Station of Niagara, these two young men tragically lost their lives serving their community and their nation. This tragedy happened on a routine patrol voyage in which Scott Chism and Chris Ferreby, along with fellow crewmembers Michael Moss and William Simpson, were tossed into the frigid waters of Lake Ontario when their boat was overturned by a large wave.

Scott Chism had served three years and seven months in the Coast Guard. With the upcoming completion of his enlistment, he and his wife had planned to return to California. He leaves behind his wife, Lissa, a daughter, Kelsey, and a son, Caleb.

Chris Ferreby was raised outside of Rochester, in Fairport. He is survived by a wife, Amy and a newborn child, Tyler. Amy recalls her husband as being able to ''always make you laugh'' and willing to ''do anything for his friends.''

Our thoughts and prayers are with the families of these two men. Their heroism, bravery and selfless dedication to our country will not be forgotten.

COMMENDING THE ACADEMIC ACHIEVEMENTS OF STUDENTS FROM WILLISTON NORTHAMPTON SCHOOL IN EASTHAMPTON, MA

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. OLVER. Mr. Speaker, I rise to congratulate the students of Williston Northampton School in Easthampton, MA for their excellence in academic competition. Under the tutelage of Mr. Peter Gun, these young people have shown an acute knowledge of the Constitution and its Amendments, in particular the Bill of Rights.

On April 21–23, 2001 more than 1200 students from across the country will be in Washington, DC to demonstrate their expertise in American government and represent their home states as part of the ''We the People . . . The Citizen and the Constitution'' program, sponsored in part by the U.S. Department of Education. I am pleased to announce the class from Williston Northampton School will participate on behalf of the Commonwealth of Massachusetts.

Mr. Gun's students have taken a strong interest in the principles that govern our nation. Through their studies, they have become aware of the founders' efforts to fashion an enduring republic. Through their accomplishments, they have shown a keen understanding of the political process, its participants and the laws that will ensure America's continued vitality.

It is an honor to recognize such a meritorious group.

SHED LIGHT ON HIDDEN FEES

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. GUTIERREZ. Mr. Speaker, on March 29 I introduced the ''Wire Transfer Fairness and Disclosure Act of 2001,'' a bill to require additional disclosures relating to exchange rates in transfers involving international transactions. Sixty-two representatives currently support this important legislation.

Immigrants throughout the United States work hard, save money and send billions of dollars to relatives living in foreign countries. The money sent home helps finance basic needs ranging from food and medicine to education to new homes. Unfortunately, customers wiring money to Mexico are often losing millions of dollars to undisclosed ''currency conversion fees'' charged by giant firms such as Western Union and MoneyGram.

Wire Transfer companies aggressively target audiences in immigrant communities with ads promising low rates for international transfers. However, such promises are grossly misleading particularly for those with ties to Mexico or other Latin American countries, since companies do not always clearly disclose extra fees charged for converting dollars into Mexican pesos. While large wire service companies typically obtain pesos at bulk bargain rates, they charge a significant currency conversion fee to their U.S. customers. The exchange rate charged to customers sending U.S. dollars to Mexico routinely varies from the benchmark rates by as much as 15 percent. The profits from these hidden currency conversion fees are staggering, allowing companies to reap millions of dollars more than they make from service fees.

To address these problems, this Act requires full disclosure of all fees involved in all money-wiring transactions. More specifically, the bill requires that any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall provide the following disclosures:

The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

The exchange rate prevailing at a major financial center of the foreign country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt given to the consumer.

Mr. Speaker, I submit the full text of this pro-consumer legislation for the record and I urge my colleagues to support this important legislation.

H.R. 1306

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wire Transfer Fairness and Disclosure Act of 2001''.

SEC. 2. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

(a) IN GENERAL.—The Electronic Fund Transfer Act (15 U.S.C. 1693 et seq.) is amended—

(1) by redesignating sections 918, 919, 920, and 921 as sections 919, 920, 921, and 922, respectively; and

(2) by inserting after section 917 the following new section:

''SEC. 918. DISCLOSURE OF EXCHANGE RATES IN CONNECTION WITH INTERNATIONAL MONEY TRANSFERS.

''(a) DEFINITIONS.—

''(1) INTERNATIONAL MONEY TRANSFER.—The term 'international money transfer' means any money transmitting service involving an international transaction which is provided by a financial institution or a money transmitting business.

''(2) MONEY TRANSMITTING SERVICE.—The term 'money transmitting service' has the meaning given to such term in section 5330(d)(2) of title 31, United States Code.

''(3) MONEY TRANSMITTING BUSINESS.—The term 'money transmitting business' means any business which—

(A) provides check cashing, currency exchange, or money transmitting or remittance services, or issues or redeems money orders, travelers' checks, and other similar instruments; and

(B) is not a depository institution (as defined in section 5313(g) of title 31, United States Code).

''(b) EXCHANGE RATE AND FEES DISCLOSURES REQUIRED.—

''(1) IN GENERAL.—Any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall; provide the following disclosures in the manner required under this section:

''(A) The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

''(B) The exchange rate prevailing at a major financial center of the foreign country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

''(C) All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

''(D) The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt referred to in paragraph (3).

''(2) PROMINENT DISCLOSURE INSIDE AND OUTSIDE THE PLACE OF BUSINESS WHERE AN INTERNATIONAL MONEY TRANSFER IS INITIATED.—The information required to be disclosed under subparagraphs (A), (B) and (C) of paragraph (1) shall be prominently displayed on the premises of the financial institution or money transmitting business both at the interior location to which the public is admitted for purposes of initiating an international money transfer and on the exterior of any such premises.

''(3) PROMINENT DISCLOSURE IN ALL RECEIPTS AND FORMS USED IN THE PLACE OF BUSINESS WHERE AN INTERNATIONAL MONEY TRANSFER IS INITIATED.—The information required to be disclosed under paragraph (1) shall be prominently displayed on all forms and receipts used by the financial institution or money transmitting business when initiating an international money transfer in such premises.

''(c) ADVERTISEMENTS IN PRINT, BROADCAST, AND ELECTRONIC MEDIA AND OUTDOOR ADVERTISING.—The information required to be disclosed under subparagraphs (A) and (C) of subsection (b)(1) shall be included—

''(1) in any advertisement, announcements, or solicitation which is mailed by the financial institution or money transmitting business and pertains to international money transfer; or

''(2) in any print, broadcast, or electronic medium or outdoor advertising display not on the premises of the financial institution or money transmitting business and pertaining to international money transfer.

''(d) DISCLOSURES IN LANGUAGES OTHER THAN ENGLISH.—The disclosures required under this section shall be in English and in the same language as that principally used by the financial institution or money transmitting business, or any of its agents, to advertise, solicit, or negotiate, either orally or

in writing, at that office if other than English.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect at the end of the 3-month period beginning on the date of the enactment of this Act.

TRIBUTE TO SAINT PATRICK'S PARISH IN SAN FRANCISCO, CA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join today to pay tribute to a Saint Patrick's Parish in San Francisco, California, which is celebrating its 150th Anniversary. From its humble beginnings the Parish has blossomed into a San Francisco institution that has weathered wars, troubled times, and the occasional earthquake. Despite those hardships, for the last 150 years Saint Patrick's Parish has remained a structure of faith for its parishioners.

Shortly after Fr. John Maginnis celebrated the first mass in a rented hall on June 9, 1851, a temporary Church was constructed, and Saint Patrick's had established a foot hold in San Francisco. During this time, California was experiencing the Gold Rush, which brought the proliferation of industry and commerce to the area, and resulted in the population of San Francisco growing rapidly. The Parish responded to this expansion by purchasing a lot on Mission Street, between Third and Fourth Streets and started construction of a magnificent new Church. After two years, construction was completed, and the new Church was dedicated on March 17, 1872 at which time the Catholic population of the parish was estimated at 30,000 parishioners.

Having overseen the construction of the Church, Fr. Maginnis now set his sights on new projects, and soon founded both the St. Vincent School for Girls and the St. Patrick's School for Boys. Both schools were taught by the Daughters of Charity from Emmitsburg, Maryland, and served the Parish until 1964. After the schools closed, the site was later transformed into the Alexis Apartments for the elderly.

Mr. Speaker, for the first fifty-four years after its founding, Saint Patrick's Parish knew only one pastor, Father John Maginnis. Fr. Maginnis was succeeded by the Reverend Monsignor John Rogers in 1905. Shortly thereafter, the San Francisco earthquake and fire of 1906 struck, and the Church was reduced to rubble. This catastrophe of biblical proportions was met head on by Msgr. Rogers and the parishioners of St. Patrick's. After establishing a men's shelter named Tir-na-Nog, which is Gaelic for Land of Youth, Msgr. Rogers began the reconstruction of the Church. The reconstruction was completed and the Church was rededicated in 1914. An impressive brick structure, Saint Patrick's Church still stands majestic as a living memorial to the undaunted faith and endurance of people who gave of themselves in times of personal hardship to build this institution.

Mr. Speaker, for the last century and a half years Saint Patrick's Parish has provided for the spiritual needs of the community, as well as run programs to aid the elderly, youth, and the marginalized. I ask all my colleagues to join me in honoring Saint Patrick's Parish in marking their sesquicentennial.

TRIBUTE TO DAVE McELHATTON

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to a most beloved and enduring San Francisco Bay Area icon—Dave McElhatton of KPIX Channel 5 television and KCBS radio. His distinguished 50-year career in broadcast journalism is being celebrated at an extraordinary tribute dinner at the Palace Hotel in San Francisco on April 21, 2001, for the benefit of his alma mater, San Francisco State University.

David McElhatton, who was born and raised in Oakland, California, enrolled at San Francisco on the G.I. bill in 1948, following service in the U.S. Army. Only two weeks after graduating with a degree in Broadcast & Electronic Communication Arts, Dave was employed at KCBS radio. He quickly became a prominent radio personality in the Bay Area. His first introduction to Bay Area radio listeners was as the host of KCBS's ''Music 'Til Dawn'' and ''Masters of Melody''—the last live network music program to originate from San Francisco. He hosted the Bay Area's first call-in talk show, ''Viewpoint'' and the last local audience-participation radio program, ''McElhatton in the Morning.'' As KCBS' morning anchor for a quarter century, Dave became one of the Bay Area's best known and best regarded radio personalities, and he was instrumental in developing the KCBS News/Radio format.

For the second quarter century of his career in broadcast journalism, Dave McElhatton was at the helm of Channel 5 Eyewitness News, where his credibility and affability made it easy for him to move seamlessly from radio to television. His superior journalistic skills and his excellent delivery led to a distinguished television news career marked by a multitude of journalistic awards and a multitude of faithful viewers.

Dave McElhatton is the recipient of the rarely-bestowed ''Governor's Award'' from the Board of Governors of the Northern California Emmy Awards, which is given in recognition of truly outstanding and unique individual achievements of long duration. He has also received numerous awards from the Associated Press, United Press International, the Press Club of San Francisco, the Peninsula Press Club, the Northern California Television and Radio News Directors Association, the 19th Annual Radio Fellow Award of the University of San Francisco, the James J. Strebing Memorial Award, a Special Award for Excellence from the American Society of Anesthesiologists, and the highest honor of the Aviation Writers' Association. In 1997, Dave McElhatton was inducted into the San Francisco State University Hall of Fame. For many years, Dave taught broadcasting at his alma mater, San Francisco State University, where I was a professor of economics for three decades.

Since retiring from broadcasting, Mr. McElhatton continues to contribute to our community by serving as master of ceremonies and keynote speaker at fund-raising events for Bay Area non-profit and charitable organizations. He also can be seen in California's skies, where he enjoys piloting his own plane.

Mr. Speaker, I urge my colleagues to join me today in paying tribute to Dave McElhatton for a distinguished 50-year career in journalism. We wish Dave and his wife, Karen, a retirement replete with richly deserved good health and happiness.

HONORING KELVIN TORBERT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. KILDEE. Mr. Speaker, I rise today to congratulate and acknowledge the accomplishments of Kelvin Torbert, a senior at Flint Northwestern High School. Kelvin was chosen out of more than 542,000 high school boys basketball players to be named the 2001 Gatorade National High School Boys Basketball Player of the Year. This is one of the highest awards conferred upon a high school student athlete. In addition to both academic and athletic excellence, recipients must also maintain high moral character. Kelvin is an outstanding young man who personifies the criteria, and I am proud to be honoring him here today.

Kelvin has a strong sense of teamwork and can play any position on the court. His remarkable athletic skills have made him the highest scorer in Northwestern's history, with a record 1,978 points. As a four year starter on the varsity team, he has been the recipient of numerous honors and awards including McDonalds All-American, Parade Magazine All-American, three time 1st team All-State player, and most recently, the Mr. Basketball award, given to the state's best player by the Basketball Coaches Association of Michigan.

Not only is Kelvin an exceptional athlete, but he has also maintained 3.1 GPA. He is an active member of student government, demonstrating positive leadership qualities in his school extending well into the Flint community. Successfully balancing academics with athletics, he will be an asset to the student body at Michigan State University next fall. He is an outstanding example of the teamwork and high moral character stressed in Flint public schools.

Constantly maintaining high standards for himself, Kelvin has become a role model for younger students, working with young people at the local Boys and Girls Club and at summer basketball camp. He teaches them the importance of teamwork and dedication on the court and its implications throughout life.

Mr. Speaker, I am happy to honor an exemplary individual like Kelvin Torbert, and the contributions he has made to his team. He is an example of what can be accomplished by encouragement and reinforcement of a student's talents, and belief in his or her ability to excel.

THE HERO OF CHESTNUT HILL

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. FRANK. Mr. Speaker, on April 17, one of the leading educational institutions in America, Boston College, will honor Dr. Francis B. Campanella as he prepares to retire this year from his job as Executive Vice President. Dr. Campanella has been an extraordinary asset not just to Boston College, but to the Greater Boston community, and to higher education in America through his extraordinarily creative and diligent work at Boston College. Last September, David Warsh appropriately described Dr. Campanella's work in an excellent article in the Boston Globe. I am delighted to have this chance to join in honoring this very distinguished educational leader on the occasion of his well earned second retirement, and I ask that Mr. Warsh's column about him be printed here as an example of what commitment at its best means to our broader community.

[From the Boston Globe, Sept. 12, 2000]

THE HERO OF CHESTNUT HILL

(By David Warsh)

Anyone strolling across the densely built and sparkling campus of Boston College would find it hard to believe that there was a time when the school was nearly bankrupt.

Yet in the early 1970s, Boston College came very close to failing. The school had run major deficits for five years in a row. Its net worth was negative. Its endowment was a paltry $5 million.

BC had a sympathetic banker in Waltham, Giles Mosher. But only by temporarily dipping into the pension fund for Jesuit professors was the administration able to keep doors open from year to year. In a memorable report, economist Edward Kane warned the faculty that BC soon might find that its (then) spacious campus had become the University of Massachusetts at Chestnut Hill.

It was about that time that the trustees hired Donald Monan, S.J. Within a year Monan persuaded professor Frank B. Campanella to leave the faculty where he had been teaching finance and take over the school's internal management instead. The rest is history.

Boston College took off like a rocket and the University of Massachusetts built its new campus at Columbia Point.

Last week Campanella, 64, said he would return to teaching at the end of the current academic year. That $5 million endowment has grown to $1.1 billion, the 35th largest in the country. (In contrast, Boston University says the market value of its endowment currently is about $980 million.)

Faculty salaries, which in 1973 had been at the 50th percentile of category I institutions, are in the 90th percentile. Undergraduate applications, which had totaled 8,400, last year were 21,000 for 2,100 places—making BC the fifth most heavily applied-to university in the country.

And on the 1991 list of BC's top 12 application overlaps—meaning those schools to which a prospective BC student also had applied—the names of Fairfield University, Providence University, and UMass had been elbowed off by 1997 by Harvard, Penn, and Brown.

Campanella was a logical, if not an obvious choice for executive vice president. He had been raised in Jamaica Plain, then graduated from Boston College High School in 1954. After earning an engineering degree at Rensselaer Polytechnic Institute and serving three years as a Marine Corps lieutenant he worked for five years in the construction industry.

Low margins and chronic uncertainty led him to retool as a finance professor, beginning as a night school MBA at Babson College, then as a doctor of business administration at Harvard Business School. (He tested Harry Markowitz's portfolio theory for his dissertation; Rober Glauber was his supervisor). He had been teaching for three years when Monan took him by the arm in 1973. He had the confidence of the faculty.

Campanella's strategy from the first was to run a surplus. He established a depreciation account—a standard business practice but among the first in the nation at a university—which freed up cash for investment. Then he set out to build the college's balance sheet.

He borrowed as much money as possible, taking advantage of the bargain rates available to tax-exempt institutions. He used it for bricks and mortar, budgeting debt service as an expense. With the physical plant growing, he lobbied the faculty to increase enrollment, and plowed the growing surpluses into endowment. He invested aggressively as well.

Then came ''enrollment management,'' a set of yield management practices more or less invented in education at BC. The offices of admissions and financial aid were combined, making it possible to purposefully compete with other institutions on price. BC's applications pool broadened to include Texas, California, the Midwest. Retention became part of the picture as well.

Campanella gradually attracted national attention.

Campanella retired for the first time in 1991. It didn't take. In 1994, the trustees asked him to come back. He stayed long enough to get new BC president William Leahy, S.J. settled in his job. ''He's a man who understood the world of higher education, the world of business too,'' Leahy said. ''He'll be a very difficult man to replace.''

A TRIBUTE TO CARMELA C. RODRIGUEZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Carmela C. Rodriguez of Brooklyn, New York. Ms. Rodriguez is a deeply religious person who has dedicated herself to serving her church, her community and her native culture.

Ms. Rodriguez was born and raised in Panama City, Panama. She migrated to the United States in 1963. Nevertheless, she remains proud of her Panamanian roots. She has expressed this pride through service. She is the President of the Day of Independence Committee of Panamanians in New York and she organized the first Panamanian Independence Day Parade.

Ms. Rodriguez is also committed to her religion and her community. She is a Eucharistic Minister of Service at Our Lady of Charity Church; she is the First African American woman to be inducted as a Franciscan Friar in the Immaculate Conception Province, and she is the Grand Lady of the Knights of Peter Claver Ladies Auxiliary. In addition, she serves her community by conducting AIDS education workshops and donating food as well as clothing for needy children.

Mr. Speaker, Ms. Carmela C. Rodriguez is a woman of deep conviction whose religious and community involvement illustrate that she does not believe it is enough simply to live in a community, but rather one must serve that community as well. As such, she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

MAKE SUBPART F LAW PERMANENT

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. McCRERY. Mr. Speaker, today I am pleased to introduce a bill on behalf of myself, Mr. Neal of Massachusetts, and 24 of our colleagues from the Ways and Means Committee. Current law contains a temporary active financial services provision in Subpart F. This provision makes sure that active business income of a U.S. financial services company operating overseas is not subjected to U.S. tax until that income is distributed to the U.S. parent. If this temporary provision were allowed to expire at the end of 2001, American financial services companies would be placed on an unequal footing with their foreign competitors.

Our legislation would make the active financial services provision permanent, securing international parity for our financial services industry and providing it with treatment comparable to that afforded other segments of the U.S. economy.

This legislation is important not only to U.S. financial services companies but also to the U.S. businesses that they service internationally. As just one example, U.S. banks and finance companies support the international sales growth of U.S. manufacturers and distributors. Additionally, Mr. Speaker, because U.S. employees provide support services for the overseas operations of our financial services companies, this legislation will also enhance the creation and preservation of U.S. jobs that depend on these international operations.

The growth of American finance and credit companies, banks, securities firms, and insurance companies is impaired by the uncertainty of an ''on-again, off-again'' practice of annual extensions of the active financial services provision. Making this provision a permanent part of the law will allow our financial services companies to make long-term plans for their continued international growth. Without this legislation, American financial services companies will be deprived of the certainty that their foreign-based competitors enjoy when operating outside of their home countries.

Mr. Speaker, this legislation will ensure U.S. tax policy does not hamper the ability of our financial services companies to compete in the international marketplace. The permanent extension of the active financial services provision is particularly important today, if the U.S. financial services industry is to continue as a global leader in international markets. The highly competitive and global nature of many of the businesses that will benefit from this legislation highlights the need to ensure greater parity between U.S. tax laws and those of

most other industrialized nations. Any disparity enhances the ability of foreign competitors to engage in a wider range of financial activities than U.S. companies.

In closing, making this provision a permanent part of the law would provide for an equitable and stable international tax regime for the U.S. financial services industry. We hope that this legislation will receive every possible consideration.

MAKE SUBPART F LAW PERMANENT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. NEAL. Mr. Speaker, I am very pleased to join Representative JIM MCCRERY and a majority of the Ways and Means Committee in introducing legislation to make permanent the exclusion from Subpart F of the Internal Revenue Code for active financial services income of U.S. businesses operating in foreign markets. This provision permits American financial services firms doing business abroad to pay U.S. tax on their foreign earnings only when those earnings are returned to the U.S. parent. The provision expires at the end of this year.

This rule for active financial services is the same rule that applies to most other types of U.S. companies, and is the general rule in most of the industrialized world. Most competitors of U.S. financial institutions operate under tax regimes that generally do not tax currently active financial income earned outside their home countries. Making the Subpart F rule for active financial services permanent means that U.S. financial services companies will be on a level playing field throughout the life of the contract for which they are competing when they seek to compete in overseas markets with foreign-based financial services companies. While taxes are clearly not the only factor in determining the competitiveness of U.S. financial companies abroad, they do make a difference. In an increasingly global world with increasingly sophisticated competition, we cannot afford to put our financial services companies at such a disadvantage any longer.

Mr. Speaker, my colleagues and I believe it is vital to make the active financing provisions of current law permanent, to provide stability to our American service industries and all who work for them.

A TRIBUTE TO SHERYL BOYCE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Sheryl Boyce of Canarsie, for her many years of leadership in the civic and religious communities.

Ms. Boyce believes that to live in the community it is important to serve your community as well. For this reason she has spent nearly two decades as an active community resident. She has been an active member of the Bay View Tenants Association, serving as the financial secretary, recording secretary, and editor of the Association Newsletter. In addition, she organized the Association's first clean up day. Ms. Boyce has taken a particular interest as a mentor, serving as a Girl and Boy Scout Leader and a chaperon on numerous youth outings.

Sheryl is also an active member of St. Albans' Episcopal Church. She is on the Altar Guild and serves as a treasurer of the Episcopal Church Women. She has been elected to the Vestry for the third time and serves as a mentor to the altar girls and boys.

Mr. Speaker, Ms. Sheryl Boyce is a woman of deep religious conviction who has served her community and her church with the same level of dedication. As such, she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

FREEDOM OF THE MEDIA IN RUSSIA

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. HOYER. Mr. Speaker, I participated recently in a Congressional delegation to Russia, led by my friend CURT WELDON, where we met with government officials and others to assess the economic and political situation in that country and the state of U.S.-Russian relations. As Co-Chairman of the Duma-Congress Study Group on which I serve with Mr. WELDON, and as former Chairman and Ranking Member of the Helsinki Commission, I have traveled to Russia and the former Soviet Union frequently since the early 1980s.

We are encouraged by Russia's continued progress, however tentative it may appear at times, towards becoming a democratic state that guarantees the inalienable rights, including religious freedom and respect for human rights and the rule of law, of all its citizens. That is why it is disturbing to see an important tenet of democracy—freedom of the media—being threatened by federal government actions and by local officials as well.

The seriousness of this problem has been addressed by both the Clinton and Bush Administrations and has received widespread attention in the Western press, including recent editorials in The Wall Street Journal and The Washington Post. In Moscow, we were briefed by Ambassador Jim Collins, who told us about the threats to the media, particularly NTV and its holding company, Media Most, and we also met with Evgeny Kiselev, head of NTV—the only independently operated television station in Russia—who described incidents of harassment and intimidation directed against himself and other NTV personnel.

Moreover, as we have seen in the past, journalists in Russia are under threat of physical attacks, even murder, at the hands of unknown assailants if they offend the wrong people with their reporting.

Mr. Speaker, I would like to bring to the attention of my colleagues the State Department's Country Report on Human Rights Practices-2000, just sent to the Congress by the Bureau of Democracy, Human Rights, and Labor, as required by law. It is a valuable document that assesses human rights conditions, country by country, around the world and has proven a reliable source of information for Members to better understand how individual governments treat their own citizens.

The section on Russia, which covers 45 pages, states that the government ''generally respected the human rights of its citizens in many areas,'' but that ''serious problems remain, including independence and freedom of the media. . . .'' The report goes on to state ''Federal, regional, and local governments continued to exert pressure on journalists by: initiating investigations by the federal tax police, FSB, and MVD of media companies such as independent Media-Most. . . .''

The report also provides an account of the government harassment of and threats to Mr. Vladimir Goussinsky, founder and chairman of Media-Most, which owns NTV, and his arrest and detention in a Moscow prison. Today, Mr. Goussinsky is confined in Spain, awaiting the disposition of a Russian prosecutor's request for extradition, as Kremlin authorities have been engaged in a series of actions to shut down the country's only privately owned television station, or have it taken over by a government-controlled company.

Sadly, Mr. Speaker, these efforts have come to fruition today. Press reports indicate that, in an apparent boardroom coup, the current NTV board, including Mr. Goussinsky, was ousted by the Russian gas firm Gazprom, which says it owns a controlling stake of the station. Mr. Kiselev has been replaced by an associate of the Gazprom directors. Russia's only two other nationwide television stations, ORT and RTR, are already controlled by the government.

Mr. Speaker, I urge the government of the Russian Federation to strengthen democratic institutions and the rule of law by guaranteeing and supporting media pluralism and independence in Russia. Clearly, the foundation of a free and democratic society is a well informed citizenry. That foundation crumbles when freedom of speech and freedom of the media are suppressed. I also urge my colleagues to review the State Department's report on human rights conditions, particularly the section on Russia.

INTRODUCTION OF THE DEPOSIT INSURANCE FUNDS MERGER ACT OF 2001

HON. JOHN J. LAFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. LAFALCE. Mr. Speaker, today I introduce legislation that merges the FDIC's Bank Insurance Fund (BIF) and the Savings Association Insurance Fund (SAIF) on January 1, 2002. I am joined by Representative MAXINE WATERS as an original cosponsor. A merger of the BIF and SAIF would clearly benefit the deposit insurance system by creating a single, more diversified fund that is less vulnerable to regional economic problems.

In addition, a merger of the funds would more accurately reflect the reality of today's financial services industry, in which over 40 percent of the SAIF deposits are held by commercial banks and FDIC-regulated state savings banks. In fact, the funds have lost their

independent identities, and we should rationalize their structure.

Today, BIF members and SAIF members pay deposit insurance premiums at the same rate. However, until the SAIF was recapitalized in 1996, the FDIC was required to charge different premiums to BIF and SAIF members for what is essentially the same product. A difference in premiums could emerge once again, if the reserves of one fund drop below the statutory reserve ratio of 1.25% (that is, a fund's reserves must have at least $1.25 for every $100 of deposits insured by the fund), and the reserves of the other fund do not. A merger would prevent the re-emergence of a rate disparity between BIF members and SAIF members and the market inefficiencies the disparity creates as institutions waste time and money in order to purchase deposit insurance at the lowest price possible.

This is an optimal time for merging the two funds. The ratio of the SAIF fund balance to insured deposits is at a healthy 1.44%. The BIF also remains strong at a healthy 1.35% ratio of reserves to insured deposits. A combined fund would have a reserve ratio of 1.37%. Under these conditions, industry concerns over competitive disadvantages caused by a merger should be minimal. Both the banking and thrift industries should support the change as bringing needed rationality and stability to the deposit insurance funds.

Other deposit insurance reform proposals have been introduced that address other issues, such as the proper level of deposit insurance coverage and automatic industrywide assessments, when either the BIF or SAIF falls below the 1.25% reserve ratio. While these other proposals merit serious consideration, Congress may not yet be prepared to resolve the issues they address. However, the case for legislation merging the BIF and SAIF is clear and should not get bogged down in the more general debate on deposit insurance reform. Mr. Speaker, the merger of the BIF and SAIF is a matter of substantial public policy importance that should be addressed on its independent merits, and without delay.

A TRIBUTE TO NIKKI ANTOINETTE BETHEL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to honor Nikki Antoinette Bethel of Brooklyn, New York. Ms. Bethel has been a leader throughout her young life both in her academic as well as her professional careers.

Ms. Bethel is a product of the New York City Public School System, having attended St. Mark's Day School, PS 383—Philipa Schuyler Middle School and Edward R. Murrow High School. While in high school, Nikki was elected into Who's Who in American High Schools for three consecutive years, she represented New York as a Congressional scholar and she received the ''Progress through Justice'' Award from the District Attorney of Kings County. After high school Nikki went to college at the University of Maryland where she again exhibited her leadership abilities: serving as a resident assistant for each of her four years, the Vice-President of the Black Women's Student Council, a teaching assistant, a section leader of the Honors 100 Colloquium, a delegate of the Black Student Union, and a member of the University's honor program. After graduating with honors, Nikki went on to receive her Master of Education at Harvard University.

Once her education was complete, Nikki brought her leadership skills and penchant for achievement to Merrill Lynch's Human Resources Management Training Program. After becoming an Assistant Vice-President, Nikki went in search of new challenges as an MBA Recruiter for Investment Banking Sales and Trading at Morgan Stanley Dean Witter.

Mr. Speaker, Nikki Antoinette Bethel is a dedicated young woman of tremendous achievement. As such she is more than worthy of receiving our recognition today, and I hope that all of my colleagues will join me in honoring this truly remarkable woman.

INTRODUCTION OF H.R. 1332: THE BUSINESS METHOD PATENT IMPROVEMENT ACT OF 2001, H. R. 1333: THE PATENT IMPROVEMENT ACT OF 2001, AND H. RES. 110: THE PTO FUNDING RESOLUTION

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BERMAN. Mr. Speaker, I rise to discuss three pieces of legislation I have introduced today.

Last fall, Representative RICK BOUCHER and I introduced H.R. 5364, the Business Method Patent Improvement Act of 2000. Upon introduction of that bill, I made it clear that my primary motivation was protection of intellectual property. I believe the protection of intellectual property is critical both to innovation and to the economy, and will be advanced by assuring the highest level of quality for U.S. patents.

With these same goals in mind, today Representative BOUCHER and I introduce three new bills. The Business Method Patent Improvement Act of 2001 is very similar to last year's version, but includes several significant changes in response to legitimate criticisms of last year's bill. The Patent Improvement Act of 2001 responds to suggestions by many parties that certain provisions in last year's bill should apply broadly to all patentable inventions. Finally, the PTO funding Resolution ensures that all PTO fees will be used to fund the PTO and the vital services it provides.

These bills represent a starting point, not an end point, for discussion of legislative solutions to patent quality concerns. The multitude of comments received on last year's bill demonstrate that these problems are difficult and, as yet, present no clear-cut answers. Indeed, reactions to last year's bill exhibited few consistent patterns, with members of the same industries often expressing diametrically opposed viewpoints. What was clear, however, was that introduction of specific legislation proved helpful at focusing the discussion. Thus, we introduce these bills to initiate that discussion anew in the 107th Congress.

The Business Method Patent Improvement Act of 2001 requires the PTO to publish all business method patent applications after 18 months. In conjunction with the publication provision, it creates opportunities for the public to present prior art or public use information before a business method patent issues. It establishes an administrative ''Opposition'' process where parties can challenge a granted business method patent in an expeditious, less costly alternative to litigation. The bill lowers the burden of proof for challenging business method patents, requires an applicant to disclose its prior art search, and finally, creates a rebuttable presumption that a business method invention constituting a non-novel computer implementation of a pre-existing invention is obvious, and thus, not patentable.

The Patent Improvement Act of 2001 would establish an administrative ''Opposition'' process where parties can challenge any granted patent in an expeditious, less costly alternative to litigation. The bill creates a rebuttable presumption that any invention constituting a non-novel computer implementation of a existing invention is obvious, and thus, not patentable. Finally, the bill requires an applicant to disclose its prior art search.

The PTO funding Resolution creates a point of order regarding any legislation that does not allow the PTO to spend all fees collected in the year in which they are collected.

Some may consider the coordinated introduction of these three bills an unusual approach. Indeed, it will be noted that the first two bills overlap—that is, they contain many of the same provisions applied to different, but overlapping types of patents. We have chosen this approach because we consider all the bills to be improvements over current law, but are not sure which bills will generate sufficient support to be enacted this Congress. Further, we consider the PTO funding Resolution to be a necessary element of any plan to improve patent quality, but recognize that such legislation will generate its own debate.

I have decided to forge ahead through these thorny issues because my concerns about the quality and effects of business method patents have not dissipated or diminished during the past year. The pace of business method patenting has picked up dramatically. While in FY 1999, the PTO received approximately 2650 business method patent applications, in FY 2000 it received 7800 such applications. The PTO reports that the first quarter of FY 2001 has seen business method applications running 18–20% higher than in Q1 of FY 2000. I commend the PTO for reducing the proportion of business method patents granted through its Business Method patent Initiative, but there is some concern that this Initiative will extend patent pendancies further.

We will not know what business methods are claimed in these applications for at least eighteen months after filing, and in all probability for at least twenty-six months. Some consider this a problem in itself, as technology businesses attempting to move at Internet speed may invest enormous sums of ever-dwindling venture capital only to find important elements of their business plan covered by a patent. This is an unfortunate by-product of the patent system, but I do not believe we should address it by prohibiting patents on business methods or requiring publication upon filing.

Of greater concern to me is assuring the highest quality of business method patents being issued. Unfortunately, those business methods patents of which we are aware do

not give us much confidence about the quality of those yet to be published. Last year, I cited as examples of concern a patent granted for a method of allowing automobile purchasers to select options for cars ordered over the Internet, and a patent that purportedly covered the selling of music and movies in electronic form over the internet. This year I add to that list a patent for a method of operating a fantasy football league over the Internet, a patent covering incentive programs using the Internet, a patent covering the use of targeted banner advertising over the internet, and a patent covering a system for previewing music samples over the internet.

I do not pretend to know whether any of these patents are valid or invalid. However, many respectable parties, including patent lawyers, patent-holding technology companies, and academics, have expressed serious concerns about the quality of such patents.

I would like to see a patent system that subjects these patents to more rigorous review, and thus provide greater assurance that they are valid when issued. If there may be ways to improve the prior art available to patent examiners before they issue a patent, we should explore them. If there are ways to decrease the costs of challenging bad patents, we should enact them into law. And if retention of fees will result in better trained, more experienced examiners with access to better resources, we should let the PTO keep the fees.

As I said last Congress: ''The bottom line in this: there should be no question that the U.S. patent system produces high quality patents. Since questions have been raised about whether this is the case, the responsibility of Congress is to take a close look at the functioning of the patent system in this very new, and rapidly growing area of patenting.''

A TRIBUTE TO DIANA B. WOOTEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. TOWNS. Mr. Speaker, I rise today to bring special recognition to one of Brooklyn's shining stars, Diana B. Wooten.

Diana is the daughter of Joseph and Councilwoman Priscilla Wooten and a life long resident of the East New York community of Brooklyn. She is a prominent part of the Wooten extended family that consists of herself, her brother Donald, sister Deborah and three nephews. Her nephews are also her ''godsons'' and she takes this responsibility seriously. Diana is committed to being totally involved in guiding their development.

After obtaining a Bachelor of Arts in Psychology/Sociology from the State University of New York at Albany, she returned to her roots better known as Brooklyn, New York and began an outstanding career in the health service community. On the record and off the record, Diana is always involved in assisting others. She currently serves as Chief Executive Officer of the Greater Bright Light Home Care Services in East New York. She has worked for the Health Science Center of New York, LaGuardia Hospital and Cumberland Diagnostic and Treatment Center.

Diana is well known but is still a very private person. She does so many good deeds anonymously to better the lives of others. One among the many is currently serving as President of Single Working Parents, a group that gives respite care to single working parents of children from ages 5 to 13. She is a life-long member of the Grace Baptist Church where the current pastor is the Rev. Jacob N. Underwood. She is an active member of Grace Baptist where she also sings in the choir.

Because of her contributions to Brooklyn, Diana is more than worthy of receiving our recognition today. I hope that all of my colleagues will join me in honoring this truly remarkable woman.

IN HONOR OF MS. FRANCIS D. ALLEMAN-LUCE (1924–2001)

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Francis D. Alleman-Luce, a civil rights advocate and lifelong community leader. Ms. Alleman-Luce, who suddenly passed away last week, was a civil rights organizer, an educator, and a member of numerous community and philanthropic groups. Her son, Mr. Jim Tendean Luce, has arranged the service to be held at the Madison Avenue Baptist Church in my district, where he serves as the moderator.

Ms. Alleman-Luce was an extraordinary woman far ahead of her time. Born in 1924 in Hingham, Massachusetts, Ms. Alleman-Luce graduated from Hingham High School and Wheelock College. During World War II, she worked as an entertainer for troops on leave. After the War, she married Stanford Luce and the family moved to New Haven, Connecticut until 1952, when they again moved to Oxford, Ohio. In 1964, the family moved to Paris, returning to Ohio the next year.

Ms. Alleman-Luce played an active role in the American Civil Rights Movement during the 1960s, training Freedom Riders as they gathered in Oxford, Ohio before driving to Mississippi. In 1969, Ms. Alleman-Luce completed her masters' degree in Educational Psychology at Miami University in Oxford. In 1972, following her divorce, Ms. Alleman-Luce moved to Marietta, Ohio with her then 12-year-old son Jim to begin a career as a school psychologist.

Following her retirement, Ms. Alleman-Luce moved back to her college town of Brookline, Massachusetts, where she became involved with the P.E.O. Sisterhood, an organization for women that stresses the value of educational achievement and philanthropic community service.

Ms. Alleman-Luce was an exceptional individual and a caring mother. She is survived by her brother Dudley Alleman, Jr., her sister Irene Alleman Beale, and her four children, Stan, Molly, Rick, and Jim.

Ms. Alleman-Luce's life was one of adventure, ambition, and a willingness to strive for a better world. A proud lifelong Democrat, a friend of the disenfranchised, and a caring educator, Ms. Alleman-Luce will be sorely missed.

INTRODUCTION OF THE ROCKY MOUNTAIN NATIONAL PARK WILDERNESS ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am again introducing a bill to designate as wilderness most of the lands within the Rocky Mountain National Park, in Colorado. This legislation will provide important protection and management direction for some truly remarkable country, adding nearly 250,000 acres in the park to the National Wilderness Preservation System.

The bill is essentially identical to one previously introduced by my predecessor, Representative DAVID SKAGGS, and one I introduced in the 106th Congress. Those bills in turn were based on similar measures proposed, including some by former Senator Bill Armstrong and others.

Over a number of years my predecessor and I have worked with the National Park Service and others to refine the boundaries of the areas proposed for wilderness designation and consulted closely with many interested parties in Colorado, including local officials and both the Northern Colorado Water Conservancy District and the St. Vrain & Left Hand Ditch Water Conservancy District. These consultations provided the basis for many of the provisions of the bill I am introducing today, particularly regarding the status of existing water facilities.

Covering some 94 percent of the park, the new wilderness will include Longs Peaks and other major mountains along the Great Continental Divide, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams, all untrammeled by human structures or passage. Indeed, examples of all the natural ecosystems that make up the splendor of Rocky Mountain National Park are included in the wilderness that would be designated by this bill.

The features of these lands and waters that make Rocky Mountain National Park a true gem in our national parks system also make it an outstanding wilderness candidate. The wilderness boundaries are carefully located to assure continued access for use of existing roadways, buildings and developed areas, privately owned land, and areas where additional facilities and roadwork will improve park management and visitor services. In addition, specific provisions are included to assure that there will be no adverse effects on continued use of existing water facilities.

This bill is based on National Park Service recommendations, prepared more than 25 years ago and presented to Congress by President Richard Nixon. It seems to me that, in that time, there has been sufficient study, consideration, and refinement of those recommendations so that Congress can proceed with this legislation. I believe that this bill constitutes a fair and complete proposal, sufficiently providing for the legitimate needs of the public at large and all interested groups, and deserves to be enacted in this form.

It took more than a decade before the Colorado delegation and the Congress were finally able, in 1993, to pass a statewide national forest wilderness bill. Since then, action has

been completed on bills designating wilderness in the Spanish Peaks area of the San Isabel National Forest as well as in the Black Canyon of the Gunnison National Park, the Gunnison Gorge, and the Black Ridge portion of the Colorado Canyons National Conservation Area. We now need to continue making progress regarding wilderness designations for deserving lands, including other public lands in our state that are managed by the Bureau of Land Management. And the time is ripe for finally resolving the status of the lands within Rocky Mountain National Park that are dealt with in the bill I am introducing today.

All Coloradans know that the question of possible impacts on water rights can be a primary point of contention in Congressional debates over designating wilderness areas. So, it's very important to understand that the question of water rights for Rocky Mountain National Park wilderness is entirely different from many considered before, and is far simpler. To begin with, it has long been recognized under the laws of the United States and Colorado, including a decision of the Colorado Supreme Court, that Rocky Mountain National Park already has extensive federal reserved water rights arising from the creation of the national park itself.

Division One of the Colorado Water Court, which has jurisdiction over the portion of the park that is east of the continental divide, has already decided how extensive the water rights are in its portion of the park. In December, 1993, the court ruled that the park has reserved rights to all water within the park that was unappropriated at the time the park was created. As a result of this decision, in the eastern half of the park there literally is no more water for either the park or anybody else to claim. This is not, so far as I have been able to find out, a controversial decision, because there is a widespread consensus that there should be no new water projects developed within Rocky Mountain National Park. And, since the park sits astride the continental divide, there's no higher land around from which streams flow into the park, so there is no possibility of any upstream diversions.

As for the western side of the park, the water court has not yet ruled on the extent of the park's existing water rights there, although it has affirmed that the park does have such rights. With all other rights to water arising in the park and flowing west already claimed, as a practical matter under Colorado water law, this wilderness designation will not restrict any new water claims. And it's important to emphasize that any wilderness water rights amount only to guarantees that water will continue to flow through and out of the park as it always has. This preserves the natural environment of the park, but it doesn't affect downstream water use. Once water leaves the park, it will continue to be available for diversion and use under Colorado law regardless of whether or not lands within the park are designated as wilderness.

These legal and practical realities are reflected in my bill—as in my predecessor's—by inclusion of a finding that because the park already has these extensive reserved rights to water, there is no need for any additional reservation of such right, and an explicit disclaimer that the bill effects any such reservation. Some may ask, why should we designate wilderness in a national park? Isn't park protection the same as wilderness, or at least as good? The answer is that the wilderness designation will give an important additional level of protection to most of the park.

Our national park system was created, in part, to recognize and preserve prime examples of outstanding landscape. At Rocky Mountain National Park in particular, good Park Service management over the past 83 years has kept most of the park in a natural condition. And all the lands that are covered by this bill are currently being managed, in essence, to protect their wilderness character. Formal wilderness designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wildness of the mountains.

This kind of protection is especially important for a park like Rocky Mountain, which is relatively small by western standards. As nearby land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry becomes an increasingly rare feature of Colorado's landscape. Further, Rocky Mountain National Park's popularity demands definitive and permanent protection for wild areas against possible pressures for development within the park. While only about one tenth the size of Yellowstone National Park, Rocky Mountain sees nearly the same number of visitors each year as does our first national park. At the same time, designating these carefully selected portions of Rocky Mountain as wilderness will make other areas, now restricted under interim wilderness protection management, available for overdue improvements to park roads and visitor facilities.

So, Mr. Speaker, this bill will protect some of our nation's finest wild lands. It will protect existing rights. It will not limit any existing opportunity for new water development. And it will affirm our commitment in Colorado to preserving the very features that make our State such a remarkable place to live. So, I think the bill deserves prompt enactment.

I am attaching a fact sheet that outlines the main provisions of this bill:

ROCKY MOUNTAIN NATIONAL PARK WILDERNESS ACT APRIL, 2001

ROCKY MOUNTAIN NATIONAL PARK

Rocky Mountain National Park, one of the nation's most visited parks, possesses some of the most pristine and striking alpine ecosystems and natural landscapes in the continental United States. This park straddles the Continental Divide along Colorado's northern Front Range. It contains high altitude lakes, herds of bighorn sheep and elk, glacial cirques and snow fields, broad expanses of alpine tundra, old-growth forests and thundering rivers. It also contains Longs Peak, one of Colorado's 54 fourteen thousand-foot peaks.

THE BILL

The bill is based on one introduced by Rep. Udall in the 106th Congress and similar legislation proposed by former Congressman David Skaggs and others in previous years. It would:

designate about 249, 562 acres within Rocky Mountain National Park, or about 94 percent of the Park, as wilderness, including Longs Peak—the areas included is based on the recommendations prepared over 25 years ago by President Nixon with some revisions in boundaries to reflect acquisitions and other changes since that recommendation was submitted

designate about 1,000-acres as potential wilderness until non-conforming structures are removed

provide that if non-federal inholdings within the wilderness boundaries are acquired by the United States, they will become part of the wilderness and managed accordingly

The bill would NOT:

create a new federal reserve water right; instead, it includes a finding that the Park's existing federal reserved water rights, as decided by the Colorado courts, are sufficient

include certain lands in the Park as wilderness, including Trail Ridge and other roads used for motorized travel, water storage and conveyance structures, buildings, developed areas of the Park, some private inholdings

EXISTING WATER FACILITIES

Boundaries for the wilderness are drawn to exclude existing storage and conveyance structures assuring continued use of the Grand River Ditch and its right-of-way, the east and west portals of the Adams Tunnel and gauging stations of the Colorado-Big Thompson Project, Long Draw Reservoir, and lands owned by the St. Vrain & Left Hand Water Conservancy District—including Copeland Reservior.

The bill includes provisions to make clear that its enactment will not impose new restrictions on already allowed activities for the operation, maintenance, repair, or reconstruction of the Adams Tunnel, which diverts water under Rocky Mountain National Park (including lands that would be designated by the bill) or other Colorado-Big Thompson Project facilities, and that additional activities for these purposes will be allowed should they be necessary to respond to emergencies and subject to reasonable restrictions.

IN MEMORY OF CHIEF RONALD ''REDBONE'' VAN DUNK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. GILMAN. Mr. Speaker, I rise today to memorialize Chief Ronald ''Redbone'' Van Dunk, grand chief of the Ramapough Mountain Tribe, from Hillburn, New York, in my congressional district.

In his role as the grand chief of the 3,000 member Ramapough Mountain Tribe, Chief Redbone served his people with distinction and dignity, and honorably led his tribe in their long sought campaign for Federal recognition.

Although the Ramapough Tribe has been recognized by both the states of New York and New Jersey, the Federal government, to date, has denied their request for recognition of their heritage.

Chief Redbone was a dedicated champion of the tribe's efforts to acquire such native tribal recognition.

Chief Redbone organized his tribal members to incorporate themselves, and in 1979, after he was elected chief, the Ramapough Tribe filed their petition for federal recognition, which is now pending before the U.S. Appellate Court.

Chief Redbone wanted the best for his people, especially for their children, believing that recognition of their native American heritage would offer the tribe's children the opportunity to have an identity, a history, and a true pride in themselves as a people.

Moreover, the service of Chief Redbone was not limited to his people. He was a veteran, having served the United States in Germany from 1953 to 1955.

Grand Chief Ronald ''Redbone'' Van Dunk was a hero, a gentleman, a soldier, a distinguished leader, and a friend. His passing is not only a loss to his family, but to his tribe and to our Hudson Valley region. His legacy is his hope and dedication for the pride of a people, known as the Ramapoughs.

Our prayers and condolences go out to his family and friends, during their time of mourning.

IN TRIBUTE TO YOSHI HONKAWA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BERMAN. Mr. Speaker, I rise today to congratulate an extraordinary individual, Yoshi Honkawa, who will be honored on April 17th as the recipient of the Allen and Weta Mathies Award for Vision and Excellence in HealthCare Leadership. This prestigious award is presented by the Partner in Care Foundation, an organization dedicated to creating new methods of dealing with long term health care needs.

This innovative foundation could never have found a more perfect individual to honor for leadership in health care policy. Yoshi's career in this extremely important field—as an advocate, administrator, and mentor—spans decades and has been recognized by most of the leading health care organizations in California and in the nation.

In 1964, Yoshi joined the staff of the Los Angeles County/University of Southern California Medical Center. Many years later, he and his wife, May, endowed a fellowship fund in health policy and management at the University of Southern California. This act is typical of Yoshi's generosity with all of his resources, including his precious time, with young people entering the health care field. As mentor and teacher, there is no greater friend of graduate medical education than Yoshi Honkawa.

He took special note of the need to increase diversity in health care professionals, serving as a founding member of the Board of the Institute for Diversity in Health Care Management. He is also a member of the Board of Directors of the Japanese American Cultural and Community Center, and works with that organization to preserve and promote an appreciation for Japanese and Japanese-American heritage and cultural arts.

Yoshi's expertise in health care policy led to his appointment as a Commissioner on California's Health Policy and Data Advisory Commission. From this post, where he served from 1987 to 1997, he helped shape California's health policy.

It was while he served at Cedars-Sinai that I really came to know Yoshi well and to appreciate his integrity, his knowledge, his ability and his humanity. As the vice-president for government and industry relations, and then as consultant for health care advocacy, I was privileged to visit with Yoshi both in Los Angeles and during his trips to Washington, where he was a tireless advocate for this prestigious medical center.

Yoshi is, to put it simply, a wonderful person and I am honored to express the gratitude of the community for his tireless service and to congratulate him on this recognition of his outstanding leadership.

RECOGNIZING EQUAL PAY DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Ms. SCHAKOWSKY. Mr. Speaker, while I am not proud about the gender disparity of wages in the United States, I am proud today to join with my colleagues as a co-sponsor of the Paycheck Fairness Act.

It is unbelievable that women still earn only a percentage of what men earn for comparable work. In the 21st century, women earn 72 cents for every dollar a man earns. In communities of color, the gap is wider: black women earn 64 cents for each dollar and Latinas earn only 55 cents for each dollar a man earns.

According to these numbers, the average woman must work an additional 12 weeks a year to make up the disparity in income. The pay gap has a significant impact on entire families; it is estimated that American families lose $200 billion each year. Both the AFL–CIO and the Institute for Women's Policy Research report that, if women were paid the same as comparable men, their family incomes would rise by nearly 6 percent. Poverty rates would drop by more than 50 percent.

Unequal pay is unjustified for equal work. It hurts individuals, families, and communities. We must do better to support hard working women and their families. We must pass the Paycheck Fairness Act; it is the only right and fair thing to do.

LEGISLATION TO PROVIDE FOR A COOPERATIVE LANDSCAPE CONSERVATION PROGRAM

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing a bill to authorize a program to help states, local governments, and private groups protect open space while enabling ranchers and other private landowners to continue to use their lands for agriculture and other traditional uses.

The bill, entitled the ''Cooperative Landscape Conservation Act,'' is based on provisions that were passed by the House last year as part of the Conservation and Reinvestment Act (''CARA'') but on which the Senate did not complete action.

I think the program that this bill would establish would be good for the entire country—and it would be particularly important for Colorado.

In Colorado, as in some other states, we are experiencing rapid population growth. That brings with it rising land values and property taxes. This combination is putting ranchers and other landowners under increasing pressure to sell lands for development. By selling conservation easements instead, they can lessen that pressure, capture much of the increased value of the land, and allow the land to continue to be used for traditional purposes.

That's why conservation easements are so important for our state. It's why the state and many local governments are interested in acquiring conservation easements on undeveloped lands. It is also why non-profit organizations like the Colorado Cattlemen's Agricultural Land Trust and the Nature Conservancy—to name just two of many—work to help ranchers and other property owners to make these arrangements and so avoid the need to sell agricultural lands to developers.

I strongly support this approach. Of course, by itself it is not enough—it is still important for government at all levels to acquire full ownership of land in appropriate cases. But in many other instances acquiring a conservation easement is more appropriate for conservation and other public purposes, more cost-effective for the taxpayers, and better for ranchers and other landowners who want to keep their lands in private ownership.

But while it is usually less costly to acquire a conservation easement than to acquire full ownership, it is often not cheap—and in some critical cases can be more than a community or a nonprofit group can raise without some help. That is where my bill would come in.

Under the bill, the Secretary of the Interior would be authorized to provide funds, on a 50 percent match basis, to supplement local resources available for acquiring a conservation easement. For that purpose, the bill would authorize appropriation of $100 million per year for each of the next 6 fiscal years—similar to the amount that would have been authorized by the CARA legislation that the House passed last year.

The bill provides that the Secretary would give priority to helping acquire easements in areas—such as Colorado—that are experiencing rapid population growth and where increasing land values are creating development pressures that threaten the traditional uses of private lands and the ability to maintain open space. Within those high-growth areas, priority would go to acquiring easements that would provide the greatest conservation benefits while maintaining the traditional uses—whether agricultural or some other uses—of the lands involved.

The bill would not involve any federal land acquisitions, and it would not involve any federal regulation of land uses—conservation easements acquired using these funds would be governed solely under state law.

Mr. Speaker, the national government has primary responsibility for protecting the special parts of the federal lands and for managing those lands in ways that will maintain their resources and values—including their undeveloped character—as a legacy for future generations. Regarding other lands, the challenge of responding to growth and sprawl is primarily the responsibility of the states and tribes, the local governments, and private organizations and groups—but the federal government can help.

This bill would provide help, in a practical and cost-effective way. For the information of our colleagues, I am attaching a summary of its main provisions.

I also am attaching a recent article from the DENVER POST about how the Larimer Land Trust has helped ranchers near Buckeye, Colorado to assure that their lands, with their resources of habitat for a wide variety of wildlife

and many geographic and cultural treasures, will remain undeveloped and will continued to be used for grazing and other agricultural uses. I think this article shows the importance of the program that would be established by the bill.

DIGEST OF ''COOPERATIVE LANDSCAPE CONSERVATION ACT''

The bill is based on provision included in the House-passed Conservation and Reinvestment Act (CARA) legislation of the 106th Congress. It would provide federal financial assistance to states, local government, Indian tribes, and private groups working to preserve open space by acquiring conservation easements.

BACKGROUND: In Colorado and other rapidly-growing states, rising land values and property taxes are putting farmers and ranchers (and other landowners) under increasing pressure to sell their lands for development. By selling conservation easements instead, they can lessen that pressure, capture much of the increased value of the land, and allow the land to continue to be used for traditional purposes. The party acquiring the conservation easement would have an enforceable property right to prevent development.

WHAT THE BILL WOULD DO:

Program—The bill would establish the ''Cooperative Landscape Conservation Program,'' to be administered by the Department of the Interior. The program would provide grants to assist qualified recipients to acquire conservation easements.

Funding—Bill would authorize appropriations of $100 million/year for fiscal years 2002 through 2007. Funds would be used for grants, would be on a 50 percent-50 percent matching basis, for purchase of conservation easements on private lands in order to provide wildlife, fisheries, open space, recreation, or other public benefits consistent with the continuation of traditional uses by the private landowners. Up to 10 percent of annual funds could be used by Interior Department to provide technical assistance.

Priority—(1) Priority for grants would be to help acquire easements in areas where rapid population growth and increasing land values are creating development pressures that threaten traditional uses of land and the ability to maintain open space; (2) within those areas, priority would go for acquiring easements that would provide the greatest conservation benefits while maintaining traditional uses of lands.

Eligibility Recipients—would be agencies of state or local government, tribes, and tax-exempt organizations operated principally for conservation.

Enforcement—Only an entity eligible for a grant could hold and enforce an easement acquired with program funds; at time of application, state Attorney General would have to certify that an easement would meet the requirements of state law.

WHAT THE BILL WOULD NOT DO—

Bill would NOT involve any federal land acquisition.

Bill would NOT involve any federal regulation of land use.

[From the Denver Post, April 2, 2001]

RANCHER'S LEGACY TO STAY WIDE OPEN

(By Coleman Cornelius)

April 1, 2001—BUCKEYE—Chuck Miller gazed at his ranch from under the brim of a battered felt cowboy hat. His cows and their new calves lolled nearby, soaking in the sun. A spring breeze swept over a rocky ridgeline, open grazing land, an irrigated alfalfa field, a glittering lake.

''I never knew a day when I didn't want to ranch on my own,'' Miller said as he recently surveyed his land in the Buckeye community, 20 miles north of Fort Collins. ''I don't ever remember when that wasn't my goal in life.''

Miller, whose Sunnybrook Cattle Co., includes about 450 acres and about 100 Angus and Longhorn cattle, soon will mark his 80th birthday. So he has pondered the future of his land and has wondered whether his ranching lifestyle will continue in fast-growing Larimer County, where the population swelled by 35 percent in the past decade.

Miller's gaze switched east. He nodded to a cluster of big, new houses topping a distant hillside—a sign of development bearing down on this ranchland that once seemed remote.

''If growth continues as it is now, this whole country will be houses,'' he said.

Earlier this year, the specter of development persuaded Miller and the owners of two neighboring ranches to preserve some of their ranchland in northern Larimer County. Working with the Larimer Land Trust, the Buckeye ranchers have protected 500 acres through conservation easements, meaning the land can never be developed.

It's not a lot of land in this rugged and breathtaking territory, which is home to the county's largest cattle ranches. In several cases, ranches in the area encompass more than 10,000 acres, according to county records.

Yet the newly protected acreage is significant, conservationists said.

That's in part because it represents a growing alliance between ranchers and conservationists. These camps, often at odds in the past, want to save open land and a way of life that has waned as encroaching development has spawned tensions and has ratcheted up land prices.

''It's really clear that if you want to protect Colorado's open space, you've got to help ranchers and farmers stay on the ground,'' said Alisa Wade, executive director of Larimer Land Trust. ''If we don't start working together now it's going to be too late.''

The Buckeye ranchland is in the foothills of the Laramie Mountains and is part of an ecological hinge between the mountains and plains.

It hosts a rich variety of plants and wildlife, including deer, elk, pronghorns, bears, mountain lions, bobcats, coyotes, raptors and rattlesnakes. The land also holds geographic and cultural treasures, including fossilized dinosaur tracks and American Indian artifacts. Some of the West's first white settlers came through the area on the Cherokee and Overland trails; Miller once found an oxen shoe dropped by an animal pulling a pioneer's wagon.

The conservation project is significant, too, because it is a first step in what could become a vast stretch of protected ranchland.

''The Buckeye is one of the last remaining regions of large, contiguous ranchlands in Larimer County, so it's an important piece of long-term ranching viability in the county,'' Wade said.

The Nature Conservancy of Colorado, which owns a 2,000-acre preserve in the foothills of the Laramie Mountains, has identified northern Larimer County as a priority area for land conservation and contributed most of the money for the Buckeye project. The organization's leaders hope other ranchers will decide to preserve their land.

''We'd love to see some of those big ranches up there in some kind of conservation program,'' said John Stokes, the Nature Conservancy's northeast Colorado program manager.

Conservation easements increasingly are used to preserve valuable open lands, and the provisions vary from deal to deal. But most of these legal agreements have one thing in common: Acreage in a conservation easement has been stripped of development rights and must remain open space forever.

As part of the Buckeye project, the Larimer Land Trust paid participating ranchers for the development rights on their property. But because the ranchers believe in land conservation, they accepted about 30 percent of the value of those development rights and donated the remaining value, Wade said.

''The value of their donation is about $400,000. It's a significant donation,'' she said.

The Larimer Land Trust, which negotiated the easements, spent $234,000 on the Buckeye project, Wade said.

The ranchers still own their property, and its agricultural use—primarily for cattle grazing—will not change.

Like other private landowners, the participating ranchers may sell or bequeath their property. But the conservation easements remain even when the land changes hands; new owners cannot develop the protected property.

That means the land's eventual sale price would be reduced. And it assures the protected acreage, if used at all, would be used for farming and ranching, Wade said.

While the value of protected land drops, the ranchers have pocketed some cash and will reap tax benefits from the conservation easements. That's a satisfying financial trade-off, they said.

But more satisfying for these ranchers is knowing their land will remain undeveloped for the enjoyment of heirs or other future owners, they said.

''I'm sure we could make much more money if we sold the land for development, but we didn't want to do that,'' said Kathy DeSmith, 60, who raises hay and cattle. She and her ranching partner put 179 acres in an easement as part of the conservation project.

Miller, who protected 105 acres, said it pleases him to watch his 8-year-old granddaughter ride horses, climb apple trees, fish and wade in the creek on his ranch. He hopes others will someday find the same carefree joys on his land.

The rancher said he's been offered more than $1 million for his property. But the money did not entice him or his three children, especially because they knew development would almost certainly follow, Miller said.

''What would I do with a big pile of money, living in town with nothing to do? That doesn't suit me at all,'' he said. ''I don't make a great deal of money—cash—but look at what I've got.''

Edie Yates, 53, who with her husband owns the 530-acre Park Creek Ranch, agreed that she has found many rewards living on land that has been unchanged over time. The Yateses put 215 acres in an easement.

The couple knew they could profit from their land, but they ''couldn't swallow the idea of houses built all over it,'' Yates said. ''Your conscience falls in somewhere.''

As she led a tour of her ranch, Yates stood on a ridgeline and gazed at the striking landscape of canyons, meadows and towering rock formations.

''To me, to stand out here right now, it's good for your soul,'' she said.

EQUAL PAY DAY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. DAVIS of Illinois. Mr. Speaker, I rise to recognize Equal Pay Day. A woman would have to work until today, April 3, 2001 in order to earn the same salary of her male counterparts through December 31, 2000. Regrettably, the gap is even wider for Black and Hispanic women.

Perhaps even more troubling than the actual disparities are the poor explanations used to justify the situation.

Some blame pay inequity on women because they enter less lucrative professions. This assertion ignores the fact that traditionally female professions are purposely very underpaid. Professions such as teaching and nursing are undervalued and low-paying because they are traditionally female. Furthermore, the inequity exists within traditionally female fields. For example, female elementary school teachers still make 70 dollars a week less than men in the same position. Clearly, this reason is not a sound one.

Another popular justification assumes that equal pay for women translates into financial disaster and instability for the American family. This persistent myth states that equality will rob men of their jobs, lure women from their children, and is unnecessary for married women who benefit form their husband's salary.

Despite the calamity theories, equal pay is essential for working families. When we end pay discrimination against women, family incomes will rise. Working parents will have more to spend on household needs and more to save for their children's education and their own retirement security. Working parents may be able to spend less time at work and more time with their families, a very positive change for parents and children.

Many excuses and theories abound, but the truth overpowers every last excuse. There is no justification for pay discrimination against women. Let's rectify pay inequity this year, and render Equal Pay Day 2002 obsolete.

REINTRODUCTION OF HATE CRIMES BILL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Local Law Enforcement Hate Crimes Prevention Act of 2001, along with Representatives GEPHARDT, SKELTON, FRANK, BALDWIN, MORELLA, KOLBE, FOLEY, SHAYS and KELLY. As of today there are 180 orginal cosponsors.

In the year 2001, there are still too many messages to African-Americans and other minorities that we are not full participants in American democracy. Decrepit voting machinery in African-American communities disenfranchises our voters. Racial profiling continues unabated. Discrimination continues.

There have been over 50,000 hate crimes reported in the last five years, and nearly 8,000 reported last year alone. The gruesome, hateful murders of James Byrd and Matthew Shepard stand as symbols of the incidence of hate violence that has worsened since their deaths. Hate crimes don't only visit unspeakable violence on the immediate victims, but also send a message of a desired apartheid that its sponsors want to violently enforce. Today, organized hate and supremacist groups operate with greater sophistication, and across state lines.

While many of these crimes do and should get prosecuted at the state and local levels, many do not. Some local governments lack the resources to track interstate hate groups that perpetrate them. In other places, there may even be a lack of will. Ten states, for example, have no hate crime laws on the books, and another 21 have anemic hate crime laws.

If enacted, this legislation would give the federal government the jurisdictional tools necessary to assist local law enforcement in fighting the scourge of hate violence.

In instances where state and local governments do not have the capacity to prosecute such crimes, the legislation creates a federal backstop—the ability for the local U.S. attorney to ensure that justice will be done, deterring hate violence regardless of whether the victim happens to be engaged in a ''federally protected'' activity. And even in those cases, federal prosecution can only proceed if approved by the Attorney General.

Our primary desire is to see these crimes prosecuted by state and local governments more effectively. That's why the bill authorizes funds to support state investigative and prosecutorial efforts.

The bill is not and should not be partisan. There should be unanimous agreement that there will be ''zero-tolerance'' for the hate. This bill takes the first step in that direction.

HONORING RICO GIRON

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to honor one of my constituents who has demonstrated great heroism. This extraordinary individual is Mr. Rico Giron, of San Miguel County, who risked his own life to save the lives of two young drowning children. Upon hearing the cries of the drowning children at a lake, Mr. Giron raced his boat toward the younger brother and sister and dived into the water after them. After pulling the girl ashore, Mr. Giron plunged back into the water to rescue the other boy. Using every last ounce of strength and energy, Mr. Giron was able to pull the boy ashore before collapsing from exhaustion. Mr. Giron's valiant efforts saved the lives of these two young children. For this exceptional bravery, the Andrew Carnegie Hero Fund Foundation has awarded Mr. Giron the prestigious Carnegie Medal which recognizes those individuals who risks his or her own life to save or attempt to save the life of another person. Very few individuals are awarded the Carnegie Medal, hence this is a grand achievement and Mr. Giron deserves a hero's welcome. The quotation that adorns the Carnegie Medal truly describes Mr. Giron's act of bravery: Greater love hath no man than that a man lay down his life for his friends. Please join me in recognizing the generous actions of Mr. Giron.

BUY AMERICA LEGISLATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. JONES of North Carolina. Mr. Speaker, I rise today to introduce legislation drafted to help preserve the U.S. textile industry. This legislation would seek to clarify the existing ''Buy-America'' provision for the Department of Defense, commonly known as the Berry Amendment.

The Berry Amendment currently requires the Department to purchase clothing, specialty steel, textiles, and food that is produced in the United States by U.S. companies. The intent behind the legislation is to guarantee the U.S. military a ready mobilization base of U.S. apparel manufacturers—a critical component for rapid military mobilizations. The language has been a feature of defense procurement for over 50 years.

However, as my colleagues may know, the Berry Amendment has recently resurfaced in the media following the decision by the Department of the Army to make the black beret a standard issue item for all Army personnel. The decision was controversial and shortsighted in its own right, but became further troubling when the Defense Logistics Agency decided to waive the Berry Amendment and allow the procurement of the berets from foreign sources—including a substantial number made in Communist China.

The decision was not made because of a lack of existing U.S. suppliers to provide the berets. Nor was it made because of a lack of other textile manufacturers who might be willing to tool up to meet the demand. Instead, it was made because the Army wanted all of its personnel to have the berets by its next birthday. A date important to the Army and the Nation as it relates to the founding of that branch of service, but otherwise arbitrary as it relates to the purchase of berets.

That decision was not just a slap in the face to the men and women who will be wearing the berets made by a potential enemy, but also to the U.S. textile industry who have long supported our men and women in uniform.

This controversial waiver highlighted the need to review the current law and look for ways to improve its effectiveness. The legislation I am introducing today seeks to do just that. Specifically, the bill would add a requirement that for any waiver of the Buy American provision, the Secretary of Defense must notify the House and Senate committees on Appropriations, Armed Services, and Small Business. The legislation also requires that after Congress is notified, 30 days must pass before the contract can be let. Finally, the legislation clarifies and recodifies the Berry Amendment under the permanent section of U.S. code relating to defense procurement.

Although the legislation does not eliminate the possibility of procuring this category of items overseas, it will improve congressional oversight of any Berry Amendment waivers. By raising the visibility of these waiver decisions, it is my hope that the Department of

Defense will increase their level of scrutiny and prevent them from making such poor decisions in the future.

GOVERNORS ISLAND PRESERVATION ACT, H.R. 1334

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. GILMAN. Mr. Speaker, today I rise to introduce H.R. 1334, the Governors Island Preservation Act. This legislation is a historic opportunity to preserve and protect the third and final jewel of New York Harbor, Governors Island.

Governors Island was owned and operated as a military facility by the British and American Armed Forces for more than 200 years. This national treasure has played an important role in the Revolutionary War, the War of 1812, the American Civil War, World Wars I and II, as well as hosting the site of the 1988 Reagan-Gorbachev summit, during the Cold War.

In 1800, in order to provide for the national defense, the people of the state of New York ceded control of Governors Island to the Federal government, then, in 1958, transferred the island outright for only $1.00.

The U.S. Coast Guard has now vacated Governors Island because of the high costs involved in maintaining its base there. This now vacated island is being maintained by General Services Administration with an annual appropriation and, by law, which must be disposed of by 2002.

At the end of last year, the first important step to preserving this national treasure was taken when Castle William and For Jay were designated national monuments.

Now, both New York State and New York City need our help to preserve and protect one of our nation's most important and beautiful landmarks, and to be able to turn Governors Island into a destination with significant open and educational spaces for public use.

The State and the City of New York have worked out a detailed plan which will protect the historic nature of the island while transforming the southern tip into a 50-acre public park, complete with recreation facilities and stunning views of the Statue of Liberty and the New York Harbor. New interactive educational facilities, including an aquarium and a historical village, are being planned, as is moderately-priced family lodging and a health center. The awe-inspiring opportunity we have to establish this new public space to complement both Liberty and Ellis Islands is unprecedented and mandates decisive action.

Accordingly, this Governors Island Preservation Act will open the doors to this opportunity by transferring the island back from the Federal Government to the citizens of New York for the same nominal price the Federal Government paid.

Mr. Speaker, I would like to take this opportunity to call upon all my colleagues in the House of Representatives, in asking their support for the Governors Island Preservation Act, H.R. 1334. Governor Pataki, our Senators, and Representatives NADLER, MALONEY, and myself, have all worked diligently to address every concern and to develop bipartisan legislation which will open Governors Island up not only to the people of New York, but to our entire Nation.

50TH ANNIVERSARY OF THE SOUTH SHORE ASSOCIATION FOR RETARDED CITIZENS

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. DELAHUNT. Mr. Speaker, it gives me great pleasure to join today with people throughout Southeastern Massachusetts in celebrating the 50th Anniversary of the South Shore Association for Retarded Citizens.

What began in 1950 with a small group of parents in Weymouth seeking options for their children, has since grown into a distinguished and highly successful effort to provide services to more than one thousand people with special needs on the South Shore each year. From summer day camps to transitional employment programs; from early intervention services to residential and workshop facilities; from individual to family support programs—South Shore ARC has given all of us opportunities to realize and meet our full potential.

Throughout its history, South Shore ARC has been a leader in the community, utilizing public and private partnerships in its twofold mission of advocacy and the delivery of quality services. The organization has fought tirelessly for the rights of individuals with disabilities, and has been instrumental in the passage of legislation improving and expanding special needs education.

Mr. Speaker, I invite you and our colleagues to join with me in congratulating the South Shore Association for Retarded Citizens for fifty years of service to the people of Massachusetts. This organization has fostered positive working relationships with our community, and has improved the lives of thousands of adults and children with special needs. I commend them for their decades of hard work, and wish them many more years of success.

INTRODUCTION OF THE RESPONSIBLE OFF-ROAD VEHICLE ENFORCEMENT AND RESPONSE (''ROVER'') ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado Mr. Speaker, I am today introducing a bill to improve the ability of the Bureau of Land Management and the Forest Service to respond to a serious problem affecting federal lands in Colorado and other states.

Throughout the west, and especially in Colorado, increased growth and development has resulted in an increase in recreational use of our public lands. These recreational uses have, in some cases, stressed the capacity of the public land agencies to adequately control and manage such use. As a result, areas of our public lands are being damaged.

One of the uses that cause the greatest impacts are recreational off-road vehicles. The results can include: damage to wildlife habitat; increased run-off and sediment pollution in rivers and streams; damage to sensitive high-altitude tundra, desert soils, and wetlands; creation of ruts and other visual impacts on the landscape; loss of quiet and secluded areas of the public lands; and adverse effects on wildlife.

Recreational off-road vehicle use on our public lands should be allowed to continue, but it must be managed to minimize or avoid these problems, by appropriate restrictions and putting some sensitive areas off-limits to vehicle use.

Most vehicle users are responsible—they stay on designated roads and trails, they are respectful of the landscape and they endeavor to tread lightly. However, there are a number of such users who do not obey the rules. Given the nature of this use (large, powerful motorized vehicles that are able to penetrate deeper and deeper into previously secluded areas), even a relatively few who violate management requirements can create serious damage to public land resources.

Yet, in some cases, recreational off-road vehicle users ignore these closures and management requirements. Often times, when these activities occur, the federal public land agencies do not have the authority to charge fines commensurate with the damage that results. For example, under BLM's basic law, the Federal Land Policy and Management Act of 1976, fines for violations of regulations—including regulations governing ORV uses—are limited to $1,000. That figure has remained unchanged for a quarter of a century, and does not reflect the fact that in many cases the damage from violations will cost thousands more to repair.

The bill I am introducing today would provide for increased fines for such violations—to $10,000 or the costs of restoring damaged lands, whichever would be greater.

The need for this legislation is well shown by a recent article in the Denver Post by Penelope Purdy that outlines problems in New Mexico, Utah, and Idaho as well as some recent events in Colorado. As she reports, last August, two recreational off-road vehicle users ignored closure signs while four-wheel driving on Bureau of Land Management land high above Silverton, Colorado. As a result, they got stuck for five days on a 70 percent slope at 12,500 feet along the flanks of Houghton Mountain.

At first, they abandoned their vehicles. Then, they returned with other vehicles to pull their vehicles out of the mud and off the mountain. The result was significant damage to the high alpine tundra, a delicate ecosystem that may take thousands of years to recover. As noted in a Denver Post story about this incident, ''Alpine plant life has evolved to withstand freezing temperatures, nearly year-round frost, drought, high winds and intense solar radiation, but it's helpless against big tires.''

Despite the extent of the damage, the violators were only fined $600 apiece—hardly adequate to restore the area, or to deter others.

Another example was an event that occurred last year above Boulder, Colorado, that has become popularly known as the ''mudfest.''

Two Denver radio personalities announced that they were going to take their off-road four-wheel-drive vehicles for a weekend's outing on

an area of private property along an existing access road used by recreational off-road-vehicle users. Their on-air announcement resulted in hundreds of people showing up and driving their vehicles in a sensitive wetland area, an area that is prime habitat of the endangered boreal toad. As a result, seven acres of wetland were destroyed and another 18 acres were seriously damaged. Estimates of the costs to repair the damage ranged from $66,000 to hundreds of thousands of dollars.

Most of the ''mudfest'' damage occurred on private property. However, to get to those lands the off-road vehicle users had to cross a portion of the Arapaho-Roosevelt National Forest—but the Forest Service only assessed a $50 fine to the two radio disc jockeys for not securing a special use permit to cross the lands.

Again, this fine is not commensurate to the seriousness of the violation or the damage that ensued, or stands as much of a deterrent for future similar behavior.

These are but two examples. Regrettably, there are many more such examples not only in Colorado but also throughout the west. These examples underscore the nature of the problem that this bill would address. If we are to deter such activity and recover the damaged lands, we need to increase the authorities of the federal public land agencies.

My bill would do just that. Specifically, my bill would amend the Federal Lands Policy and Management Act and relevant laws governing the Forest Service to authorize these agencies to assess greater fines on recreational off-road vehicles for violations of management, use and protection requirements. The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to assess up to $10,000 in fines, or 12 months in jail, or both, for violations of road and trail closures and other management regulations by recreational off-road vehicles. The bill also would authorize the Secretary of the Interior and the Secretary of Agriculture, in lieu of a specific dollar fine, to assess fines equal to the costs required to rehabilitate federal public lands from damage caused by recreational off-road vehicle violations.

In addition, the bill would authorize the Secretary of the Interior and the Secretary of Agriculture to apply any funds acquired from recreational off-road vehicle violations to the area that was damaged or affected by such violations, and to increase public awareness of the need for proper use of vehicles on federal lands.

This would give these agencies additional resources to recover damaged lands and areas that may be exposed to repeated violations.

The bill does not put any lands ''off limits'' to recreational off-road vehicle use. It does not affect any specific lands in any way. The bill also does not provide for increased fines for other activities that can damage federal lands. There may or may not be a need for legislation along those lines, but in the meantime I am seeking only to address this one problem.

Mr. Speaker, I fear that that improper use of recreational vehicles is a problem of growing seriousness throughout the west. My intention with this bill is to help address this problem so that all recreational users of our public lands can have a rewarding, safe and enjoyable experience. Everyone's experience is diminished when a few bad actors spoil the resources and the beauty of our lands. I think this bill can help provide the BLM and the Forest Service with better tools to respond tools to response by allowing appropriate recreational use of our public lands while also protecting the resources and values of these lands that belong to all the American people.

For the information of our colleagues, I am attaching a fact sheet about the bill as well as an editorial and other material from the Denver Post:

RESPONSIBLE OFF-ROAD VEHICLE ENFORCEMENT AND RESPONSE (''ROVER'') ACT

Background: In Colorado and throughout the west increased population growth has brought increased recreational use of federal lands. This has made it harder for land-managing agencies to adequately control and manage such use.

Recreational and other use of off-road vehicles (ORVs) can present serious problems. This use should be allowed to continue, but must be managed and controlled to minimize or avoid adverse effects. That involves closing-off some sensitive areas and other regulations.

Improper use of vehicles can result in serious damage to the national forests and the public lands managed by the Bureau of Land Management (BLM). This can involve damage to wildlife habitat; increased run-off and sediment pollution in rivers and streams; damage to sensitive high-altitude tundra, desert soils, and wetlands; creation of ruts and other visual impacts to the landscape; loss of quiet areas due to the deeper penetration of off-road vehicles into previously secluded areas of the public lands; and impacts to wildlife from noise and effects on migration corridors.

Currently, the Forest Service and BLM do not always have clear authority to assess fines commensurate with the costs of enforcement and the damage that often results. For example, under the law governing BLM lands, federal officials can only impose up to $1,000 in fines while the damage that results could cost thousands more to address. The Forest Service's authority also needs clarifying and strengthening.

The bill would provide new authority, in order to increase public awareness, deter violations, and help cover the costs of enforcement and damages to affected lands.

WHAT THE BILL WOULD DO

Allow Increased Fines: The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to assess fines of up to $10,000 or the costs of restoration, whichever is greater, for violation of ORV regulations. The current provisions for imprisonment of 12 months in jail is retained.

Apply Fines to Enforcement and the Area Damaged: The bill would authorize the Secretary of the Interior and the Secretary of Agriculture to apply any funds acquired from recreational off-road vehicle violations to the costs of enforcing off-road violations, increasing public awareness of the problem, and to repair damages to lands affected by such violations.

WHAT THE BILL WOULD NOT DO

Increase Closures of Public Lands: The bill would not require that any particular lands be ''off limits'' to recreational off-road vehicle use. Decisions about which roads or trails will remain open to such use would continue to be made by the land-management agency.

Apply to Other Uses: The bill would not impose increased fines for violation of any regulations other than those applicable to use of vehicles.

Eliminate Fines for Other Violations: The bill would not affect the current ability of the federal public land agencies from assessing existing fines and penalties for other activities that violate management, use and protection requirements. Such fines would continue to apply to violations of other regulations.

[From the Denver Post, Feb. 11, 2001]

CURBING THE TRAFFIC

It's obscene that motorized vehicles can legally drive wherever they please on so much public land, disrupting wildlife habitat and scarring fragile terrain. Some U.S. Bureau of Land Management districts and national forests require all motor vehicles to stay on marked roads or four-wheel-drive tracks—but many do not. The federal government must start requiring off-road vehicles to stay on roads and four-wheel-drive trails in all BLM and U.S. Forest Service holdings.

Most people who drive on BLM land and national forests already stay on designated routes. So the extensive, increasing damage to taxpayer property is being inflicted by a small percentage of off-road drivers. But because the raw numbers of ORVs has soared, the ecological damage also has increased.

Paradoxically, the government requires extensive environmental studies before it lets oil drillers, timber companies or ski areas build roads on public lands. Yet it continues to let ORVs carve unofficial trails with no environmental assessment at all.

When the agencies do crack down on the worst abuses, some off-road drivers complain that the rules close citizens off the public lands. Unfortunately, Congress gives too much credence to this vocal minority and remains ill-informed about the real damage happening on the ground.

It's thus commendable that the Colorado BLM office is considering an interim order making all motor vehicles stay on existing roads and trails. But the bureau also must make good on its promise to get public input.

Meantime, the Forest Service has worked with local citizens' groups to draft plans regulating ORV use in several national forests in Colorado.

Nationwide, other steps are needed:

The BLM and Forest Service must better map and sign which routes they want ORVs to use. The agencies should work with recreation groups and wildlife experts to plan what routes should stay open or be closed. This effort must be conducted at the grassroots level.

Congress must properly fund BLM and the Forest Service to do this work. And lawmakers should increase penalties for serious ORV violations.

Woody Guthrie once sang that ''this land is your land.'' But that doesn't give anyone the right to rip it up.

[From the Denver Post, Oct. 3, 2000]

MUDFEST UNPUNISHED

(By Penelope Purdy)

Official reaction has been appallingly weak to the off-road-vehicle ''mudfest.'' Federal and state agencies mostly point fingers at each other and claim the law doesn't let them do diddlysquat in the matter. To quote Charles Dickens: ''If that's the law, sir, then the law is an ass.''

In late September, disc jockeys for Denver radio station KBPI talked on the air about going four-wheeling and named the day and place. Several hundred people showed up in their SUVs, monster trucks and off-road vehicles. They crossed federal land to get to the site, Caribou Flats. The property's owner, Tom Hendricks—a good guy, known for environmentally proper gold mining—

asked the drivers to leave. They ignored both his pleas and orders from law enforcement officers. And they left one heck of a mess in the high-altitude wetland. The area is a potential habitat for the almost extinct boreal toad, and is home to more than a dozen species of migratory birds. In other case of wetland and habitat destruction, the feds reacted harshly.

For example, when the Vail ski area accidentally built part of a temporary road through a seasonal wetland, not only did the U.S. Environmental Protection Agency insist that Vail fix the damage, but it's also contemplating a substantial fine against the resort. The Vail wetland involved only a fraction of one acre. Yet faced with a case involving 25 acres near Boulder, the EPA says federal law doesn't protect wetlands on private property from this vehicle-caused damage.

When building its new airport, Denver delayed construction of one runway because a pair of burrowing owls had nested in its path. Interfering with a migratory bird is a federal offense. But confronting the destruction of habitat for 13 migratory bird species at Caribou Flats, the U.S. Fish and Wildlife Service says its hands are tied.

Many of the mudfest yahoos later excused their juvenile behavior by claiming they ''didn't know'' they were on private property. But that statement indicates they thought that if they were on public land, it'd be OK to spin their big wheels in the mud. It's not OK.

The Arapahoe-Roosevelt National Forest is implementing a policy, already posted in many places, that drivers must stay on designated routes. Yet the U.S. Forest Service, across whose land the scofflaws at Caribou Flats had to travel to reach the scene, only imposed a minimum $50 fine on the disc jockeys for holding a large gathering without a permit. Even the Colorado Division of Wildlife says it likely can do nothing in the matter.

A criminal inquiry is under way by the Boulder sheriff, with help from the Colorado attorney general. But they're mostly looking at non-environmental questions such as trespass.

Sadly, despite claims by four-wheel-drive clubs that they teach members to drive responsibly, what happened at Caribou Flats isn't an isolated incident:

During the Buffalo Peaks Hill Climb near Buena Vista, someone illegally bulldozed a half mile of road in part of the Pike-San Isabel National Forest.

Last summer, local dirt bikers unlawfully built a racetrack across two miles of the White River National Forest.

The White River forest wants all drivers to stay on designated roads and four-wheel-drive tracks, not run across public land. But Colorado politicians, including U.S. Sen. Ben Campbell, oppose the plan.

Near Boulder, off-roaders reopened a private road that the landowners had closed to prevent environmental harm.

The problem is getting worse, because some SUV and ORV drivers cling to an archaic, arrogant mentality that they have a God-given right to drive anywhere, anytime, regardless of whose land they're on or what destruction they cause. This faction howls whenever the Forest Service or other land management agency even suggests restricting vehicle travel to designated roads and tracks.

Now, the meek official reaction to the Caribou Flats mudfest effectively has told these irresponsible jerks: Go ahead and turn every precious alpine wetland in Colorado into a mud flat, because we're not going to do a darn thing to punish you.

PAYCHECK EQUITY EQUAL PAY DAY

HON. MIKE HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. HONDA. Mr. Speaker, today is a significant day for American families. On one hand, it represents injustice, marking the amount of time required for a women to earn the same pay as a man: an additional three months into the next year. On the other hand, this day marks the continuation of an ongoing struggle, the battle for an American ideal: Equality.

Today, I stand in support of working women and the American family. Today, I stand in support of equal pay for equal work.

On Equal Pay Day, we are reminded of the facts in the contemporary American workplace:

The average working woman working full time earns about 76 cents for each dollar earned by the average man;

The median wages of female college graduates fall behind those of male college graduates by $14,665;

This pay disparity applies for all age groups. For example, women ages 35–44 earned about 72 cents per dollar and women ages 45–54 earned about 70 cents per dollar, compared to men.

The inequality in pay is not just morally wrong; it renders real harm on American families and our national economy. This gender wage gap means $4,000 less per American family and over $200 billion less in the American economy.

We need to act now, and that is why I support H.R. 781, ''The Paycheck Fairness Act,'' authored by my distinguished colleague, the distinguished gentle lady from Connecticut, ROSA DELAURO. This bill creates stronger enforcement, greater measurement, and better incentives against discrimination in wages based on gender.

These are the facts, and they challenge our national integrity. They challenge our commitment to equal rights and equal treatment. They challenge us to action. The majority of Americans support equal pay for equal work. It is time for Congress and the President to finally hold our nation accountable to the promise and ideals embedded in our Constitution.

In my state of California, families lose a staggering 21 billion dollars of income annually to the wage gap.

If women in California received equal pay, poverty in single mom households would go from 19.2 percent to 9.2 percent.

Women in the Inland empire for example loss on average 4 thousand dollars every year because of unequal pay.

This is money that can't buy groceries, housing, child care, clothing for their families.

I ask my colleagues to support H.R. 781, The Paycheck Fairness Act and the Fair Pay Act, legislation currently pending in Congress that is designed to help eliminate the wage gap that still exists between men and women.

Many working women lack the basic benefits they need in order to care for their families.

They are our grandmothers, mothers, wives, sisters, daughters, and colleagues.

They are our doctors, lawyers, teachers, caregivers, and leaders.

Women lawyers earn $300 less than male attorneys.

Female doctors make $500 less than their male colleagues.

Wages for female nurses, where 95 percent are women, are $30 less each week than male nurses who only make up 5 percent.

Waitresses weekly earnings are $50 less than waiters' earnings.

The situation is even worse for women of color. African American women earn only 67 cents and Latinas 58 cents for every dollar that men earn.

They wage gap impacts women's retirement also. Women have less to save for their futures and will earn smaller pensions than men.

We need to recognize working women and we need to pay them equally.

On the job, working women are looking for higher pay, better benefits and, most of all, the three ''Rs'': Respect, Recognition and Reward for a job well done.

Half of all older women receive a private pension in 1998 got less than $3,486 per year, compared with $7,020 per year for older men.

Before the end of this year, let's pass this legislation to finally make the work of America's women valued, fair, equitable and just.

Let's work to bring equal pay to every woman in America.

They deserve it and their families deserve it.

Let's get the job done.

EQUAL PAY PROTECTION

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BACA. Mr. Speaker, when President John F. Kennedy signed the Equal Pay Act into law on June 10, 1963, women on average earned 61 cents for each dollar earned by a man.

Today, working women only earn 73 cents for every dollar earned by men, according to the Bureau of Labor Statistics.

President Kennedy told his fellow citizens that he was taking the first step in addressing 'the unconscionable practice of paying female employees less wages than male employees for the same job.'

While progress has been made, still more needs to be done and, if Congress acts this year, more can be achieved.

TRIBUTE TO JASON WILLIAMS

HON. MICHAEL FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. FERGUSON. Mr. Speaker, I rise today to congratulate Plainfield, New Jersey's own star, Jason Williams. Jason, who is an All-American basketball player for Duke University, lead his team in their 82–72 NCAA National Championship victory over Arizona on Monday night, April 2, 2001.

All of Plainfield and New Jersey are proud of our hometown hero, Jason Williams. As a student athlete, he has shown tremendous leadership and dedication while playing at an incredible level—all while under the pressure of the national spotlight.

The top-ranked Duke Blue Devils won the national title Monday night under the leadership of Jason Williams. The 6′2″ point guard

has been one of the Duke's biggest offensive weapons all season. After scoring 16 points in the win over the University of Arizona Wildcats, the All-American guard has scored 154 points in six tournament games (ninth of all-time). A pass from Williams enabled Shane Battier to score a slam-dunk, making the score 77–72 with 2:31 left on the clock. Then Williams clinched the Blue Devils' victory with a 3 point shot with 1:45 left, giving the Blue Devils an eight-point lead.

Williams has been a leader all season long in the Atlantic Coast Conference (ACC), registering 21 points and 6.3 assists a game and earning the All–ACC First Team nod as well as the East Regional's Most Outstanding Player. Williams spent this past summer helping to train the U.S. Olympic basketball team as a member of the U.S. Select Team that scrimmaged against the Dream Team.

As a graduate of St. Joseph's High School in Metuchen, New Jersey, Williams lettered in basketball all four years. Among the awards he won: the Morgan Wooten Award given annually to the nation's top prep school player, first team All-America selection as a high school senior by USA Today, Street & Smith, and Hoop Scoop, two-time all-state selection, first team all-county, all-area, and all-Parochial accolades during his career. As a two-time team captain, he set school records for most points scored in one game with 43 and the most total points with 1,993 high school career points, averaging 24.0 points, 8.0 assists, 4.0 rebounds, and 3.0 steals.

I commend Jason Williams for his leadership and congratulate the Blue Devils on their victory.

ACHIEVEMENTS OF CESAR CHAVEZ

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor one of the great American heroes of our time, Cesar E. Chavez. Throughout his life, Cesar embraced nonviolent tactics to lift up the lives and spirits of millions of people and to advance the cause of equality and social change, particularly for migrant farm workers.

At an early age, young Cesar and his family were forced from their ranch because of an unscrupulous land deal. They went to work in the fields. Cesar traveled throughout California and followed the seasonal work and attended 37 schools before dropping out after the Eighth grade in a great sacrifice to his father, who was injured in an accident, and his mother, whom he didn't want to work in the fields. He joined the U.S. Navy at Seventeen and returned to the San Joaquin Valley in California and became involved in community action programs.

Even though his own formal education was limited, later in life education became his passion. He was inspired by the teachings of a Catholic priest and by the writings of St. Francis, Gandhi and Dr. Martin Luther King, Jr., and once said that, ''The end of all education should surely be service to others.'' Cesar put that belief into practice and formed the National Farm Workers of America, which later became the United Farm Workers, and began a great social movement to fight for safe and fair working conditions, reasonable wages, decent housing and outlawing child labor.

Chavez used fasting, marching rallying picketing and boycotting to call attention to the plight of the farm workers who endured great pain and exploitation to put food on tables of millions of American families.

In 1965, he led the Delano grape strike and a 340-mile march across California, which gained national attention and ended in an agreement to improve wages for farm workers. Chavez's work did not end there. He led another boycott to protest the use of dangerous pesticides in the fields, and in 1973, he led another strike against lettuce growers for higher wages.

''La Causa'' had broad-based support not only from farm workers and Latinos, but from labor unions, religious groups, minorities and students. The UFW became a symbol of empowerment and pride for many workers throughout the nation for over three decades. Throughout the movement, Cesar Chavez never lost his direction or his soul. Although he had won national and international fame, he continued to live a simple life based on sharing and frugality. Chavez even engaged in life threatening fasts to keep the movement alive and rededicate it to the principles of nonviolence.

Cesar Chavez died in his sleep on April 23, 1993. He died while he was defending the UFW against a lawsuit brought by a California lettuce and vegetable producer, which demanded that the farm workers pay millions of dollars in damages resulting from a UFW boycott of its lettuce during the 1980's.

Cesar Chavez received many honors for his commitment to social change. They included an honorary degree from Arizona State University West in 1992, induction into the LIFE Hall of Heroes in 1997, and the Medal of Freedom, the United States' highest civilian honor, bestowed upon him posthumously by President Clinton in 1995.

In addition, several states honor him and his work with a state holiday—and, just last week, our own State of Colorado joined that number when the legislature passed a law creating a state holiday to commemorate the birthday of Cesar Chavez.

The successful effort to pass this legislation was led by my friends, Colorado State Senator Rob Hernandez and Colorado State Representative Frana Mace. I think all Coloradans owe them a debt of gratitude—and I especially want to thank them for raising my own consciousness and inspiring me to support federal legislation that would create a national Cesar Chavez holiday.

So, Mr. Speaker, it's with great pride and humility that I stand here today on the floor of the House of Representatives and pay tribute to Cesar E. Chavez, a national hero and one of the giants of the civil rights movement in America.

I honor him for his leadership, his vision, his bravery, and his unselfish commitment to the principles of social justice and respect for human dignity. He is an inspiration to those of use who seek to create a better world, and his legacy is one which serves to remind us that ''Together all things are possible.'' iSi se puede!

TRIBUTE TO THE ARMADA FREE PUBLIC LIBRARY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BONIOR. Mr. Speaker, today I would like to recognize an institution whose outstanding dedication and commitment to the service of its community has led to a great accomplishment. On Sunday, April 1, 2001, the Armada Free Public Library will celebrate its Centennial Anniversary, commemorating 100 years of civic excellence.

Located in Armada, Michigan, the Armada Free Public Library has always been a flourishing center of education and resources for families and friends of the community. With a great emphasis on community service, the Armada Library has opened its doors throughout the years to welcome patrons to civic gatherings, conferences, club meetings, and children's hours.

Literature and books will always serve as the cornerstone of the Armada Library. But the library is expanding, by bringing in new levels of technology and resources. The community of Armada has dedicated its time and talents to bring the public library into the 21st Century with online databases, World Wide Web access, and an automated card catalog system. Because of this community's unwavering support, the Armada Free Public library has become a center that will continue to cultivate its historic roots as well as reach out to younger generations.

The Armada Free Public Library is a true testament to the hard work and dedication of community members and their families. I applaud the Armada Free Public Library for its leadership, commitment, service, and I urge my colleagues to join me in congratulating them on this landmark occasion.

TRIBUTE TO FORMER MICHIGAN STATE REPRESENTATIVE MIKE PRUSI

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. STUPAK. Mr. Speaker, I would like to pay tribute to Mike Prusi, a former representative to the Michigan House of Representatives from the 109th Representative District, which is made up of two counties, Marquette and Alger, in my congressional district.

Mike was first elected to the House in a special election in May 1995, following the death of one of Michigan's great legislators and great spokesman for northern Michigan, Dominic J. Jacobetti. Mike has just concluded his service in the Michigan House because of the Michigan term limits law. This law was enacted at the will of the voters of Michigan, but I have to confess that in this case I believe the law has turned an excellent public servant out of office.

Mr. Speaker, the Upper Peninsula of Michigan, where Mike and I are from, is an area rich in natural wealth and scenic beauty. It is also an area that, because of its sheer size, offers a wealth of diverse social and political

issues. Because its population is sparse, however, its representation in Lansing is meager in numbers.

Spokesmen for this region must stand taller and speak more eloquently than their downstate counterparts. Mike served on the important Appropriations Committee in the Michigan House and, like Dominic J. Jacobetti before him, was an outstanding spokesman for the region.

Mike brought a profound understanding of the region with him when he went to Lansing. He was born in his district, was schooled there, and became an iron mine worker, eventually becoming president of a Steelworkers local. Like the red dust that coats the clothing of miners, Mike carried the innate strength, pride and independence of Upper Michigan residents to his job as a state representative.

There have been many important issues affording us an opportunity to work together. The round of military base closures under the BRAC Commission in the early 1990s affected a base in the Upper Peninsula, in the heart of what would become Mike's district. Fighting to revive this economic heart of the Upper Peninsula has been one of our major efforts and concerns.

Today, we face the problem of illegal imports of steel—raw materials and finished projects—which have jeopardized the health of the U.S. steel industry. These illegally dumped products affect the entire industry, beginning with the very mines where Mike has worked. We are again joined in an important economic battle, this time to protect jobs and our vital national steel industry, from mining to final rolling of finished steel.

I wish Mike and his wife Sandra the best in his post-legislative career. He has my deep respect and friendship. The people of Michigan were well-served by Mike Prusi. They will miss him. I will miss him.

RECOGNIZING THE CONTRIBUTIONS OF DR. THOMAS E. STARZL IN THE FIELD OF ORGAN TRANSPLANTATION

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. DOYLE. Mr. Speaker, I rise today to recognize the extraordinary career of Dr. Thomas E. Starzl, the pioneer in the field of organ transplantation, who turned seventy-five years old on March 11, 2001.

This year marks the 20th Anniversary of Dr. Starzl's first liver transplant in Pittsburgh, Pennsylvania. Thirty transplants were performed in that year in 1981, which provided for the foundation for a liver transplant program at the University of Pittsburgh and the University of Pittsburgh Medical Center Health System (UPMC) that would become the largest in the world.

Dr. Starzl earned his bachelor's degree in biology at Westminster College in Missouri and his medical degree at Northwestern University. Following postgraduate work at Johns Hopkins University, surgical fellowships, and residencies, Dr. Starzl served on the faculty at Northwestern University for four years before transferring to the University of Colorado School of Medicine. It was there that Dr. Starzl made history by performing the world's first human liver transplant in 1963 and the first successful liver transplant in 1967.

While continuing to perform kidney and liver transplants, Dr. Starzl focused his work to develop ways to suppress the body's immune system to prevent organ rejection. In 1981, Dr. Starzl joined the University of Pittsburgh's School of Medicine as a professor of surgery. It was there that he utilized his new anti-rejection drug cyclosporine, which propelled transplantation from an experimental procedure to an accepted form of treatment.

Under Dr. Starzl's unmatched leadership, the transplant program at the University of Pittsburgh grew into the largest and most active program in the world. To date, more than 11,300 total transplants have been performed through this program with approximately 6,000 of those being liver transplants.

Dr. Starzl retired from clinical and surgical service in 1991 but continues to make important strides in the field of transplantation and transplant immunology. In addition, Dr. Starzl continues to share his knowledge of expertise in this field by remaining active as a professor.

Dr. Starzl has had a tremendous impact and influence in the field of transplantation. He has received 21 honorary doctorates and more than 175 awards and honors, including most recently the 2001 King Faisal International Prize for Medicine.

Mr. Speaker, I ask my colleagues to join me in saluting Dr. Thomas E. Starzl, the Father of Transplantation. Through his commitment to furthering the capabilities of modern medical science, Dr. Starzl has not only saved countless lives, but he has helped establish the world-class reputations that western Pennsylvania, the University of Pittsburgh, and the UPMC Health System all share in the field of medicine.

INTRODUCING THE CHILD PROTECTION SERVICES IMPROVEMENT ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. STARK. Mr. Speaker, I rise today to introduce the Child Protection Services Improvement Act.

This bill provides education loan forgiveness for child welfare workers who have been with an agency for at least 2 years. In addition, the bill provides States with $500 million in matching grants over 5 years to improve the quality of their child welfare workers. States can use these matching grants: to improve child welfare workers' wages, increase the number of child welfare workers, reduce the turnover and vacancy rate of child welfare agencies, increase education and training of child welfare workers, attract and retain qualified candidates and coordinate services with other agencies. These dollars can also go to private welfare agencies at the States' discretion.

The timing of this bill could not be better for 568,000 children in our foster care system, who have suffered from abuse and neglect. A recent joint survey by the Child Welfare League of America, the American Public Human Services Association and the Alliance for Children and Families reported that Child Welfare agencies are facing a workforce crisis. The study reported that: The average staff turnover for child welfare caseworkers in public agencies is 19.9 percent and 40 percent for private child welfare agencies in a year. The average percentage of vacant positions in public agencies is 7.4 percent and 27 percent for private agencies in a year. 46.2 percent of State child welfare workers left their job because of low salaries and 82.1 percent reported that they left their job because the workload was too high or demanding. 47.9 percent of private child welfare workers left their job because salaries were too low and 38.6 percent that they left their job because the workload was to high or demanding. Almost half of these agencies, both public and private, report difficulty in finding and retaining qualified candidates.

These problems can have horrific consequences for the children who are the most vulnerable in our society. Going beyond the numbers, I am sure that many of my fellow members have looked in their local newspapers and heard of a case where a child was killed because of abuse and neglect. After suffering from abuse and neglect, Child Protection Services in States is the last line of defense in protecting these children. If these agencies falter, many of these children pay the price and sometimes that price is their life.

The Child Welfare League of America, Alliance for children and Families, the National Association of Social Workers and the Catholic Charities of America have endorsed this bill.

Please join with us in supporting the Child Protection Services Improvement Act and provide much needed financial resources to our child welfare workforce to protect the most vulnerable children in our society.

TRIBUTE TO STEVE GIBBS

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to Steve Gibbs, a dear friend and community leader who will be recognized on April 21, 2001 by the FreeStore/FoodBank for 26 years of service with the organization.

The FreeStore/FoodBank was founded in Cincinnati in 1971. Steve has been a vital part of the organization as President and CEO nearly since its inception 30 years ago. Thanks to his dedication and hard work, the FreeStore/FoodBank has blossomed from a small, one-man operation into a thriving enterprise that literally has helped millions of people throughout Cincinnati, northern Kentucky and southeastern Indiana.

The mission of the FreeStore/FoodBank is ''to provide food, products and services for those in need, and to further their self-reliance.'' As one of the largest foodbanks in Ohio, it helps to feed nearly 300,000 people in our area each year. It also provides clothes and housing and employment assistance to the needy, and fills the pantry shelves of over 550 agencies, soup kitchens and shelters with donated food. Last year, it distributed close to 9 million pounds of donated and salvaged food, valued at more than $22 million.

Also serving as President of the Ohio Association of Second Harvest Foodbanks, Steve's

vision and ability to link sometimes unlikely partners also has helped to launch a number of innovative programs that continue to serve the needs of our community. One such partnership includes a joint venture between the FreeStore/FoodBank and the University of Cincinnati's Health Resource Center to provide medical care to those who cannot afford it. Among other initiatives, he also established a relationship with Goodwill Industries to help increase donations.

Thanks to Steve's efforts, the FreeStore/FoodBank is often recognized as one of Cincinnati's most outstanding charitable organizations. All of us in the Cincinnati area thank Steve for his dedication to improving the lives of others.

TRIBUTE TO MILLERSBURG, MICHIGAN ON THE OCCASION OF ITS COMMUNITY CENTENNIAL

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Millersburg, a small community in my congressional district, the 1st District of Michigan. On Labor Day this year the people of Millersburg will celebrate the centennial of their village. The history of their community is rich and complex, a story of growth and decline and several major changes in the core industry of the community. Like other centennials, however, this date marks more than a chronology of events. It is a history of family unity and old-fashioned values, and the centennial is a wish and prayer for the future of this small village, a hope that it will endure another 100 years.

Village president Bruce Doran and his wife Jo are assembling a book on the community as a reference for this historic event. Their account of the community's beginning tells how on the morning of September 23, 1897, a party of land owners and railway men assembled near the spot where a primitive highway crossed the Ocqueoc River in Presque Isle County, Michigan, for the purpose of laying out a new town. Except for the openings along the river and along the highway, the unbroken forest extended for miles on every side. The line of the D&M Railroad was blazed on the trees, and in a few days the noise of railway trains would be heard for the first time in this primeval forest.

Many towns have been laid out like this in Michigan, Mr. Speaker, but, according to the Dorans' research, Millersburg was probably one of the last Michigan communities deliberately planned in the forest. By noon the actual site was selected, and a gang of 35 choppers went to work. Axes flashed, and the mighty hemlocks, the giant elms, the majestic maples and the lofty basswoods were laid low, giving birth to the town of Millersburg.

The community took its name from Mr. Charles R. Miller of Adrian, Michigan, president of the commercial Savings Bank there. Mr. Miller had traveled through the area on business and had become interested in this area of the state through business contacts. He watched the progress of the D&M Railroad with keen interest and decided to purchase a tract of land. With several logging branches planned, it was expected that the town of Millersburg would be the hub of activity.

In 1901 Millersburg became incorporated as a village. It grew and developed, with a variety of important local businesses, including four sawmills, one stave mill, five general stores and a newspaper.

But a town built in the forest and dependent on the forest can also be threatened by the forest. The decline of Millersburg as a lumbering town began with fires that swept the greater part of Presque Isle County in October 1908, inflicting a tremendous amount of damage. One fire threatened the village at the sawmills, and every available man fought to keep it from entering the town. Their efforts were rewarded, and the town was saved. But thousands of acres of timber were lost.

By 1911 the population had dwindled to 850 from a high of more than 1,000, and in July a fire burned the community's business section, the schoolhouse, the post office and numerous homes. Two sawmills and 26 boxcars were destroyed. The business section was never rebuilt and many of the merchants and dealers, realizing that the era of large-scale lumbering was over, chose to leave to try their fortunes elsewhere. By 1916 the town's population leveled off at 300, a figure which has remained relatively unchanged to this day. Agriculture became the chief industry in the township until the 1950s, when many of the farmers where forced out of business due to rising prices.

Today tourism is becoming the mainstay of the community, marking the community's willingness to adapt to new economic opportunities. Many people have come to the area to enjoy its lakes, streams and snowmobile trails.

One can look back over the community's history, Mr. Speaker, and acknowledge that, yes, the town once had more local industry and a greater population. But one can also say that Millersburg, strengthened by its trails by fire, is as vigorous and forward-looking a community today as it once was, ready to utilize its local assets for the advancement of its citizens.

I ask my colleagues to join me in saluting the people of Millersburg and wishing them great joy in their celebration of 100 years as a community.

TRIBUTE TO THE ROMEO LODGE #41 FREE AND ACCEPTED MASONS OF THE STATE OF MICHIGAN

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. BONIOR. Mr. Speaker, today I would like to recognize an organization whose outstanding dedication and commitment to the bond of brotherhood and community has led to a great accomplishment. On Saturday, March 31, 2001, the Romeo Lodge #41 Free and Accepted Masons of the State of Michigan will celebrate their 150th anniversary, a milestone occasion that heralds the lifelong Masonic creed of Love of God, Love of Country, and Love of Freedom.

Since the Grand Lodge of Free and Accepted Masons recognized the start of the Romeo charter on January 9, 1851, the Romeo Lodge #41 has been a thriving center of social, religious, and political life to its members. Dedicated to education, morality, brotherly love, and non-sectarianism in religion and politics, the Romeo Masons have worked tirelessly to improve the community through their contributions in medical research, charity, and scholarship.

As the organization began to grow and expand, its ideas and vision for the future began to grow with it. Dedicating their time and talents to new construction efforts and remodeling, the Romeo Masons have worked hard to ensure their organization will continue to cultivate its roots as well as reach out to its younger generations. Preserving their tenets of Masonry, Brotherly Love, Relief, and Truth, this organization will assuredly succeed in their crusade to improve the lives of people through faith, morality and God.

The Romeo Lodge #41 is a true testament to the hard work and dedication of its members and its community. I applaud the Romeo Free Masons for their leadership, fraternity, and commitment, and I urge my colleagues to join me in congratulating them on this landmark occasion.

TRIBUTE TO THE UNIVERSITY OF NOTRE DAME WOMEN'S BASKETBALL TEAM

HON. MICHAEL FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. FERGUSON. Mr. Speaker, on Sunday night, April 1, 2001, the University of Notre Dame Women's Basketball Team won the national championship. As a proud alumnus, I stand before you today to offer my congratulations and to highlight this incredible accomplishment.

It was a storybook ending to a storybook season. In order to defeat a tough Purdue team and win their first national championship, the Notre Dame team rallied and overcame a double-digit deficit. Only four games have been decided by two points or less since the inception of the women's national championship tournament in 1982.

I wish to congratulate the entire team for all their hard-work, dedication, and perseverance. This season truly was a team effort, beginning with this year's coach of the year, Notre Dame's coach Muffett McGraw.

I also wish to congratulate Notre Dame center, Ruth Riley, who was so reliable in the clutch at the end of the championship game and all season long. Accordingly, she has been honored as both the consensus National Player of the Year and the tournament's most outstanding player.

From the gritty play of guard Niele Ivey to the long range sharp-shooting of Alicia Ratay, this year Notre Dame had what it took to be the best. The other team members, including Amanda Barksdale, Imani Dunbar, Ericka Haney, Monique Hernandez, Jeneka Joyce, Meaghan Leahy, Le'Tania Severe, Kelley Siemon and Karen Swanson, made this the most well-rounded team in the nation. Our hats are off to them as the 2001 National Champions.

TRIBUTE TO GINA THOMPSON

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to an amazing girl, my friend and neighbor Gina Thompson, who has overcome obstacles to become a starting point guard for the Hale School basketball team.

What makes Gina's accomplishment so momentous is that she is the only girl in a league of boys. Hale School doesn't have a girl's basketball team, but Gina, who just turned 14, is just too good a player to let that stand in the way. While other girls tried out this year, Gina was the only one to make the cut. As a starting point guard, she averages six points a game and has had no problem gaining her teammates' respect.

Most importantly, Gina has accomplished all this despite being diagnosed with juvenile diabetes at age nine. Just as she never let her gender become an obstacle in playing the game she loves, neither has Gina allowed diabetes to get in the way. She does have to give herself three insulin shots a day and continuously monitor herself to see that her sugar count remains normal, but Gina claims it is no big deal.

Gina has even extended her basketball activities beyond Hale School. She plays for the girls' team at St. Symphorsa (where she attends CCD) and the eighth-grade Windy City AAU club basketball team. After graduation, she plans on taking her game to Maria High School.

Gina is an incredible girl who has faced her challenges head-on to become a success at the game she loves. I whole-heartedly congratulate Gina and wish her all the best in the future.

DORENE LOWERY—TENNESSEE TEACHER OF THE YEAR

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. WAMP. Mr. Speaker, Dorene Lowery has been an employee of the Bradley County Schools for 17 years. During her tenure she has taught grades four, five and six at McDonald School, Prospect School and Black Fox School. She is currently serving as principal at Michigan Avenue Elementary School.

Ms. Lowery has been recognized as a Black Fox Elementary Teacher of the Year 2000, Bradley County Teacher of the Year 2000, District Teacher of the Year 2001 and most recently Tennessee Teacher of the Year 2001.

She indicates there are many reasons she decided to become a teacher—primarily heritage. Her parents were major influences in her life. Her mother, Mary Harris, instilled in her a love for books. Her father, Ron Harris, who has been a professor at Lee University for 35 years is responsible for instilling in her a love for teaching. He tells Dorene her favorite phrases were always, "Why?", "How does it work?", and "Show me." Another reason she became a teacher was her love of school. She would love to come home from kindergarten and teach her younger brother the things she had learned that day.

"For me, there was never a career choice to make. I always knew I was a teacher. I have found through the years that the quest to be the agent of academic growth in students and to witness their successes has not diminished. To help a child step out into the uncharted frontiers of their mind and experiences spurs me on and provides me with boundless joy. I affect eternity. No one can tell where my influence will stop. For this reason, I TEACH." Her husband is Steve Lowery. They have no children.

HONORING TOM STRICKLAND

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise to acknowledge and commend the work of Tom Strickland, who has served the federal government and Colorado with distinction as United States Attorney.

Tom Strickland was nominated by President Clinton and confirmed by the United States Senate to serve as U.S. Attorney for Colorado a little over two years ago. Before that time he was a successful attorney with the law firm of Brownstein, Hyatt, Farber & Strickland, and prior to that was a senior advisor to Colorado Governor Dick Lamm.

Tom and his wife, Beth, have been good friends to my father and me. I have enjoyed his association and believe that his service as U.S. Attorney will be remembered for a high degree of professionalism and a commitment to the welfare of Colorado and the nation.

I believe Tom's service as U.S. Attorney ought to be recognized in this House and I submit for the RECORD the following words from the March 28, 2001 addition of the Denver Post, which say better than I can how his service will be remembered.

GOOD WORK, TOM STRICKLAND

We'd like to tip our hats to U.S. Attorney Tom Strickland, who will be leaving office Saturday, for a job well done during the nearly two years he's been in office.

Strickland was sworn in April 21, 1999—the day after the Columbine massacre—but in a relatively short period of time acquired a reputation as a tough, effective law-and-order prosecutor.

Strickland took the initiative in establishing Colorado's version of Project Exile, a Virginia program aimed at keeping guns out of the hands of felons. Federal, state and local law enforcement agencies cooperated in prosecuting the often-overlooked federal violation when felons busted for other crimes were found to possess firearms.

Colorado Project Exile enforces existing gun laws, prosecuting criminals in the jurisdiction with the toughest penalties. During Strickland's tenure, the number of federal firearms prosecutions tripled from 54 defendants in 1999 to 147 in 2000. The successful program is a rare bit of common ground where such diverse factions as the National Rifle Association, Handgun Control Inc. and SAFE Colorado can agree.

But Strickland also targeted other criminal groups, from the Sons of Silence outlaw motorcycle gang to big-time drug traffickers, and even a group of federal prison guards who were brutalizing inmates.

The University of Texas Law School graduate was an effective administrator and well-respected by veteran lawyers in his office.

Strickland is a Democrat who was asked for his resignation by President Bush, a Republican, John Suthers, former El Paso County district attorney, is considered the front-runner for Strickland's post.

One of the unfortunate aspects of the spoils system is that positions such as U.S. Attorney are presidential appointments, and whenever the party in power in the White House changes, many able public servants are asked to leave. Strickland is a recent example; an earlier one is Richard Stacy, who as U.S. Attorney for Wyoming, had to resign when the Clinton administration took office, despite being an aggressive, effective prosecutor.

It's a shame that well-qualified public servants like Strickland and Stacy are asked to resign instead of being given a second look, party affiliation notwithstanding.

THE INCREASE THE PEACE RESOLUTION

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. MCKEON. Mr. Speaker, I rise today to introduce an important resolution which urges the House of Representatives to support "Increase the Peace Day" events throughout the country.

On April 20, 2000, on the one-year anniversary of the tragedy at Columbine High School, students, teachers, parents, and community leaders from Challenger Middle School in Lake Los Angeles, California hosted an "Increase the Peace Day".

The program featured the formation of a human peace sign and a presentation by a former skinhead who turned his life around and now works with the Simon Wiesenthal Center's Museum of Tolerance.

The highlight of the day was when the 650 students of Challenger signed an "Increase the Peace Pledge" in order to avoid any similar acts of school violence. Among the promises in the Pledge were to find a peaceful solution to conflicts, to not hit another person, to not threaten another person, to report all rumors of violence to an adult, to celebrate diversity, and to seek help when feeling lonely or confused.

I was proud to join the other supporters of "Increase the Peace Day" and be a part of this incredible event.

In fact, the event was so successful Challenger is having their "Second Annual Increase the Peace Day" on April 20, 2001. They are expecting over 2,000 participants this year. Additionally, they are sponsoring an essay-writing contest in which the winner will be flown to Washington, D.C. to share their ideas on ensuring school safety with national leaders.

I would like to take a moment to recognize the outstanding efforts of teacher Bruce Galler, who came up with the original idea for "Increase the Peace Day" because he believes that something can be done. Through his efforts, Challenger Middle School students have promoted the ideals of peace in their school and throughout the community.

As such, I urge all my colleagues to support this resolution and to encourage their local communities to institute a similar program.

INTRODUCTION OF THE FAIR PAY ACT OF 2001

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Ms. NORTON. Mr. Speaker, today Senator TOM HARKIN and I are introducing the Fair Pay Act of 2001, a bill that would require employers to pay equal wages to women and men performing equivalent work but not the same work in an effort to remedy the pay inequities that women continue to endure. We introduce this bill simultaneously in both Houses as an indication of the preeminent importance many American families attach to equal pay today.

A recent Labor Department study, requested by Senator HARKIN and voted by Congress last term bolsters the goals of the Fair Pay Act (FPA). The Labor Department studied wage trends among federal contractors. Its conclusions are far more important than the perhaps predictable finding that the gender gap for federal contractors is about the same as it is for U.S. employers as a whole. The most important Labor Department finding is that the major cause of the pay gap is the segregation of women into female-gender occupations. The Department makes the startling finding that, ''Since 1979, the contribution of occupational segregation to the pay gap has jumped from explaining 18 to 46 percent of the gap.'' This finding virtually demonstrates our Fair Pay Act claim that the only way to combat pay discrimination today is to attack directly the practice of paying women less because they are doing ''women's work.'' We cannot come to grips with the pay problems of the average American family without confronting the reality that the average woman works in an occupation that is 70 percent female, while the average man works in an occupation that is 29 percent female. Pay tracks gender.

Today, many more women have equivalent pay problems than traditional equal pay problems, thanks to the 1963 Equal Pay Act. Important as it is to update the EPA, it has been clear, at least since I chaired the EEOC in the Carter Administration, that the EPA needs major revision to cope with the stubborn pay problems that trap most women and their families. The Fair Pay Act accomplishes the necessary revision without tampering with the market system. A woman would file a discrimination claim but, as in all discrimination cases, she would have to prove that the reason for the gap between herself and a male co-worker doing equivalent work in the same workplace is discrimination and not other reasons, such as legitimate market factors. Gender, of course, is not a legitimate market factor.

The good news from the Labor Department study is that gender segregation has fallen since 1970 because women with greater opportunities have moved into traditionally male occupations. The bad news is that there is a limit to how much we want to encourage teachers, nurses, factory workers, librarians, and other indispensable workers to abandon these vital occupations in order to be paid a decent wage. The frightening flight of women from vital work and occupations has left children without teachers, hospitals without nurses, and communities and employers without other vital workers.

The Fair Pay Act recognizes that if men and women are doing comparable work, they should be paid a comparable wage. If a woman is an emergency services operator, a female-dominated profession, she should be paid no less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female occupation, she should not earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the Equal Pay Act (EPA), will not tamper with the market system. As with the EPA, the burden will be on the plaintiff to prove discrimination. She must show that the reason for the disparity is sex or race discrimination, not legitimate market factors.

As women's employment has become an increasingly significant factor in the real dollar income of American families, fair pay between the sexes has escalated in importance. There are remaining Equal Pay Act problems in our society, but the greatest barrier to pay fairness for women and their families today is a line drawn in the workplace between men and women doing work of comparable value. I ask for your support of the Fair Pay Act to pay women what they are worth so that their families may get what they need and deserve.

INTRODUCTION OF THE COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

HON. MARK UDALL

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Colorado Northern Front Range Mountain Backdrop Protection Study Act.

The bill intended to help local communities identify ways to protect the Front Range Mountain Backdrop in the northern sections of the Denver-metro area, especially the region just west of the Rocky Flats Environmental Technology site. The Arapaho-Roosevelt National Forest includes much of the land in this backdrop area, but there are other lands involved as well.

Rising dramatically from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. The portion of the range within and adjacent to the Arapaho-Roosevelt National Forest also includes a diverse array of wildlife habitats and provides many opportunities for outdoor recreation.

The open-space character of this mountain backdrop is an important esthetic and economic asset for adjoining communities, making them attractive locations for homes and businesses. But rapid population growth in the northern Front Range area of Colorado is increasing recreational use of the Arapaho-Roosevelt National Forest and is also placing increased pressure for development of other lands within and adjacent to that national forest.

We can see this throughout Colorado and especially along the Front Range. Homes and shopping centers are sprawling up valleys and along highways that feed into the Front Range. This development then spreads out along the ridges and mountain tops that make up the backdrop. We are in danger of losing to development many of the qualities that have helped attract new residents. So, it is important to better understand what steps might be taken to avoid or lessen that risk—and this bill is designed to help us do just that.

Already, local governments and other entities have provided important protection for portions of this mountain backdrop, especially in the northern Denver-metro area. However, some portions of the backdrop in this part of Colorado remain unprotected and are at risk of losing their open-space qualities. This bill acknowledges the good work of the local communities to preserve open spaces along the backdrop and aims to assist further efforts along the same lines.

The bill does not interfere with the authority of local authorities regarding land use planning. It also does not infringe on private property rights. Instead, it will bring the land protection experience of the Forest Service to the table to assist local efforts to protect areas that comprise the backdrop. The bill envisions that to the extent the Forest Service be involved with federal lands, it will work in collaboration with local communities, the state and private parties.

Mr. Speaker, I strongly believe it is in the national interest for the federal government to assist local communities to identify ways to protect the mountain backdrop in this part of Colorado. The backdrop beckoned settlers westward and presented an imposing impediment to their forward progress that suggested similar challenges ahead. This first exposure to the harshness and humbling majesty of the Rocky Mountain West helped define a region. The pioneers' independent spirit and respect for nature still lives with us to this day. We need to work to preserve it by protecting the mountain backdrop as a cultural and natural heritage for ourselves and generations to come. God may forgive us for our failure to do so, but our children won't.

For the information of our colleagues, I am attaching a fact sheet about this bill.

COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

Generally: The bill would help local communities preserve the Front Range Mountain Backdrop in the northern sections of the Denver-metro area in a region generally west of the Rocky Flats Environmental Technology site.

Front Range Mountain Backdrop: The backdrop consists of the mountainous foothills, the Continental Divide and the peaks in between that create the striking visual backdrop of the Denver-metro area and throughout Colorado. Development in the Denver-metro area is encroaching in the Front Range backdrop area, and thus adversely affecting the esthetic, wildlife, open space and recreational qualities of this geographic feature. Now is the time to shape the future of this part of the Front Range. There is a real but fleeting opportunity to protect both Rocky Flats—a ''crown jewel'' of open space and wildlife habitat—and to assist local communities to protect the scenic, wildlife, and other values of the mountain backdrop.

WHAT THE BILL DOES

Study and Report: The bill requires the Forest Service to study the ownership patters of the lands comprising the Front Range Mountain Backdrop in a region generally

west of Rocky Flats, identify areas that are open and may be at risk of development, and recommend to Congress how these lands might be protected and how the federal government could help local communities and residents to achieve that goal.

Lands Covered: The bill identifies the lands in southern Boulder, northern Jefferson and eastern Gilpin Counties in the Second Congressional District, specifically, an area west of Rocky Flats and west of Highway 93, south of Boulder Canyon, east of the Peak-to-Peak Highway, and north of the Golden Gate Canyon State Park road.

WHAT THE BILL WOULD NOT DO

Affect Local Planning: The bill is designed to complement existing local efforts to preserve open lands in this region west of Rocky Flats. It will not take the place of—nor disrupt—these existing local efforts.

Affect Private Property Rights: The bill merely authorizes a study. It will not affect any existing private property rights.

Affect the Cleanup of Rocky Flats: The bill would not affect the ongoing cleanup and closure of Rocky Flats nor detract from funding for that effort, and will not affect existing efforts to preserve the options for wildlife and open space protection of Rocky Flats itself.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3289–S3359

Measures Introduced: Eight bills were introduced, as follows: S. 678–685. **Page S3340**

Measures Reported:

S. Res. 27, to express the sense of the Senate regarding the 1944 deportation of the Chechen people to central Asia.

S. Res. 60, urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia.

S. Con. Res. 23, expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103. **Page S3339**

Measures Passed:

National Murder Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 41, designating April 4, 2001, as ''National Murder Awareness Day'', and the resolution was then agreed to. **Page S3357**

National Shaken Baby Syndrome Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 55, designating the third week of April as ''National Shaken Baby Syndrome Awareness Week'' for the year 2001, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page S3357**

Domenici (for Wellstone) Amendment No. 177, to amend the resolution. **Page S3357**

Domenici (for Wellstone) Amendment No. 178, to amend the title. **Page S3357**

Congressional Budget Resolution: Senate continued consideration of H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, taking action on the following amendments proposed thereto: **Pages S3290–S3333**

Adopted:

By 51 yeas to 50 nays (Vote No. 65), Grassley Amendment No. 173 (to Amendment No. 170), to revise certain provisions providing for a reserve fund for prescription drugs and medicare reform in the Senate. **Pages S3320–26**

Rejected:

By 50 yeas to 50 nays (Vote No. 66), Baucus Amendment No. 172 (to Amendment No. 170), to establish a prescription drug benefit under Title XVIII of the Social Security Act, without using funds generated from either the Medicare or Social Security surpluses, that is voluntary; accessible to all beneficiaries; designed to assist beneficiaries with the high cost of prescription drugs, protect them from excessive out of pocket costs, and give them bargaining power in the market place; affordable to all beneficiaries and the program; administered using private sector entities and competitive purchasing techniques; and consistent with broader Medicare reform. **Pages S3298–S3320, S3326**

Pending:

Domenici Amendment No. 170, in the nature of a substitute. **Pages S3290–S3333**

Grassley Amendment No. 174 (to Amendment No. 170), to provide for additional agriculture assistance. **Pages S3327–33**

Conrad (for Johnson) Amendment No. 176 (to Amendment No. 170), to provide emergency assistance to producers of agricultural commodities in fiscal year 2001, and additional funds for farm and conservation programs during fiscal years 2002 through 2011. **Page S3333**

A unanimous-consent time agreement was reached providing for further consideration of Grassley Amendment No. 174 (to Amendment No. 170) and Johnson Amendment No. 176 (to Amendment No. 170), both listed above, at 9 a.m., on Wednesday, April 4, 2001, with votes to occur on or in relation to each amendment beginning at 10:30 a.m. Further, that following the votes, Senator Harkin be recognized to offer an amendment relative to education, and that when the Senate resumes the budget resolution on Wednesday, there be 35 hours remaining for consideration. **Page S3327**

Appointments:

Commission on Indian and Native Alaskan Health Care: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–310, announced the appointment of the following individuals to serve as members of the Commission on Indian and Native Alaskan Health Care; Sara DeCoteau, of South Dakota, and Carole Anne Heart, of South Dakota. **Page S3357**

Congressional Recognition for Excellence in Arts Education Awards Board: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106–533, announced the appointment Senators Akaka and Johnson to serve as members of the Congressional Recognition for Excellence in Arts Education Awards Board. **Page S3357**

Nominations Received: Senate received the following nominations:

Donna R. McLean, of the District of Columbia, to be an Assistant Secretary of Transportation.

James Andrew Kelly, of Hawaii, to be an Assistant Secretary of State (East Asian and Pacific Affairs), vice Stanley O. Roth.

Richard Nathan Haass, of Maryland, for the rank of Ambassador during his tenure of Service as Director, Policy Planning Staff, Department of State.

Stephen Goldsmith, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2005.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Pages S3358–59**

Executive Communications: **Pages S3338–39**

Executive Reports of Committees: **Pages S3339–40**

Statements on Introduced Bills: **Pages S3341–53**

Additional Cosponsors: **Pages S3340–41**

Amendments Submitted: **Pages S3353–56**

Additional Statements: **Pages S3337–38**

Authority for Committees: **Pages S3356–57**

Privileges of the Floor: **Page S3357**

Record Votes: Two record votes were taken today. (Total—66) **Page S3326**

Adjournment: Senate met at 9 a.m., and adjourned at 7:22 p.m., until 9 a.m., on Wednesday, April 4, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S3357–58.)

Committee Meetings

(Committees not listed did not meet)

ALZHEIMER'S DISEASE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded hearings to examine issues related to the need for funding of medical research of Alzheimer's Disease at various facilities, including the National Institutes of Health, the Alzheimer's Clinical Research and Training Program, and the Alzheimer's Matching Grant Programs, after receiving testimony from Representatives Chris Smith and Markey; Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, Department of Health and Human Services; and Steven T. Dekosky, University of Pittsburgh Medical Center Alzheimer's Disease Center, Pittsburgh, Pennsylvania, Christine Frey, Peoria, Illinois, John Wagenaar, George, Iowa, and David Hyde Pierce, Saratoga Springs, New York, all on behalf of the Alzheimer's Association.

NATIONAL RECONNAISSANCE, IMAGERY, AND MAPPING

Committee on Armed Services: Subcommittee on Strategic concluded hearings to examine the Report of the National Commission for the Review of the National Reconnaissance Office and the Report of the Independent Commission on the National Imagery and Mapping Agency, after receiving testimony from Representative Goss, Co-Chairman, Larry D. Cox, Member, Martin C. Faga, Member, and William Schneider, Jr., Member, all of the National Commission for the Review of the National Reconnaissance Office; and Peter Marino, Chairman, Kevin O'Connell, Executive Secretary, Evan Hineman, Member, and Gen. Tom Weinstein, Member, all of the Independent Commission on the National Imagery and Mapping Agency.

DOMESTIC OIL AND NATURAL GAS RESOURCES

Committee on Energy and Natural Resources: Committee concluded hearings to examine issues related to the development of a national energy policy for the next decade, focusing on impediments to domestic oil and gas production and its impact on availability and price of energy in the United States, after receiving testimony from P. Patrick Leahy, Associate Director for Geology, U.S. Geological Survey, Department of the Interior; David J. Hayes, Latham and Watkins,

former Deputy Secretary of the Department of the Interior, and Mark Rubin, American Petroleum Institute, both of Washington, D.C.; Matthew R. Simmons, Simmons and Company International, Houston, Texas, on behalf of the National Petroleum Council; and Neal A. Stanley, Forest Oil Corporation, Denver, Colorado, on behalf of the Independent Petroleum Association of Mountain States and Independent Petroleum Association of America.

MEDICARE+CHOICE REFORM

Committee on Finance: Committee held hearings to examine ways to improve the relationship between Medicare and managed care, focusing on Medicare+Choice program reform, which was designed to expand health plans to markets where existing access was limited or non-existent and to offer new types of plans, in addition to controlling costs, receiving testimony from Madeleine Smith, Specialist in Social Legislation, Domestic Social Policy Division, Congressional Research Service, Library of Congress; Murray N. Ross, Executive Director, Medicare Payment Advisory Commission; Victor E. Turvey, UnitedHealthcare, Maryland Heights, Missouri; Kevin W. McCarthy, Towers Perrin, Pittsburgh, Pennsylvania; Thomas C. Buchmueller, University of California Graduate School of Management, Irvine; and Len M. Nichols, Urban Institute, Washington, D.C.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 219, to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counternarcotics programs, with an amendment in the nature of a substitute;

S. Res. 27, to express the sense of the Senate regarding the 1944 deportation of the Chechen people to central Asia;

S. Res. 60, urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia;

S. Con. Res. 7, expressing the sense of Congress that the United States should establish an international education policy to enhance national security and significantly further United States foreign policy and global competitiveness, with an amendment in the nature of a substitute;

S. Con. Res. 23, expressing the sense of Congress with respect to the involvement of the Government in Libya in the terrorist bombing of Pan Am Flight 103; and

The nominations of William Howard Taft, IV, of Virginia, to be Legal Adviser of the Department of State, and a Foreign Service Officer promotion list.

ONLINE ENTERTAINMENT AND COPYRIGHT LAW

Committee on the Judiciary: Committee concluded hearings to examine issues related to progress being made in finding a balance between ever-advancing online entertainment technology and accessibility, and copyright law and the rights of the artists and entertainment industry, after receiving testimony from Representative Cannon; Richard D. Parsons, AOL Time Warner, Inc., Steve Gottlieb, TVT Records, and Edward P. Murphy, National Music Publishers' Association, Inc., all of New York, New York; Jack Valenti, Motion Picture Association, Sally Greenberg, Consumers Union, and Hilary Rosen, Recording Industry Association of America, all of Washington, D.C.; Hank Barry, Napster, San Mateo, California; Ken Berry, EMI Recorded Music, Hollywood, California; Gerald W. Kearby, Liquid Audio, Inc., Redwood City, California; Robin Richards, MP3.com, Inc., San Diego, California; Mike Farrace, Tower Records/Books/Video, MTS., Inc., West Sacramento, California; Edmund Fish, Intertrust Technologies Corporation, Santa Clara, California; Don Henley, Santa Monica, California, on behalf of the Recording Artists Coalition; and Alanis Morissette, Beverly Hills, California.

NATIONAL SECURITY

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded hearings to examine the U.S. Commission on National Security/21st Century Hart-Rudman Report, which makes certain recommendations with regard to national security, based on a thorough analysis of the future global security environment and the development of the United States National Security Strategy to deal with that environment, after receiving testimony from former Senator Gary Hart, Co-Chair, former Senator Warren Rudman, Co-Chair, and former Representative Lee Hamilton, Commissioner, all of the U.S. Commission on National Security/21st Century.

House of Representatives

Chamber Action

Bills Introduced: 55 public bills, H.R. 1330–1384; 2 private bills, H.R. 1385–1386; and 7 resolutions, H. Con. Res. 93–96, and H. Res. 110, 112–113, were introduced. **Pages H1406–10**

Reports Filed: Reports were filed today as follows:

H.R. 768, to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (H. Rept. 107–32);

H.R. 642, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, amended (H. Rept. 107–33);

H.R. 601, to ensure the continued access of hunters to those Federal lands included within the boundaries of the Craters of the Moon National Monument in the State of Idaho pursuant to Presidential Proclamation 7373 of November 9, 2000, and to continue the applicability of the Taylor Grazing Act to the disposition of grazing fees arising from the use of such lands, amended (H. Rept. 107–34);

H.R. 581, to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management (H. Rept. 107–35);

H.R. 182, to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, amended (H. Rept. 107–36);

H.R. 8, to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, amended (H. Rept. 107–37);

H.R. 974, to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves, amended (H. Rept. 107–38); and

H. Res. 111, providing for consideration of the bill (H.R. 8) to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period (H. Rept. 107–39). **Page H1406**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Aderholt to act as Speaker pro tempore for today. **Page H1353**

Guest Chaplain: The prayer was offered by the Guest Chaplain, the Rev. Ronald F. Christian, Lutheran Social Services, Fairfax, Virginia. **Page H1356**

Recess: The House recessed at 12:54 p.m. and reconvened at 2 p.m. **Page H1356**

Committee on Judiciary—Permission to File Reports During Recess: The Committee on the Judiciary was given permission to have until Friday, April 20th to file reports on H.R. 392, Private Relief Bill for Nancy Wilson; H.R. 503, Unborn Victims of Violence Act; H.R. 863, Consequence for Juvenile Offenders Act; H.R. 1209, Child Status Protection Act; and H.J. Res. 41, Tax Limitation Constitutional Amendment. **Page H1360**

Committee on Financial Services—Permission to File Report: The Committee on Financial Services received permission to have until midnight to file a report on H.R. 1088, to amend the Securities Exchange Act of 1934 to reduce fees collected by the Securities and Exchange Commission. **Page H1385**

Suspensions: The House agreed to suspend the rules and pass the following suspensions:

Need-Based Educational Aid: H.R. 768, to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws (passed by a yea and nay vote of 414 yeas with none voting "nay", Roll No. 76); **Pages H1360–62, H1384–85**

Shaken Baby Syndrome Awareness: H. Con. Res. 59, expressing the sense of Congress regarding the establishment of National Shaken Baby Syndrome Awareness Week. Agreed to amend the title; **Pages H1362–64**

Human Rights Situation in Cuba: H. Res. 91, expressing the sense of the House of Representatives regarding the human rights situation in Cuba (agreed to by a yea and nay vote of 347 yeas to 44 nays with 22 voting "present", Roll No. 77); **Pages H1364–74, H1385**

Human Rights Violations in China and Tibet: H. Res. 56, amended, urging the appropriate representative of the United States to the United Nations Commission on Human Rights to introduce at the annual meeting of the Commission a resolution calling upon the People's Republic of China to end its human rights violations in China and Tibet

(agreed to by a yea and nay vote of 406 yeas to 6 nays with 6 voting "present", Roll No. 78); and

Pages H1368–74, H1385–86

Small Business Interest Checking: H.R. 974, amended, to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to authorize the Board of Governors of the Federal Reserve System to pay interest on reserves. Agreed to amend the title.

Pages H1374–79

Suspensions—Proceedings Postponed: The House completed debate on the following motions to suspend the rules. Further proceedings were postponed until Wednesday, April 3.

Chesapeake Bay Office of NOAA: H.R. 642, amended, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration; and **Pages H1357–60**

Revised Edition of "Women in Congress": H. Con. Res. 66, authorizing the printing of a revised and updated version of the House document entitled "Women in Congress, 1917–1990" **Pages H1380–84**

Committee to Attend the Funeral of the Late Honorable Norman Sisisky, a Representative from the Commonwealth of Virginia: Pursuant to H. Res. 107, the Chair announced the Speaker's additional appointment of the following members to the committee to attend the funeral of the late Honorable Norman Sisisky: Representatives Waxman, Frost, Sensenbrenner, Hoyer, Levin, Spratt, Condit, Edwards, Reyes, and Turner. **Page H1384**

District Work Period: The House agreed to H. Con. Res. 93, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Page H1386

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H1384, H1385, and H1385–86. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:44 p.m.

Committee Meetings

USDA DOMESTIC FOOD DISTRIBUTION PROGRAMS

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review the USDA domestic food distribution programs. Testimony was heard from Representative Hall of Ohio; George A. Braley, Acting Administrator, Food and Nutrition Service, USDA; and public witnesses.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on Corrections and Related Activities. Testimony was heard from the following officials of the Department of Justice: Kathleen Hawk Sawyer, Director, Federal Bureau of Prisons; Don Horton, U.S. Marshal, U.S. District Court; and Todd Dillard, U.S. Marshal, D.C. Superior Court; the following officials of the District of Columbia: John L. Clark, D.C. Corrections Trustee; Jasper Ormond, Interim Director, Court Services and Offender Supervision Agency; and Cynthia Jones, Director, Public Defenders Service

LABOR, HHS AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services and Education continued appropriation hearings. Testimony was heard from Members of Congress.

DEPARTMENT OF EDUCATION—FINANCIAL MANAGEMENT

Committee on Education and the Workforce: Subcommittee on Select Education held a hearing on Department of Education Financial Management. Testimony was heard from Lorraine Lewis, Inspector General, Department of Education; Jeffrey Steinhoff, Managing Director, Financial Management and Assurance Division, GAO; and a public witness.

INFORMATION PRIVACY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing on An Examination of Existing Federal Statutes Addressing Information Privacy. Testimony was heard from Richard Varn, Chief Information Officer, State of Iowa; and public witnesses.

PROTECTING AMERICAN INTERESTS ABROAD

Committee on Government Reform: Subcommittee on National Security, Veterans Affairs and International Relations held a hearing on "Protecting American Interests Abroad: U.S. Citizens, Businesses, and Non-governmental Organizations." Testimony was heard from the following officials of the Department of State: Peter Bergin, Director, Diplomatic Security Service, Co-Chairman, Overseas Security Advisory Council; Dianne Andruch, Managing Director, Overseas Citizen Services, Bureau of Consular Affairs; Leonard Rogers, Acting Assistant Administrator, Humanitarian Response, AID; and John McCarthy,

Co-Chairman, Overseas Security Advisory Council; and public witnesses.

MANAGING INFORMATION RESOURCES AND TECHNOLOGY

Committee on Government Reform: Subcommittee on Technology and Procurement held a hearing on ''Enterprise-Wide Strategies for Managing Information Resources and Technology: Learning From State and Local Governments.'' Testimony was heard from Dave McClure, Director, Information Technology Management Issues, GAO; the following officials of the State of Virginia: Donald W. Upson, Secretary of Technology; and David J. Molchany, Chief Information Officer, County of Fairfax; Charles F. Gerhards, Deputy Secretary, Information Technology, Office of Information Technology, State of Pennsylvania; and public witnesses.

OVERSIGHT—FOREST FUELS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Developing Economic Uses for Forest Fuels. Testimony was heard from Thomas Hamilton, Director, Forest Products Laboratory, Forest Service, USDA; and public witnesses.

OVERSIGHT—CALIFORNIA WATER

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on California Water-A Regional Perspective. Testimony was heard from public witnesses.

DEATH TAX ELIMINATION ACT

Committee on Rules: Granted, by voice vote, a modified closed rule on H.R. 8, Death Tax Elimination Act of 2001, providing one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Thomas and Representative Rangel.

VISION 2001: FUTURE SPACE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on Vision 2001: Future Space. Testimony was heard from public witnesses.

INTERNET ENTREPRENEURSHIP

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Internet Entrepreneurship. Testimony was heard from public witnesses.

VA HEALTH CARE SYSTEM

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the state of the VA Health Care System. Testimony was heard from Thomas L. Garthwaite, M.D., Under Secretary, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

WELFARE REFORM

Committee on Ways and Means: Subcommittee on Human Resources continued hearings on welfare reform issues. Testimony was heard from Vee Burke, Specialist, Income Maintenance, Congressional Research Service, Library of Congress; Jason A. Turner, Commissioner, Human Resources Administration, New York City; Douglas E. Howard, Director, Family Independence Agency, State of Michigan; and public witnesses.

2001 TAX RETURN FILING SEASON

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the 2001 tax return filing season. Testimony was heard from the following officials of the Department of the Treasury: Charles O. Rossotti, Commissioner, and Nina Olson, National Taxpayer Advocate, Taxpayer Advocate Service, both with the IRS; and David C. Williams, Inspector General, Tax Administration; James R. White, Director, Tax Policy and Administration Issues, General Government Division, GAO; and public witnesses.

BRIEFING—PLAN COLOMBIA

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Plan Colombia. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 4, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on SeaPower, to hold hearings on proposed legislation authorizing

funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on shipbuilding industrial base issues and initiatives, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings to examine specific measures that have been taken in the United States to prevent bovine spongiform encephalopathy (BSE) ''Mad Cow Disease'' and assess their adequacy, 9:30 a.m., SR–253.

Committee on Finance: to hold hearings to examine certain issues with respect to international trade and the American economy, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings on the nomination of Argeo Paul Cellucci, of Massachusetts, to be Ambassador to Canada, 9:30 a.m., SD–419.

Committee on Governmental Affairs: to hold hearings on the state of the Presidential appointments process, 2 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the constitutionality of employment laws, focusing on states rights and federal remedies, 9:30 a.m., SD–430.

Committee on Indian Affairs: business meeting to markup S.211, to amend the Education Amendments of 1978 and the Tribally Controlled Schools Act of 1988 to improve education for Indians, Native Hawaiians, and Alaskan Natives, 2:30 p.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings to examine competitive choices concerning cable and video, 10 a.m., SD–226.

Subcommittee on Immigration, to hold hearings to review certain issues with respect to immigration policy, 2 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings on the nomination of Tim S. McClain, of California, to be General Counsel, Department of Veterans Affairs, 9:30 a.m., SR–418.

House

Committee on Agriculture, to continue hearings on Federal Farm Commodity Programs, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, on D.C. Courts; Police and Fire, 1:30 p.m., 2362 Rayburn.

Subcommittee on Interior, on National Endowment for the Humanities and National Endowment for the Arts, 10:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, to continue on NIH Theme hearings, 10 a.m., 2358 Rayburn.

Committee on Armed Services, to continue hearings on posture of U.S. military forces, 10 a.m., 2118 Rayburn.

Special Oversight Panel on Department of Energy, hearing on the reorganization plan of the National Nuclear Security Administration, 2 p.m., 2216 Rayburn.

Special Oversight Panel on Morale, Welfare and Recreation, hearing on morale, welfare and recreation programs of the Department of Defense, 2 p.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health and Environment and the Subcommittee on Oversight and Investigations, joint hearing on Patients First: A 21st Century Promise to Ensure Quality and Affordable Health Coverage, 10 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and Internet, hearing on E-Rate and Filtering: A Review of the Children's Internet Protection Act, 10 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capitol Markets, Insurance and Government Sponsored Enterprises and the Subcommittee on Financial Institutions and Consumer Credit, joint hearing on promotion of capital availability to American businesses, 10 a.m., 2128 Rayburn.

Committee on Government Reform, hearing on the ''The U.S. Postal Service's Uncertain Financial Outlook,'' 10 a.m., 2154 Rayburn.

Committee on the Judiciary, to mark up the following measures: H.J. Res. 41, proposing an amendment to the Constitution of the United States with respect to tax limitations; and H.R. 1209, Child Status Protection Act of 2001, 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on ''Business Method Patents,'' 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, and the Subcommittee on Forests and Forest Health, joint oversight hearing on Energy Impacts of the Roadless Rule, 1:30 p.m., 1324 Longworth.

Subcommittee on Fisheries, Conservation, Wildlife and Oceans, oversight hearing on the implementation of the Sustainable Fisheries Act and the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, 2 p.m., 1334 Longworth.

Committee on Science, hearing on Space Station Cost Overrun, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, hearing on Congestion in the U.S. Transportation System, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on Department of Veterans Affairs Information Technology Program, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing on the Nation's Uninsured, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Collection Issues, 2 p.m., H–405 Capitol.

Subcommittee on Technical and Tactical Intelligence, executive, briefing on ELINT Issues, 10 a.m., H–405 Capitol.

Next Meeting of the SENATE

9 a.m., Wednesday, April 4

Senate Chamber

Program for Wednesday: Senate will continue consideration of H. Con. Res. 83, Congressional Budget Resolution, with votes to occur on or in relation to Grassley Amendment No. 174 (to Amendment No. 170), and Johnson Amendment No. 176 (to Amendment No. 170), beginning at 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 4

House Chamber

Program for Wednesday: Consideration of H.R. 8, Death Tax Elimination Act (modified closed rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Baca, Joe, Calif., E526
Bentsen, Ken, Tex., E509, E511
Berman, Howard L., Calif., E518, E521
Bonior, David E., Mich., E527, E529
Capps, Lois, Calif., E513
Collins, Mac, Ga., E509, E512
Conyers, John, Jr., Mich., E523
Davis, Danny K., Ill., E523
Delahunt, William D., Mass., E524
Doyle, Michael F., Pa., E528
Engel, Eliot L., N.Y., E512
Ferguson, Michael, N.J., E526, E529
Frank, Barney, Mass., E516
Gilman, Benjamin A., N.Y., E520, E524
Gutierrez, Luis V., Ill., E514
Honda, Mike, Calif., E526
Hoyer, Steny H., Md., E517
Jones, Walter B., N.C., E523
Kanjorski, Paul E., Pa., E512
Kildee, Dale E., Mich., E515
Kleczka, Gerald D., Wisc., E510
LaFalce, John J., N.Y., E517
Lantos, Tom, Calif., E515, E515
Lipinski, William O., Ill., E530
Luther, Bill, Minn., E510
McCrery, Jim, La., E516
McKeon, Howard P. ''Buck'', Calif., E530
Maloney, Carolyn, N.Y., E519
Morella, Constance A., Md., E509, E511
Neal, Richard E., Mass., E517
Norton, Eleanor Holmes, D.C., E531
Olver, John W., Mass., E514
Otter, C.L. ''Butch'', Idaho, E513
Quinn, Jack, N.Y., E513
Portman, Rob, Ohio, E528
Roemer, Tim, Ind., E510
Schakowsky, Janice D., Ill., E521
Skelton, Ike, Mo., E509, E511
Stark, Fortney Pete, Calif., E528
Stearns, Cliff, Fla., E510
Stupak, Bart, Mich., E527, E529
Tancredo, Thomas G., Colo., E511
Towns, Edolphus, N.Y., E516, E517, E518, E519
Udall, Mark, Colo., E519, E521, E524, E527, E530, E531
Udall, Tom, N.M., E523
Wamp, Zach, Tenn., E530

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