We find ourselves now with a terrorism policy which has two standards: Once you are convicted of seditious conspiracy, which is the key offense in terrorism, you may be freed if you have political friends; you will stay in jail if you don't have political friends. If you are a terrorist, go out and find some political friends. It means foreign countries will no longer have the confidence to deal with our law enforcement agencies in releasing information or even physically releasing terrorists to our control for prosecution because they will believe that person could potentially be returned to their shores.

It means trials of terrorists will now be tainted—when the charge of seditious conspiracy is included—by a clemency for 16 people who committed violent acts against the United States and were charged with seditious conspiracy.

It has undermined the morale of those who work on our front lines to protect us from terrorism. And all for what purpose? I see none that can justify this action. I think we should condemn it. I hope we, as a nation, do not have to pay a dear price because of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

APPROPRIATIONS AND OVERSIGHT

Mr. THOMAS. Mr. President, I thank the Senator from New Hampshire for sharing the results of the hearing he had this morning. It is one of the real serious issues before the Senate, as is the case with the Senator from Oklahoma when he talks about the military problems in Puerto Rico. We have a lot of things with which to deal.

Most importantly, of course, is finishing our appropriations work. The end of the fiscal year occurs within 2 weeks. We will have at that time all the appropriations bills to the President. We intend to do that. It is difficult, of course, to go through the appropriations process and stay within those boundaries we have given ourselves, to stay within the boundaries of the caps, to stay within the boundaries of available funds and, maybe most important, to stay within spending limits without reaching into Social Security funds, which I think everyone is committed not to do.

There is a great difference of philosophy about how we do this. It seems to me we need to continue to think. There are those who legitimately want to see more government, more Federal Government, more involvement, more programs, and others who believe there ought to be a limited Federal Government—that, indeed, the role of the Federal Government is limited.

I had the opportunity yesterday to celebrate with four junior highs in my hometown of Casper, WY, the 212th anniversary of the signing of the Constitution. These were 9th graders. It was great fun. Some of them had on Uncle Sam suits in red, white, and blue. They all signed their own copy of the Constitution. One of the issues talked about by these 9th graders was the 10th amendment. The 10th amendment says the Federal Government's duties are spelled out in the Constitution. If they are not, they are left to the States or the people. It was interesting to talk about that. These young people who read that say: What are some of the things that our Government is doing? Of course, there is a legitimate debate about that.

Each year, as we come into the appropriations process, it seems to me we miss an opportunity to have evaluated where we want to go, what we legitimately want to do, and then fund it. Unfortunately, we get into the funding proposition before we have decided what it is we want to do; maybe more importantly, before we have had the opportunity to measure the effectiveness of what is in place.

That is one of the reasons many Members are seeking to have a biennial budget—so that the appropriations process only takes place every other year. In that case, agencies have a longer time to know what their budget is.

The key is that the Congress has oversight responsibility. Indeed, it should be looking at the expenditures; it should be looking at programs and setting priorities; it should be decided how effective they are and what the expenditures have been.

We had a little example this morning. About a year ago, three Members asked the GAO to do an examination of the cost of Presidential travel. They came in with their primary report yesterday. Even though there are a great many trips to be made, this President has made more trips than any other President in recent history. We asked that three trips be examined—a trip to Chile, a trip to China, and a trip to Africa—to see what it cost taxpayers.

The trip to Chile. Chile is not too far. There were a couple of stops. It cost $10.5 million; 592 people traveled with the President, 109 from the White House. That was the least expensive trip.

The trip to China last year was almost $19 million; 510 people traveled, 123 from the White House.

These are the type of things at which we need to look. I think it is perfectly legitimate for the President to travel. Is it legitimate to have these costs?

Africa. There was contact with six countries. It cost nearly $43 million to visit Africa. Mr. President, 1,300 people traveled with the President, 205 from the White House.

These are the kind of expenses we should evaluate. These are the things at which we ought to look. These are the areas we ought to say: Yes, there ought to be trips, but $43 million for a trip to Africa is a bit expensive and a little extensive.

That is what the oversight is all about. I think we need to be sure we evaluate those things. We need to see if programs now in place, programs that are now being funded, are still as necessary as they were when they began, or do they need to be changed. There is a constituency that builds up around programs. Any change is resisted. That is not how to run any other business. We have to take a look to see if it is still effective, see what the mission is, see if that mission is being carried out, see if the dollars could be spent more efficiently somewhere else. That is what the budget process is about.

Now we are faced with having put together a budget some time back, about 3 or 4 years ago, and finding ourselves being pushed hard to break through the budget caps put in place at that time, largely through emergency spending. It is legitimate when we have emergencies such as we have had this year with weather.

We are committed not to go into Social Security money. The President has been saying for 4 years: Save Social Security. But he doesn't have a plan. We have a plan to save Social Security. We are going to do our work towards implementing that plan so the dollars that come in have a place to go so they, indeed, are kept for Social Security.

I think the key is the idea of individual accounts, which is what we propose to do. People under a certain age would have an individual account crediting a portion of the money they paid into Social Security. It would be their account, their money, invested in the private sector to return a much higher yield, to ensure that benefits are available. In that way, the money would not be spent for other things, as has been in the past.

It also deals with the fact that such changes have taken place. I mentioned we have to look at programs from time to time. When Social Security began, I think there were 150 people working for every beneficiary. It came down to 30. Now there are about three workers for every beneficiary and headed towards two. The choices in that program have become simple: We have to raise taxes, and most people don't want to do that; reduce benefits, and most people don't want to do that; or we can increase the return on revenue, increase the return on the money that is in the account—in this case, your individual account.

These are the kinds of things that seem to me to be part of the appropriations process, part of the budgeting process. That is what we are facing. It will be difficult to complete that task, but we are dedicated to doing it.

As I indicated, there is a legitimate difference of philosophy. I understand that. We see some of it every day. There are those who believe more spending, more government is better. There are those who believe in the 10th amendment, that more government ought to be closer to the people; that States and communities, and in the case of schools, school districts, have

the best opportunity to make the decisions that affect their children. I believe in that strongly. I think most on this side of the aisle do.

There was a long discussion about education today. Education is important to all Members. I think also there was an interesting set of polling done which indicated that for the most part, people do want to make the decisions at the local level, to make the decisions where the kids are, to make the decisions where the families are.

There is quite a difference between what needs to be done in Jugwater, WY, or Philadelphia. So the one-size-fits-all kind of program does not fit. We want to have the flexibility to make the changes that are necessary to do that.

Unfortunately, our bills will go to the President. The President has, of course, vowed to veto the tax relief bill that we have sent. I do not believe there will be much opportunity to negotiate the basis for that. That is too bad. As we project, there will be excesses. We think they ought to go back to the taxpayers. In fact, the President wants to spend more money, indeed, increase some taxes—for instance, 55 cents on cigarettes that would be there to offset more spending.

So these are the kinds of things with which we must deal. We must do that soon. I believe we are headed in the right direction to have the budget that does reflect our needs, that does deal with patients' health care. We passed a bill. We will do that and we will move forward and complete our work by the end of September.

Mr. President, I think we have taken nearly all of our time. I yield the remainder of our time and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GREGG). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BANKRUPTCY REFORM ACT OF 1999

The PRESIDING OFFICER. The time between now and 5:30 is equally divided between the Senator from Utah and the Senator from New Jersey.

Mr. HATCH. Mr. President, this bill is a bipartisan bill, drafted jointly by Senators GRASSLEY and TORRICELLI. This legislation has been developed in a fair and inclusive manner.

The reforms proposed in this bill have been carefully studied and have been deliberated upon at length. Indeed, Congress has been engaged in the consideration of this issue now for several years. The National Bankruptcy Review Commission spent two years comprehensively examining the bankruptcy system. The findings and opinions of the Commission, which were reported to Congress, have proved helpful in identifying the problems in the bankruptcy system and in finding appropriate solutions.

Furthermore, the Subcommittee on Administrative Oversight and the Courts, which is chaired by Senator GRASSLEY, has held numerous hearings on the issue of bankruptcy reform. The subcommittee heard extensive testimony on the subject from dozens of witnesses. Again, I would like to thank Senators GRASSLEY and TORRICELLI for their leadership in this important consumer bankruptcy reform, and also last session's ranking member of the Administrative Oversight and the Courts Subcommittee, Senator DURBIN, along with other members of the Senate, for their hard work on this issue.

Throughout the process of consideration of this bill, at both the subcommittee and full committee level, changes suggested by the minority were included in the bill. During this entire process, I have expressed my willingness to work to address any remaining concerns the minority has about the bill. It is apparent, however, that efforts are underway to defeat this important legislation by attaching irrelevant, extraneous ''political agenda'' items to it, such as minimum wage, guns, abortion and tobacco, to name a few.

I am open to full debate on relevant issues. Nevertheless, some of my friends on the other side of the aisle continue to tie up consideration of this bill for what appears to be political points.

Despite the efforts of those in opposition, I remain hopeful and optimistic that we will be able to pass legislation this year that provides meaningful and much-needed reform to the bankruptcy system.

The House of Representatives passed a much more stringent bankruptcy reform bill by an overwhelming bipartisan majority earlier this spring. The time has come for us to rise above politics and to do what is right for the American people. It is time for meaningful and fair bankruptcy reform.

I urge my colleagues to vote for cloture so we may consider the substance of this important legislation and make our bankruptcy system better for all Americans.

The Bankruptcy Reform Act of 1999 closes many of the loopholes in our bankruptcy system that allow unscrupulous individuals to use bankruptcy as a financial planning tool rather than as a last resort.

Despite the White House's statement of opposition to the House's bankruptcy reform bill, H.R. 833, the House of Representatives realized that the time has come to restore personal responsibility to our nation's bankruptcy system. House Democrats and Republicans alike recognized that if we do not take the opportunity to reform our broken system, every family in my own State of Utah and throughout the country, many of whom struggle to make ends meet, will continue to bear the financial burden of those who take advantage of the system. As a result, the House bill passed by an overwhelming margin of 313 to 108. Half of the House Democratic Caucus joined with every House Republican to support the bill. And notably, the House bankruptcy reform bill is more stringent in its reforms than the Senate bill before us today.

More than three decades ago, the late Albert Gore, Sr., then a Senator, commented on the moral consequences of a lax bankruptcy system. He said:

> I realize that we cannot legislate morals, but we, as responsible legislators, must bear the responsibility of writing laws which discourage immorality and encourage morality; which encourage honesty and discourage deadbeating; which make the path of the social malingerer and shirker sufficiently unpleasant to persuade him at least to investigate the way of the honest man. (Cong. Rec. 905, January 19, 1965.)

I too believe that the complete forgiveness of debt should be reserved for those who truly cannot repay their debts. S. 625 provides us with the opportunity to prevent people who can repay their debts from ''gaming the system'' by using loopholes that are presently in place.

Mr. President, S. 625 provides a needs-based means test approach to bankruptcy, under which debtors who can repay some of their debts are required to do so. It contains new measures to protect against fraud in bankruptcy, such as a requirement that debtors supply income tax returns and pay stubs, audits of bankruptcy cases, and limits on repeat bankruptcy filings. It eliminates a number of loopholes, such as the one that allows debtors to transfer their interest in real property to others who then file for bankruptcy relief and invoke the automatic stay. And, the bill puts some controls on the ability of debtors to get large cash advances on their credit cards and to buy luxury goods on the eve of filing for bankruptcy.

At the same time, the Senate bill provides many unprecedented new consumer protections. It imposes penalties upon creditors who refuse to negotiate in good faith with debtors prior to declaring bankruptcy. Also, it imposes penalties on creditors who willfully fail to properly credit payments made by the debtor in a chapter 13 plan, and for creditors who threaten to file motions in order to coerce a reaffirmation without justification. Moreover, the bill imposes new measures to discourage abusive reaffirmation practices.

Mr. President, S. 625 addresses the problem of bankruptcy mills, firms that aggressively promote bankruptcy as a financial planning tool, and often end up hurting unwitting debtors by putting them in bankruptcy when it may not be in their best interest. The bill also imposes penalties on bankruptcy petition preparers who mislead debtors.

Importantly, the bill makes major strides in trying to break the cycle of indebtedness. It educates debtors with