United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, THURSDAY, FEBRUARY 10, 2000 No. 12

House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

We confess, O gracious God, that we sometimes use prayer as a cover to plead our own case instead of listening to Your still small voice calling for repentance.

We confess that we offer our petitions to You before we offer our thanksgivings for the gifts that we have already received.

We confess, O God, that we diminish our prayers when we ask You to do what we should do for ourselves. Help us, eternal God, to see through our own agendas and become filled with the majesty and wonder and grace of Your abiding love to us and to all people.

This is our earnest prayer. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 362, nays 37, answered ''present'' 1, not voting 35, as follows:

[Roll No. 11]

YEAS—362

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Collins
Combest
Condit
Conyers
Cook
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fletcher
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—37

Aderholt
Baird
Bliley
Borski
Brady (PA)
Clyburn
Coburn
Costello
Crane

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

Crowley	McDermott	Strickland
English	Moore	Stupak
Filner	Oberstar	Thompson (CA)
Gibbons	Peterson (MN)	Thompson (MS)
Gutknecht	Pickett	Udall (NM)
Hefley	Ramstad	Visclosky
Hill (MT)	Rogan	Weller
Hilliard	Rothman	Wu
Kucinich	Sabo	
LoBiondo	Schaffer	

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—35

Barton	Everett	McCrery
Berry	Foley	Miller, George
Blunt	Fossella	Myrick
Brown (OH)	Graham	Radanovich
Burton	Hall (OH)	Sanford
Capps	Hinojosa	Sweeney
Chenoweth-Hage	Jefferson	Talent
Clay	Kasich	Taylor (NC)
Cooksey	Klink	Vento
Danner	Lipinski	Vitter
DeFazio	Lofgren	Wise
Dingell	McCollum	

□ 1023

Mr. ABERCROMBIE and Mr. MORAN of Kansas changed their vote from ''nay'' to ''yea.''

Mrs. NORTHUP changed her vote from ''present'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. SHIMKUS). Will the gentleman from New York (Mr. CROWLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. CROWLEY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minutes after business is conducted today.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2086, NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT ACT

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Report No. 106–496) providing for consideration of the bill (H.R. 2086) to authorize funding for networking and information technology research and development for fiscal years 2000 through 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 2366, THE SMALL BUSINESS LIABILITY REFORM ACT OF 2000

Ms. PRYCE of Ohio. Mr. Speaker, this afternoon a ''Dear Colleague'' letter will be sent to all Members informing them that the Committee on Rules is planning to meet the week of February 14 to grant a rule which may limit the amendment process for H.R. 2366, the Small Business Liability Reform Act of 2000.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by noon on Tuesday, February 15, to the Committee on Rules in room H–312 in the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on the Judiciary.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the office of the parliamentarian to be certain their amendments comply with the Rules of the House.

COMMUNICATION FROM DEPUTY CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Deputy Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 9, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on February 9, 2000 at 5:40 p.m. and said to contain a message from the President whereby he transmits a message on rescissions and deferrals for FY 2000 in accordance with the Congressional Budget and Impoundment Control Act of 1974.

With best wishes, I am
Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

PROPOSED RESCISSION OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–194)

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

To the Congress of the United States:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report three rescissions of budget authority, totaling $128 million, and two deferrals of budget authority, totaling $1.6 million.

The proposed rescissions affect the programs of the Department of Energy and the Department of Housing and Urban Development. The proposed deferrals affect programs of the Department of State and International Assistance Programs.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 9, 2000.*

COMMUNICATION FROM THE DEPUTY CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Deputy Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 9, 2000.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on February 9, 2000 at 5:40 p.m. and said to contain a message from the President whereby he transmits a report on Albanian compliance with U.S. and international standards in the area of emigration.

With best wishes, I am
Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

REPORT TO CONGRESS CONCERNING EMIGRATION LAWS AND POLICIES OF ALBANIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–195)

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

To the Congress of the United States:

I am submitting an updated report to the Congress concerning the emigration laws and policies of Albania. The report indicates continued Albanian compliance with U.S. and international standards in the area of emigration. In fact, Albania has imposed no emigration restrictions, including exit visa requirements, on its population since 1991.

On December 5, 1997, I determined and reported to the Congress that Albania was not in violation of paragraphs (1), (2), or (3) of subsection 402(a) of the Trade Act of 1974 or paragraphs (1), (2), or (3) of subsection 409(a) of that Act. That action allowed for the continuation of normal trade relations (NTR) status for Albania and certain other activities without the requirement of an annual waiver. This semiannual report is submitted as required by law pursuant to the determination of December 5, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 9, 2000.*

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 6, MARRIAGE TAX PENALTY RELIEF ACT

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 419

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

□ 1030

The SPEAKER pro tempore (Mr. SHIMKUS). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MOAKLEY), the ranking minority member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 419 is a structured rule providing for the consideration of H.R. 6, the Marriage Tax Penalty Relief Act of 2000. Under this rule, which is a typical rule for the consideration of tax legislation, the House will have 2 hours of general debate, equally divided between the chairman and ranking minority member of the Committee on Ways and Means.

After general debate, it will be in order to consider a substitute amendment offered by the minority which is printed in the Committee on Rules report. This substitute will be debatable for 1 hour.

Finally, the rule permits the minority to offer a motion to recommit, with or without instructions.

Mr. Speaker, as taxpayers across America receive their W–2 forms in the mail and prepare for the dreaded annual ritual of filling out tax forms and writing checks to the government, thousands of newlyweds across the Nation will be in for a very rude awakening. If they tied the knot in 1999, they may be surprised and outraged to find that their tax bill has increased by hundreds or even thousands of dollars.

Hopefully, these couples have not cashed and spent the wedding checks they received from Grandpa Joe and Aunt Lucy, because they still have to pay Uncle Sam. That is right, Mr. Speaker, the Federal government thinks marriage is cause for a tax increase.

We should not really be surprised. After all, there is not much that government does not tax. But it is hard to find a good reason to tax marriage and penalize the most fundamental institution in our society. Still, each year 42 million working Americans pay higher taxes simply because they are married. This is fundamentally unfair and discriminatory. Despite a robust economy, most families find that to make ends meet, both spouses must work.

Under our current Tax Code, working couples are pushed into a higher tax bracket because the income of the second wage-earner, often the wife, is taxed at a much higher rate. Because of the marriage penalty, 21 million families pay an average of $1,400 more in taxes than they would if they were single and living together.

We do not think it is fair or responsible to increase taxes on married couples, especially when marriage is often a precursor to added financial responsibilities such as owning a home or having children. This policy is without logic.

The Marriage Tax Penalty Relief Act will bring fairness to the Tax Code by doubling the standard deduction for married couples, expanding the 15 percent bracket so more of a couple's income is taxed at a lower rate, and increasing the amount that low-income couples can earn and still be eligible for the earned income tax credit. H.R. 6 provides relief to all couples suffering from the marriage penalty tax. That means lower taxes for almost 59,000 couples in my district alone.

My Democratic friends on the other side of the aisle say that they are for marriage penalty relief, but all the Democrats on the Committee on Ways and Means voted against this bill. The Clinton administration is issuing veto threats.

The Democrats make budget process arguments against marriage penalty relief, claiming concern about our surplus and social security. Yet, they know full well that by the time this legislation is approved by the Senate and ready to be sent to the President, our budget will be approved. Be assured, as long as Republicans keep control of Congress, our budget will be balanced.

Since earning the majority, Republicans have kept our promises and reached our budget goals, and there is no turning back now. Moreover, since it was the Republican majority who forced the White House and the Democrats to keep their hands out of the social security trust funds, my Democratic friends can rest easy knowing that we will continue to guard it faithfully.

Mr. Speaker, let us keep our eye on the ball. This debate is about a fundamentally unfair tax that discriminates against and discourages and punishes marriage. Shame on us if we cannot do this one thing to correct this blatant inequity in our tax system.

The fact is that the government is currently taking in more money than it needs to operate. That is what a budget surplus is. It is a big enough surplus that we can give some of it back to the people who earned it. What better place to start than by correcting an inequity in the Tax Code that affects 42 million Americans? I just cannot understand why my Democratic colleagues are so intent on pulling out all the stops to thwart this commonsense and very fair policy.

Mr. Speaker, it is time to either defend the marriage penalty or eliminate it, no more excuses. I hope all my colleagues will support this fair rule so we can move on to a full debate on the Marriage Tax Penalty Relief Act. I hope in the end all of my colleagues will vote in support of marriage and basic fairness by passing this long overdue legislation.

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

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

Mr. Speaker, just about everybody agrees we should get rid of the marriage tax. We just disagree on how to do it. Democrats want to target marriage tax cuts to working families, the people that really need it. We want to make sure we fix social security and Medicare, as well as implement the plan to pay off the marriage tax penalty.

Republicans, on the other hand, have a marriage tax bill that gives half of the benefits to people who pay no marriage penalty in the first place, and most of those benefits go to the top 25 percent of wage-earners. Meanwhile, Mr. Speaker, it does nothing to strengthen social security or Medicare.

Mr. Speaker, I am no tax lawyer, but I do know that if we increase the standard deduction without adjusting the alternative minimum tax, we end up just doing about nothing. By the year 2010, 47 percent of the people with two children will receive no relief whatsoever under this Republican bill. It is a tax by any other name, but it will cost just the same.

In effect, Mr. Speaker, my Republican colleagues are giving people money in the form of a marriage tax repeal and taking it away again in the form of alternative minimum taxes. As a result, millions of American families would see no net reduction of the marriage penalty tax whatsoever; that is,

Mr. Speaker, unless they are very, very rich and they do not pay any marriage penalty at all.

Mr. Speaker, once again, my Republican colleagues are willing to spend billions of dollars of social security surplus making the rich even richer but just doing nothing for anybody else. That is why this Republican bill will do for millions of American families, especially those with children, absolutely nothing.

A large number of Americans earn too little to see this bill's benefits. For that reason, my Democratic colleagues are offering our version of the marriage tax relief, one that does more for middle- and low-income families but costs a whole lot less.

This Democratic bill makes tax cuts contingent upon implementing plans to shore up Medicare, to shore up social security, and pay down the debt. This Democratic bill really does eliminate the marriage penalty for millions and millions of American families. It also costs half as much as the Republican bill, and ensures that Medicare and social security are protected. I just cannot imagine why anybody would oppose it.

Furthermore, Mr. Speaker, the Republican bill is in direct violation of the budget law, which says, in effect, we just cannot spend money before we know how much money we can spend. This tax break for the rich is just the first installment of the $800 billion tax strategy that was so resoundingly rejected last year. This year, they have carved it up into three pieces. They have cut it up into $2 billion chunks, so just think of it as that great tax break, but only on the installment plan. Either way, Mr. Speaker, it is the same bad ideas, carved up and served to us once again, and it still threatens our social security system.

Mr. Speaker, the American people opposed this idea last year, and it just has not gotten any better. So I urge my colleagues to oppose this bill and support the Democratic alternative.

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

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 1 minute to my distinguished colleague, the gentleman from California (Mr. KUYKENDALL).

Mr. KUYKENDALL. Mr. Speaker, today I rise in strong support of this rule and the legislation. The marriage tax is one of those things in government that just does not make any sense. Today we have a chance to correct this situation and pass responsible tax relief for millions of working couples who pay higher taxes simply because they chose to be married.

We need to celebrate this institution of marriage, not tax it. Why should couples have to pay more to government because they decide to spend their lives married together? That is just unfair.

Since my first day in Congress, we have debated what to do with the surplus. Some said tax cuts. I have strongly supported paying down the debt. I have introduced a resolution to pay down the debt by 2015 or earlier. But if we pass responsible, targeted tax cuts, we can accomplish both.

Cutting the marriage tax is responsible tax relief. I am proud to be fighting for the end of the marriage penalty while still making sure we pay off this national debt. This is the kind of fiscal responsibility the American people want. It is the kind of relief 25 million working couples deserve. I urge my colleagues to support this rule and the legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means and the sponsor of the Democratic version of the tax bill.

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

Mr. RANGEL. Mr. Speaker, when the President recommended relief for the marriage penalty, everybody in the House understood and agreed that we should do it. Then the President asked the Republican leaders to please come over to see which areas of the budget they could agree to. If they were serious about taking care of that, they would have raised that issue.

Probably the President would have said that they can take care of this problem with one-third of the amount of money that they intended; but they are not really concerned just with the penalty, they are concerned with a substantial tax cut.

If the Republicans were serious, they would have said, let us go to our Democratic colleagues. And we would have said, being the politicians that we are, we do not think the President was as generous as he should have been. We would have increased the amount. We would have given more benefits, even to people who had no penalty.

But do Members know what we would have done? We would have said, let us have a budget first. Let us see what we are going to do with Medicare. Let us see what we are going to do with social security and paying down the national debt. Then we would have come in with a generous bill that is our substitute to take care of the penalty, and not just to reward those who are already fortunate in the high-income brackets that have no marriage penalty.

We will have an opportunity to do this, but it is really strange. In the last year when they came up, I say to the gentleman from Massachusetts (Mr. MOAKLEY), with the $792 billion tax bill, our Republican friends were not nearly as irresponsible as the gentleman would have them to appear, because they knew ahead of time it was going to be vetoed. So they love the country, they just love gimmicks.

So this time they made certain that the President was going to veto the bill. They made certain that they had no budget to make them accountable in the bill. They made certain that they went to the distinguished chairman of the Committee on Rules and had him fold into this and waive all of the budget restrictions, and then they came to the floor and they said, we want to take care of the problem.

Well, guess what, this is not for married people. They could have gone to Hallmark if they wanted to do something for Valentine's Day. But to use the Tax Code without hearings, without negotiations, without discussion, that is a bit much.

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

Mr. RANGEL. I yield to the gentleman from California, the distinguished, intelligent, and intellectual chair of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for his somewhat thoughtful remarks and assessment of me.

I would like to say that there have been a wide range of bills that the President guaranteed that he was going to veto. I remember very well the welfare reform bill. He did in fact twice veto it, but he then signed that measure. I remember the Education Flexibility Act. He said that he was going to veto that measure. He in fact ended up signing it. There were several other measures that he talked about vetoing: the national ballistic missile defense bill; he signed it. He can sign this one, too.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

□ 1045

Mr. DREIER. Mr. Speaker, I thank my friend from Columbus, Ohio (Ms. PRYCE) for yielding me this time. I appreciate her leadership on this very, very important measure.

Mr. Speaker, I am happy to report that by a very strong, bipartisan vote, we are going to pass this measure today. As my dear friend from New York (Mr. RANGEL) knows, there are Democrats who have joined in support of this measure and there are reasons for that, because it is very clear that we are going to end one of the most illogical and unfair aspects of the Tax Code.

Even in an election year, we ought to be able to agree on some very basic principles that we all know that the American people share. One of these simple concepts is that married people should not pay more in taxes simply because they are married. That is what this debate comes down to.

The Republican marriage penalty tax relief bill helps low- and middle-income working families, particularly women and minorities who bear a disproportionate share of that unfair burden.

The American people support tax relief like this bill today. They very much want us to deal with some effort to pay down this huge national debt that we have and, of course, we are all

well aware of the fact that they want us to ensure retirement security.

Republicans are moving forward, I am happy to say, on all three of those. However, we cannot hold this marriage penalty tax relief bill hostage to a massive, all encompassing budget deal and negotiations that some will try to derail so that they can call this a do-nothing Congress.

We have gotten to the point where we have a chance to help middle-income wage earners who are struggling to make ends meet, who on average we see a $1,400 loss for them because of this penalty. We know very well, and my friend, the gentleman from New York (Mr. RANGEL), up in the Committee on Rules when we were discussing this measure made it clear that this bill does not in any way threaten protecting Social Security or our quest for paying down the debt.

We have a very fair rule here. It is a structured rule which allows for the consideration of the Minority substitute, and we will have a motion to recommit. At the same time, it is also a very fair bill; and I hope we will be able to see, as I predict, a strong bipartisan vote.

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

Mr. DREIER. I yield to the gentleman from New York, my very good friend the ranking minority member, and I want him to stay in that position for many years to come.

Mr. RANGEL. Mr. Speaker, I will be a minority for a long time but not in this House.

I joined the gentleman in supporting the rule because he was fair enough to allow us to do the right thing in the substitute, but one of the arguments against our bill is that it provides no relief because we say Social Security, Medicare and paying down the national debt. I do not know why the gentleman's people do not want to do that first, but they will be given an opportunity to do all four of them and take care of the marriage penalty.

Mr. DREIER. Mr. Speaker, I thank my friend for his contribution, and I can only infer that he is reaffirming the statement that he made upstairs that, in fact, our bill does make sure that we pay down Social Security and work on debt reduction.

Mr. RANGEL. And take care of the rich at the same time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, as a supporter of eliminating the marriage penalty tax, I am very disappointed in the way the Republican leadership has brought this issue to the floor today. It is like Ronald Reagan said over a decade ago, here they go again. Only this Republican leadership can take a consensus issue, such as the marriage penalty tax cut, and politicize it to the point of failure.

The marriage penalty, as my colleague from California said, is illogical and unfair; but it is wrong to fix it in an illogical and unfair way. It is irresponsible for the Republican leadership to bring this kind of tax cut measure to the floor outside of the context of the entire budget. If we are to be fiscally responsible and maintain our balanced budget and the era of surpluses, we cannot make these kinds of decisions in a vacuum.

Mr. Speaker, American working families need tax relief. A couple on their wedding day should not be handed a tax bill from the Federal Government, and in my district in the East Bay Area of San Francisco more than 65,000 working families pay a marriage penalty. This is the money they should be spending on educating their children, providing health care for their families, or saving for their retirement.

Bringing this bill to this floor in this way is wrong. I urge my colleagues to support the Democratic alternative and vote no on this bill.

Mrs. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to my distinguished colleague, the gentleman from Indiana (Mr. MCINTOSH), who has done so much hard work on this bill.

Mr. MCINTOSH. Mr. Speaker, I rise in support of the resolution and in support of the bill. Three years ago I received a letter from two of my constituents, Sharon Mallory and Darryl Pierce, and they wrote to me how they both were workers in the Ford electronics plant making about $9.00 an hour, certainly not what any of us would think of as rich. Sharon went on to explain they cannot afford to get married because she would forfeit her $900 tax refund and have to pay $2,800 in taxes when they were married.

She closed her letter saying Darryl and I would very much like to be married, and I must say it broke our hearts when we found out we cannot afford it. We hope some day the government will allow us to get married by not penalizing us.

Today we are taking a gigantic step forward to fulfill Sharon Mallory's wish to remove this penalty that the government imposes on people who want to get married and who are married in this country of ours.

The gentlewoman who preceded me pointed out that she had 65,000 in her district, couples who are married subject to the marriage penalty. The Democratic substitute she urged us to pass would do nothing. It is scored as zero tax relief for those 65,000 couples. It is a paper tiger. It does actually nothing to allow them to have that tax relief.

I will include in the RECORD the Heritage study from which that 65,000 number was drawn so that people can see all of the districts in this Congress and how many Americans are affected by it.

Let me urge my colleagues to support this resolution and support the bill because of what it does. It provides tax relief to married couples who own their homes. The Democrat substitute provides no tax relief for the marriage penalty if one owns a home and itemizes. It provides up to $1,400 in tax relief by doubling the standard deduction and widening the 15 percent bracket, the two ways that the marriage penalty hits most people in this country.

This bill is an easy bill to pass. At a time when we have $1.8 trillion in surplus in our budget, this would use up just one-tenth of that, to do what is right; to allow people like Sharon Mallory to finally pursue their dream to get married, live in happiness and not fear that the government will punish them simply because they are married.

I would urge all of my colleagues on the Democratic side, on the Republican side, pass this bill. Let it move forward to the Senate so we can get it to the President and he can sign it and we can have real relief for married couples in this country.

Mr. Speaker, I include for the RECORD a listing by district of the number of couples affected by the marriage penalty.

State and Congressional District	Name of Representative	Party	Number of couples affected by marriage penalty
Alabama:			
1	Sonny Callahan	R	56,747
2	Terry Everett	R	63,679
3	Bob Riley	R	60,392
4	Robert Aderholt	R	63,664
5	Robert E. Cramer	D	66,356
6	Spencer Bachus	R	66,486
7	Earl F. Hilliard	D	47,632
State total			424,956
Alaska:			
At large	Don Young	R	66,876
Arizona:			
1	Matt Salmon	R	65,373
2	Ed Pastor	D	49,832
3	Bob Stump	R	57,504
4	John B. Shadegg	R	68,699
5	Jim Kolbe	R	58,902
6	J.D. Hayworth	R	52,429
State total			352,738
Arkansas:			
1	Marion Berry	D	50,565
2	Vic Snyder	D	55,159
3	Asa Hutchinson	R	54,625
4	Jay Dickey	R	47,327
State total			207,677
California:			
1	Mike Thompson	D	52,954
2	Wally Herger	R	47,553
3	Doug Ose	R	55,096
4	John T. Doolittle	R	57,132
5	Robert T. Matsui	D	48,251
6	Lynn C. Woolsey	D	58,003
7	George Miller	D	57,185
8	Nancy Pelosi	D	40,473
9	Barbara Lee	D	43,471
10	Ellen O. Tauscher	D	65,228
11	Richard W. Pombo	R	51,854
12	Tom Lantos	D	59,616
13	Fortney Stark	D	63,214
14	Anna G. Eshoo	D	59,229
15	Tom Campbell	R	64,206
16	Zoe Lofgren	D	54,939
17	Sam Farr	D	53,078
18	Gary Condit	D	51,952
19	George P. Radanovich	R	52,576
20	Calvin M. Dooley	D	44,298
21	William M. Thomas	R	51,876
22	Lois Capps	D	51,174
23	Elton Gallegly	R	59,320
24	Brad Sherman	D	61,438
25	Howard P. McKeon	R	60,273
26	Howard L. Berman	D	49,377
27	James E. Rogan	R	54,160
28	David Dreier	R	59,070
29	Henry A. Waxman	D	42,606
30	Xavier Becerra	D	44,685
31	Matthew G. Martinez	D	47,275
32	Julian C. Dixon	D	45,198
33	Lucille Roybal-Allard	D	38,069
34	Grace F. Napolitano	D	52,281

State and Congressional District	Name of Representative	Party	Number of couples affected by marriage penalty
35	Maxine Waters	D	41,664
36	Steven T. Kuykendall	R	58,266
37	Juanita Millender-McDonald.	D	42,068
38	Steve Horn	R	48,899
39	Edward Royce	R	62,958
40	Jerry Lewis	R	49,590
41	Gary G. Miller	R	59,081
42	George E. Brown	D	51,363
43	Ken Calvert	R	54,878
44	Mary Bono	R	46,014
45	Dana Rohrabacher	R	59,579
46	Loretta Sanchez	D	50,574
47	Christopher Cox	R	63,022
48	Ron Packard	R	58,781
49	Brian P. Bilbray	R	45,508
50	Bob Filner	D	47,013
51	Randy Cunningham	R	60,052
52	Duncan L. Hunter	R	55,739
State total			2,752,159
Colorado:			
1	Diana DeGette	D	60,530
2	Mark Udall	D	79,685
3	Scott McInnis	R	69,766
4	Bob Schaffer	R	74,522
5	Joel Hefley	R	77,528
6	Thomas G. Tancredo	R	82,547
State total			444,578
Connecticut:			
1	John B. Larson	D	54,847
2	Sam Gejdenson	D	58,551
3	Rosa L. DeLauro	D	55,985
4	Christopher Shays	R	55,234
5	James H. Maloney	D	60,893
6	Nancy L. Johnson	R	61,796
State total			347,306
Delaware:			
At large	Michael N. Castle	R	74,120
District of Columbia:			
At large	Eleanor Holmes Norton	D	27,117
Florida:			
1	Joe Scarborough	R	53,832
2	F. Allen Boyd	D	52,640
3	Corrine Brown	D	44,474
4	Tillie K. Fowler	R	56,876
5	Karen L. Thurman	D	41,900
6	Cliff Stearns	R	52,391
7	John L. Mica	R	57,202
8	Bill McCollum	R	57,798
9	Michael Bilrakis	R	53,928
10	C.W. Bill Young	R	48,921
11	Jim Davis	D	53,627
12	Charles T. Canady	R	52,052
13	Dan Miller	R	46,602
14	Porter J. Goss	R	48,989
15	David Weldon	R	53,180
16	Mark Foley	R	51,021
17	Carrie P. Meek	D	44,037
18	Ileana Ros-Lehtinen	R	50,461
19	Robert Wexler	D	50,921
20	Peter Deutsch	D	57,696
21	Lincoln Diaz-Balart	R	60,076
22	E. Clay Shaw	R	42,810
23	Alcee L. Hastings	D	45,189
State total			1,176,623
Georgia:			
1	Jack Kingston	R	62,397
2	Sanford D. Bishop	D	52,397
3	Michael Collins	R	72,108
4	Cynthia McKinney	D	75,447
5	John Lewis	D	50,963
6	Johnny Isakson	R	78,795
7	Bob Barr	R	70,617
8	Saxby Chambliss	R	67,271
9	Nathan Deal	R	72,202
10	Charles W. Norwood	R	66,424
11	John Linder	R	59,903
State total			728,525
Hawaii:			
1	Neil Abercrombie	D	54,265
2	Patsy T. Mink	D	52,150
State total			106,415
Idaho:			
1	Helen P. Chenoweth	R	65,242
2	Michael K. Simpson	R	64,468
State total			129,710
Illinois:			
1	Bobby L. Rush	D	42,961
2	Jessie L. Jackson	D	50,527
3	William O. Lipinski	D	60,032
4	Luis V. Gutierrez	D	42,680
5	Rod R. Blagojevich	D	54,712
6	Henry J. Hyde	R	68,046
7	Danny K. Davis	D	40,467
8	Philip M. Crane	R	70,832
9	Janice D. Schakowsky	D	52,160
10	John Edward Porter	R	65,845
11	Jerry Weller	R	59,536
12	Jerry F. Costello	D	52,835
13	Judy Biggert	R	69,312
14	J. Dennis Hastert	R	65,185
15	Thomas W. Ewing	R	57,007
16	Donald A. Manzullo	R	65,058
17	Lane Evans	D	57,063
18	Ray LaHood	R	60,551
19	David D. Phelps	D	55,528
20	John Shimkus	R	58,859
State total			1,149,198
Indiana:			
1	Peter J. Visclosky	D	54,601
2	David M. McIntosh	R	59,333
3	Timothy J. Roemer	D	60,672
4	Mark E. Souder	R	65,246
5	Stephen E. Buyer	R	62,127
6	Dan Burton	R	69,809
7	Edward A. Pease	R	59,986
8	John N. Hostettler	R	58,083
9	Baron P. Hill	D	62,425
10	Julia Carson	R	53,742
State total			606,022
Iowa:			
1	James A. Leach	R	58,552
2	Jim Nussle	R	58,340
3	Leonard L. Boswell	D	58,234
4	Greg Ganske	R	62,044
5	Tom Latham	R	59,672
State total			296,842
Kansas:			
1	Jerry Moran	R	66,213
2	Jim Ryun	R	61,861
3	Dennis Moore	D	66,789
4	Todd Tiahrt	R	65,041
State total			259,904
Kentucky:			
1	Edward Whitfield	R	60,879
2	Ron Lewis	R	65,790
3	Anne M. Northup	R	61,624
4	Ken Lucas	D	64,722
5	Harold Rogers	R	44,065
6	Ernest L. Fletcher	R	66,491
State total			363,572
Louisiana:			
1	David Vitter	R	53,084
2	William J. Jefferson	D	39,319
3	W. J. Tauzin	R	47,785
4	Jim McCrery	R	37,683
5	John Cooksey	R	49,974
6	Richard H. Baker	R	51,502
7	Christopher John	D	44,996
State total			324,343
Maine:			
1	Thomas H. Allen	D	69,013
2	John Elias Baldacci	D	59,729
State total			128,832
Maryland:			
1	Wayne T. Gilchrest	R	69,668
2	Robert L. Ehrlich	R	71502
3	Benjamin L. Cardin	D	66,851
4	Albert R. Wynn	D	70,749
5	Steny H. Hoyer	D	74,288
6	Roscoe G. Bartlett	R	72,357
7	Elijah Cummings	D	51,329
8	Constance A. Morella	R	75,518
State total			552,262
Massachusetts:			
1	John W. Olver	D	60,207
2	Richard E. Neal	D	61,386
3	James P. McGovern	D	64,300
4	Barney Frank	D	62,483
5	Martin T. Meehan	D	65,488
6	John F. Tierney	D	65,995
7	Edward J. Markey	D	63,757
8	Michael E. Capuano	D	43,087
9	John Joseph Moakley	D	60,190
10	William D. Delahunt	D	62,821
State total			609,713
Michigan:			
1	Bart T. Stupak	D	53,222
2	Peter Hoekstra	R	59,111
3	Vernon J. Ehlers	R	59,536
4	Dave Camp	R	53,291
5	James A. Barcia	D	53,465
6	Fred S. Upton	R	57,296
7	Nick Smith	R	57,423
8	Debbie Stabenow	E	58,359
9	Dale E. Kildee	D	54,543
10	David E. Bonior	D	60,939
11	Joseph Knollenberg	R	65,479
12	Sander M. Levin	D	61,086
13	Lynn N. Rivers	D	57,471
14	John Convers	D	42,361
15	Carolyn C. Kilpatrick	D	30,136
16	John D. Dingell	D	56,966
State total			800,682
Minnesota:			
1	Gil Gutknecht	R	70,187
2	David Minge	D	71,909
3	Jim Ramstad	r	79,333
4	Bruce F. Vento	D	64,889
5	Martin Olav Sabo	D	56,730
6	William P. Luther	D	80,846
7	Collin C. Peterson	D	64,693
8	James L. Oberstar	D	62,008
State total			550,595
Mississippi:			
1	Roger F. Wicker	R	50,951
2	Bennie G. Thompson	D	37,268
3	Charles Pickering	R	47,423
4	Ronnie Shows	R	42,555
5	Gene Taylor	D	43,989
State total			222,187
Missouri:			
1	William Clay	D	52,961
2	James M. Talent	R	73,164
3	Richard A. Gephardt	D	65,094
4	Ike Skelton	D	65,282
5	Karen McCarthy	D	60,731
6	Pat Danner	D	68,240
7	Roy Blunt	R	63,563
8	Jo Ann Emerson	R	58,008
9	Kenny C. Hulshof	R	66,013
State total			573,057
Montana:			
At large	Rick Hill	R	89,169
Nebraska:			
1	Doug Bereuter	R	58,135
2	Lee Terry	R	58,122
3	Bill Barrett	R	58,336
State total			174,593
Nevada:			
1 Shelley	Berkley	D	69,837
2 James A.	Gibbons	R	76,304
State total			146,142
New Hampshire:			
1	John E. Sununu	R	69,881
2	Charles F. Bass	R	69,792
State total			139,673
New Jersey:			
1	Robert E. Andrews	D	59,742
2	Frank A.J. LoBiondo	R	58,821
3	Jim Saxton	R	63,735
4	Christopher H. Smith	R	61,098
5	Marge Roukema	R	70,011
6	Frank Pallone	D	64,052
7	Bob Franks	R	70,515
8	William Pascrell	D	61,959
9	Steven R. Rothman	D	62,157
10	Donald M. Payne	D	51,445
11	Rodney P. Frelinghuysen	R	72,605
12	Rush D. Holt	D	69,953
13	Robert Menendez	D	52,022
State total			818,116
New Mexico:			
1	Heather Wilson	R	51,894
2	Joe Skeen	R	44,780
3	Tom Udall	D	46,764
State total			143,438
New York:			
1	Michael P. Forbes	D	56,134
2	Rick A. Lazio	R	58,406
3	Peter T. King	R	60,425
4	Carolyn McCarthy	D	56,679
5	Gary L. Ackerman	D	57,264
6	Gregory M. Meeks	D	49,452
7	Joseph Crowley	D	45,888
8	Jerrold L. Nadler	D	36,726
9	Anthony D. Weiner	D	47,039
10	Edolphus Towns	D	35,208
11	Major R. Owens	D	41,454
12	Nydia M. Velazquez	D	36,971
13	Vito Fossella	R	49,174
14	Carolyn B. Maloney	D	41,628
15	Charles B. Rangel	D	29,900
16	Jose E. Serrano	D	27,496

State and Congressional District	Name of Representative	Party	Number of couples affected by marriage penalty
17	Eliot L. Engel	D	41,920
18	Nita M. Lowey	D	54,017
19	Sue W. Kelly	R	57,614
20	Benjamin A. Gilman	R	57,598
21	Michael R. McNulty	D	51,222
22	John E. Sweeney	R	56,962
23	Sherwood L. Boehlert	R	50,888
24	John M. McHugh	R	48,853
25	James T. Walsh	R	52,646
26	Maurice D. Hinchey	D	49,540
27	Thomas M. Reynolds	R	57,236
28	Louise McIntosh Slaughter.	D	50,919
29	John J. LaFalce	D	51,423
30	Jack Quinn	R	49,607
31	Amo Houghton	R	50,785
State total			1,511,164
North Carolina:			
1	Eva M. Clayton	D	48,949
2	Bob Etheridge	D	60,176
3	Walter B. Jones	R	57,783
4	David E. Price	D	61,042
5	Richard M. Burr	R	60,785
6	Howard Coble	R	66,220
7	Mike McIntyre	D	51,564
8	Robin Hayes	R	60,232
9	Sue Myrick	R	64,916
10	Cass Ballenger	R	67,439
11	Charles H. Taylor	R	55,897
12	Melvin Watt	D	52,299
State total			707,393
North Dakota:			
At large	Earl Pomeroy	D	65,182
Ohio:			
1	Steven J. Chabot	R	50,439
2	Rob Portman	R	62,646
3	Tony P. Hall	D	57,172
4	Michael G. Oxley	R	59,341
5	Paul E. Gillmor	R	63,245
6	Ted Strickland	D	49,998
7	David L. Hobson	R	60,415
8	John A. Boehner	R	62,222
9	Marcy Kaptur	D	54,612
10	Dennis J. Kucinich	D	55,071
11	Stephanie Tubbs Jones	D	44,387
12	John R. Kasich	R	59,563
13	Sherrod Brown	D	61,469
14	Thomas C. Sawyer	D	55,252
15	Deborah Pryce	R	58,779
16	Ralph Regula	R	58,058
17	James A. Traficant	D	52,108
18	Robert W. Ney	R	52,652
19	Steven C. LaTourette	R	61,903
State total			1,079,332
Oklahoma:			
1	Steve Largent	R	53,858
2	Tom A. Coburn	R	49,086
3	Wes Watkins	R	47,053
4	J.C. Watts	R	53,316
5	Ernest J. Istook	R	55,193
6	Frank D. Lucas	R	50,503
State total			309,010
Oregon:			
1	David Wu	D	70,770
2	Greg Walden	R	65,455
3	Earl Blumenauer	D	63,342
4	Peter A. DeFazio	D	62,608
5	Darlene Hooley	D	67,115
State total			329,289
Pennsylvania:			
1	Robert A. Brady	D	36,631
2	Chaka Fattah	D	40,398
3	Robert A. Borski	D	49,023
4	Ron Klink	D	52,612
5	John E. Peterson	R	50,461
6	Tim Holden	D	57,582
7	Curt Weldon	R	59,674
8	James C. Greenwood	R	64,507
9	Bud Shuster	R	55,538
10	Don Sherwood	R	54,417
11	Paul E. Kanjorski	D	53,044
12	John P. Murtha	D	47,161
13	Joseph M. Hoeffel	D	62,089
14	William J. Coyne	D	45,161
15	Patrick J. Toomey	R	58,875
16	Joseph R. Pitts	R	59,764
17	George W. Gekas	R	61,723
18	Michael F. Doyle	D	53,671
19	William F. Goodling	R	63,076
20	Frank Mascara	D	50,277
21	Philip S. English	R	52,227
State total			1,127,911
Rhode Island:			
1	Patrick J. Kennedy	D	51,692
2	Robert Weygand	D	51,668
State total			103,359
South Carolina:			
1	Marshall Sanford	R	58,552
2	Floyd Spence	R	59,118
3	Lindsey O. Graham	R	59,576
4	Jim DeMint	R	60,935
5	John M. Spratt	D	58,110
6	James E. Clyburn	D	48,504
State total			344,794
South Dakota:			
At large	John R. Thune	R	75,114
Tennessee:			
1	William L. Jenkins	R	57,951
2	John J. Duncan	R	58,189
3	Zachary P. Wamp	R	55,895
4	Van Hilleary	R	56,884
5	Bob Clement	D	56,284
6	Bart Gordon	D	64,216
7	Ed Bryant	R	61,121
8	John S. Tanner	D	56,686
9	Harold E. Ford	D	46,087
State total			513,314
Texas:			
1	Max Sandlin	D	55,082
2	Jim Turner	D	50,867
3	Sam Johnson	R	73,236
4	Ralph M. Hall	D	63,380
5	Pete Sessions	R	54,773
6	Joe L. Barton	R	76,230
7	Bill Archer	R	68,594
8	Kevin Brady	R	64,704
9	Nicholas V. Lampson	D	57,677
10	Lloyd Doggett	D	58,612
11	Chet Edwards	D	57,320
12	Kay Granger	R	60,536
13	William M. Thornberry	R	55,869
14	Ron Paul	R	57,103
15	Ruben Hinojosa	D	47,947
16	Silvestre Reyes	D	50,584
17	Charles W. Stenholm	D	57,649
18	Sheila Jackson-Lee	D	48,709
19	Larry Combest	R	63,088
20	Charles A. Gonzalez	D	51,273
21	Lamar S. Smith	R	65,899
22	Tom DeLay	R	67,804
23	Henry Bonilla	R	53,225
24	Martin Frost	D	61,197
25	Kenneth E. Bentsen	D	61,337
26	Richard K. Armey	R	74,098
27	Solomon P. Ortiz	D	50,820
28	Cira D. Rodriguez	D	52,293
29	Gene Green	D	46,253
30	Eddie Bernice Johnson	D	52,880
State total			1,759,038
Utah:			
1	James V. Hansen	R	70,952
2	Merrill Cook	R	71,856
3	Christopher Cannon	R	67,264
State total			210,073
Vermont:			
At large	Bernard Sanders	I	63,836
Virginia:			
1	Herbert H. Bateman	R	60,412
2	Owen B. Pickett	D	56,458
3	Robert C. Scott	D	46,775
4	Norman Sisisky	D	58,346
5	Virgil H. Goode	I	58,049
6	Robert W. Goodlatte	R	56,414
7	Thomas J. Bliley	R	63,630
8	James P. Moran	D	58,895
9	Rick Boucher	D	50,101
10	Frank R. Wolf	R	67,527
11	Thomas M. Davis	R	66,604
State total			643,209
Washington:			
1	Jay Inslee	D	70,815
2	Jack Metcalf	R	62,611
3	Brian Baird	D	60,905
4	Richard Hastings	R	61,191
5	George R. Nethercutt	R	58,153
6	Norman D. Dicks	D	55,419
7	Jim McDermott	D	53,387
8	Jennifer Dunn	R	72,796
9	Adam Smith	D	63,984
State total			559,262
West Virginia:			
1	Alan B. Mollohan	D	48,062
2	Robert E. Wise	D	49,983
3	Nick J. Rahall	D	39,340
State total			137,385
Wisconsin:			
1	Paul Ryan	R	61,060
2	Tammy Baldwin	D	63,731
3	Ron Kind	D	60,875
4	Gerald D. Kleczka	D	61,583
5	Thomas M. Barrett	D	47,411
6	Thomas E. Petri	R	62,599
7	David R. Obey	D	60,802
8	Mark Green	R	61,753
9	F. James Sensenbrenner	R	69,085
State total			548,859
Wyoming:			
At large	Barbara Cubin	R	45,336
US Total			25,000,000

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, when Republicans and Democrats support basically the same idea, the people expect us to come together and get together. Instead, the Republicans have drafted their bill in secret, as if this were a one-party state. If we look at their bill, it immediately becomes clear why. Half the benefit in their bill goes to couples who pay no marriage penalty.

Are we fixing the marriage penalty or giving a marriage bonus to rich couples who have no children? The stock market is already doing quite fine by them.

Even the rich would not object if we bring in millions of low- and moderate-income Americans who do pay the marriage penalty but get nothing under the Republican bill. These are the lost couples. They are the ones who where they both work, they have kids, they cannot get the earned income tax credit and now they will not qualify for the Republicans' marriage penalty relief.

When the Republicans finish trooping to the floor, slice by slice, with their tax cuts, they are going to find out that the American people can add and it still adds up to $700 billion plus, most of it going to the rich.

We are not here to support Donald Trump and whoever the next Ivana may be. Americans rich enough to need a prenuptial agreement are not demanding marriage penalty relief. Give the relief to struggling working families with kids who need it and get nothing under the Republican bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, the bottom line is, couples should not be punished by the government for making that decision to get married. Yet the current Tax Code pushes those married couples filing jointly into higher tax brackets. The bottom line is, this is wrong.

I strongly support this Marriage Tax Elimination Act. It provides relief from the marriage penalty. This unfair tax is keeping parents from doing all they want to do for their children. In many cases, it is requiring both parents to work full time when one of

them may prefer to work part time and spend more time with their children.

Right now, married couples pay an average of $1,400 a year more in taxes every year, every year. Frankly, over a decade, that money could go towards a family car or a college education or a down payment on a new home or better health care coverage or for retirement savings. It is their money. It is time to end the marriage penalty.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget.

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

Mr. SPRATT. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, Members should know that if they vote for this rule, they vote to violate the Congressional Budget Act of 1974. They vote to discard the discipline that has brought us from $290 billion deficits to $125 billion surpluses.

For 25 years, section 303, black letter law of the Congressional Budget Act, has wisely provided that Congress shall not take up major tax cuts of this magnitude or for that matter major spending increases without first adopting a budget resolution. That has been the procedure for 25 years, and for good reason. It requires to take something of this magnitude and put it in the framework of a budget and face it off against competing alternatives.

By not doing that, the result today will be, if we pass this bill, pass this rule, a bill that will drain $182 billion off of a surplus of about $800 billion. Twenty-five percent of the surplus will be disposed of today in one fell swoop without considering other things that we could have done for it.

Now, the rule serves a purpose. It is not some arcane rule. It says, do not do something of this magnitude, either on the tax side or the spending side, in isolation. Do it comprehensively. Consider other alternatives. Do it and see what the trade-offs of doing it are.

I want to defang the marital penalty as much as anybody else. I will gladly vote to do it, but we can vote for it by voting to double the standard deduction, cost about $44.8 billion, and then do something else. The families who are faced with this so-called marital penalty will soon be faced with the AMT, the alternative minimum tax. We never meant for them to be confronted with the AMT. That problem can be fixed, too. The cost is $32.8 billion, a total of $77 billion. Then there is $105 billion left over.

For that $105 billion, we can do Medicare prescription drug coverage per the President's proposal over the next 10 years, or we can go to the President's proposals for tax cuts this year and we have a whole list of things to do. We can expand tuition tax credits. We can provide for school construction bond subsidies. We can fix the EITC. We can expand the child care tax credit. Surely that is pro middle-income family, working families. We can add to the long-term care tax credit, a tax credit of $3,000; and we still have enough left over to do the President's proposed retirement savings account.

All of this can be done in addition to fixing the marital penalty and also fixing the AMT. That is what is wrong. That is what is out of place with this rule. It violates the Congressional Budget Act. It requires us to do something in isolation ad hoc, and what this will lead to is ragged results.

Lots of stuff left on the cutting room floor that has not been fairly considered. There is a better way of doing this. I am for the marital penalty correction but I am for doing it in the proper way.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to my distinguished colleague, the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means, the author of much of this tax relief provision and America's greatest champion for marriage penalty relief.

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

Mr. WELLER. Mr. Speaker, we have often asked over the last several years, is it right, is it fair, that under our Tax Code, 25 million married working couples on average pay $1,400 more in higher taxes just because they are married?

□ 1100

Clearly the folks back home in the south side of Chicago and the south suburbs that I have the privilege of representing say it is just wrong, it is unfair that married working couples pay more just because they are married. $1,400 in Illinois, it is 1 year's tuition for a nursing student at Joliet Junior college. It is 3 months of day care. It is a washer and dryer to take care of the kids' clothes.

Let me point out what causes the marriage tax penalty. The marriage tax penalty, I have got a machinist and a schoolteacher, $31,000 in income or $31,500 of income each. While the machinist stays single, he is in the 15 percent tax bracket; the same with the schoolteacher. But they chose to get married. Because when they are married, they file jointly, they are pushed into the 28 percent tax bracket, causing almost $1,400 in marriage tax penalty.

We want to help couples like the machinist and schoolteacher, people who pay the marriage tax penalty. We do that in several ways. Of course, if my colleagues listen to the folks in the bipartisan Joint Committee on Taxation, they point out that one-half of those who suffer the marriage tax penalty, and there is 1.1 million married couples suffering the marriage tax penalty in Illinois, one-half of them itemize their taxes, and one-half of them do not.

If we are going to wipe out the marriage tax penalty for everyone and be fair about it, we have to help both. Of course, that means that those who do not itemize, we double the standard deduction, which helps wipe out their marriage tax penalty.

For those who do itemize, and if one itemizes, one is probably a homeowner. Most middle-class families pursue the American dream. That is why they itemize as a homeowner or give to their church or charity or synagogue or they have student loan expenses. We help them by widening the 15 percent bracket. We also help the working poor by increasing the income eligibility for their earned income credit, erasing that marriage penalty as well.

My Democratic friends have a substitute. They claim it just helps those who do not itemize. That is all they want to help. If one is a homeowner, tough. But under the Democrat's substitute, according to the bipartisan Joint Committee on Taxation, the Democrat plan is phony. It is phony. It is a sham. According to Joint Committee on Taxation, the Democrat substitute they are going to offer today provides zero, nada, nothing in marriage tax relief. It is designed never to work.

Mr. Speaker, we want to eliminate the marriage tax penalty. People often point out that next week is Valentine's Day. When one thinks about it, for 25 million married working couples, what better gift to give them than bipartisan support that helps everyone who suffers the marriage tax penalty, those who do not itemize as well as homeowners and those who give to church and charity as well as the working poor.

Let us wipe out the marriage tax penalty for everyone. It is all about fairness in the Tax Code. Not just give relief to a handful, but let us eliminate the marriage tax penalty for everyone.

Mr. MOAKLEY. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the Minority Leader of the Democratic Party.

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

Mr. GEPHARDT. Mr. Speaker, it may seem to some people watching this debate today that we have heard it before. Last year, Republicans tried to sell their trillion dollar tax cut to the American people. They had town hall meetings. They had a road tour across America to pump up grassroots support.

The gentleman from Texas (Mr. ARMEY), the Majority Leader, was on a television show and said this, ''We believe that public opinion is going to come out strong for this package as it is better understood. And we believe the President will respond to that.''

Well, the more the American people heard, the less they liked it. In fact, by the time Republicans returned to Washington in September, we did not

hear a peep about the reckless plan to spend the budget surplus on an irresponsible tax cut. They have never tried once to override the President's veto of this risky and unpopular plan. It seems to me at least there would be a try, an attempt to override the veto if it is so popular and needed.

So now the Republicans have a new strategy. They are taking the same chocolate cake they tried to devour in a single setting last summer and dividing it into six pieces to eat one at a time. Well, they are not fooling anyone. They have twisted and contorted the legislative process into nothing more than a marketing scheme designed to make last year's unpopular tax cut more palatable.

It is bad enough that we are voting today on a costly tax cut with no committee hearings and no budget. But even worse, we are squandering a golden opportunity for future generations.

We should, instead, be using the opportunity of a surplus to extend the life of Social Security and Medicare. We need to pay off the entire national debt by the year 2013. We should be considering tax cuts only as a part of a package that achieves all of these goals. Democrats support a marriage penalty tax cut. But it needs to be a tax cut that fixes the problem, not a back door means to enact a trillion dollar tax cut in cuts and pieces and bits.

Nearly half of the relief of the Republican bill goes to people other than those that are penalized by the marriage penalty. Our alternative is targeted to the middle-class families who really need it, married couples that are currently penalized by the current surplus. We do not squander the surplus with our tax cut; we fix the problem.

Instead of engaging in a tax cut feeding frenzy, Republicans should first put together a budget that meets the needs of working families. They need to come up with a budget plan to assure all Americans that they do not plan on passing tax cuts that, taken together, are the size of Governor Bush's massive and irresponsible $1.8 trillion tax cut plan.

We need tax cuts that help all middle-class families, that reward work, support education, assist with long-term care, and support marriage. But before we do that, we need to come up with a budget plan that strengthens Social Security and Medicare first and that pays off the national debt by 2013. Anything less threatens our prosperity and risks our future.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from Florida (Mr. GOSS), a member of the Committee on Rules and a champion for marriage penalty relief.

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

Mr. GOSS. Mr. Speaker, I thank the distinguished gentlewoman from Columbus, Ohio (Ms. PRYCE), for yielding me this time.

I rise in support of this very fair rule as well as the underlying bill. It turns out we have got about 49,000 married, tax-paying couples in my district in southwest Florida; and they understand and appreciate very well why we are here today. Also, I think we have 230 of my House colleagues, presumably tax paying, Republican and Democrat, who understand it very well, too.

We know that one of the most pernicious aspects of our current Tax Code is the way in which it financially punishes men and women who choose to get married. Today we will take a direct, firm, and appropriate step to right a wrong.

I am puzzled to hear friends from the other side of the aisle disparage this fine work product. The gentleman from Massachusetts (Mr. MOAKLEY) says it is not enough relief. But we just had the Joint Committee on Taxation say that the substitute that his team has come up with provides zero relief, no dollar relief. I invite the gentleman from Massachusetts to join us because we have more relief than zero. Maybe we do not have enough. If the gentleman wishes to lead us further into more tax cuts, I will be right there by his side.

But it seems that, around here at least, that bipartisanship may be in the eye of the beholder. Just last week, I recall the House entertained a motion to instruct on patient protection legislation, which we are all interested in, billed by its champions as a great bipartisan achievement when we all voted for that. It was. Yet today, our Democratic friends spin themselves into a tight circle trying to justify why they cannot support this modest but necessary and fair bipartisan tax step towards tax fairness.

Well, we are going to hear a lot about process; we always do. We are going to hear a lot about class warfare rhetoric today; we already have, and we will hear more. But we will not hear a compelling argument about this modest and sensible bill because there just is not one.

The facts, more than 21 million couples are forced to shell out, on average, $1,400 more than if they had chosen to remain single and not get married. That is a penalty, a financial penalty. Working women are particularly hit hard in this process, as one can figure.

Although President Clinton has consistently fought our efforts to provide Americans with significant tax relief, even he has finally woken up to the need for a little fairness for married couples, at least he said so in his State of the Union address. Obviously, it remains to be seen whether he will live up to his word and sign this bill.

While I am discouraged by the negative partisan attacks on H.R. 6 by some, I remain hopeful that, in the end, they will put aside election-year politics and join with the vast majority of Americans who support reforming the marriage penalty. This is substantive legislation. It corrects an obvious wrong. It is fair play, and fair play is something that all Americans want and ask us for no matter what their party affiliation.

I wish everybody a happy Valentine's Day. I urge a vote ''yes'' on the rule and on the bill.

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

Mr. TURNER. Mr. Speaker, I think it is important for us all to understand that both sides of the aisle, Democrats and Republicans, favor marriage tax penalty relief. But the truth is, bringing this bill to the floor at this time is not only a violation of the Congressional Budget Act, section 303, but it is totally contrary to common sense and it is fiscally irresponsible.

It defies common sense to bring a bill to the floor that is a major tax cut before we have even drawn up the budget. Every city council, every school board, every State legislature that adopts an appropriations act or tax cut first adopts a budget. To think today that we would come to this floor and act on a major tax bill before the Congress has even adopted a budget is simply irresponsible. It violates the basic rules that every American family understands.

Every American family understands that it is important to have a family budget. They know that sitting around the kitchen table and deciding what they are going to be able to spend for the year, what their income is going to be, is important before they embark upon a spending plan. Every family understands that when one creates a budget, everybody in the family needs to try to buy into it.

This bill comes to the floor without any hearings, without any consultation with the White House, without any consultation with the Democratic side of the Congress.

Every American family understands that one needs to pay off one's debts first when one establishes one's budget. We have a $5.7 trillion national debt. That ought to be the priority. We ought to be sure we are going to deal with that before we pass major tax relief. Every family understands one does not spend money that one does not have.

One man on the other side of the aisle this morning said we had a $1.8 trillion surplus. Well, that is only true if one assumes that we are going to stay with the spending levels that we have in the year 2000. I suspect we will probably see inflation causing some of our spending to go up.

For all of these reasons, we need to be sure that we oppose this rule and oppose this legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 3 minutes to the distinguished gentleman from California (Mr. COX), the chairman of the policy committee for the Republican conference.

Mr. COX. Mr. Speaker, we are all in favor of eliminating the marriage penalty is what I understand from listening to the debate. The only objection

that some colleagues raise is that this is not the right time to do it. It is too soon. We have only been trying to repeal the marriage penalty since 1981. We have not had enough hearings on it, only in successive Congresses going back decades.

We should pay off the national debt first. There are a number of reasons we should continue to discriminate apparently, but nothing in my view is more important than eliminating this horrible discrimination now.

From 1913 to 1948, we did not discriminate in our Tax Code. We began discriminating in the Tax Code to protect working men who did not live in community property States, because people in community property States could income-split and reduce their rate of tax, and those working men in other States could not do it. Their wives did not work according to the way that the Congress looked at it. As a matter of fact, back when we adopted our income tax code, less than 3 percent of women worked. But in the second half of the 20th century, we watched those numbers change dramatically. By 1997, the number of working women was 100 percent greater than what it had been in 1947.

Today the marriage penalty is not just a tax on marriage. It is a tax explicitly on working women. Even more so, it is a tax on African-American working women because a greater proportion of African-American women are employed full time than the rest of the labor force, than the rest of the female population.

So would we say that it is too expensive to have an Equal Employment Opportunity Commission, it is too expensive to have a Civil Rights Act, it is too expensive to enforce the laws against discrimination? I do not think so.

As a matter of fact, it is not a question of how to spend tax dollars that we are discussing today; it is a question of how to collect it. We ought to collect it fairly without discriminating against people similarly situated just because one person who we personally tax more happens to be a working woman and the other person is not.

We should repeal the marriage tax penalty as soon as possible, and we should do so for a very simple reason: it is the right thing to do.

□ 1115

It is fair. It eliminates discrimination.

I applaud the leadership of the Congress for bringing this forward. I applaud those of my Democratic and Republican colleagues who are finally willing to make this important step forward. I expect we will be able to succeed today. I expect we will strike this blow for fairness, for working women above all, for families, and ultimately for respect and integrity for our government.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM), the ranking member of the Committee on Agriculture.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me this time. I will probably not take all the time, but I do take this time to rise strongly in opposition to this rule. And I do so for the same basic reasons that I have done it year in and year out for several years now, and which I used to be joined in by my colleagues on the majority side of the aisle, those who would stand up and decry the Committee on the Budget waiving the budget rules and bringing a bill to the floor of the House before we followed the regular order.

Now, I have not changed. I still feel very strongly that we should follow the regular order at this day and age, in this time, on this day. I ask my friends on the other side why they have, particularly the last two speakers that I have served with for a long time, why have they changed their minds and suddenly are perfectly willing to bring a rule to the floor of the House that waives all budget considerations? I will let them answer that question.

We should establish a comprehensive fiscally responsible budget framework before considering tax legislation or any other spending legislation. We can and should cut taxes. There is no question about that, especially the marriage tax. But I would submit that if we are going to stand in the well of the House and talk all day about fixing the marriage tax, that we should confine our comments to the bill. Fix the marriage tax penalty, which is about half of the bill before us today by the majority. Fix that. I agree to that. Who could possibly stand on the floor of the House and say they could be opposed to that?

But any tax cut must be in the context of a fiscally responsible budget, I believe, and we believe, the Blue Dogs believe, that eliminates the publicly-held debt, strengthens Social Security and Medicare, and addresses other priorities, such as defense. I happen to believe the best tax cut we can give married couples is paying down the debt. That is a personal belief that I have. We can argue and debate that, hopefully in the context of future legislation.

The budget framework put forward by the Blue Dogs last year demonstrated how tax relief can be provided within a fiscally responsible budget. The Republican leadership bill that is brought forward today has failed to put forward a comprehensive plan of how that plan will fit within the overall framework that we need to be talking about. The majority knows it and I know it. And no explanation can move that away from the very fact that it is.

It is fiscally irresponsible, in my opinion, to vote on legislation cutting taxes before we know whether or not there will be sufficient revenue to cut those taxes. It is important for all of us to remember that these tax cuts we are talking about today will occur in the second 5 years. Who among us can predict accurately what is going to be the surplus, the economic conditions in 2006, 2007, 2008, 2009, 2010? Who can predict that?

Have we stopped for a moment to ask ourselves what will happen if these projections turn out to be wrong and we have spent them? Our children and grandchildren will pay dearly for our mistakes.

Is it too much to ask of the majority today to live under the rules that we have talked about living under for as long as the 21 years I have been here; to have the open and honest debate of the actual numbers and fit it within a framework that will keep the economic recovery that we are now in year 7 of, the longest single standing economic recovery period or expansion period in the history of our country?

I say again, speaking on the rule, that I cannot believe my colleagues on the other side of the aisle, who I have stood with so many times when we asked to live by the budget rules, that today they are saying it is okay to waive them so that we can have a Valentine present. I do not believe it. I cannot believe.

I hope my colleagues will change their minds, vote down the rule, send it back to the Committee on Ways and Means, let the gentleman from Ohio (Mr. KASICH) and the Committee on the Budget bring forth a budget, let us have a debate on this, and then fit the marriage tax penalty relief into that confines, which the Blue Dogs believe can be done; and I know everybody in this body believes can be done.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time, and I am pleased to rise today in support of adoption of this rule and ultimate passage of the bill.

I have come to Congress with a firm belief that we need to be responsible in our budget efforts and that we need to take aggressive steps toward a process in paying down the national debt. But this issue does not wait. Fairness does not wait for another day.

We have for too long penalized those who have chosen to be married in this country. We have chosen for too long to penalize those whose families suffer. In Kansas alone, 61,000 people in my Congressional District are impacted by this unfair penalty, this unfair Tax Code. And of that, it happens to impact those of very modest and middle-class incomes. The people who are impacted in Kansas earn between $20,000 and $75,000. We are talking about $1,400, on the average, that they pay more simply because they chose to be married and to have families.

Mr. Speaker, I rise today in support of this rule and encourage its adoption and encourage today, later in the day, that we end this unfairness that has existed too long in the Tax Code.

Mr. MOAKLEY. Mr. Speaker, may I inquire on behalf of my colleague and myself how much time is remaining?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Massachusetts (Mr. MOAKLEY) has 8 minutes remaining; and the gentlewoman from Ohio (Ms. PRYCE) has 6½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Speaker, I thank the gentleman for yielding me this time. I want to thank my colleague, the gentleman from California (Mr. COX), for his, I believe, genuine concern about women in the work force, particularly African-American women. I would hope that his concern for that population of the work force would extend beyond this bill and he would also look to help provide them relief, as well as all throughout the American family, as we seek to fund dollars for after-school programs and ways to keep guns out of schools and out of the hands of criminals and the mentally ill.

I want to see action on this front, like many of my colleagues do. And I applaud the gentleman from Illinois (Mr. WELLER) who has been a stalwart on this issue. But I think it is important to note that, as many of my colleagues have, and the gentleman from Texas (Mr. STENHOLM) did so eloquently just a few minutes ago, that as a cosponsor of this bill I did it believing that we would present this with an overall plan, and the gentleman from Missouri (Mr. GEPHARDT) said it so well also; that we would have a budget on the table and we would have decisions made about how we were going to ensure the solvency of Social Security and Medicare.

I say all of this as a member of the younger generation of America, and as one who is 14 weeks away from taking his own marriage vows. I certainly have a personal stake in the outcome of this. But we watch day in and day out on CNN and CNBC as large publicly-traded companies have to update their earnings and have to inform their shareholders that they might not meet the expectations that the company might have set for themselves.

We have set some pretty lofty surplus numbers for the Nation over the next 5 to 10 to 15 years. I have a concern, as I am sure all of us, about whether or not we will actually reach those projections. If we do, God bless us; and we will have money to give away, to pay down the debt, and do all the things we believe is in the best interest of the people. I cannot imagine a company in America that would give out end-of-the-year bonuses in January, which is essentially what we are doing. I cannot imagine a family in America sitting around a dinner table and talking about their October and November vacation trips in January based on projections that the company that the husband works for or the wife is going to do far better than they might expect.

I support tax cuts, but only after we are able to ensure that we can pay down the debt, secure the long-term solvency of the Social Security and Medicare and do what is right for the American people.

I hope my colleagues on both sides of the aisle do the right thing today.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 1½ minutes to my distinguished colleague, the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I rise today in strong support of this rule and of H.R. 6. I think the case for supporting this bill is really very straightforward.

First of all, let us bear in mind, taxes are at an all time postwar record high. When taxpayers are paying more than it takes to fund the biggest Federal Government in history, when taxpayers are paying more than it takes to also pay all the Social Security benefits for the next 10 years and a $2 trillion surplus above and beyond that, which is going to be used to either reform Social Security or pay down debt, when taxpayers have already paid down $350 billion in debt just over the last 3 years and will continue to do so each year, when taxpayers are paying for all of that and still there is another trillion dollars that is going to come into the Federal Government from these taxpayers, it is obvious to me that taxes are simply too high.

Meanwhile, we have an IRS Tax Code that is terribly unfair. It is ridiculously complicated. It is downright immoral in its treatment of married couples. Today we have a wonderful opportunity to do two things: To relieve some of that tax burden on our working families, and to rid the Tax Code of one of its most ridiculous features, punishing couples for choosing to get married. It is senseless. It is immoral.

We have an opportunity to change that today. I urge my colleagues to vote yes on the rule and vote yes on H.R. 6 so we can accomplish that today.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Speaker, I thank my friend, the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me the time.

Mr. Speaker, as I was walking over here a few minutes ago to speak, I passed the Triangle, and I saw all the props out there for the press conference after this vote on this piece of legislation today, with the valentine and the chart that said the majority party was going to give, or is going to give the American families a Valentine's present.

It made me think about a friend back home who says there are two kinds of folks in this world, the show horses and there are work horses. I think in this particular instance, it is obvious which category the majority party is falling in.

And why do I say that? I say that because we have a very closely balanced Congress here in terms of Democrat and Republican. We have a Democrat in the White House. There are ways to get things accomplished, and that is to sit down and work with the President and work with the minority party in the House. And you can accomplish something good for the American people.

In this case, we have started a partisan fight. We all know how those end up. They will end up with nothing happening, and as a result, I think that what we have today is just an act by the show horse team for political purposes.

Mr. Speaker, there are many Democrats that want tax relief. We all know that the marriage penalty exists. We need to deal with the deduction issue. We need to deal with bracket creep. We also have some other inequities in this country, the estate tax, the most unfair tax that exists in our code; the Social Security earnings limit needs to be dealt with.

We also have some other issues that need to be addressed by this surplus, and that is Social Security and Medicare reform. Debt reduction should be the cornerstone of any plan that deals with our surplus, defense priorities, veterans and military retirees, a major, major problem that has to be dealt with.

Mr. Speaker, we have budget rules in place. We have budget rules in place for good reasons, because we need to develop these kinds of legislation in context of the big picture, and that is why we should not be waiving these rules.

We should develop a budget that we all can agree upon. We did in 1997, we can do it in again in the year 2000 and do something good for the American people.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 1 minute to my distinguished colleague, the gentleman from the great State of Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I accept the challenge from my colleagues from the other side of the aisle to do the right thing, and the right thing is supporting this rule. It is voting to eliminate the marriage tax penalty. I will help the 52,000 married couples in your district and the 58,000 in my district.

□ 1130

Americans are overtaxed, and what I hear is we all agree with that. If it walks or you earn it or you buy it, we tax it. And we also tax love. We tax marriage. What type of message does that send to the American public and to our children when we say that this is such a great institution of marriage and something that we strive to support; but we will tax it to the tune of about $1,400 per married couple in the districts of my colleagues and in my district?

It is wrong to tax marriage. It is shameful to tax marriage. I grow in frustration as I listen to my colleagues on the other side of the aisle because

what I hear the Democrats speak is, let us keep their money, let us keep their money for our spending programs for what we want because we will do it better than they will.

Well, I trust people to keep their own money.

Mr. MOAKLEY. Mr. Speaker, may I inquire of my dear friend, the gentlewoman from Ohio (Ms. PRYCE), how many speakers she has remaining.

Ms. PRYCE of Ohio. Mr. Speaker, I have one speaker remaining, and I will close.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank my colleague from Massachusetts for yielding me the time.

Mr. Speaker, the debate this morning is one which is seductive. It is seductive in the sense that it is very difficult to determine what the real issue is.

I would submit that the real issue is not whether the marriage tax penalty ought to be eliminated, what type of a bill is most effective in accomplishing that, but the real debate is over the timing and our priorities in terms of the integrity of the budget process.

We have established a budget process here in the U.S. House of Representatives that places a burden on the Committee on the Budget to report a budget on the House of Representatives to consider that budget in the U.S. Senate and the House to get together and adopt a budget for congressional financial decision-making. As a part of that budget process, we are not supposed to be considering legislation which has significant budget consequences unless it is on an emergency basis.

So what is happening here in February of the year 2000, well before the budget process is advanced, we are considering a bill, which is a very attractive bill; and that is why I say it is a seductive process here. This is premature in the year. It is not easy to stand up and say that something is premature and that we ought to consider it later in the year when we know how it fits into the budget process. But the reason that it is important that this message be stated is reflected by this chart.

This chart shows what has happened when the United States Congress and when the White House are not acting responsibly. We build an enormous debt, a debt to $5.8 trillion, $20,000 for each man, woman, and child in this country. And there is a marriage tax penalty built into this type of irresponsible spending and debt. We ought to make sure.

With this type of a debt, it is incumbent upon us in Congress to avoid the temptation to be importuned for a premature action on legislation. Our first obligation, I submit, is responsibility. Our second obligation is to pay down on the debt. Our third obligation is to provide tax relief to those Americans that are deserving of it. And our fourth obligation is to emphasize the priority programs for our Nation.

I submit and I request that my colleagues join me in postponing action on this very deserving piece of legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to my distinguished colleague, the gentleman from Missouri (Mr. BLUNT), the chief deputy whip.

Mr. BLUNT. Mr. Speaker, I thank the gentlewoman for yielding me the time, and I thank her for bringing this rule to the floor. I encourage my colleagues to support the rule and to support the bill.

What we have heard here this morning over and over again from the opponents of the rule, and I assume the opponents of the bill, is we need to fix the marriage tax and we need to fix it later, we need to fix the marriage tax and we need to fix it later. The truth is we need to fix it now.

We are meeting the important financial goals for the future of the country that we have not met in a long time: balance the budget for the first time in almost 30 years; we are restoring integrity to the Social Security trust fund by not spending that trust fund for the first time in four decades; we are paying down debt in ways that we have not before. Now, not later, is the time to look for the unfairness in the Tax Code and begin the hard work of eliminating that unfairness.

Certainly, 10-year projections can be off. In recent months, they have been off generally to the advantage of making our job easier to balance the budget, pay down the debt, restore Social Security. They may be off the other way. We may not have as much surplus out there 10 years from now as anybody thinks we have right now.

But if the surplus is not there, should we first go to American families and say, we need to continue this unfair system because we do not have as much extra money as we thought we were going to have in Washington? We should be saying just the opposite, we are going to work hard in Washington to spend money more wisely, and we are going to work hard in Washington to see that working families get a fair Tax Code and get to keep their money.

This is a vote honoring marriage. It is a vote honoring families. It is a vote honoring fairness in the Tax Code. I urge my colleagues to support the rule and later in the day, to cast an important vote for the future of families in America.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of the time to the gentleman from Tennessee (Mr. TANNER) from the Committee on Ways and Means.

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

Mr. Speaker, I just wish we were talking about the marriage tax penalty. We are talking about a budget process, and the gentleman from Minnesota (Mr. MINGE) outlined it, as well.

The backdrop of all of this business about the Tax Code is a $5.7 trillion debt. Said another way, we have spent last year and will this year over $240 billion in checks on interest.

If my colleagues want to know why the American people are overtaxed, they are overtaxed because they are paying $240 billion every year in interest payments. And until we have a budget to know where these matters fit, these tax cuts that we all support, like the marriage tax penalty, no sane, rational business person in this country would go about cutting their income before they knew where they stood and what is their outgo.

We say, unless they have a creditable framework where we know we are going to retire debt, where we know we are going to take care of Social Security and Medicare, where we know, is it a higher priority to cut taxes on married people like they say they have but which they do not, but like they say it is to take care of rural health care needs in this country? If my colleagues believe that, then vote for this rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a fair rule. It provides for more than 4 hours of debate on an issue that has already been considered and passed once in this Congress.

Unfortunately, it was vetoed by the President. But with this rule and the underlying bill, we have an opportunity to give the President a second chance at signing marriage penalty relief into law. And I hope he will.

Now, I have to say that the Democrats' objections based on budget concerns rings a bit hollow. As the party who oversaw decades of deficit spending and reigned over an era when the Social Security Trust Fund was raided to finance big government spending, this newfound dedication to balanced budgets and debt reduction, while welcome, seems to be guided by an even stronger desire to deny the American people tax fairness and tax relief.

We are in no way jeopardizing those goals by promoting legislation that provides fundamental tax fairness to 42 million Americans and returns a very small percentage of the people's tax dollars to them in a time when we expect a $1.82 trillion revenue excess in the next decade.

If we cannot give tax relief now, when can we? Let us loosen our clutches on the American taxpayer's money, act in fairness, and let families have just a little bit of their money back. Let us be straight with the American people about what we stand for.

I am proud to join my colleagues on this side of the aisle for real marriage penalty relief. I urge support for the rule and for the bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 255, nays 165, not voting 14, as follows:

[Roll No. 12]

YEAS—255

Aderholt
Archer
Armey
Baca
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crowley
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Ewing
Fletcher
Foley
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holt
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—165

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Blagojevich
Blumenauer
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Capuano
Cardin
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Etheridge
Evans
Fattah
Filner
Forbes
Ford
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holden
Hooley
Hoyer
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Mollohan
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Skelton
Slaughter
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—14

Berry
Brown (OH)
Capps
DeFazio
Everett
Farr
Fossella
Gekas
Hinojosa
Jefferson
Lofgren
McCollum
Smith (NJ)
Vento

□ 1202

Mr. JOHN, Ms. JACKSON-LEE of Texas, and Ms. BERKLEY changed their vote from ''yea'' to ''nay.''

Messrs. BARCIA, SMITH of Washington, BONIOR, and CROWLEY changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BERRY. Mr. Speaker, I was unavoidably detained for rollcall votes 11 and 12. Had I been present, I would had voted ''yes'' on rollcall vote No. 11, and ''yes'' on rollcall vote No. 12.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3387

Mrs. EMERSON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3387, which mistakenly was put on it.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 6.

The SPEAKER pro tempore. The request of the gentleman from New York (Mr. MEEKS) cannot be entertained. The bill is already on the Calendar.

MARRIAGE TAX PENALTY RELIEF ACT OF 2000

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 419, I call up the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 419, the bill is considered read for amendment.

The text of H.R. 6 is as follows:

H.R. 6

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Marriage Tax Elimination Act of 1999''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by section 2 shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986 .

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN INDIVIDUAL INCOME TAX RATES.

(a) GENERAL RULE.—Section 1 (relating to tax imposed) is amended by striking subsections (a) through (e) and inserting the following:

''(a) MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES.—There is hereby imposed on the taxable income of—

''(1) every married individual (as defined in section 7703) who makes a single return jointly with his spouse under section 6013, and

''(2) every surviving spouse (as defined in section 2(a)),

a tax determined in accordance with the following table:

"If taxable income is:	The tax is:
Not over $51,500	15% of taxable income.
Over $51,500 but not over $124,900.	$7,725, plus 28% of the excess over $51,500
Over $124,900 but not over $260,500.	$28,277, plus 31% of the excess over $124,900
Over $260,500 but not over $566,300.	$70,313, plus 36% of the excess over $260,500
Over $566,300	$180,401, plus 39.6% of the excess over $566,300.

''(b) HEADS OF HOUSEHOLDS.—There is hereby imposed on the taxable income of every head of a household (as defined in section 2(b)) a tax determined in accordance with the following table:

"If taxable income is:	The tax is:
Not over $34,550	15% of taxable income.
Over $34,550 but not over $89,150.	$5,182.50, plus 28% of the excess over $34,550.
Over $89,150 but not over $144,400.	$20,470.50, plus 31% of the excess over $89,150.
Over $144,400 but not over $283,150.	$37,598, plus 36% of the excess over $144,400.
Over $283,150	$87,548, plus 39.6% of the excess over $283,150.

''(c) OTHER INDIVIDUALS.—There is hereby imposed on the taxable income of every individual (other than an individual to whom subsection (a) or (b) applies) a tax determined in accordance with the following table:

"If taxable income is:	The tax is:
Not over $25,750	15% of taxable income.
Over $25,750 but not over $62,450.	$3,862.50, plus 28% of the excess over $25,750.
Over $62,450 but not over $130,250.	$14,138.50, plus 31% of the excess over $62,450.
Over $130,250 but not over $283,150.	$35,156.50, plus 36% of the excess over $130,250.
Over $283,150	$90,200.50, plus 39.6% of the excess over $283,150.

''(d) ESTATES AND TRUSTS.—There is hereby imposed on the taxable income of—

''(1) every estate, and

''(2) every trust,

taxable under this subsection a tax determined in accordance with the following table:

"If taxable income is:	The tax is:
Not over $1,750	15% of taxable income.
Over $1,750 but not over $4,050.	$262.50, plus 28% of the excess over $1,750.
Over $4,050 but not over $6,200.	$906.50, plus 31% of the excess over $4,050.
Over $6,200 but not over $8,450.	$1,573, plus 36% of the excess over $6,200.
Over $8,450	$2,383, plus 39.6% of the excess over $8,450.''.

(b) INFLATION ADJUSTMENT TO APPLY IN DETERMINING RATES FOR 2000.—Subsection (f) of section 1 is amended—

(1) by striking ''1993'' in paragraph (1) and inserting ''1999'',

(2) by striking ''1992'' in paragraph (3)(B) and inserting ''1998'', and

(3) by striking paragraph (7).

(c) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''1992'' and inserting ''1998'' each place it appears:

(A) Section 25A(h).
(B) Section 32(j)(1)(B).
(C) Section 41(e)(5)(C).
(D) Section 59(j)(2)(B).
(E) Section 63(c)(4)(B).
(F) Section 68(b)(2)(B).
(G) Section 135(b)(2)(B)(ii).
(H) Section 151(d)(4).
(I) Section 220(g)(2).
(J) Section 221(g)(1)(B).
(K) Section 512(d)(2)(B).
(L) Section 513(h)(2)(C)(ii).
(M) Section 685(c)(3)(B).
(N) Section 877(a)(2).
(O) Section 911(b)(2)(D)(ii)(II).
(P) Section 2032A(a)(3)(B).
(Q) Section 2503(b)(2)(B).
(R) Section 2631(c)(1)(B).
(S) Section 4001(e)(1)(B).
(T) Section 4261(e)(4)(A)(ii).
(U) Section 6039F(d).
(V) Section 6323(i)(4)(B).
(W) Section 6601(j)(3)(B).
(X) Section 7430(c)(1).

(2) Subclause (II) of section 42(h)(6)(G)(i) is amended by striking ''1987'' and inserting ''1998''.

(3) Subparagraph (B) of section 132(f)(6) is amended by inserting before the period '', determined by substituting 'calendar year 1992' for 'calendar year 1998' in subparagraph (B) thereof''.

(4) Sections 468B(b)(1), 511(b)(1), 641(a), 641(d)(2)(A), and 685(d) are each amended by striking ''section 1(e)'' each place it appears and inserting ''section 1(d)''.

(5) Sections 1(f)(2) and 904(b)(3)(E)(ii) are each amended by striking ''(d), or (e)'' and inserting ''or (d)''.

(6) Paragraph (1) of section 1(f) is amended by striking ''(d), and (e)'' and inserting ''and (d)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. 3. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) (relating to standard deduction) is amended to read as follows:

''(2) BASIC STANDARD DEDUCTION.—For purposes of paragraph (1), the basic standard deduction is—

''(A) $8,600 in the case of—

''(i) a joint return, or

''(ii) a surviving spouse (as defined in section 2(a)),

''(B) $6,350 in the case of a head of household (as defined in section 2(b)), or

''(C) $4,300 in any other case.''

(b) TECHNICAL AMENDMENTS.—

(1) Paragraph (4) of section 63(c) is amended to read as follows:

''(4) ADJUSTMENTS FOR INFLATION.—In the case of any taxable year beginning in a calendar year after 1999, each dollar amount contained in paragraph (2) or (5) or subsection (f) 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.''

(2) Subparagraph (A) of section 63(c)(5) is amended by striking ''$500'' and inserting ''$700''.

(3) Subsection (f) of section 63 is amended by striking ''$600'' each place it appears and inserting ''$850'' and by striking ''$750'' in paragraph (3) and inserting ''$1,050''.

(4) Subparagraph (B) of section 1(f)(6) is amended by striking ''subsection (c)(4) of section 63 (as it applies to subsections (c)(5)(A) and (f) of such section)'' and inserting ''section 63(c)(4)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

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

The text of H.R. 6, as amended, is as follows:

H.R. 6

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Marriage Tax Penalty Relief Act of 2000''.

(b) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) IN GENERAL.—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(1) by striking ''$5,000'' in subparagraph (A) and inserting ''200 percent of the dollar amount in effect under subparagraph (C) for the taxable year'',

(2) by adding ''or'' at the end of subparagraph (B),

(3) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(4) by striking subparagraph (D).

(b) TECHNICAL AMENDMENTS.—

(1) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(2) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET; REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.

(a) IN GENERAL.—Subsection (f) of section 1 of the Internal Revenue Code of 1986 (relating to adjustments in tax tables so that inflation will not result in tax increases) is amended by adding at the end the following new paragraph:

''(8) PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.—

''(A) IN GENERAL.—With respect to taxable years beginning after December 31, 2002, in prescribing the tables under paragraph (1)—

''(i) the maximum taxable income in the lowest rate bracket in the table contained in subsection (a) (and the minimum taxable income in the next higher taxable income bracket in such table) shall be the applicable percentage of the maximum taxable income in the lowest rate bracket in the table contained in subsection (c) (after any other adjustment under this subsection), and

''(ii) the comparable taxable income amounts in the table contained in subsection (d) shall be ½ of the amounts determined under clause (i).

''(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage shall be determined in accordance with the following table:

"For taxable years beginning in calendar year—	*The applicable percentage is—*
2003	*170.3*
2004	*173.8*
2005	*183.5*
2006	*184.3*
2007	*187.9*
2008 and thereafter	*200.0.*

''(C) ROUNDING.—If any amount determined under subparagraph (A)(i) is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.''.

(b) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(c) TECHNICAL AMENDMENTS.—

(1) Subparagraph (A) of section 1(f)(2) of such Code is amended by inserting ''except as provided in paragraph (8),'' before ''by increasing''.

(2) The heading for subsection (f) of section 1 of such Code is amended by inserting ''PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET;'' before ''ADJUSTMENTS''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2002.

(2) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2001.

SEC. 4. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 32(b) of the Internal Revenue Code of 1986 (relating to percentages and amounts) is amended—

(1) by striking ''AMOUNTS.—The earned'' and inserting ''AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the earned'', and

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

''(B) JOINT RETURNS.—In the case of a joint return, the phaseout amount determined under subparagraph (A) shall be increased by $2,000.''.

(b) INFLATION ADJUSTMENT.—Paragraph (1)(B) of section 32(j) of such Code (relating to inflation adjustments) is amended to read as follows:

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

''(i) in the case of amounts in subsections (b)(2)(A) and (i)(1), by substituting 'calendar year 1995' for 'calendar year 1992' in subparagraph (B) thereof, and

''(ii) in the case of the $2,000 amount in subsection (b)(2)(B), by substituting 'calendar year 2000' for 'calendar year 1992' in subparagraph (B) of such section 1.''.

(c) ROUNDING.—Section 32(j)(2)(A) of such Code (relating to rounding) is amended by striking ''subsection (b)(2)'' and inserting ''subsection (b)(2)(A) (after being increased under subparagraph (B) thereof)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

The SPEAKER pro tempore. After 2 hours of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 106–495 if offered by the gentleman from New York (Mr. RANGEL), or his designee, which shall be considered read and debatable for 1 hour, equally divided and controlled by a proponent and an opponent.

The gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 1 hour.

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6.

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

There was no objection.

Mr. ARCHER. Mr. Speaker, to open the debate on our side, I yield 4 minutes to the gentleman from Illinois (Mr. HASTERT), the distinguished Speaker of the House of Representatives.

Mr. HASTERT. Mr. Speaker, when a man and a woman exchange the vows of marriage, they traditionally promise to their spouse that they will be there for richer or for poorer. Unfortunately, for too many years, our government has wanted to make these married couples poorer. Over 25 million married couples have to pay extra taxes, just because they are married.

Well, today we have the opportunity to give a Valentine's Day gift to these 50 million, hard-working American families.

The Marriage Tax Penalty Relief Act is another piece of our common sense agenda that enjoys strong support of Americans around this country. This is because most Americans understand that it is ridiculous for our government to penalize married people.

This is not just about tax cuts; it is about fairness. I know of a young couple in my home State of Illinois, Peggy and Patrick Allgeier. Peggy is an elementary school teacher and Patrick is an assistant football coach at a small college. These fine young people have committed their lives to teaching. They have committed their lives to helping young people. Last July, in a wedding ceremony, they committed their lives to each other; but they also committed about $1,500 of their salary back to the Federal Government because they decided to get married.

Because of that wedding, Peggy and Patrick now face the risk of being penalized by our Tax Code. This is absurd. We should be helping young married couples, not forcing them to pay extra taxes.

Some have argued that the marriage penalty is no big deal. They think that if Americans itemize, they should be penalized. They think that if an American owns a house, he or she ought to be penalized. They say that if an American scrapes and saves to obtain the American dream, they ought to be penalized. Well, I think these people are wrong.

In my district alone, over 65,000 couples are hit by the marriage penalty tax every year. These couples pay an average of $1,400 in extra taxes simply because they are married. We need a fairer Tax Code. We need a Tax Code that does not punish married couples. We need a Tax Code that recognizes that working families need help. They need to buy braces for the kids; they need to be able to pay the insurance on the car and the home. They need to do the things that every American, whether one itemizes on one's income tax or not, needs to do. They do not need the Federal Government picking their pocket and taking money out of their home account just because they are married.

I encourage all of my colleagues here to vote yes on the Marriage Tax Penalty Relief bill today.

Some of my friends on the other side of the aisle said this is an extreme bill. It is an extreme practice to do this, extreme tax cuts. Well, folks, I think it is extreme too. I think it is an extremely good idea, and we ought to do it as extremely quickly as possible because the American people think that they need to have the marriage penalty relief. They think that this is extremely fair, and they would like to have it passed today.

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

I agree with the Speaker that this is a serious problem that we face. The President of the United States agrees, and God knows if the majority wanted to take care of this and not want a political issue that was going to be vetoed, they would have reached out to the Democrats, they would have reached out to the President, they would have had hearings, and we would have targeted the relief.

Why did they pile on so many tax cuts that were totally unrelated to the marriage penalty? Why did they make certain that the President was going to veto this because they completely ignored the budget process? They have so violated their own budget rules that in order for this issue to come to the floor, they have to waive the regular rules, just to bring it on the floor. They have no budget to deal with Social Security, no budget to deal with Medicare, no budget to deal with the national debt; but they intend to take this $1.8 trillion tax cut and feed it to the House piece by piece.

It would seem to me that it is not too late for us to decide what issues are important enough for us to work together on. We voted for the rule. We supported the rule because it gives us an opportunity to get a bill that the President will sign, a bill that really deals with the penalty and not with just a broad tax cut. The President said he will veto this because there is no provisions made for anything that deals with the budget. So I know that the Republicans want to have a political gimmick for Valentine's Day, and that is what this is all about; but it is not too late for us to work together. It is not too late for us to take care of the marriage penalty. It is not too late for us to take care of Social Security, Medicare, affordable drugs, to do something for education.

Let us all work together. There are enough things for us to argue about come November; but I think the American people would want us to start working together, not as Republicans, not as Democrats, but as the House of Representatives.

Mr. Speaker, no one discussed this bill with me or any of the members of the committee that are not in the majority party. We have had no hearings, the President's bill was never discussed. Our input was never asked for. It is not too late for beginning to get something productive in this year, this last year of the session.

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

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

Mr. Speaker, today the Congress is launching into a debate to do the right thing, to correct the terrible wrong in

the Tax Code that is called the marriage penalty that penalizes Americans simply because they got married. That is truly wrong, and we should all be proud to have the opportunity to correct this injustice.

Indeed, the fundamental principle of doing what is right has driven the Republican agenda since we got into the majority in 1995. We have worked to fix what was wrong and to do what was right.

It was right to make Congress live under the laws that apply to everyone else, and we did that. It was right to balance the budget so that we do not leave greater debt to our children and their children, and we did that. It was right to strengthen Medicare so that older Americans could have more confidence that their bills will be paid, and we did that. It was right to give families the child tax credit so that today, every family gets $500 per child. For a family with 2 children, that is $1,000 a year. We did that, and it was right.

It was right to give tax breaks for higher education, and it was right to eliminate the capital gains tax on the sale of houses. It was right to fix the broken welfare system so Americans could discover independence, the freedom of work, and the power of responsibility. We did that. It was right to reform the IRS, to shift the burden of proof to the government, and to do so much more; and we did that. It was right to expand educational opportunity for schoolchildren and give more flexibility to parents and to teachers, and we did that.

□ 1215

It was right to stop the raid on social security on the trust fund and to protect every dime of the social security surplus from being spent on other programs, and we did that.

Today, Mr. Speaker, it is right to fix the marriage tax penalty. I hope all of my colleagues will stand with American families today and fix this once and for all, and not simply use the crutch of every excuse that can be manufactured.

For my entire career in Congress I have fought for the marriage tax penalty. Unfortunately, last year President Clinton vetoed our marriage penalty relief. It would have helped 25 million couples, but it was vetoed. Just 2 weeks ago the President stood in this room, right here, and told the Nation that he would finally join with us to fix the marriage tax penalty, and he got resounding applause.

So today we are back at it again. I hope President Clinton and Vice President Gore this time will embrace this good bipartisan bill, because there are 26 Democrat cosponsors. The American people support it, Representatives and Senators from both parties support it, and there is no excuse why it should not be done now.

Despite all this support, I have a feeling we are still hearing excuses from the Democrats why we cannot do it, for whatever reason.

They may say that we should not also help stay-at-home moms and dads. They call this the marriage bonus. Their plan actually denies relief to child-caring parents. That is wrong. So we do help, and that is right. Raising a child is the single most important job in the world. Those who forego careers and outside work activities to stay and rear those children need help, too.

We are right to provide families with that relief. Even President Clinton says we should help these parents. He said it not long ago in his State of the Union Address here in this Chamber. Why do the Democrat leaders not agree? Why do they fight us on this?

Democrats also complain that this is too much tax relief, but again, they are wrong. Fixing the marriage penalty takes less than 1 penny out of every dollar of Federal revenues. Is that too much to fix this wrong, one penny? Their position is extreme.

Then they say the timing is not right. Wrong again. We should fix the marriage penalty right now. Married couples should not have to wait one day longer to be treated fairly by the Tax Code.

Then they say, oh, it helps the wealthy. They mean those who itemize. Their plan only takes care of those who take the standard deduction. We think the marriage penalty should be fixed for those who itemize, too, and want to deduct the interest on their home mortgages and the taxes on their houses, because almost half of the people that are helped by this are in that category, and they are in the 15 percent bracket.

Almost 25 million married couples pay an average of $1,400 in higher taxes each year, $1,400 each year just because they are married. The Tax Code is tough enough on Americans as it is, but it should not create this penalty.

Let us work together and give millions of married couples the fairness they deserve. We do that. Our plan is fair. It is right. It is broad-based. It helps lower- and middle-income taxpayers, and all married couples.

It comes down to a matter of principle. The fact that married couples pay more in taxes just because they are married is simply immoral. It is unfair. It is not right. It is unjust. It should be corrected. All of our colleagues should join me in voting for this bill.

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MATSUI), a senior member of the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York, the ranking Democrat, for yielding time to me.

Mr. Speaker, Democrats favor relief on the marriage penalty. In fact, when the President spoke, more Democrats stood up quicker than the Republicans stood up during the State of the Union message.

The President, in his budget that he gave us last week, has relief for the marriage penalty. In fact, Members on both sides of the aisle in a couple of hours will be able to vote on the substitute offered by the gentleman from New York (Mr. RANGEL), which will deal with the problem of the marriage penalty.

The problem with this bill, talking about extreme, is that this bill really is not a marriage penalty relief bill. It is in name only. It is kind of like the Trojan horse. It does not really exist. The Republicans will have to admit, maybe they will not want to talk about it, but over half the relief in this bill of $182 billion, one-half of the bill of the gentleman from New York, $182 billion, that goes to people who do not even have a marriage penalty. So how can Members call this really a marriage penalty bill?

There are a lot of problems with this bill, because we did not have a hearing, we did not have discussions. Nobody talked to the President or the gentleman from New York (Mr. RANGEL) or any Democrat on this piece of legislation. It was just kind of put together at the last minute. All of a sudden, we are voting for it a week later on the floor of the House of Representatives.

But bear in mind, this is unbelievable but it is true, somebody who makes $50,000 a year will get major relief from the marriage penalty of $149 a year, about $10 a month. But if you make $100,000 a year, you are going to get about $1,000 a month. That is what is extreme. It is not about the marriage penalty, this is about tax relief and redistribution to wealthy Americans.

In addition, it is going to create a lot more complexity in the code, because people who make $50,000 then will have to file what is known as the alternative minimum tax.

But the real problem with this bill is we have no budget. Because we have no budget, what is going to happen is these little tax bills that are moving through the House right now, $180 billion here, $200 billion there, all of a sudden it is going to affect our ability to fix Medicare and social security, the two most pressing problems in America today.

It would be wonderful if the Republicans would have come to the floor today with a social security relief package, but they have spent most of their time playing the blame game. If we just had a bill to deal with social security first, because that is what we need to do. Social security and Medicare should be dealt with before we deal with tax provisions, because we are using, we are using the so-called budget surplus that may or may not be there.

I urge a strong no vote on this extreme bill that is in name only called the marriage penalty, and vote for the substitute offered by the gentleman from New York (Mr. RANGEL), which really deals with the problems of average, middle-class Americans that are suffering from the marriage penalty.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the gentleman from Illinois (Mr. WELLER) claims time on the majority side.

There was no objection.

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

Mr. Speaker, I would say to the gentleman, if he votes against this bill, 340,000 married couples in the Fifth Congressional District of California, one-half of whom are homeowners and itemizers, will not get relief from the marriage penalty. The gentleman may be able to explain that to them, but I sure cannot.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. DUNN), who has been a real leader in her effort to eliminate the marriage penalty.

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

To respond to the gentleman who preceded me, the Joint Committee on Taxation has rated the Democrat plan at providing zero in relief for the marriage penalty over the next 5 years.

Mr. Speaker, let us take a close look at what happens with the marriage penalty. A young couple is thinking about marrying. Each of them already has a job. They bring in an income and pay income tax on that income.

They decide to marry. As they file together, instead of separately, the way they were doing before, all of a sudden the joint incomes push that lower-income earner into the higher-income spouse's upper tax bracket. Therefore, they end up paying taxes on a larger amount in a higher bracket. That is the penalty.

The penalty on average is about $1,400 per year per couple. I think it is about time that we end this penalty. Uncle Sam should not be able to say, with this ring I thee tax. This is exactly the case for the 7,200 married couples in my district that I represent in the State of Washington, and for 25 million working couples around this Nation. We were overtaxing them.

We understand that the rewards that come with working can be abundant, and we also understand that this new economy is being driven in large part by women, because women are starting businesses at twice the rate of men. These are enterprising women. They want to use their talents, as they should. But they are also having to balance the demands of work and family.

I will tell the Members right now, Mr. Speaker, 70 percent of mothers are out there now in the work force. I think they deserve a little relief, but $1,400 so they can work, than if they were staying home, it is not fair. Republicans believe that that $1,400 can be spent a lot more wisely by a couple at home, so we want to redirect that dollar back into the couples' pockets so they can spend it on a washer, a dryer, the kids' education, a family vacation in the great Pacific Northwest.

Republicans also believe in choice. We think it is very important that the Tax Code neither discourages nor encourages people as to what they do with their lives, whether they go back to work or they stay home and choose to be at home raising their children. That is what I did for about 8 years before I returned to the work force, and nobody can tell me that work at home raising a family is not hard work. That is why we are looking at this. Both families should receive benefits, whether they are staying in the home working and raising children, or going out into the work force.

Our marriage penalty tax relief provides just that, equal treatment for married women, so they can make the choice as to whether they work or they stay at home and raise their children. I think we have a great opportunity today to help women reach their goals, whether it be pursuing a successful career or raising their little ones.

We hear a lot of talk about whether the President will veto this bill or not. I think he will sign this bill. I have great faith in him. Even though Secretary of the Treasury Larry Summers sent him a letter advising him to veto the marriage penalty, I think he will see the fairness. I think as he really listens to the voices of folks that I and my colleagues represent all over this Nation, that he will sign this bill.

The President has a bill. I think there are some problems with his bill. For example, in the President's plan, he says that he will decide when the time is right for marriage penalty relief. Under the House proposal, a couple earning a combined income of $60,000 would receive just about $750 more dollars in relief than under the President's plan, because it is a very narrow plan. It would help 16 million fewer couples than our bill does.

I think if we get behind this bill, the fairness of it, and folks write to the President and say, let us go for this, I think the President will be very wise and sign this fair bill.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), a senior member of the Committee on Ways and Means.

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

Mr. Speaker, I favor a tax cut, but one that is fiscally responsible, that does not undermine the fiscal discipline that has brought unprecedented prosperity to our Nation. This proposal that the Republicans are peddling does not meet that test.

First of all, it is a first chapter in a book, but the Republicans will not tell us the rest of the book, the other chapters. We all learned long ago, do not buy a book according to the first chapter.

Secondly, the first chapter has a false title. Most of the reductions of taxes in this bill, most of them have nothing to do with the marriage penalty.

Third, this first chapter does not even tell the story. The cost for the first 10 years would be $182 billion. In the second 10, it would explode by an additional $300 billion. And if we include the AMT adjustment that that side says it wants to make, it would be an additional $47 billion a year.

Look at this chart. If Members look at the 20-year projection, we are talking about $700 billion. What does that mean for Medicare? What does that mean for social security? They peddled the argument that our marriage penalty provision, our proposal, brings no relief. That is wrong. The only reason CBO might say that is because we say we first have to adjust and we have to take care of social security and Medicare. Once we do that, our marriage penalty provides relief. They have the cart before the horse. They have this before social security and Medicare relief.

They talk about a valentine, and they have a red chart, a red poster over there. That is not a valentine, that is a veto. The gentlewoman from Washington (Ms. DUNN) should not be misguided, the President is going to veto this with red ink, because that is what they would lead to without thinking through where all of this leads, without telling us what is the rest of their plan.

□ 1230

The American people, they want some straight talk. They want some fiscal responsibility and they want some bipartisan effort, and this bill fails on all accounts.

Vote for the substitute and vote against this bill.

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

Mr. Speaker, I would say to the previous speaker, that my friend, if he votes against this bill, 61,000 married couples, one half of whom are itemizers, from the 12th Congressional District of Michigan, will not get relief from the marriage tax penalty.

The gentleman may be able to explain that to them, but I sure cannot.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), a real leader in the effort to eliminate the marriage tax penalty.

Mr. CAMP. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of H.R. 6. I am proud today that we are able to step forward and fix a glaring inequity in our Tax Code. Twenty-five million American couples pay more in taxes simply because they walk to the altar and say, I do. At an average of $1,400 a couple, the marriage penalty makes it much tougher for families, for millions of families, to make their car payments or save that little bit extra for college down the road.

In my district in Michigan alone, there are 106,000 people paying higher taxes just because they are married.

I was pleased to see the President agree with us and call for marriage penalty relief this year. His plan is a good start, but it is really not enough. I think it is better to hit the marriage

penalty head on instead of the President's approach, which picks and chooses which families get relief and which families do not.

The President's proposal would not mean a dime for a working couple earning $30,000 each, who scrimped and saved to buy their home last year. Why would they not benefit from the President's plan? Because they itemize their taxes and fill out longer forms. That just does not make any sense at all.

Our proposal on the other hand helps everyone who faces a marriage penalty, whether they happen to own their home or not, whether they itemize or not. If they pay the penalty, our legislation will help them. I believe that American families are overtaxed. American families today pay twice the taxes they did just in 1985, and over 38 percent of the typical family's income goes to taxes.

The $3 trillion surplus over the next 10 years that we see really means that taxpayers have made a substantial overpayment. Let us make a start at returning some of that overpayment and fixing one of the strangest and most inequitable features of our Tax Code. I urge a yes vote on H.R. 6.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FROST), a distinguished Member of the House.

Mr. FROST. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me this time.

Mr. Speaker, more than 6 months ago, the Republicans passed the crown jewel of the Republican agenda, tax breaks for the wealthiest, costing nearly $1 trillion of the surplus.

As Yogi Berra once said, it is deja vu all over again, because today Republicans are once again pushing a plan that risks Social Security and Medicare by squandering the surplus on a massive tax break.

True, they have tried to disguise it this year, but to quote The Washington Post, the Republican tax package, quote, ''has little, if anything, to do with marriage. The label is a gloss for a generalized tax cut mainly for the better-off.''

Indeed, today Republicans try to take the first $200 billion step toward their goal of spending the surplus. Next they will take another couple of hundred billion for more tax breaks for the wealthiest and then another couple hundred billion dollars and then another couple hundred billion dollars.

Mr. Speaker, to paraphrase a distinguished former Member of Congress, $200 billion here, $200 billion there and pretty soon we are talking about real money. Pretty soon, Mr. Speaker, Republicans will have squandered the entire surplus and, with it, our historic opportunity to strengthen Social Security and Medicare.

Mr. Speaker, I support the Democratic substitute because I want to provide honest marriage penalty relief to the 61,197 married couples in my district. I also want to protect the Social Security and Medicare benefits enjoyed by 72,240 of my constituents, and to reduce my constituents' $8.4 billion share of the Federal debt.

I am proud today to support a Democratic plan that provides more tax relief for married couples who suffer under the current system and that also protects Social Security, Medicare, and our other national priorities.

Mr. Speaker, I urge my colleagues to join me in rejecting the Republican plan and supporting the responsible Democratic alternative.

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

Mr. Speaker, I would say to the previous speaker that if he votes against this bill, 61,000 married couples, one half of whom are itemizers in the 24th Congressional District of Texas, will not get relief from the marriage tax penalty. We need fairness. We can explain it. I am sure the gentleman cannot.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), who has been a real leader in our effort to bring fairness to the Tax Code by eliminating the marriage tax penalty.

Mr. ENGLISH. Mr. Speaker, I rise in strong support of the Marriage Tax Penalty Relief Act. Let us be clear what this is about today. The other side says it is for marriage penalty tax reform, but they have opposed it every time it has come up for a vote. They have opposed it today in its purest form when the reform benefits 25 million couples, especially in the middle- and lower-income brackets.

We have heard all kinds of excuses from them: It is not the right flavor of reform. There have been no hearings. It will hurt Social Security and Medicare. It is politics, this from the politics free zone on the other side of the aisle.

We have heard the beltway excuses. Now let us look at the facts. Thanks to the Republican majority, we have already walled off the revenue for Social Security and Medicare. The fact is that under this bill, one dime of the real surplus outside of Social Security and Medicare, just one dime, will be spent to help those who are unfairly penalized simply because they say, I do.

Just 13 days ago, the President stood before us in this very chamber proclaiming that he was for this reform; but this week he is threatening a veto. And the other side of the aisle said they are for it, but today we have heard the excuses.

Mr. Speaker, if not now, then when is the appropriate time to use one dime of the real surplus to provide significant tax relief for married couples, including 52,000 couples in my district in western Pennsylvania?

Let us be clear on this. This vote will define forever who is for solving this problem and who is against reform. If one is for reform, vote for the bill.

Let us understand what is really going on here. Those who are opposed to this commonsense tax reform do not want to pass this because they would rather spend the money on their priorities rather than allow married couples to spend the money they earn.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of providing real marriage penalty relief to middle class families. I also rise in opposition to a Republican tax scheme which goes far beyond the marriage penalty. Their irresponsibility jeopardizes Social Security and leaves nothing to strengthen Medicare.

Marriage penalty relief is the right thing to do. Married couples should not find themselves penalized because both need to work. The Tax Code has penalized marriage for too long and any tax cut proposal should attack this problem. That means acting within the framework of a balanced budget that will pay down the debt, protect Social Security, strengthen Medicare, and make needed investments in education. These are the priorities of the American people. Hardworking Americans, Democrats, independents, and even Republicans have sent us this message loud and clear.

The only people who do not seem to be listening are the Republican leaders in this Congress. If they were listening, they would hear the families out, those who say do the right thing. Instead, Republicans come to this floor with a massive tax bill that not only squanders the surplus, it fails to provide true marriage penalty relief.

In fact, over 70 percent of the tax relief in their bill goes to the wealthiest Americans, most of whom do not even pay a marriage penalty. Meanwhile, families that need relief the most would receive less than 41 cents a day. Democrats support real marriage penalty relief that targets those who need it most. Our plan provides more tax relief to low- and moderate-income Americans who work hard for their paycheck each and every day and deserve to keep more of their money. It would ensure that more working families can take advantage of the earned income tax credit.

One hundred thousand of my constituents in my district, those on Social Security, will be hurt by this Republican bill, and the Democratic alternative would cover both those who are suffering from the marriage penalty and those who are on Social Security. We should not be fooled by the numbers that are being brought up on the other side. The Democratic proposal would cover both.

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

Mr. Speaker, I would say to the previous speaker that if she votes against H.R. 6, 56,000 married couples, one half of whom are itemizers in the 3rd Congressional District of Connecticut, will not get relief from the marriage tax penalty.

The gentlewoman may be able to explain that to them, but I sure cannot.

Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS), a member of the Committee on Ways and Means, and a leader in our effort to bring fairness to the Tax Code by eliminating the marriage tax penalty.

Mr. LEWIS of Kentucky. Mr. Speaker, there are some issues we discuss in Congress where both sides of the aisle can agree. The importance of marriage, I am convinced, is near the top of that list. That is why I am surprised by this debate today.

We have an opportunity to wipe out a tax problem that otherwise penalizes married couples. We are helping married couples who are building families, pursuing the American dream of homeownership, and couples that contribute to our economy so that they and their families have a safe and prosperous country to live in.

My friends on the other side of the aisle, however, say that this bill gives those families too much. They are talking about families where the husband and wife are just starting out; the ones that can barely afford the new starter house, the ones that sacrifice in order for one parent to stay home so that their children have the best possibility for beginning in life.

The Democrat side says those families do not need a break. They get too many breaks in the Tax Code already. I encourage my friends to talk to those families, and I doubt they would agree.

Mr. Speaker, is the idea of a tax cut that upsetting to some of the Democrats? I guess they did not get the title as tax and spend Democrats for nothing.

Are some in this body more concerned with maintaining a perfect scoreboard for raising taxes on Americans than helping struggling new families? We have a projected surplus of over $3 trillion. Is the need to feed their spending habit so strong that they cannot spare a small part of that to really fix this Tax Code problem?

Mr. Speaker, I certainly hope not. I encourage my colleagues to support the married couples and vote yes for H.R. 6.

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

Mr. Speaker, it is so unfair to use political labels like tax and spend. We are very anxious to work with the majority to get a budget and to get this thing done right, but if they just want a political issue they have it.

Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, I want to support and will support the Democratic substitute which provides an honest marriage tax penalty relief for 53,000 of my people, but it also protects the 81,000 who get Medicare and Social Security in my district.

Rather than do that out here, we have come to Alice in Wonderland. I saw the Speaker of the House come out here and tear up the budget process. He said, let us pass a tax package before we even have a hearing on the Committee on the Budget, on which I sit.

What is even more curious is that the marriage tax penalty was in the Contract on America. For 5 years, the other side has not dealt with it, and suddenly it comes here.

In 1997, in the Committee on Ways and Means, I offered the amendment which is the Democratic substitute. All the Democrats voted for it and all the Republicans voted against, because they were going to give a tax break to the businesses.

Now we come out here, and we want to do this at top speed. It has to be done today in the House so it can be done in the Senate on, what, Tuesday, Wednesday, so that the ad campaign, including the Valentines that are going to be sent to all the married people in this country, will get there with it, with a ''we sent it to them.''

Now I can see a PR campaign when I see it. It has nothing to do with legislation, the President is right to veto it, until we have a budget and we decide what we are going to do with Social Security and what we are going to do with Medicare.

To be making tax cuts without having one single discussion in here about what we are going to do to protect Social Security or protect Medicare or pay down the debt, they come out here the first thing and say let us send a valentine to everybody because it is an election year.

□ 1245

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

Mr. MCDERMOTT. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, did I understand, then, that 3 years ago every Democrat on the Committee on Ways and Means voted to implement 100 percent of the contract of America marriage penalty relief, and the Republicans rejected it and did not think it was the appropriate priority?

Mr. MCDERMOTT. Mr. Speaker, I could not believe it, but that is what happened. I saw it with my own eyes. It was my amendment. The gentleman from Wisconsin (Mr. KLECZKA) and I put the bill in last year.

Mr. DOGGETT. Mr. Speaker, if the gentleman will yield, this candy is about 2 years too late, is it not?

Mr. MCDERMOTT. Mr. Speaker, I guess better late than never. But it ought to be in the context of what kind of budget we are putting together. What are they doing with Social Security? What are they doing with Medicare? Why do they have to send valentines before they get down to the serious work here?

The American people expect us to be serious about protecting Medicare and about protecting Social Security and talking about a prescription drug program. Now, my colleagues and I, we have the FEHBP; and if we have to get the prescription filled, it costs $12, and we get a 90-day supply. My mother and a lot of other 90-year-olds in this country have to go out and pay retail. What my colleagues want to do is send this valentine totally unrelated to what is going on in the budget.

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

Mr. Speaker, I would say to the gentleman from Washington (Mr. MCDERMOTT), the previous speaker, that if he votes against H.R. 6, 53,000 married couples, and half of whom are itemizers in the Seventh Congressional District of Washington, will not get relief in the marriage tax penalty. Let us eliminate the marriage tax penalty.

Mr. Speaker, this effort to eliminate the marriage tax penalty has been a bipartisan effort.

Mr. Speaker, I yield 1½ minutes to the gentleman from the great State of Ohio (Mr. TRAFICANT), who has been a leader in the effort to eliminate the marriage tax penalty.

Mr. TRAFICANT. Mr. Speaker, all politicians in America promote family values. They are good political buzz words. But the truth is, in America, family values happen to mean higher taxes for married people, period. But it does not stop there. Our Tax Code is so screwed up, it also rewards dependency, subsidizes illegitimacy, promotes sexual promiscuity, denies and inhibits achievement and work, while all the time supposedly promoting family values.

It has become so perverse in America, even marital sex is overtaxed by our policies. It is no wonder the American people are taxed off. It is no wonder America has so many common law homes and marriages and unwed mothers and kids on our street without guidance, nor stability. I am going to vote for this bill.

I want to yield back all the broken homes in America that have been the result of all of the family value rhetoric we hear from Washington politicians.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MCNULTY), a member of the Committee on Ways and Means.

Mr. MCNULTY. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), the Democratic leader, for yielding me the time.

Well, here we go again. My friends on the other side of the aisle want to give away surplus revenue before the surpluses even materialize.

I support marriage penalty tax relief. I will save the gentleman from Illinois (Mr. WELLER), my friend on the other side of the aisle, the time and trouble of citing the statistics in my district. There are 51,222 married couples in my district, and they would get relief under the Rangel substitute which I intend to support.

But I would also point out that more than twice as many people, 112,262 constituents in my district receive Social

Security and Medicare benefits; and they will not get protection under the Republican bill.

We have had 30 years of deficit spending. There is enough blame to go around for all of that and the tremendous national debt that has resulted. Now we have an era of surpluses, and we are going to decide what to do with the extra money.

But what is the size of the surplus? I am amused by all these guesstimates. Six months ago, the CBO said that it was going to be a trillion dollars, and we all started to divvy up that money. Then a few weeks ago, because of this robust economy that we are experiencing, they revised that figure and said it was going to be almost double that, $1.9 trillion. We all got excited about that until I picked up the New York Times and read an article by Bob Reischauer called the ''Amazing Vanishing Budget Surplus.''

As I went through his article, which I thought was pretty well thought out, and he took away the Social Security portion of that surplus, which is the bulk of the surplus, and moderately revised down some of the over-optimistic assumptions. He concluded that our 10-year budget surplus could actually be as low as $100 billion. Now, I can understand people thinking that it will be more than that, and I am among that number. But do we really think it is going to be 20 times that?

We all say that we are in favor of saving Social Security, saving Medicare, providing prescription drugs for the elderly, and paying down the national debt. We all say that. But if we do that, what, if any, money will be left? I think Bob Reischauer's projection is low. But what if he is right? Let us take that as an example. This one bill, I would say to the gentleman from Illinois (Mr. WELLER), this one bill would put us $82 billion in deficit. Just this one bill!

So I support the Rangel substitute. I will vote against this irresponsible bill, and I will say to the gentleman from Illinois, I know how many married couples are in my district. I am going to protect them and the seniors.

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

Mr. Speaker, I say to the gentleman from New York (Mr. MCNULTY), the previous speaker, that if he votes against H.R. 6, 51,000 married couples, half of whom are itemizers in the 21st Congressional District of New York, will not get relief from the marriage tax penalty. We protected social security. We are paying down the debt. Let us end the marriage tax penalty.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN) who has been a real leader in our effort to make the Tax Code more fair by eliminating the marriage tax penalty.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time. I appreciate his efforts to bring marriage penalty relief to the floor today. He has been a real champion on this issue. I also commend the gentleman from Texas (Chairman ARCHER) for moving it through the Committee on Ways and Means.

Let me just start by saying that we have a non-Social Security budget surplus projected that is over $2 trillion. The marriage penalty we are talking about today is about one dime out of the dollar of that non-Social Security budget surplus. To say that we cannot take care of paying down the debt, to say that we cannot take care of Social Security and Medicare in that context is just not right. We can. We can do that, and we can take care of this unfairness in the Tax Code.

This is a good bill because 25 million couples out there pay, on average, about $1,400 on average more than people who are in their situation but not married. That is just unfair. That may not be much money by Washington standards; but in my district, that is a lot of money. That means about 63,000 couples in the second district of Ohio have more money to save for their own retirement, more money to save for their kids' education, more money to make a down payment on a car or a home. Frankly, it is just not fair. This is their money. This part of the code has to be changed.

I have heard some of my friends from the other side of the aisle say today, well, our bill is more targeted. We want to target it more. Well, if you target it, two things happen.

Number one, people who deserve the benefit, who deserve to get outside of the marriage penalty do not get it. This includes, yes, people who itemize, people who own their own homes. Yes, it includes stay-at-home moms. It even includes some folks that they say they would like to help. Because if they target it and be too specific and refine it too much, they are going to miss some people who need the help.

The second thing that happens is in order to target it and refine it the way that Democrats would like to do they add enormous complexity to the Tax Code. Now, I hope all of us will focus on that today. We are doing this, not only in a way that provides relief to people who are being penalized by this unfair part of our Tax Code, but we are doing it in a way that is as simple as possible so we are not adding tremendous complexity to the Tax Code. My colleagues have to add that complexity if they try to target and try to social engineer too much with this proposal.

So I would say to my friends on the other side of the aisle, let us ask the couples in our districts, do they want to get outside of this unfair marriage penalty. The answer will be a resounding yes.

We have an opportunity to do it today. Let us join together and pass real marriage penalty relief, and I urge everyone to vote yes on final passage.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COYNE), a senior member of the Committee on Ways and Means.

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

Mr. COYNE. Mr. Speaker, marriage penalty relief is an important issue, and I am glad that the House is considering the legislation today. Most of us have supported marriage penalty relief for many, many years. That being said, however, I do not think that the current version of H.R. 6 is helpful.

The President's budget addresses the problem in a more fiscally responsible fashion, and I commend him for making his proposal. It would increase the standard deduction for two-earner households to double the amount of the standard deduction for single filers. Since most married couples claim the standard deduction and pay taxes at the 15 percent marginal rate, this provision would eliminate the marriage penalty for most families across the country.

Like the President's proposal, the Democratic alternative that will be offered today would target marriage penalty relief to the families that need it most in the country. Unlike the version of H.R. 6 that was reported out of the Committee on Ways and Means, the Democratic alternative ensures that the alternative minimum tax will not prevent married couples from receiving marriage penalty relief. Consequently, we should support the Democratic alternative that will be offered later today. I believe that this proposal would do the most to help married couples that we represent.

Mr. Speaker, I support the Democratic substitute because I want to provide honest marriage penalty relief to the 45,160 married couples that are in the 14th Congressional District in Pennsylvania. But I also want to protect the Social Security and Medicare benefits enjoyed by 110,656 of my constituents and to reduce my constituents' $8.4 billion share of the Federal debt.

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

Mr. Speaker, I say to the gentleman from Pennsylvania (Mr. COYNE), the previous speaker, that if he votes against H.R. 6, 45,000 married couples, one-half of whom are itemizers in the 14th Congressional District of Pennsylvania will not get relief in the marriage tax penalty. Let us bring about fairness. Let us eliminate the marriage tax penalty.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Iowa (Mr. NUSSLE), who has been a real leader in our effort to bring fairness to the Tax Code by eliminating the marriage tax penalty.

Mr. NUSSLE. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Targeted tax cuts, that is what the Democrats are offering here today. Targeted tax cuts. Here is the target, folks, right here, target, zero. That is

the target. They hit it as they have every year that they were in power. Every year that they controlled this House of Representatives, they came up with a zero with regard to reducing taxes. No, taxes went up during their control.

Taxes are going down under Republican control. That is why we are here today to talk about tax fairness, to talk about a time in our history where we have finally balanced the budget, where we have finally started to reduce the national debt, where we have finally taken the Social Security Trust Fund away from the big spenders.

We have an opportunity today to find one small area of the Tax Code and say, for the 300,000 married couples in Iowa, as an example, it is time to put fairness into the Tax Code.

What do the Democrats say? We would like to, but. Well, ''We would like to cut taxes but'' sounds a lot like we would like to reform welfare but, and voted against it. We would like to stop robbing the trust fund of Social Security, but we really would like to spend it; and they did. That sounds a lot like we would like to balance the budget but never were able to during the time they controlled the House of Representatives. It sounds like a lot of excuses from a party who could never quite get a plan put together.

The minority leader came to the floor and said he does not like our plan. Well, it is high time that he came up with a plan that did something. The President at least came forward with a budget that wants to cut taxes. He raised taxes, too. That is another story; we will get into it. But at least he is trying.

From the Democrats in the House, we have got a plan. It is targeted at zero. It is such a big goose egg, we need to vote against the plan, if that is what my colleagues want to call it, to target taxpayers the way the Democrats have and let us give tax relief the way the Republicans are doing it.

□ 1300

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume to say shame on the gentleman who just spoke. The only reason his side gets the goose egg is because the joint committee said that they would do nothing with Social Security, do nothing with Medicare, and do nothing to pay down the national debt. And we are prepared to say yes it will be zero in tax cuts until we fulfill that responsibility. The gentleman knows it, and I know he knows it.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN), a senior member from the committee.

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the marriage penalty is wrong, we all acknowledge that. Persons should not have to pay additional taxes because they get married. It is wrong for someone who lives in the Third Congressional District in Maryland, it is wrong whatever Congressional District someone lives in.

But let us explore why we have a marriage penalty in the Tax Code. In the 1940s, Congress felt it important to reward marriage by having the joint tax return. That allowed couples who got married to get a marriage bonus; that is they paid less taxes when they were married than they would if they filed two single returns. It was a good policy in the 1940s.

In the 1960s, we heard from single taxpayers who were outraged that they had to pay such higher taxes. So the Congress provided relief in the 1960s for the singles, creating a larger marriage penalty. That was wrong to create a marriage penalty. And of course with the economic circumstances, and more and more spouses working and having comparable income, we now have a marriage penalty. We should do something about it.

But recognize at least that half the people that are married are receiving a bonus because they are married. So why do I oppose the Republican bill? I oppose it first because it spends $180 billion to provide $80 billion of relief. That does not make good sense. Why are we spending an extra $100 billion that goes to the people who are receiving already a bonus for being married? That is not right. That money we need for Medicare, we need for Social Security; and we need to reduce the national debt.

As my Republican friends have told us, this is the first of a series of tax bills that will spend over a trillion dollars, which jeopardizes our ability to maintain our economic progress.

My good friend, the gentleman from Illinois (Mr. WELLER), who keeps on mentioning our statistics, I hope he will be at least honest in presenting this information and point out that his bill does not provide any additional relief until 2003. That is the first year that this bill helps the person who itemizes their tax returns. And this bill does not fully implement that until 2008. So there is going to be no difference between an approach that deals with an itemized deduction or one that deals with spreading the brackets until at least that year. Let us be honest with our citizens as to the difference here.

What I would hope we would do is be committed to a budget. Yes, we are upset because there is no budget today. We do not know how this all fits together. Let me just give my colleagues one example, if I might. Let us take a Member of Congress, who happens to be married and where the spouse does not work, and one who is single. Today, the married Congressman pays $4,300 less in taxes because he is married.

What the Republican bill would do when fully implemented in 2008 is provide an additional $1,400 of tax relief for that Member of Congress. I do not think that is right. Let us target the money to the people that are paying the penalty. That is what we should be working together to do. I urge my colleagues to work together to solve the problem.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my friend, the previous speaker, that if he votes against H.R. 6, 60,000 married couples, one-half of whom are itemizers in the Third Congressional District of Maryland, will not get relief from the marriage tax penalty. This has been a bipartisan effort.

Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Ms. DANNER), who has been a real leader, in fact the lead Democrat cosponsor of H.R. 6.

Ms. DANNER. Mr. Speaker, I am proud that my home State of Missouri recognizes the benefits of allowing married couples to file either jointly or separately.

Missouri is known as the ''Show Me State,'' and I think we serve as a shining example of the fact that we can have a tax that is fair and equitable to all married couples. I think the Federal Government should, indeed must, emulate my State in providing long overdue tax relief.

There is an old saying, ''Death and taxes are both certain, but death isn't annual.'' Let us each pledge to bring an end to this unfair and costly tax burden which is annually placed on married couples. I can certainly think of no better gift this Congress can give the American taxpayers as we close in on Valentine's Day than to vote on H.R. 6, the Marriage Penalty Relief Act of 2000.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KLECZKA), a senior member of the Committee on Ways and Means.

Mr. KLECZKA. Mr. Speaker, my colleague, the gentleman from Maryland (Mr. CARDIN), asked a rhetorical question, and I want to answer it. He asked why are we spending an additional $100 billion in this bill that does not go to anyone who is in a marriage penalty?

Well, I say to the gentleman from Maryland and my other colleagues, because it is payback time. Those dollars go to the wealthiest in this country who are contributors to my fellow Republicans, who are supporters. They are the exact people who gave $70 million to George W. Bush in his effort to be President of the United States. That is what this is all about.

We have had over 20 Republican speakers today talk about this H.R. 6 marriage penalty bill, but only one, one, had the honesty to come forward in his remarks and state that, yes, there is a bulk of benefits for the most wealthy in this country.

Let me refer my colleagues to this chart. I have taken the liberty of retitling the bill to what it really and actually is, and that is the Tax Fraud Act of Year 2000.

Mr. Speaker, when the bill was before the committee we asked some very

pointed questions to the Republican staff. And, surprisingly, we found out that over 50 percent of the benefits in this bill go to people who do not even pay a marriage penalty. So to Patty and Pat in the Speaker's district who just got married, I think it is incumbent on the Speaker and the rest of us to tell Patty and Pat that half of this is going to be who are not suffering the marriage penalty.

Where does all this money go? The Republicans in this bill increase the size of the 15 percent tax bracket. And, surprisingly, 84.1 percent of those benefits go to those taxpayers in this country who are earning over $75,000. On this particular chart we show the 10-year cost of the bill: $182 billion. In the blue shows the dollars that are going for the marriage tax penalty. That is what we are being told the bill is all about.

But I have to tell my colleagues a little deep dirty secret the Republicans do not want us to learn about, and that is that 105 go to other than marriage tax penalty payers. In fact, here again, 84.1 percent of the increase goes to those who earn over $75,000 a year.

So let us be honest in this portrayal. Later in the debate we will have the opportunity to vote for a real, a real live marriage penalty bill, and that is one that goes to those who pay the penalty, not the 50 percent who do not pay the penalty who today earn a marriage bonus.

And, yes, Patty and Pat from the Speaker's district, along with 61,582 of my constituents will get relief from the Democratic substitute and the marriage penalty, but it also recognizes that constituents in my district, like Sid and Doris, 99,234 other seniors, will have a shooting shot later in this session to make sure there are some dollars left to resolve problems like modernizing Medicare, providing a meaningful drug benefit, and saving Social Security. I challenge my colleagues to address this question.

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my friend, the previous speaker, that if he votes against H.R. 6, 62,000 married couples, half of whom are itemizers in the 4th Congressional District of Wisconsin, will not get relief from the marriage tax penalty. Yes, we want to help stay-at-home moms and dads who own their homes.

Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to support H.R. 6, the Marriage Tax Penalty Relief Act of 2000.

This says it all, though. I have heard a lot of rhetoric, obviously from both sides, but this placard, this sign, says it all: Zero. And I think that when we look at the budget surpluses that we produce by refining government, that are projected as far as the eye can see, how can we really truly deny giving back to the American people what is theirs?

The nonpartisan Joint Committee on Taxation has been talked about, and, yes, that is part of the problem with the Democratic substitute. Because what it does is it provides no relief. None. Under the Democratic plan, the Democratic substitute, the provisions do not go into effect until, get this, a Social Security certification, a Medicare certification, and public debt elimination. Until the middle of this century, 2050, to get all three of those out of the way.

That tells me that the Democratic body really does not want relief. They want all the lights to be green before they start across down. And we know that is an improbability.

I would say this: Let us pass this legislation and give the American couples a Valentine gift they deserve.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume to just reiterate that saying it over and over again does not make it right. We have a bill that takes care of the problem and the other side knows it.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN), a member of our Committee on Ways and Means.

Mrs. THURMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

First, I want to address this issue that the gentleman from Illinois (Mr. WELLER) keeps bringing up. Our information in numbers is exactly the same as his, but under the Democratic substitute, when signed in law, because it will be the one signed into law, it will provide a marriage penalty relief to 43,900. And I want to also let the gentleman know, because this is a very high number for us in Florida, I want to protect the Social Security and Medicare benefits enjoyed by 188,821 recipients in my area.

Just as importantly, if we take care of Medicare, if we take care of Social Security, and we pay down the debt, that same married couple will be the recipient of those programs as well in the future.

But if my colleagues do not want to believe me, let us go to an outside group. In The Washington Post, dated February 3, 2000, the title of an article, ''Fattening the Marriage Bonus.''

The article says, ''The House Ways and Means Committee yesterday approved a bill to ease the so-called marriage penalty. The bill, however, has little, if anything, to do with marriage. The label is a gloss for a generalized tax cut mainly for the better-off. The bill is structured in such a way that as much as half of the benefits go to the families who do not even incur the supposed penalty but receive a marriage bonus under the law; their taxes are already less than they would be if they were single.

''The Republican-backed bill is backloaded so that its true cost is masked. The estimate is $182 billion over 10 years, but by the 10th year the annual cost would be $28 billion and likely higher if, as expected, Congress also eases the alternative minimum tax. The measure,'' and this is important, ''would thus consume by itself about one-fourth of the surplus in other than Social Security funds projected by the Congressional Budget Offices in the most realistic of its forecasts, and even that forecast was rosy, in that CBO was forced by the accounting conventions to ignore several hundred billions of dollars in cost that everyone understands the government will incur.

''The main provision in the bill, accounting for well over half,'' as was displayed by our last speaker, ''would benefit only taxpayers in the highest quarter of the income distribution. The President,'' which is where the Democratic substitute has been looked at, ''would propose in next week's budget a tax cut limited to middle- and lower-income families that do pay a marriage penalty. It would cost only about a fourth as much as the Republican bill. Secretary Summers rightly warned in a letter this week that he would not recommend the President sign the Republican bill.''

So the only true bill on this floor is the Democratic one. It is the only one that will give a Valentine.

□ 1315

Mr. WELLER. Mr. Speaker, I would say to my friend, the previous speaker, that if he votes against H.R. 6, 42,000 married couples, one-half of whom are itemizers in the 5th Congressional District of Florida, that they will not get relief from the marriage tax penalty.

We protect Social Security. We are paying down the debt. No more excuses. Let us eliminate the marriage tax penalty.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a respected member of the Committee on Ways and Means, a real leader in the effort to make the Tax Code fair.

Mr. SAM JOHNSON of Texas. Mr. Speaker, we are talking over here on this side about delaying any relief for married families for up to 10 years. Marriage is a cherished institution in America, and we should promote it, not discourage it.

Today we are going to do just that. Right now married couples pay more in taxes than two single people living together, and that is just not right. Washington has got to stop it, penalizing the cornerstone of our society, the American family. We should encourage marriage, not penalize it.

Do my colleagues know what we are doing? We are really restoring family, children, and the American dream. Democrat allies labeled marriage penalty relief as risky last year, and the President vetoed it. Last week, all the Democrats voted against it in the Committee on Ways and Means.

Today, they are trying to fool us and the American people into thinking that

they are for marriage penalty relief. Do not believe them. They do not have a plan that provides for even $1 of guaranteed marriage penalty relief, and this is a shame.

In my district alone, this bill will end the marriage penalty for over 150,000 Americans. The President and his Democrat friends should stop playing election-year politics. A vote for this bill is a vote for America. It is a vote for American families.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, well, leave it to the House Republicans to convert an issue that enjoys such broad bipartisan support into a totally contrived election-year ploy. Had they the slightest interest in correcting the marriage penalty in a timely way, it would have already been done.

In 1997, the Democrats proposed to implement fully the Contract on America provisions, which they so widely ballyhooed all over this country, to put them into effect immediately. But Republicans had other priorities, other special interest priorities.

The ''American dream'' about which the last speaker spoke in fact, that is the title they put on their bill regarding the marriage penalty to implement the Contract with America. They called it the ''American Dream Restoration Act.'' But they dropped that provision when Democrats offered it in the Ways and Means Committee as an alternative to other special interest priorities.

Last year we had the same thing happen. We proposed more marriage penalty tax relief than Republicans did. But they had their own priorities. They had that special interest provision to provide a tax subsidy for chicken manure. And they had a whole lot of other special interest tax breaks. They were not interested in coming together and cooperating in a bipartisan way to really do something about the marriage penalty.

We now have a new millennium. But, unfortunately, we do not have a new era of cooperation from this House leadership. If we had that, the American families, about which they are expressing such concern about today, would have already had the relief in place, instead of waiting for Valentine's Day.

Now, we also know that this bill cannot pass the truth in packaging standards. Over half of the relief in this so-called marriage penalty tax relief goes to families that do not experience any marriage tax penalty. The sponsors of this bill have never been able to refute that point. In fact, it is a central purpose of their bill. What that means is that over half the relief goes to families that already enjoy an advantage over people who are filing as a single taxpayer under the Tax Code.

I have been blessed with 31 years of marriage to a great woman, my parents over 55 years of marriage. It is a great institution. But I do not see any reason why I need to discriminate against a family that is not as fortunate as I am.

The victim of domestic abuse, the widow who is out there, what do they get out of this great valentine? They do not even get a stale candy wrapper, not one penny. There is no reason why the 50 million American families that are single-parent families, most headed by single women, many of them facing much greater struggles than my family has faced, trying to be a sole provider, trying to care for a family, why they should be discriminated against.

By providing an additional bonus to those taxpayers who already enjoy a bonus or advantage under the Tax Code, this bill actually discriminates against single individuals.

And finally, the most comprehensive discrimination is imposed on our children both of those families who incur and those who do not incur a marriage penalty; it imposes on them a new penalty and that is to share a greater burden of the national debt.

We need to do what the nonpartisan Concord Coalition said yesterday, ''giving away chocolates rather than giving away the surplus would be the most appropriate way to celebrate Valentine's Day.''

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my friend, the previous speaker, that if he votes against H.R. 6, 59,000 married couples, one-half of whom are itemizers, in the 10th Congressional District of Texas will not get relief from the marriage tax penalty.

I would also note that my friend from Texas voted against last year's effort to wipe out the marriage tax penalty.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. COX) a real leader in the effort to make the Tax Code fair by eliminating the marriage tax penalty.

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

Mr. Speaker, we have heard that it was important to reduce the marriage penalty a few years ago but we cannot do it this year. We have heard that we should be bipartisan, and yet every Republican is in favor of this and 38 Democrats, not a single bit of bipartisanship in the opposition.

From 1913 until 1948, there was no discrimination against married people or against singles. The Tax Code treated them the same way no matter what. The reason we got a marriage penalty is that back then when the prejudice was in favor of working men, Congress decided to give a protection to working men who did not live in community properties States who could not income split. So now what we have is not just discrimination against married couples, but explicitly we have discrimination against working women.

Back when we got the income Tax Code, women did not work, about three percent of the labor force. That has dramatically changed. From 1947 to 1997, there was a 100 percent increase in the number of working women.

We need to pass this legislation because discrimination is at stake. We would not get rid of the court system, the Civil Rights Act, or the EEOC because it was spending money. Vote for this bill because it is the right thing to do.

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

Mr. Speaker, it has been pointed out that the gentleman from Illinois (Mr. WELLER) has 92,571 constituents who are Social Security beneficiaries. And certainly, if they are just going to go after giving tax relief, they really do not care anything about them and those on Medicare.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

Mr. Speaker, let me talk about the impact of the alternative minimum tax on this bill. Because, as the gentleman from Texas (Mr. ARCHER) knows, I have been speaking out about this for the past few years, and it is time to eliminate the alternative minimum tax. It no longer performs the function it was intended to and, in my view, has perverse consequences in the tax system.

Now, laying that aside, let me tell my colleagues that I had a call this week from a Republican interest group asking me to support this bill. The rationale was the statistic that they were offering that suggested that 61,386 married couples in my district were affected by the marriage penalty.

When I asked how many would not get any benefit from the Republican bill because of the alternative minimum tax, they did not know; and they did not know because they did not care. They saw this then and they see this today as a purely political issue.

Now, is the AMT a minor flaw in this bill? Absolutely not. It would cost $65 billion to fix the problem. To put it another way, the Republican bill promised about $250 billion of tax relief and, by sleight of hand, uses the AMT to take back $65 billion, or 26 percent of the benefit.

This is not a small problem. It is a known problem. It is a fixable problem. But in this legislation that they are offering, it is not fixed.

Now, we hear that this will be taken care of in the future. Sounds a little bit like the Popeye character, Whimpy, promising to buy someone a hamburger next week if only on this day we will buy him one.

If there is a problem, then fix the way we do in the Democratic proposal. If their side keeps promising a pig in a poke, eventually the public is going to demand a look in the bag.

Now, I had a few other callers in support of fixing this tax penalty; and I

agreed with them, and that is why I am going to vote for the Democratic alternative. When I asked some of them why they were flirting with the Republican penalty bill, where half the money does not even go to fixing the marriage penalty but to making a single penalty in current law worse, it is written so that the more children they have the less likely they are to get any marriage penalty relief, they do not know what is in the fine print.

So if they are so concerned about children, why did they not take the money they were using to increase marriage bonuses and use it to solve the AMT problem with families with children? They have the money. It is right in their own bill.

So for tens of thousands of American families, the only thing the Republican bill gives them is a requirement that they are going to have to fill out two tax forms instead of one, the regular tax form and a 50-line alternative minimum tax form. Now, that truly is a penalty on the Republican side for being married and having children.

These would be serious problems if this was a serious bill, but it is an election year and we know that it is not, as many of the bills that will follow also I think will be based on. Hopefully, we are going to have a chance this year to fix some real problems.

Now, I want to ask the gentleman from Illinois (Mr. WELLER) a question as I conclude as he leaps to the floor to call attention to the number of people in my district that I have already cited. I would ask if he would state the number of families in my district who are being deceived by using the AMT to take back the tax cut they are promising?

Mr. WELLER. Mr. Speaker, I yield myself such time as I may consume to say to my friend the gentleman from Massachusetts (Mr. NEAL), the previous speaker, that if he votes against H.R. 6, 61,000 married couples, one-half of whom are itemizers in the 2nd Congressional District of Massachusetts, they will not get relief from the marriage tax penalty.

I would also note that my friend from Massachusetts voted against the outright repeal of the alternative minimum tax this past year.

Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. MCINTOSH), one of the real leaders in the effort to bring fairness to the Tax Code and one of the authors of Weller-McIntosh.

Mr. McINTOSH. Mr. Speaker, I thank the gentleman for his leadership in bringing this bill to the floor today.

Today is a great day for freedom. It is an even greater day for our families in America. I hope the American people are listening to this debate because it is a debate about priorities. It is a debate about who will truly fight for families versus those who want to fight for higher taxes.

The other side of this debate say they are for marriage penalty relief. But watch what they do, not what they say.

Let me quickly compare these two proposals. The Democrats' plan gives zero dollars in tax relief. There it is on the chart. And that is from a nonpartisan joint committee on tax assessment of the two bills. Zero, zip, nada, nothing to families in their bill. They do not want us to know that, so they scream about other issues.

The GOP gives $182 billion in tax relief, one-tenth of the projected surplus over the next 10 years. The Republican plan will give couples up to $1,400 in tax relief, and it is a plan that applies to all married couples who pay taxes.

Not so for the Democrat alternative. They do not want moms who stay at home to have a benefit under this bill. That is the bottom line when they say people are getting tax relief who should not. It is the moms who are sacrificing, not following their career who choose to stay home and take care of their children. Our bill says give them the same marriage tax relief.

Democrats do not want to give tax relief to people who own a home and itemize. If they are a homeowner, they get zero tax relief under the Democrats' bill. If they are a homeowner and they itemize, they get relief from the marriage tax penalty under our bill.

This morning I heard a Democrat from one of their think tanks say, any family that makes over $50,000, that is $25,000 for the husband and $25,000 for the wife, they are wealthy and they do not deserve relief from the marriage penalty.

Not so under the Republican bill. All families who pay taxes in America will get relief.

This is a true Valentine's gift. It is more like the Hope Diamond on the Republican side. I am proud to support it.

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

Mr. Speaker, I have a copy of that Joint Committee on Taxation report and it says, yes, that there is zero under the Democratic plan. If the Republicans have no budget, if the Republicans do nothing for Social Security, if the Republicans do nothing to pay down the national debt, then there will be absolutely nothing under our plan.

We are assuming at some point that the Republicans will work with the President and work with us and do those things and then relief is there. It is as simple as that. The report is available. It is called the Joint Committee on Taxation.

None of the people in the district of the gentleman from Illinois (Mr. WELLER) will get any benefit from the Republican or the Democratic plan until we come together and work together.

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

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

□ 1330

Mr. GREEN of Texas. Mr. Speaker, I stand here today wanting to support a reform of the marriage tax penalty. It is wrong that we would punish people for being married, and that is why I would hope that we could support a bill that would be bipartisan. But what we have today is the Republican bill that is really a Trojan horse. I heard it referred to as the Hope Diamond, but it is really a Trojan horse, because half of those benefits in this bill go to people not subject to the marriage tax penalty right now. Let me repeat that, half the benefits of this bill go to the people who do not have any marriage tax penalty.

That is what is wrong with this bill. It is irresponsible in size and cost, the GOP bill, its willingness to neglect the long-term needs of our country, Social Security, Medicare, paying down our debt, and even national defense. Later this year we will hear about how they want to do stuff for national defense. Well, you cannot give away the store now and expect to pay for it later.

$182 billion would use the surplus in addressing American's priorities by paying down the national debt, Social Security and Medicare. Let me say as a Member of Congress, I would benefit. Like my colleague from Texas, I have a working spouse in Texas who is a schoolteacher. I would benefit from the Republican bill. But it is wrong to do that for the income level we have. It ought to go to the people who really need it, and that is what is wrong with this bill. So Members of Congress should really vote against it, because it benefits us too much.

Half the benefits, again, will go to the taxpayers who have no marriage tax penalty. According to the Citizens for Tax Justice, the Republican bill would give the lion's share of the tax cut to higher income families. Two-thirds of the tax relief would go to 30 percent of the married couples with incomes over $75,000 due to the large tax bracket.

Let me also say we have a Democratic plan that scales it down and really addresses marriage tax relief. Understand, it works with the alternative minimum tax, so it does not give you with one hand and take it away with another. Their bill does.

Over the last few months I have had a chance to do town hall meetings. We were out for 2 months. We did a newsletter. I know I am going to hear in a few minutes from my Republican colleague about how many people will not benefit. Let me tell you, I have 322,000 taxpayers in my district who pay into Social Security, and they want it there 30 and 40 years from now instead of giving away the store now. I have 55,000 recipients on Social Security and Medicare now. They want that benefit now, not given away in a tax cut that is irresponsible.

We sent out a newsletter, and let me talk about it. Mr. Barrera from southeast Houston, ''It is so important that you remember, we need to pay down the debt, strengthen Social Security, a

prescription drug benefit, fund education, and then give me a tax cut.'' That is from southeast Houston.

We have a young lady from north side Houston, Ms. Kubala. She said, ''You need to show more concern for the not-so-rich people instead of catering to the rich.'' I do not think that I have a better statement than my constituent for this bill today.

We have a gentleman from the North Shore area of northeast Houston. ''It isn't that we do not want a tax cut, but there are other things more important.''

Mr. Speaker, I cannot say it better than my own constituents.

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

Mr. Speaker, I would say to the previous speaker, my friend, if you vote against H.R. 6, 92,000 married people in the Twenty-ninth Congressional District of Texas will not get relief from the marriage tax penalty. One-half of them are itemizers. No more excuses. Let us bring fairness to the Tax Code.

Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. MCINNIS), a respected member of the Committee on Ways and Means.

Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman yielding me the time.

You know, I get it. I was at the airport not long ago and I met a young mother, her name was Carrie. She has four children, the oldest of which is six. She asked me about the marriage penalty. I think we all agree, it is unfair. The previous speaker from the Democratic side just said it was unfair.

I told her it is unfair. She said, ''Do you think it will pass?'' I said, ''Sure, it is going to pass. It makes so much sense, the Democrats are going to join with us.''

But, old stupid me. Stupid me. I forgot you guys who are worried about election year politics. Forget the merits of getting rid of an unfair tax like the marriage tax penalty. Forget that. It is all about election year politics, and you know it is about election year politics.

There are 30 or 40 of you over there on the Democratic side that have enough guts to stand up and vote for this bill based on its merit, vote on it based on the fact that it is unfair. But the rest of you like to use red herring, Social Security, in fact.

Why do you not just get up here and tell it like it is? It is election year politics. We would not dare want the Republicans to get credit for being fair to the American people. We have got to continue our bash against them. Stand up and vote on the merits, not on election year politics.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

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

Mr. Speaker, the most important thing that the public needs to know about this so-called marriage tax penalty is that it undermines our serious efforts to pay down the national debt, to save Social Security and to provide for Medicare.

This bill will explode in 10 years. It costs $182 billion and will consume over one-fourth of the non-Social Security surplus. We are trying to save Medicare.

This is a pre-Valentines Day stunt. The institution being threatened is not the institution of marriage, it is the institution of Social Security. Let me assure you lovers are not sitting around saying ''Honey, we better not get married because of the marriage tax penalty.'' But I assure you people on Social Security and people soon to be on Social Security are worried that we do not take some serious action to save Social Security.

Now, I agree, we ought to address concerns about the marriage tax penalty for those folks who do pay that tax. But this bill does not do that.

Let me tell you what is wrong with the Republican so-called marriage tax penalty bill. First of all, it is another gimmick to give tax relief for the very rich. Two-thirds of the benefit go to the top one-fourth of taxpayers, those people already well off and, moreover, they are doing very well in today's economy. They do not need a tax break.

Second, half of the relief goes to people who are not even paying the marriage tax. What is that all about?

Third, many of families with children who need a marriage tax break will not get it under this plan.

Clearly they are not addressing the target. On the other hand, you have the targeted Democratic approach. We double the standard deduction and adjust the earned income tax credit, and, as a result, we can provide targeted tax relief from the marriage penalty for those families who genuinely need it. There are 70,000 people in my district, as you will hear, who will benefit if we give targeted tax relief. I want to do that. I do not want to give a bloated Valentine's gift to the very rich who do not need it.

Mr. Speaker, it should be well recognized by now, this is part of a big tax cut for the rich that the Republicans and George Bush are pushing. It is not a good idea. We should reject it, save Medicare, save Social Security, and pay down the debt.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support on this long overdue reform. At last we are going beyond the rhetoric of family values and doing something real to make our Nation truly a place where hardworking American families can have a job and raise a family and own a home. We should not be taxing marriage. Let us stop this discrimination.

I have got to tell you that I think it is only the first step towards what I would hope would be major tax reform, but we have got to deal with this now. We have put it off for too long. It is a testament to the complexity of our Tax Code today.

There are over 25 million couples, that is 40 percent of all married couples, who pay an average of $1,400 in extra taxes because they are married. That adds up to more than 70,000 people in my own district. But $1,400 a year is real money. So what we are saying is do not make any mistake about it; we are talking about real money that will mean money in the bank for these families within the next 2 years. Let us do it.

May I just add that the numbers are confusing, but look at the CBO numbers, the Congressional Budget Office numbers.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I have a math question for my colleagues today: If the Republican marriage tax proposal spends $182 billion and the Democratic plan is $89 billion, which one leaves more money to invest in our children? You do not have to know new math to prove that the Democratic bill provides relief for working families, while saving $93 billion to invest in the needs of our children.

For example, if we adopt the Democratic plan, $25 billion could go to the States to improve child care, another $25 billion could be invested in children's health programs, and another $25 billion could be used for family services, with money left over to expand the Earned Income Tax Credit.

Mr. Speaker, I want to provide honest marriage tax penalty relief to the 58,003 married couples in my district, and I also want to protect the Social Security and Medicare benefits enjoyed by 95,424 of my constituents and to reduce my constituents' $8.4 billion share of the Federal debt, but, Mr. Speaker, let us give working families the assistance they really need. Let us give them tax relief. Let us help them take care of their children. Tax relief any other way just does not add up.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. FOWLER).

Mrs. FOWLER. Mr. Speaker, I rise today to express my support for the Marriage Tax Penalty Relief Act of 2000. There are almost 57,000 couples in my district in Florida alone who pay higher Federal taxes simply because they are married. Because women are often the second income source for married couples, this unfair tax has a disproportionate impact on them. When a woman accepts a marriage proposal, that does not mean an automatic pay cut. What could be more unfair, more immoral really, than taxing someone just because they fell in love?

As a gift to the American people this Valentine's Day, it is time to get rid of tax penalties against married couples once and for all.

Again, I would like to pledge my strong support for the Marriage Tax Penalty Relief Act, and I will continue to work with my fellow Republicans to eliminate unfair taxation.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Speaker, I thank the gentleman from New York for yielding me time.

Mr. Speaker, I rise in opposition to H.R. 6. It is untimely, it is unlawful, it is unfair, and it is unaffordable. It is also irresponsible and punitive tax policy.

It is untimely and unlawful because Section 303 of the Congressional Budget Act, the law of the land for 25 years, prohibits a tax cut of this magnitude before Congress adopts a budget resolution. We hope that resolution will establish a framework for using the surplus to extend the solvency of Social Security and Medicare.

It is unfair because 60 percent of all married couples will not benefit from it. In fact, middle class families with children will find their taxes increasing because this measure forces them to pay the alternative minimum tax.

It is not affordable. It consumes one-fourth of the anticipated surplus, keeping us from paying off the national debt, thus jeopardizing the strong economy we now enjoy.

It is irresponsible tax policy because it fails to address the marriage bonus and further distorts tax fairness. Under this measure, two-thirds of the total tax relief will go to wealthy taxpayers.

The gentleman from Illinois is going to point out that nearly 60,000 married couples in my district will benefit from your tax scheme, but that is only 30 percent of the married people in my district. Sixty percent will not benefit, and many of them will face a tax increase.

The valentine we should be sending American families is one which provides fiscal security by using any surplus to pay down our publicly held debt and make Social Security and Medicare solvent. Then construct a tax relief package that helps working families. I want to protect the Social Security and Medicare benefits enjoyed by nearly 100,000 of my constituents.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. FOLEY), a respected Member of Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, frankly, I am stunned that anyone would have a problem with this bill. The bill does three basic things, two of which the President himself has embraced. One, it expands the Earned Income Tax Credit; and, two, it doubles the standard deduction for married taxpayers. The only thing that the bill does do that the President's does not is offer relief to those married couples who do not qualify for the earned income tax credit and who do not take the standard deduction because they itemize instead.

□ 1345

Well, Mr. President, many couples itemize because they struggle to buy a home for themselves and their children, and they continue to struggle to maintain that home.

I realize that President and Mrs. Clinton have only recently become homeowners, so they probably do not realize yet just how much of a financial sacrifice most American homeowners make to provide that home. In fact, The New York Times recently reported that Mrs. Clinton was quoted as saying, ''I am stunned to discover the tax burden faced by State residents.''

Well, Mr. President and Mrs. Clinton, welcome to the real world. Those taxes and homeowner mortgages are exactly why many married taxpayers itemize on their tax forms and will never benefit from the President's proposal.

So here is my hope. Now that the President and Mrs. Clinton are finally homeowners, I hope that they will recover from their stunning encounter with high taxes in time to realize that married homeowners deserve a break too and support our fine bill.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from New York for his leadership, and I thank the Chairman of the Committee on Ways and Means. Frankly, I believe if H.R. 6 is passed, Mr. Speaker, we will have a sad Valentine's Day.

I rise in opposition to H.R. 6, the Marriage Tax Relief Act. America's hard-working families deserve relief from the marriage penalty burden. However, I cannot in good conscience support a bill that provides no relief for millions of families with children and offers big tax breaks for wealthy couples. If we look here, we will see by the year 2010, almost 60 percent of America's families with two children will be denied relief under the Republican bill. Mr. Speaker, H.R. 6 grants tax breaks averaging approximately $1,000 per year to couples earning more than $70,000.

I have a good friend in my district, Mr. Booker Morris, and we talk frequently about targeted tax breaks. I support that, but not without a budget that establishes priorities.

In plain English, H.R. 6 is fiscally irresponsible. I will not support a large tax cut that eviscerates the surplus as included in this bill. We owe it to American families to ensure a framework that supports and secures Social Security and Medicare as well as pay down the national debt, as well as establish priorities like health care and education and fighting HIV/AIDS. This bill commits $182 billion over 10 years and as well, it takes away from Social Security and Medicare.

In summary, I am opposed to H.R. 6 because it is too expensive. It drains estimated surpluses. Middle-income families with children do not receive adequate tax relief. Half of the tax relief goes to those who currently do not pay any marriage penalty, and 70 percent of the projected tax cut goes to help the top quarter of income earners.

Mr. Speaker, I support the Democratic substitute because I want in my district to provide honest marriage penalty relief to the 48,209 married couples in my district. I want to work for them, but I also want to protect the Social Security and Medicare benefits enjoyed by 81,696 of my constituents. As well, I do not want them to have to suffer the $8.4 billion share of the Federal debt.

Mr. Speaker, I rise in opposition to H.R. 6, the Marriage Tax Relief Act. America's hard working families deserve relief from the marriage penalty burden; however, I cannot with good conscience support a bill that provides no relief for millions of families with children and offers big tax breaks for wealthy couples. Specifically, H.R. 6 grants tax breaks averaging approximately $1,000 per year to couples earning more than $70,000 disregarding whether or not they pay a marriage penalty.

In plain English, H.R. 6 is fiscally irresponsible. I will not support a large tax cut that eviscerates the surplus as included in this bill. We owe it to American families to ensure that a framework is firmly in place that preserves Social Security and Medicare, as well as, pay down our national debt before spending our surplus. This bill is the first of many installments in the Republican tax cut plan. It commits $182 billion of the estimated surpluses earned throughout the next 10 years, before bolstering Social Security and Medicare and paying down the national debt.

The most disturbing aspect of this bill slowly phases in a widening of the 15% tax bracket. The widening of the 15% bracket offers nothing to couples already in this bracket. For example, a married couple without children in the year 2000 would be in the 15% tax bracket up to an income of $56,800. The irony of this measure is that nearly more than half of all married couples are below this income level and would not derive any benefit from this bill. Moreover, the Citizens for Tax Justice predict that two-thirds of the tax relief will go to married couples with incomes in excess of $75,000, in most part due to the widening 15% tax bracket change.

In addition, using the Alternative Minimum Tax to reduce the overall cost of this bill is unwise. Couples with children claiming large State and local

tax deductions may be denied tax relief, while those couples without children and residing in States with low State and local tax burdens will receive the bulk of the benefit. This is due to the fact that personal exemptions and State and local deductions are not used against the minimum tax.

In summary, I along with my fellow Democratic colleagues oppose H.R. 6 because:

(1) it is too expensive;

(2) it drains estimated surpluses over the years without first strengthening Social Security and Medicare and paying down the debt;

(3) middle income families with children do not receive adequate tax relief;

(4) half of the tax relief goes to those who currently do not pay any marriage penalty, while, those with higher incomes benefit disproportionately than those with lower income; and

(5) 70% of the projected tax cut benefit goes to the top quarter of income earners.

I encourage us all to support an alternative bill that:

(1) assures that Social Security, Medicare, and debt reduction are a primary concern;

(2) provides additional relief for lower income working couples; and

(3) allows for more relief for couples who claim the standard deduction.

Specifically, the Democratic alternative will:

(1) increase the standard deduction for married couples filing jointly by doubling the standard deduction for couples from the single filer level and exempting the Alternative Minimum Tax;

(2) increase the beginning and ending income phaseout levels to $2,000 for married couples claiming the Earned Income Tax Credit in 2001 and a permanent $2,500 increase beginning in 2002; and

(3) takes real action to extend Social Security Solvency until 2050, as well as, Medicare solvency to 2030, and seeks to eliminate the estimated public debt by 2013.

This alternative bill is just and fair to all Americans and urges our support.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I rise in support of the bill. All I can tell my colleagues is what I saw in practicing medicine for 15 years before coming here to the Congress. I had patients who lived together out of wedlock, many of whom said they did so because their taxes would go up if they got married. Now, I have examined the Democratic substitute and amongst other things, it provides no marriage penalty relief until the public debt is paid off.

I would like to quote from Robert Reich, former Secretary of Labor, and I believe someone who would be properly labeled a liberal Democrat. He said, ''It would be one thing if the born-again, fiscally austere Democrats were speaking out of strong conviction backed by sound ideas. But the conviction is paper thin. Eliminating the national debt has not been a plank of any Democratic economic program in living memory, and most Democrats who are now talking greatly about its importance have never uttered the words, 'eliminate the debt,' before.''

Robert Reich, thank you for speaking the truth.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, I yield to no one when it comes to dedication to eliminating the national debt. Robert Reich and no one else on the liberal side was in my district when that is the issue that led me here to the United States Congress.

There is perhaps no part of our Tax Code that has been the subject of more confusion and misnomers than the so-called marriage penalty.

When I began working as a CPA back in the Ice Age, there were fewer two-earner families, and we were told to urge clients to get married to reduce their taxes, to try to get married by December 31 to reduce their taxes for a particular year. Today, roughly half the couples get a marriage bonus. They pay lower taxes because they are married and would pay more if they were merely cohabiting. But half the couples are paying a marriage penalty, and that is why I have been intensely dedicated to eliminating that marriage penalty.

However, the Republican proposal is so poorly drafted and so misleadingly titled. Over half the benefits go to couples that are not paying a marriage penalty, but are instead getting a marriage bonus, and three-quarters of the benefits go to the top one-quarter wealthiest families.

This is as sneaky as a Valentine's suitor who has a little area on his finger where his ring has been removed. This is using the marriage penalty as an excuse to provide tax relief for upper-income families, half of whom are already enjoying a marriage bonus. This bill makes a mockery of those who have fought with us against the marriage penalty, and the process that brings this bill to the floor makes a mockery of fiscal responsibility when it comes to the floor before we have a budget resolution and before we have placed it in context.

We need to defeat this bill.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. HAYWORTH), another respected member of the Committee on Ways and Means.

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

Mr. HAYWORTH. Mr. Speaker, I thank the esteemed Chairman of the Committee on Ways and Means. What is the name of the song, My Funny Valentine. The opposition would be funny if it were not so sad.

Here we are with a historic opportunity. Mr. Speaker, 30 Members have joined with the majority on a bipartisan basis to offer much-needed relief from the marriage penalty to restore fairness to taxation, and what we get are the clever arguments from the same folks who wanted to redefine the word ''is.''

Now they want to redefine the word ''rich.'' A couple, perhaps both schoolteachers, both earning $25,000 a year, in the minds of the minority, congratulations, they are rich. Therefore, they do not deserve relief from the marriage penalty. Friends, we have a historic opportunity.

Mr. Speaker, I would extend my hand in partnership to the minority to restore fairness rather than trickery, rather than clever arguments, rather than the footnote of subparagraph B, real marriage relief penalty. I ask them to join us in passing this bill.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair would advise the House that the gentleman from Texas (Mr. ARCHER) has 17¾ minutes remaining; the gentleman from New York (Mr. RANGEL) has 9¾ minutes remaining.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in allowing me to speak on this presentation.

Just 3 months ago, this Congress left Washington, having passed a budget that none of us could take pride in, a budget filled with gimmicks, so-called emergency spending, and special interest earmarks.

Now we are starting off this new session on the same track of fiscal irresponsibility and unresponsiveness to what Americans tell us are the real issues. The one difference is that instead of a single massive tax cut along the lines that the America public turned a cold shoulder to last year and is still being proposed by Republican front runner Governor Bush, the majority in Congress is pursuing a piecemeal strategy of the same thing. They are offering last year's rejected tax bill, only repackaged in a few smaller chunks.

Today's so-called marriage tax reform is the first piece. Instead of targeting tax relief to the people who need it most, this bill is replete with other special-interest provisions that will cost almost $200 billion over the next 10 years. Only half the proposed tax benefits go to the tax filers who currently pay the marriage penalty. Ironically, this bill does nothing to address the growing problems of working families being forced to pay the alternative minimum tax.

In short, the majority's approach is to spend more money than we need or

can afford in order to help people who need it the least, while it shortchanges those most in need: the working poor and lower-income families who have seen their incomes actually fall by about 10 percent.

The Democratic alternative takes a different approach. It is targeted towards those people who need help the most. It doubles the standard deduction, adjusts the AMT so that families will receive the full benefit of the standard deduction, and addresses the marriage penalty and the earned income tax credit, providing greater relief for the working poor and, therefore, poor families. Not only targeting will help those who need it the most, it will save money, money that we can use to pay down the debt, protect Social Security and Medicare, and fund what my constituency tells me are their priorities: education, environmental protection, and prescription drug benefits.

I hope we can start working together today to make our tax system fairer and help those who need it the most.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. COLLINS), a respected Member of the Committee on Ways and Means.

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of legislation which eliminates the marriage penalty. To do so is just basic tax policy fairness. The code should not take more from those who are married just because they are married.

While the bill before us provides important tax relief, it needs improvement; and later this afternoon, Mr. Speaker, I will offer an amendment under unanimous consent that will strengthen the legislation by ensuring that we provide relief from the marriage penalty this year. As we know, the current language calls for a standard deduction for married couples beginning next year, the tax year 2001. But, Mr. Speaker, according to the Congressional Budget Office, the Federal Government will collect more taxes and revenues this year than we anticipated; so therefore I think we should share those unexpected revenues with the people that work so hard for them.

Another point that I would like to bring out, Mr. Speaker, is the gentleman from Massachusetts (Mr. NEAL) mentioned the alternative minimum tax. It is a problem. It has been a problem for a number of years, and we have tried to address this problem in the past. This bill does have a provision that will partially correct the alternative minimum tax problem for those who will be affected by the changes in the Tax Code. The administration has also offered a proposal that would eliminate probably about one-half of those over the next 10 years that will be affected by the alternative minimum tax. One-half is not enough. As the gentleman from Massachusetts said, we need to repeal the alternative minimum tax provisions of law.

I hope this House will support me in my unanimous consent request to offer an amendment later this afternoon.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, under current law, many working married couples end up paying more in taxes than they would if they were single, but married couples with a one-wage earner often get a bonus by paying less to the Federal Government than they would if they were single.

While Members on both sides of the aisle agree that America's working couples need to keep as much money in the house as they can, but we must ask at what cost. Mr. Speaker, the Republican bill costs $50.7 billion over 5 years, $182.3 billion over 10 years. Two-thirds of the total tax relief will go to the 30 percent of married couples with incomes over $75,000.

□ 1400

In my district, the Seventh District of Illinois, that equals to about 7,000 families out of about 130,000 total.

Mr. Speaker, I have over 30,000 families with an average income of less than $20,000 a year. The substitute offered by the gentleman from New York (Mr. RANGEL) will benefit those families making $50,000, but it will also benefit families claiming the earned income tax credit, as well as increase the standard deduction for joint filers to twice the level of single filers.

This is a more comprehensive bill, a less expensive bill, and it is truly a bill for more of America's families. Therefore, I urge support for the Rangel substitute.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I rise in strong support of H.R. 6.

Mr. Speaker, Americans pay more in taxes today (as a percentage of the gross domestic product) than they have at any time since the Second World War. As disturbing as that fact may be, it is even more disturbing that according to the Congressional Research Service, over the next ten years, the average household will pay in taxes $5,307 more than government needs. The high tax burden on American families is simply unnecessary and too heavy.

One of the most unfair taxes if the Marriage Penalty Tax. The marriage penalty forces two-earner, middle-income couples into higher tax brackets than if they filed as individuals. As a result, over 25 million American couples, including over 146,000 couples in the State of Nevada alone, pay an average of $1,400 more in federal taxes simply because they are married.

Today, we have the opportunity to reduce this stifling tax burden and to correct a grave inequity in our current tax code. Today we can pass the Marriage Tax Penalty Relief Act.

The Marriage Tax Penalty Relief Act will provide over the next decade $180 billion in marriage penalty relief to more than 25 million couples, including millions of America's middle class families which are hit hardest by this unfair tax burden.

Taxes are a big reason why families feel so stressed. For example, the average family in my state had to work until May 14th last year just to pay their tax bill. That means Nevadans spend the first four months of last year working for the government.

Many American families pay more in taxes than they spend on food, clothing, and housing combined. Under these burdensome circumstances, how can a family possibly hope to save for retirement or college?

American families need a break, and they deserve a tax code which doesn't punish them for choosing marriage, especially in this day and age when divorce rates are at an all time high.

Mr. Speaker, the marriage tax penalty is simply unfair. As a Congress and as a nation, we should encourage marriage—not tax it. By providing marriage penalty tax relief, we can correct a gross inequity in the tax code and enable more of America's families to save money for their retirement, a computer, a home, or their children's education.

Support the Marriage Tax Penalty Relief Act and give American families a real chance to make their dreams come true.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. HERGER), a respected member of the Committee on Ways and Means.

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

Mr. Speaker, when a couple stands at the alter and says ''I do,'' they are not agreeing to higher taxes. On tax day, April 15, 25 million American couples, including 47,000 within my own district in northern California, will pay up to $1,400 more in taxes than they would if they were single. That is wrong, it is anti-marriage, and 85 percent of Americans say it should be fixed.

What does $1,400 mean for married couples? Those couples could use that extra money for 4 months of a car payment, a year's worth of diapers, a computer for their children, or even a donation to their favorite charity. The IRS should not be allowed to continue taking this tax overpayment, instead of giving it back to its rightful owners, hard-working American families.

No one should be opposing this. It is an issue that transcends party politics. I urge Members from across the aisle and the President to work with us to make marriage penalty relief a reality for families this year.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, we need to reduce the marriage penalty, and do it this year, but to vote this week for this irresponsible Republican proposal would be a huge mistake.

About half of the married couples in this country pay a marriage penalty,

but the other half get a marriage bonus. The Republican plan is not directed just at those who pay the marriage penalty, it is a grab bag of goodies weighted to the top one-quarter percent of income earners. It would make it much harder for us to pay down the national debt, to provide a prescription drug benefit for seniors, to improve our schools, or to strengthen social security and Medicare.

The Democratic alternative doubles the standard deduction for married couples, expands the earned income tax credit, and, unlike the Republican plan, protects families from the harmful effects of the alternative minimum tax.

The Republican bill is estimated to cost $182 billion over 10 years. The Democratic alternative would provide $95 billion of tax relief targeted more precisely to reduce the marriage penalty and to those middle-income taxpayers who need relief the most. Real marriage penalty relief and true fiscal discipline are only available in the Democratic alternative.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

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

Mr. Speaker, my colleagues on the other side of the aisle are straining out gnats and swallowing camels. Tax cuts are for those who pay taxes.

For the last 3 years, we have gotten our country's financial house in order and eliminated the deficit. Since last year, we no longer spend our social security trust fund money. We are looking at surpluses of $3 trillion to $4 trillion in the next 10 years, We are taking $2 trillion and paying down debt.

Whether we have $1 or $2 trillion left, we want a tax cut, and we want to deal with tax fairness. It is wrong for married people to pay more than single people.

And then to complain about the AMT tax as denying some people the benefit? It is the Democrats' tax. They, my colleagues, in the last minute are more concerned for the AMT, and it is like being the captain of the Titanic and finally noticing the iceberg. It was there a long time ago. Deal with it. It is a separate issue.

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

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

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

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

Mr. Speaker, I rise as an original cosponsor in favor of this act and in favor of removing the tax penalty. I do so for a very simple reason, because this type of action would value family, would value marriage, would value simplicity, and it would value education.

Let me give an example. If someone is a teacher, a husband, and the wife is working making the same wage, $30,000, as a carpenter, they make $60,000 a year, this might put $1,400 back in their pockets. In Indiana, that $1,400 could go to pay the entire tuition, almost, at Indiana University at South Bend.

So for working families, both spouses working hard to make a difference for their children, this could make a big difference in their lives. I am proud to be an original cosponsor to put this value on families and tax simplicity, where families will be able to find it and file it and take advantage of it.

Mr. Speaker, I rise as a proud original cosponsor of H.R. 6, the Marriage Tax Penalty Relief Act of 2000. It simply does not make sense that the Tax Code makes it more expensive to be married than to be single. The government should not punish married working couples by taking more of their hard-earned money in taxes than an identical couple living outside of marriage.

For more than thirty years, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in marriage, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our Tax Code punishes society's most basic institution. In fact, there are 67 different laws in the Tax Code targeting couples, just because they are married. These laws are egregious and unfair. We should reward, not punish, the value of family and the institution of marriage.

In my district in Northern Indiana, more than 60,000 couples are penalized by the marriage penalty. These Hoosiers do not pay just a little bit more in taxes; they paid an average of $1,400 apiece. Instead of having the choice to invest this money for their future or use it for everyday expenses, they are forced to hand over this hard-earned money to the IRS. That is money that could be better used to save for a child's college education, purchase a family computer, or make the mortgage payments for their home.

Whether it is in a church or in a courtroom, couples usually have to pay some kind of fee for the marriage ceremony. But while it may cost money to get married, it should not cost money to be married. Rather, we need to establish policies that encourage marriage and encourage good, strong, healthy families that are absolutely critical for vibrant societies. The pressures on working families are enough without this disincentive on the tax books.

Over the past three years, we have successfully enacted meaningful IRS reform legislation that tames tax collectors and shifts the burden of proof from the taxpayer back to the IRS, reinforcing that an American is innocent until proven guilty with the IRS. We have also established a taxpayer advocate and provided worthwhile relief for low- and middle-income families, students, farmers and retired Americans. Now Congress must eliminate this marriage tax to help the two-parent family, not punish it. Therefore, I will vote to eliminate the marriage penalty and strongly encourage my colleagues to support H.R. 6.

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

Mr. Speaker, I am certain that newspapers around this country have been able to see through what is a Valentine's Day gimmick.

The truth of the matter is that even in our local Washington Post, the editorials would indicate that we are not talking about relieving the marriage penalty. Democrats, Republicans, the President, we all want to do it. The problem that we have, and we will be showing the chart from the Joint Committee on Taxation, is that the majority would have us to do this to take care of a tax problem that they see that those in the higher incomes are paying too much taxes, but it has nothing to do with the marriage penalty. They would pay $182 billion to take care of people who pay less than that because they are married, and they should, but at the same time, they would do this without bringing a budget to the House floor.

So once they find out that the President needs a budget, needs to take care of social security, needs to take care of Medicare, wants to pay down the national debt, if they decide not to do any of these things, then they are saying they do not want relief from the marriage penalty.

Let me say it again. Unless they agree to work out something with the President to avoid the veto, which would include drafting a budget that takes into consideration shoring up Medicare, shoring up social security to pay down the debt, if they travel in the other way, if they break the rules of the House, if they get waivers from the House, if they bring it to the floor and say that they are not going to do any of those things, then they know there is going to be a veto.

Why ask for a veto? Why not work this out with the Democrats? Why not work it out with the President of the United States? Why does it have to be a camel's head in the tent for a $1.8 trillion tax cut given to us in dribbles and drabs when what we can do is to see what we can do to fix the roof while the sun is shining; do those things that a great country should be doing while we have the surplus; take care of this social security, which all of us have beneficiaries of in our districts; make sure that we have affordable prescription drugs for our elderly; make certain that the Medicare system works for our aged; and pay down the national debt, so that the billions of dollars that we are paying in interest can be eliminated so that we can do more things for education, more opportunities for job training, and close that gap between those who have nothing, and not even hope, and those who have been the recipients of a very great economy?

Mr. Speaker, I would hope that as we reject the Republican plan that has worked outside of a nonexistent budget, that we will have an opportunity in the substitute that would follow to really target the money where it could really relieve the pain of the penalty of getting married and paying more taxes, but at the same time we will be giving

assurances to Americans that we have a budget where they know how this fits in, that it is not the same 800-pound, $792 billion gorilla they could not get off the ground last year, it is not the George W. $1.8 trillion tax cut, it is not the camel trying to get the tax cut head in terms of the tent, as we try to take care of our national obligations.

We have to be able to say that we are going to do all of those things, social security, Medicare, pay down the debt, and then, of course, we can join across the aisle working with the President and taking care of the marriage penalty.

Mr. Speaker, I hope that, if we can possibly defeat the Republican plan, I hope that we can join together on the substitute, which will be signed into law.

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

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

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

Mr. Speaker, the issue before us today is a fundamental question, should the Internal Revenue Service tax the institution of marriage, not the other issues that were spoken about earlier.

The answer to that is no. In my district alone, 54,000 couples will feel the pain of paying higher taxes, just because they are married, than single people. This is an issue beyond just money, it is an issue of fairness and what is right in America. Americans know what is fair and what is not fair, and this marriage penalty is not fair.

This marriage penalty is also anti-woman. Presently, the Tax Code taxes the income of a second wage-earner, usually the wife, at a much higher rate than if she were taxed as a single person. That is wrong. We should not let some antiquated budget law get in the way of equality for working moms.

Finally, the marriage tax penalty punishes working couples by pushing them into a higher tax bracket. Of these couples, middle-aged families and seniors are hit the hardest.

Mr. Speaker, let us do the right thing. Let us pass this and move on.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. SHAW), a respected member of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, we have just received, on our side, a brand new bulletin called the White House Bulletin. It provides in it that ''The White House reveals the Democrat 2000 Agenda.'' It is entitled ''Families First, the 2000 Democrat Agenda.'' The ink on this is not even dry at this particular point, and already we are seeing the marriage penalty being defended.

We are hearing a lot about budgets. What about the family budget? I have four kids. All of them are married, all of them have kids, all of them have mortgages, all of them have health insurance to pay. All of them have all of the expenses and all of the payments that we would expect to have all across this country. All of them are getting penalized because they are married, and paying higher taxes because they are married. That is wrong.

It is like the earnings penalty. We should not penalize earning under social security. We are going to start with a hearing next week, and we are going to have this done, and it is going to be done with a great deal of bipartisan support.

Already we have seen bipartisan support for the marriage penalty elimination. We have had speakers on both sides of the aisle get up.

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We do not have to have everything exactly the way the President wants it in order to support it. The Democrats are going to have their shot twice for bills that they can put up, but when these bills go down, do not vote against the Marriage Penalty Elimination Act. This is a very important piece of legislation.

We have the best crack at changing it; but if that fails, join with us and work together; and we will eliminate this evil tax that we have, the marriage penalty tax. It must be done away with, and I urge all Members to vote on final passage of this bill.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, there are 65,000 couples in the congressional district that I represent who are married and who are paying a total of $91 million per year as a fine simply because they are married and working. That is indefensible. I cannot see how any Member of Congress can defend a tax that penalizes people just because they get married.

The government should be fostering marriage. It should not be taxing it.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Speaker, I applaud the leadership and the gentleman from Texas (Mr. ARCHER) for bringing marriage penalty relief legislation to the floor early in this session of Congress.

This burdensome tax that punishes so many Americans for getting married is nothing more than ridiculous. Working women and minorities are suffering most from this tax, as they often earn less than their white male counterparts. This is unfair.

The 65 provisions in our current Tax Code that penalize marriage discriminate against the very institution that we should be trying to preserve. Over 70,000 married couples in my district, more than 210,000 couples in my home State of Utah, and millions nationwide, are affected by the marriage penalty. Regardless of whether both spouses work, the marriage penalty relief will help families by reducing their tax liability and giving them back some of their hard earned money.

I hope the President will join our efforts to help families by signing this bill into law.

The government should not be taking economic advantage of those who do the right thing, get married and work to provide for their families.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from Texas (Mr. ARCHER) for yielding me this time.

Mr. Speaker, like the speakers before, let me indicate that there are 49,174 married couples in Staten Island, Brooklyn, who will benefit from this marriage penalty relief bill. That is 49,174 families who are going to have more money to spend on their education, on their home, on their cars. Essentially, they will have the freedom to spend that money as they see fit, and not the folks here in Washington.

I heard a lot of rhetoric today about the wealthy, the rich. The facts are, under this bill a New York City fire fighter, who is married to a New York City teacher, I do not think they can be characterized as wealthy, they would benefit to the tune of over $1,500 under this bill. Again, that is a fire fighter married to a school teacher. That is the so-called wealthy and the rich who will benefit under this bill.

Mr. Speaker, this bill is essentially about righting a wrong and providing freedom to the American people to spend their tax money as they see fit, and for those who want to engage in class warfare I suggest they go back home to Staten Island and all across the country and tell those teachers and fire fighters that they are too wealthy to receive their money back.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to another respected Member, the gentleman from New York (Mr. QUINN).

Mr. QUINN. Mr. Speaker, I want to thank the gentleman from Texas (Chairman ARCHER) and his committee for the hard work they have done on this issue and others.

Mr. Speaker, as we have heard today, our Tax Code unfairly punishes married couples by forcing them into a higher tax bracket and therefore causing them to pay more taxes than if they had filed separately.

We have already heard that this marriage penalty forces over 25 million families to pay an average of between $1,400 and $1,500 a year in taxes more. This is simply unacceptable.

Mr. Speaker, what we have before us today is simply an issue of fairness. It is unconscionable that our Tax Code punishes couples for choosing to get married and to have a family. Today we have an opportunity to eliminate the marriage penalty, and in my mind it is simply the right thing to do and we need to do it now.

Mr. ARCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois

(Mr. WELLER), a respected member of the Committee on Ways and Means, one of the lead sponsors of this legislation.

Mr. WELLER. Mr. Speaker, I want to thank the gentleman from Texas (Mr. ARCHER), for the long-time leadership that he has given on the issue of eliminating the marriage tax penalty in his time and tenure in the House and on the Committee on Ways and Means.

Over the last several years, many of us have been asking a pretty fundamental question, and that is, is it right, is it fair, that under our Tax Code that 25 million married working couples on average pay $1,400 more in higher taxes just because they are married?

In fact, in my home State of Illinois, 1.1 million married working couples, almost 120,000 married people in the south side of Chicago and the south suburbs that I represent, suffer the marriage tax penalty.

Of course, we know that the marriage tax penalty is created when a man and woman get married. Two single people when they marry they file jointly and their combined income pushes them into a higher tax bracket, creating the marriage tax penalty. Some say that the $1,400 average marriage tax penalty is just a drop in the bucket, it is no big deal, let us keep that money here in Washington and spend it here, but for the folks back home the $1,400 is real money for real people. $1,400 is one year's tuition for a nursing student at a community college in Illinois. It is 3 months of day care in Joliet. It is a washer and a dryer for a home. It is real money for real people.

We want to eliminate the marriage tax penalty for everyone. If we look at who suffers the marriage tax penalty of those 25 million people, one-half of them do not itemize their taxes. The other one-half do. Many middle class families itemize their taxes because they are homeowners or they give money to the church or the charity or their synagogue.

We need to help everyone who suffers the marriage tax penalty. And I am proud that the bill that we have before us under the leadership of the gentleman from Texas (Mr. ARCHER), H.R. 6, legislation which has almost 240 cosponsors, a bipartisan bill, Democrats and Republicans working together. And I am proud that almost 30 Democrats have joined with us in an effort to eliminate the marriage tax penalty and help married couples who suffer the marriage tax penalty in three ways. For those who itemize, such as homeowners and those who give to charity, we widen the 15 percent bracket. That helps 42 million married couples.

We also help over 9 million couples by doubling the standard deduction for those who do not itemize; and for the working poor, those who benefit and are helped by the earned income credit we address the marriage penalty and eligibility for those who suffer the marriage penalty under the earned income credit.

Over the last several years, I have pointed to a young couple that came to me asking for help from the marriage tax penalty. This is Shad and Michelle Hallihan, two public school teachers. They have a combined income of $61,000.

Under the Democrat definition of rich, these two public school teachers from Joliet, Illinois, are rich because they make $61,000. Well, they suffer the average marriage tax penalty. Of course, under the Democrat plan they would not have much relief. We provide relief by widening the 15 percent bracket and essentially wipe out the marriage tax penalty.

Michelle, who just is the proud mother as Shad is the proud father, just had a baby and they point out by wiping out their marriage tax penalty they have extra money equivalent to about 3,000 diapers for their newborn baby. The marriage tax penalty is real money for real people.

Now, the Democrat leadership has offered a lot of excuses, and why not, to eliminate the marriage tax penalty. In fact, they say we have to do all of these other things. Tough luck if one suffers the marriage tax penalty. Maybe in 10 years we will take care of it. Well, that is the difference.

The Joint Committee on Taxation was asked to score, to determine how much marriage tax relief was in the bipartisan proposal or the Democrat leadership plan. Of course, over 10 years we provide about $182 billion in marriage tax relief. Without this, that means those married couples still pay $182 billion in higher taxes because they are married.

Under the Democrat plan, according to the nonpartisan Joint Committee on Taxation, married couples get zero relief.

Mr. Speaker, let us eliminate the marriage tax penalty. It is all about fairness. Let us help everyone who suffers the marriage tax penalty. Let us vote down the Democrat substitute and support H.R. 6.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, the marriage penalty is one of the most unfair tax burdens the Federal Government places on American people today. Under the current Tax Code, the marriage penalty taxes the incomes of a married couple at a much higher rate than that of an unmarried cohabitating couple. The most onerous thing about the tax penalty is that it punishes working women and lower income couples with children.

In essence, it taxes the income of the second wage earner, typically the wife, at a much higher rate than if she were filing only individually.

A married couple pays an average of $1,400 per year more than an unmarried couple with the same income under the current Tax Code. That money could be going toward paying bills, putting a down payment on a car or a house, saving for college tuition for their children.

We have a chance today, Mr. Speaker, to do the right thing. By ending the marriage penalty, we will help the middle class; we will help their families lead better lives.

I ask my colleagues to support H.R. 6.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), a highly respected member of the Committee on Ways and Means.

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, this bill is not first about tax relief. It is first about tax fairness. It is also about relief, but this is primarily a matter of fairness.

This bill does two very simple things. It gives a married couple double the deduction that a single person would get. A single person would get a deduction and the married couple gets twice the deduction, but it does something even more important than that because the deductibility issue is really relatively minor in determining how much taxes one pays.

The exciting thing that this bill does is to double the 15 percent bracket for married couples. That means when my kids make the economic sacrifice—and I am proud they are but it is a big sacrifice—to stay home with their kids and live on one salary, when they start going back into the workforce because they do not want their skills to get too rusty, when they start going back into the workforce in order to balance their responsibility to their kids and their responsibility to the economic strength of the household, they want to go back in sooner rather than later but part time, not full time.

When we let them get popped up into a 28 percent bracket at $43,000, we end up taxing their income so heavily that their husband says, ''oh, honey, do not go to work. Between the expenses of work and what it will do to us in taxes, it is better not to work outside our home.

We are educating women in America to higher standards than we have at any other time in our history. They need to be able to enter the workforce and we need them in the workforce, but they need to be able to enter when their kids are capable of standing on their own two feet, and they need to be able to slide in part time, 10 hours, 20 hours, 30 hours.

We do not want a Tax Code that makes it, frankly, not worth it to work. We want a Tax Code that says they are going to get the same 15 percent bracket on their earnings that their husband gets on his earnings. That is why fairness matters. It is about economic opportunity. It is about using the best of one's abilities for themselves, their family and our Nation. That is why this bill matters so much. Tax fairness for families strengthens families and children.

Mr. BENTSEN. Mr. Speaker, I rise in support of the amendment offered by Mr. RANGEL and against the politically-motivated Republican marriage penalty tax proposal. The Democratic alternative is fiscally responsible and uses the surplus in a fiscally responsible manner to strengthen Social Security and Medicare and pay off the entire national debt by 2013; all while ensuring that those truly in need of tax relief receive it.

The marriage tax penalty occurs when both spouses earn approximately equal incomes. The Democratic substitute spends less of the budget surplus and provides true marriage penalty relief. The marriage penalty relief in the Democratic alternative is $89.1 billion over ten years. It provides for an increase in the standard deduction for married couples filing jointly to twice the level for single filers and an exemption from the Alternative Minimum Tax (AMT). Further, it grants couples a $2,000 increase in the beginning and ending income phaseout levels for families claiming the Earned Income Tax Credit (EITC) in 2001 and a permanent $2,500 increase starting in 2002.

The marriage penalty occurs in cases where a couple may pay more taxes because they file jointly than they would as two single people. Because the rate brackets and standard deduction for joint filers are not twice as large as those for single filers, some couples find that some of their income is taxed at a higher rate. Alternatively, if a couple has very different incomes, or only one spouse works, the couple gets a ''marriage bonus.'' A recent Treasury Department study estimated that roughly 48 percent of couples pay a marriage penalty and 42 percent get a marriage bonus.

As drafted, H.R. 6 would give the lion's share of its tax cuts to higher-income families, including those who currently suffer no marriage tax penalty. The average tax cut for families with incomes less than $50,000 would be about $149 per year, while families with higher incomes would get an average tax cut of nearly $1000 per year. Further, once fully phased in, nearly 70 percent of the benefit will be enjoyed by couples earning more than $70,000 annually, even if they suffered no marriage penalty under existing law.

More importantly, under the Republican plan, nearly half of America's families with two children would receive nothing or less than the tax relief promised. This results because the Republican plan will likely force an increasing number of middle-class families with children to pay the AMT. The AMT tax was designed to ensure that wealthy taxpayers could not avoid income taxes through excessive use of preferences such as credits and deductions. It is structured in a way that, if the Republican bill passes, would require more families to be subject to the AMT.

The Majority's plan is designed to re-create the trillion dollar tax cut bill of 1999, using all of the projected surplus, at the expense of investments in Social Security and Medicare, and paying down the national debt. As the U.S. just set the record for its longest economic expansion, why risk this economic prosperity by abandoning the fiscal restraint that is helping propel this economy. As a senior member of the House Budget Committee, I know we can provide tax relief for those married couples who need it while using the vast majority of the surplus to pay down the $3.7 trillion public debt and bolster Social Security and Medicare—the two pillars of retirement security—for future generations.

H.R. 6 undermines Social Security and Medicare, sacrificing our elderly and working families and could lead us down the road to budget deficits. The Republican plan is a rash gamble that foolishly disregards the need to save Social Security and Medicare by refusing to place this tax measure in the context of a comprehensive budget plan. In addition to jeopardizing our investment in Social Security and Medicare, the Republican proposal could cost us this opportunity to pay down the national debt which today approaches $5 trillion.

Mr. HILL of Montana. Mr. Speaker, today, Congress will pass a bill to eliminate the marriage penalty affecting over 25 million Americans. In Montana alone, 89,169 families suffer from the $1400 penalty where they are required to file a joint return.

Repealing the marriage penalty leaves about $125 million in Montana's economy every year. Overall, it puts $182.3 billion back into the nation's economy over the next 10 years.

The Marriage Elimination Act is fair because, by doubling the standard deduction for joint returns, widening the 15 percent tax bracket for joint filers to twice single returns, and increasing the Earned Income Tax Credit by raising the ''phased-out'' limit by $2000, it will treat married couples the same as single people.

Today's families are suffering from increasing demands and burdensome taxes. Eliminating the marriage penalty allows them to spend this money as they wish. The extra $1400 could mean several months of child care, several car payments, or a semester of tuition at a community college.

It puts money immediately back in to Montana's economy which we can all benefit from. The debate over this issue is essentially who should come first—already burdened taxpayers, or the government. Those of us supporting the measure say taxpayers should come first.

The bill is good for families, good for taxpayers, and good for our economy.

I commend my colleagues for passing this bill and prioritizing taxpayers over the government.

Mr. DIXON. Mr. Speaker, I rise in support of the substitute amendment and in opposition to the underlying bill, H.R. 6. Unfortunately, the debate here today is less about the merits of marriage tax penalty relief than it is about the timing of this legislation and the best way to provide such relief. We all agree that married couples should not be subjected to increased tax burdens as a cost of their union. But H.R. 6—at a projected cost of $182 billion over ten years—does much more than simply relieve the additional tax burden that some families pay.

Under our current tax law, many married couples receive a ''marriage bonus,'' meaning they pay less tax than two single people with the same income, while others pay a ''marriage penalty.'' More than half of the tax cuts in H.R. 6 go to people who don't pay a marriage penalty and in fact, to many who presently receive a bonus. That is because most of the relief provided by H.R. 6 is not marriage penalty relief; it is an expansion of lower tax brackets to include higher income people, so two-thirds of the benefits in H.R. 6 go to the top one-fourth of taxpayers.

H.R. 6 is not the way to provide marriage penalty relief. I will be pleased to support legislation—like the substitute before us—that provides real marriage penalty relief in a responsible way. I urge my colleagues to work toward that goal.

Mr. SANDLIN. Mr. Speaker, I rise today in strong support of eliminating the Marriage Tax Penalty. Our tax code punishes married couples when it should encourage families to stay together and help them prosper. I am a cosponsor of H.R. 6 in its original form and have consistently supported the repeal of this egregious provision of our tax code.

The original text of H.R. 6, however, was dramatically different from the bill we consider today. The bill we consider today is bloated and costly, while the original bill contained true marriage tax penalty relief for those who need it most. I will cast my vote in support of this bill today, but I do so only with the expectation that its considerable flaws will be remedied in the Senate.

I am also disappointed in the process surrounding the consideration of this bill. Tax relief for working families is long overdue. However, it would be more prudent for Congress to consider tax relief as part of the larger budget framework. Eliminating the estate and marriage penalty taxes, as well as reducing the burden of the capital gains tax and providing education tax credits, are important priorities. These tax cuts should comprise 25 percent of a fiscally responsible budget—a budget that also puts aside 50 percent of the surplus to reduce the debt and 25 percent for investments such as national defense and education.

I urge my colleagues not to lose sight of our responsibility of ensuring that current economic prosperity continues long into the future. We have a commitment to our children and grandchildren, and the only way to truly fulfill that commitment is through debt reduction as a result of responsible budgeting.

Mr. DEFAZIO. Mr. Speaker, I was unable to vote on marriage penalty tax relief today because I am out of the country on official business. While I support a targeted elimination of the marriage penalty, I am opposed to H.R. 6. It's cliche, but true in this case nonetheless, that the devil is in the details.

Let's get beyond the rhetoric of this issue and take a look at the details. The plan offered by the Republicans skews its benefits to the wealthiest Americans, including some who aren't even subject to a marriage penalty. In fact, once the tax cuts contained in H.R. 6 are fully phased in, two-thirds of the benefits go to the top quarter of income earners.

It is also important to recognize that the bill is very expensive, costing $182 billion over 10 years. Therefore, in order to make up the lost revenue, Republicans will be forced to rely on projected budget surpluses that may never materialize. In a little noticed section of his prepared testimony before the Senate Budget Committee, CBO Director Dan Crippen noted that if the economy slows and entitlement programs such as Medicare and Medicaid grow faster than expected, ''the on-budget surpluses that CBO is projecting in its baseline would never emerge. Instead, the on-budget deficit would rise to more than $290 billion a year by the end of the decade.''

If this projection came to pass, Congress would be forced to pay for H.R. 6 by drastically cutting services and programs Americans consider essential, dipping into Social Security surpluses, or once again running budget deficits.

Instead of H.R. 6, which goes far beyond marriage penalty relief, I support the substitute proposal offered by my Democratic colleagues. The Rangel substitute provides the same, or larger, benefits for middle and lower-income Americans but does not shower tax breaks on those who don't need them. In addition, it ensures that Medicare, Social Security, and debt reduction come first by delaying implementation of the tax relief until these critical issues are addressed.

I think the Washington Post was dead-on when they recently editorialized about H.R. 6 by saying, ''The bill, however, has little if anything to do with marriage. The label is a gloss for a generalized tax cut mainly for the better off. The bill is structured in such a way that as much as half the benefit could go to families who don't even incur the supposed penalty but receive a marriage 'bonus' under the law.''

Mr. COYNE. Mr. Speaker, marriage penalty relief is an important issue, and I am glad that the House is considering such legislation. I have supported marriage penalty relief for years. That being said, however, I am concerned about both the timing and the content of the legislation currently before us.

I am concerned that the House is considering a major tax bill before it has even begun to draft its fiscal year 2001 budget. The legislation before us today would cut taxes by $180 billion over the next 10 years. That is not an insignificant amount. While addressing the marriage penalty should be one of Congress' top priorities, there are other important decisions that Congress must make which will have substantial fiscal impact. Recognizing the need for Congress to set tax and spending decisions in a thoughtful, comprehensive manner, Congress passed the Budget Act more than 25 years ago. This legislation has provided a helpful process and sensible rules for making such decisions. I believe that it should be adhered to.

Last week the Ways and Means Committee marked up this legislation. This week it is on the floor. And yet, the House has not yet passed its FY 2001 budget resolution. In fact, the House Budget Committee has not yet even marked up this resolution. What other tax cuts will we pass this year? Would enactment of this legislation preclude consideration of other tax cuts? Would it stop us from taking action to preserve Social Security? Would enactment of this legislation prevent us from creating a Medicare prescription drug benefit? Would it keep us from paying down the national debt? We simply don't know. We may be able to do all of these things this year, but we just don't know yet—because we haven't even begun drafting the budget. Consequently, I object to consideration of this legislation now.

I also have concerns about the content of this legislation.

I have concerns about the bill before us today because it does not target marriage penalty relief to the families that need relief the most. Consequently, the bill would lose a great deal of revenue while not providing a proportionate amount of help to the households that we should be helping. It does not seem like the best way to fix the marriage penalty problem.

I believe that the President's budget addresses the problem in a more fiscally responsible fashion, and I commend him for his proposal. It would increase the standard deduction for two-earner households to double the amount of the standard deduction for single filers. Since most married couples claim the standard deduction and pay taxes at the 15 percent marginal rate, this provision would eliminate the marriage penalty for most families.

Like the President's proposal, the Democratic alternative that will be offered today would target marriage penalty relief to the families that need it the most. This plan would also ensure that married couples actually receive the marriage penalty relief that Congress wants them to receive. Unlike the version of H.R. 6 that was reported out of the Ways and Means Committee, the Democratic alternative ensures that the alternative minimum tax will not prevent married couples from receiving marriage penalty relief. Consequently, I will support the Democratic alternative that will be offered today. I believe that this proposal would do the most to help married couples in my district.

Mr. ADERHOLT. Mr. Speaker, Americans are slapped with extra taxes on everything from earning a work bonus, to buying a house, and are even taxed upon death. There is a tax designed for every stage of life, but perhaps the most immoral tax of all is the marriage tax.

Over 28 million Americans pay an average of $1,400 extra in taxes each year simply because they are married. The marriage penalty punishes millions of married couples, almost 425,000 of them in my home State of Alabama, who file their income taxes jointly by pushing them into higher tax brackets.

When the marriage tax first appeared in the tax code in 1969, most families had only one bread winner, and the tax provision was actually designed to give a tax cut, or a so-called ''marriage bonus'' to one-income families. But the government ignored the eventual tax burden on families. Instead of dismantling this tax, the government continued to collect extra taxes from those who chose marriage, making it harder to raise their families. This current tax code makes it more expensive for couples to marry, immorally discouraging the most sacred of institutions—marriage.

Congress is making strides to right the wrong of government's financially abusive punishment of marriage, the foundation on which strong families are built. To address this concern, I am proud to cosponsor the Marriage Tax Elimination Act, offered by the gentleman from Illinois, to eliminate the marriage penalty.

Congressman WELLER's proposal would significantly reduce the average $1,400 in additional taxes per year that married couples pay than if they remained single. Additionally, while I agree with those who believe we should recognize the economic empowerment that can be achieved by returning money from Washington bureaucrats to working families, I also believe we should also recognize the moral empowerment of proposals which can strengthen an institution essential to our cultural and National well-being, the Family.

I urge my colleagues to join me in co-sponsoring the Marriage Tax Elimination Act.

Mr. ETHERIDGE. Mr. Speaker, I rise today to announce I will vote for this legislation even though I have serious reservations about many of its details. I will vote for this bill because I support providing relief from the burden of taxation on North Carolina's families.

Let me be clear that the Democratic substitute to this bill is far superior legislation, and I proudly voted for it. But that alternative has failed and the question falls to passage or defeat of H.R. 6.

Despite my concerns about the cost of this bill and the distribution of its benefits, I support passage of H.R. 6 to move the legislative process forward toward a balanced, compromise solution that provides real relief from the marriage penalty for married couples in North Carolina. I reserve the right to vote against the final version of H.R. 6 if it comes back from the Senate with its severe flaws still intact. And I support the right of the president to veto this legislation if it threatens our ability to honor our commitments to Social Security, Medicare and debt reduction and our priorities of education, law enforcement, and agriculture.

Mr. Speaker, I call on the Majority Leadership in this House to work in a bipartisan manner to achieve our shared goals of meaningful relief from the marriage tax penalty for our nation's families.

Mr. POMEROY. Mr. Speaker, I rise in opposition to H.R. 6, a bill that under the guise of marriage penalty relief advances a tax plan that is skewed toward high income earners, leaves inadequate resources for working family tax relief, and makes a debt reduction a second tier priority. Members who want to address the marriage penalty while maintaining fiscal responsibility should vote for the Rangel substitute and against H.R. 6.

If H.R. 6 were only concerned with providing targeted tax relief to married couples who are penalized by the current code, the bill would pass with unanimous support. Unfortunately, the majority has brought forward a $200 billion bill in which half the benefits go to people who receive a marriage bonus, and two thirds of the benefits go to people earning more than $75,000. By grossly inflating the costs of marriage penalty relief, the majority is jeopardizing other needed tax relief for working families and impeding our effort to pay down the debt.

The greatest gift Congress could give to married couples and to all the American people is to pay down the debt. H.R. 6, however, lays claim to more than $200 billion of the projected budget surplus before this session of Congress has dedicated even one dollar to debt reduction. Paying down debt should be our first priority, not our last.

The improved budget outlook will allow Congress and the President to enact targeted tax cuts within a fiscally responsible framework. By considering H.R. 6 outside the context of the overall budget, however, the majority is draining resources from other working family tax relief including tax cuts to help pay for college, to encourage retirement savings, and to increase the affordability of health care. I support marriage penalty relief, but we should do so in a way that leaves room to address the core pocketbook issues that working families face.

In sum, Mr. Speaker, I urge my colleagues to support the Rangel substitute and to oppose H.R. 6.

Mr. UDALL of Colorado. Mr. Speaker, I am very reluctant to vote for this bill—but I will.

I am reluctant because this is not the best time for this bill, and this is not the best bill for the job.

It's not the right time because under the Budget Act, a tax bill like this—or a spending bill, for that matter—should not be considered at all until after Congress has passed an overall budget resolution to establish priorities

among revenue measures and appropriations bills. That is the rule, because that is the prudent way to set our fiscal policy. I agree with the Concord Coalition that we should follow that rule, which is why I voted against the Republican leadership's motion to waive that rule so this bill could be taken up today.

And this is not the best bill for the job because in some areas it does too little, and in others it does too much.

It does too little because it does not adjust the Alternative Minimum Tax. That means it leaves many middle-income families unprotected from having most of the promised benefits of the bill taken away. The Democratic substitute would have adjusted the Alternative Minimum Tax, which is one of the reasons I voted for that better bill.

The Republican leadership's bill does too much in another area. Because it is not carefully targeted, it does not just apply to people who pay a penalty because they are married. Instead, a large part of the total benefits under the bill would go to married people whose taxes already are lower than they would be if they were single. In other words, if this bill were to become law as it now stands a primary result would not be to lessen marriage ''penalties'' but to increase marriage ''bonuses.''

And, by going beyond what's needed to end marriage ''penalties'' the bill—if it were to become law—would go too far in reducing the surplus funds that will be needed to bolster Social Security and Medicare.

Those are the reasons for my reluctance to vote for this bill. They are strong reasons—in fact, if voting for the bill today would mean that it would be law tomorrow, I would vote against it. But that isn't the case, fortunately. This is the start, not the end of the process—and I will reluctantly vote for the bill because I favor eliminating the marriage penalty and having the House pass this bill is the only way we can try to do that this year.

Under the Constitution, all tax bills must start here, in the House. And during the course of today's debate it's become clear that this is the only tax bill dealing with the marriage penalty that the Republican leadership will allow the House to consider this year.

For them, it's their way or no way. But that's not the end of the story, fortunately. From here the bill must go to the other body, where it can be improved, and any final bill must go to the President for signature or veto.

So, because I do think the marriage penalty should be ended, I will vote for this flawed and unsatisfactory bill in order to send it to the other body. I hope that there it will be improved. If it is changed, it will have to come back to us here in the House. If that happens, and it is improved to the point that it merits becoming law—meaning that it will deserve the President's signature—I will vote for it again, without reluctance. If it is changed but falls short of being appropriate for signature into law, I will not support it.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to voice my strong support for H.R. 6, the Marriage Penalty Tax Relief Act of 2000. As an original co-sponsor of this bill, I am pleased to stand here today to urge my colleagues to vote in support of the sanctity of marriage and in turn, divorce this burdensome tax.

66,604 hard-working married couples in my district, the eleventh district of Virginia and over 21 million loving couples across the nation are unfairly penalized by our Tax Code system simply because they chose to make a life time commitment to each other and walk down the aisle. On average, the words, ''I do'' carry the high price tag of $1,400 a year. Is it right to place such an unfair financial burden on the shoulders of two wage earner working families? No, but our current tax system requires that married couples file joint tax returns based on the combined income of the husband and wife. When both the husband and the wife work, the secondary earner is, in effect, taxed at the top rate of the primary earner. As a consequence, a married couple could pay more than they would if each spouse were taxed as a single wage earner.

We need the Marriage Penalty Tax Relief Act of 2000 to eliminate this financial deterrent to marriage. H.R. 6 would provides $182.3 billion in tax relief over 10 years, by raising the standard deduction for married couples filing jointly so that it is equal to twice the standard deduction single filers. It also expands the lowest tax bracket (15%) to twice that of the corresponding bracket for single filers. To help low income working families, the plan increases the Earned Income Credit (EIC), making more couple eligible for EIC assistance.

I would like to commend Representative JERRY WELLER for taking the initiative to introduce this vital tax relief bill. And I applaud my fellow members of the Republican Leadership and the 236 co-sponsors of this bill on both sides of the aisle, for their support for making the tax system fair for married couples a priority. Let's eliminate this penalty and give families financial freedom to make a down payment for their first home, save for a car or their child's college education. I strongly urge all of my colleagues to give married couples the best gift they could possibly receive from Congress for Valentine's Day, freedom from this punishing tax.

Mrs. BIGGERT. Mr. Speaker, the Federal Government taxes work, savings, investment, risk taking, creativity, ingenuity, entrepreneurship—even death. You name it, Washington taxes it, and sometimes Washington taxes it twice or three times.

So it is not all that surprising that the Federal Government taxes marriage. And today we have an opportunity to right that wrong.

But let's not forget what we are and what we aren't talking about. We aren't talking about tax cuts for the rich. We are talking about tax cuts for women.

The simple truth is that the marriage tax disproportionately affects women. Marriage taxes can impose a nearly 50 percent marginal tax rate on second earners, most of whom are wives and mothers. And the hardest hit by the marriage penalty are those couples who each earn between $20,000 and $30,000 a year.

Ask those couples if they are rich, as they try to provide for their children's education, pay off the mortgage on their house, and juggle all of life's challenges.

Despite what the other side may say, H.R. 6 gives the most benefits to these middle class families. That should be enough to get the support of all my colleagues.

But the President says that his plan is the right way to give marriage penalty relief. Well, let's talk about what his plan does—it creates another inequity. His plan increases the standard deduction for two-income married couples to double that of single filers only if both couples work. If a woman decides to stay home to start a family, this deduction does not apply and her taxes are higher.

This is wrong. How can we penalize anyone for staying at home to raise their children?

We can't.

The Republican plan ensures that all married filers receive marriage penalty relief, whether one parent stays at home with the children or if both parents go to work.

H.R. 6 is the right way to give millions of Americans, including more than 69,000 in my own district, real marriage penalty relief. I urge my colleagues to support H.R. 6, and to support all American families.

Mr. SMITH of New Jersey. Mr. Speaker, I rise today in support of the Marriage Tax Penalty Relief Act which will abolish the unfair marriage tax penalty by raising the standard deduction for married couples filing jointly so that it is equal to twice the standard deduction for single fliers. It also expands the lowest tax bracket at fifteen percent to twice that of single filers.

If you vote ''yes'' to eliminate the marriage tax penalty, fifty million married taxpayers will gain from doubling the standard deduction, and six million senior citizens will benefit from this provision. Another six million taxpayers will no longer have to itemize, which greatly simplifies the tax process, and taxpayers will save $66.2 billion over ten years.

On the other hand, if you vote ''no,'' you will be taking an average of $1,400 out of the pockets and bank accounts of our nation's hardworking families.

If you vote ''no,'' you will be rejecting legislation that benefits the middle class, particularly women. Not only do women early just 74% of what men earn, but under the marriage tax penalty, the second wage earner is taxed at a higher rate. This is the ultimate double-whammy.

If you vote ''no,'' you will singlehandedly take much needed tax relief away from more than 61,000 couples in my district and almost 1 million couples in my state who already pay more than their fair share of taxes—just because they are married.

And finally, if you vote ''no,'' you will send a clear message to our nation's children—that the sanctity of marriage is not to be respected—it instead is to be taxed by Uncle Sam.

Do not punish couples because they have found happiness, have made a lasting commitment to each other, and have gotten married. Cast your vote for the American family today and vote to help do away with the marriage tax penalty.

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of H.R. 6, the Marriage Tax Elimination Act of 1999, because it is designed to provide significant tax relief to over 21 million married couples. According to a recent report by the Heritage Foundation, there are currently 53,928 married couples in my district who are affected by the marriage penalty. This year we have the chance to do the right thing and help numerous families by eliminating the marriage penalty.

Our current tax code punishes working couples who file jointly by pushing them into a higher tax bracket. The marriage penalty taxes the income of the second wage earner—often the woman's salary—at a much higher rate than if she were taxed only as an individual. Not only does the marriage penalty financially

penalize married couples, it also discourages single people from getting married.

This bill will provide $182.3 billion in marriage penalty tax relief over 10 years by allowing the average dual-income family to keep $1,400 more of their money each year. These savings can make a significant difference to many families. Families will be using this extra money to improve their current lifestyle, secure their future or save for their children's education. Most importantly, it would encourage single people in love to join not only their lives together but their 1040 forms!

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 6, the Marriage Tax Elimination Act and I urge my colleagues to support this worthy, long overdue, legislation.

I became a cosponsor of this legislation because I believe the marriage penalty is the most indefensible thing about our Nation's current Tax Code.

The current Tax Code punishes married couples where both partners work by driving them into a higher tax bracket. The marriage penalty taxes the income of the second wage earner at a much higher rate than if they were taxed as an individual. Since this second earner is usually the wife, the marriage penalty is unfairly biased against female taxpayers.

Moreover, by prohibiting married couples from filing combined returns whereby each spouse is taxed using the same rate applicable to an unmarried individual, the Tax Code penalizes marriage and encourages couples to live together without a formal legal commitment to each other.

The Congressional Budget Office has estimated that 42 percent of married couples incurred a marriage penalty in 1996, and that more than 21 million couples paid an average of $1,400 in additional taxes. The CBO further found that those most severely affected by the penalty were those couples with near equal salaries and those receiving the earned income tax credit.

This aspect of the Tax Code simply does not make sense. It discourages marriage, is unfair to female taxpayers, and disproportionately affects the working and middle class populations who are struggling to make ends meet. For these reasons this marriage penalty needs to be repealed.

Mr. BLUMENAUER. Mr. Speaker, just three months ago, this Congress left Washington, having passed a budget none of us could take pride in, a budget filled with gimmicks, so-called emergency spending and special interest earmarks. Now we are starting off this new session on the same track of fiscal irresponsibility and unresponsiveness to real issues. The one difference is that, instead of a single massive tax cut along the lines of that rejected by the American public last year and still proposed by the Republican front-runner, the majority in Congress is pursuing a piecemeal strategy. They are offering last year's rejected tax bill, only repackaged in smaller chunks.

Today's so-called marriage tax reform is the first piece. Instead of targeting tax relief to the people who need it most, this bill is replete with other special interest provisions that will cost almost $200 billion over the next ten years. Only about half the proposed tax benefit goes to tax filers who currently pay a marriage penalty. Even less relief goes to those most in need, since about 70 percent of the benefits will go to couples earning more than $70,000 per year. Ironically, this bill does nothing to address the growing problems of working families being forced to pay the Alternative Minimum Tax.

In short, the majority's approach is to spend more money than we need or can afford in order to help the people who need help the least, while it shortchanges those who need help the most—the working poor and lower income families, who have seen their income fallen by about 9 percent.

The Democratic alternative takes a different approach. It is targeted toward the people who most need help. It doubles the standard deduction, adjusts the AMT so that families will receive the full benefit of the standard deduction, and addresses the marriage penalty in the EITC, providing greater relief for the working poor and near-poor families. Not only will targeting aid this way help those who need it most, it will save money—money that we can use to pay down the debt, protect Social Security and Medicare, and fund what my constituents tell me are their priorities: education, environmental protection and prescription drug benefits. This is what the American people want, what is needed in my district, and above all, something could be accomplished in a heartbeat with no partisan rancor.

I hope we can start working together today to make our tax system fairer and to help people who need it most.

Mr. MOORE. Mr. Speaker, I rise today to discuss H.R. 6, the Marriage Penalty Relief Act of 2000. The bill is the right thing to do for many reasons and I will support its passage. This bill will provide needed tax relief for married couples by reducing the marriage tax penalty while strengthening the financial resources of the American family and fostering economic prosperity into the 21st century.

Currently, forty-two million married taxpayers, including almost 67,000 families in my district, will gain from the standard deduction increases in this bill; the average tax cut for married couples provided by the bill would be nearly $500 per year—money that will go a long way toward paying for food, housing, and clothes for their children; and the bill will significantly help low- and middle-income working families.

I will be voting for this legislation; however, I will be doing so with strong reservations. I have deep concerns that this Congress has yet to act on a budget resolution this year and, as such, we have no knowledge how this legislation will fit into our other collective commitments to extend the solvency of Social Security and Medicare and reduce our national debt. Congress should first pass a budget resolution that puts into place a framework to strengthen Social Security and Medicare and pay down the debt before enacting a big tax cut—in stages or all at once—that spends the surplus.

That is why I will also be voting for the substitute bill and the motion to recommit. The substitute not only takes a large step toward eliminating the marriage penalty, it does so after we have developed a budget that certifies the solvency of Social Security and Medicare and after we have developed a budget that provides for debt repayment by the year 2013. The motion to recommit provides that we first establish a budget that ensures all of our priorities are met—solvency of Social Security and Medicare, repayment of our national debt, and tax cuts.

Although the majority claims to support retiring the publicly held debt, they have begun the session by scheduling several tax bills funded by the projected budget surplus without giving any consideration to the impact that the bills will have on the ability to retire this debt. Although each of these bills will have a relatively modest cost when considered in isolation, the total costs of these bills will be nearly as much as the vetoed tax bill, and could even be more expensive.

I caution my colleagues, on both sides of the aisle, that this marriage penalty bill reported by the Ways and Means Committee will consume most, if not all, of the resources that will be available for tax cuts without jeopardizing our commitment to paying down the debt and strengthening Social Security and Medicare. I caution my colleagues that if this marriage penalty bill is enacted, it may be difficult to enact additional tax cuts that Congress considers—estate tax relief, tax credits for health insurance and education, and Alternative Minimum Tax (AMT) reform.

We can and should cut taxes. But any tax cut must be in the context of a fiscally responsible budget that eliminates the publicly held debt, strengthens Social Security and Medicare, and addresses our other priorities. While I will be supporting this legislation, I am doing so to move the process forward and to correct a wrong in our tax code.

I hope this Congress considers carefully this bill's cost in the larger context of the federal budget and I hope the Senate will take on this important issue in a responsible manner that places these other priorities in context.

Mr. SCHAFFER. Mr. Speaker, the United States Tax Code discourages marriage. No amount of fancy accounting or political rhetoric can dispute this fact. Today's vote will assist in relieving a tax burden felt by more than 74 thousand couples in my eastern Colorado district. Statewide, 444,578 Colorado couples are affected by marriage tax penalties—penalties in place just for being married.

Mr. Speaker, the current tax law punishes married couples who file income taxes jointly by pushing them into higher tax brackets. The marriage penalty taxes a portion of combined income at higher rates than if each salary were taxed individually.

The Congressional Budget Office estimates that the federal income tax system imposes a marriage tax penalty on nearly fifty million Americans. Further, Mr. Speaker, the marriage tax penalty discourages hard work by penalizing dual-income married couples more than other individuals. It is unfair and inappropriate for the federal government to impose an additional income tax penalty on married individuals.

Mr. Speaker, I submit House Joint Resolution 99–1055, passed by the Colorado General Assembly, for today's RECORD. Colorado's resolution urges the United States Congress to enact legislation eliminating the federal marriage tax penalty. In addition to their recommendation, the President of the United States of America called for marriage tax penalty relief in his final State of the Union Address.

Mr. Speaker, I agree with the president, the Members of the Colorado General Assembly, and the millions of Americans who are calling for the elimination of the federal marriage tax penalty. I urge my colleagues to join me in voting to eliminate these anti-family, anti-American tax provisions.

HOUSE JOINT RESOLUTION 99–1055

Whereas, The Congressional Budget Office estimates that the federal income tax system imposes a marriage tax penalty on twenty-three million Americans; and

Whereas, The marriage tax penalty discourages hard work by penalizing dual income married couples more than any other individuals; and

Whereas, Under the federal income tax system, married individuals have smaller standard deductions, earlier loss of itemized deductions and personal exemptions, a smaller capital loss deduction, and a double loss of IRA deductions when compared to single individuals; and

Whereas, The marriage tax penalty has a severe impact on the working poor; and

Whereas, It is unfair and inappropriate for the federal government to impose an additional income tax penalty on married individuals; and

Whereas, Several bills to eliminate the federal marriage tax penalty are presently pending before the United States Congress; and

Whereas, The elimination of the federal marriage tax penalty is an important step in creating a fairer and simpler federal income tax system; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Colorado, the Senate concurring herein:

That we, the members of the General Assembly, urge the United States Congress to enact legislation eliminating the federal marriage tax penalty.

Be It Further Resolved, That copies of this Joint Resolution be sent to each member of the Colorado congressional delegation and to Charles O. Rossotti, Commissioner of the Internal Revenue Service.

Mr. RAMSTAD. Mr. Speaker, I rise as a proud cosponsor and strong supporter of the measure before us to provide urgent relief to families suffering from the unfair marriage tax penalty.

About 25 million married couples currently pay an average of $1,400 more in taxes than they would as single taxpayers. in my own congressional district alone, almost 160,000 taxpayers pay higher taxes simply because they are married. That is simply wrong.

Consider what $1,400 a year would mean to a family struggling to make car or mortgage payments, to buy groceries and clothes for their kids, or to save for their child's college education. If we don't believe marriage penalty tax relief will make a difference in the lives of real families, then we are severely out of a touch.

And significantly, the bill will provide relief to both taxpayers who itemize deductions and those who fill out a simplified tax form. It helps two-earner couples and couples in which only one spouse earns an income. I am stunned by those who believe the families who make sacrifices so one parent can stay home with the children do not deserve relief.

I had hoped when I heard the President's State of the Union Address that marriage penalty relief would be a bipartisan effort in this session. But as near as I can tell, some have decided it is ''too soon'' to provide this fairness. When is it too soon to stop an injustice?

Mr. Speaker, I urge my colleagues to support real relief for real families, right now.

Mr. PHELPS. Mr. Speaker, I rise to fulfill a commitment to my constituents but also to express my disappointment with the way in which this House is ignoring our established budget process. I also want to strongly caution my colleagues against continuing down this road of piecemeal tax cuts which threaten to devour our entire surplus before they can be evaluated in the overall budget context.

Early in my tenure I made a commitment to those who sent me to Washington to support an issue of great importance to them, marriage penalty relief. At the time, H.R. 6 was the primary vehicle for eliminating the marriage penalty, and I agreed to co-sponsor the bill. I do not believe this bill is perfect, and I do not support the timing of this vote, which flies in the face of reasonable budget decision-making. However, I believe in keeping promises to my constituents, and today I will honor my commitment by voting in favor of H.R. 6.

Over 25 million married couples, including 55,000 in my congressional district, experience the marriage penalty when they pay their taxes each year. Our current tax code punishes many married couples by pushing them into a higher tax bracket and taxing the second wage-earner's income at a higher rate. I do not believe our tax code should discriminate against any group, and we certainly should not cause couples to make marriage decisions based on the tax implications of their choice. Furthermore, marriage is often a precursor to new financial obligations, such as buying a home, deciding to start a family, and beginning to save for a child's education. We should by no means make it harder for couples to meet these obligations.

Last year, I voted against the massive, irresponsible Republican tax cut package. Since then, I have consistently assured my constituents they would have my support if certain elements of that bill, such as elimination of the marriage penalty of phase-out of the estate tax, were considered alone. Today, I will honor that promise, but I do so reluctantly for the following reasons.

It is incredibly irresponsible to consider H.R. 6 as one of the first orders for business of this new legislative session, before any consideration of a budget resolution. I think every member of this House agrees that we can and should provide tax relief to the American people this year. But we should not be making these decisions in a vacuum, while we remain completely blind to their ultimate impact on the overall budget picture.

As we debate this bill today, none of us knows what it will mean to our ability to pay down the debt, shore up Social Security and Medicare, provide a prescription drug benefit or pay for vital programs like health care, veterans benefits, agriculture, defense and education. Today's vote sets a dangerous precedent, and I worry that the Republican leadership has started down a dangerous course of passing last year's failed tax cut package in a series of small pieces which mask their overall impact on the budget and impede our ability to address other priorities.

Although I am prepared to ultimately support H.R. 6, I will first vote for the Democratic substitute and the motion to recommit, both of which I believe would enable us to provide common-sense tax relief without jeopardizing our other goals. I have been a strong advocate for debt reduction since joining this body, and I continue to believe a significant portion of any surplus must be set aside for this purpose. Eliminating our nation's debt is, in fact, the best tax cut we can possibly give to our constituents.

Mr. Speaker, I am glad today to fulfill a commitment to my constituents by supporting the elimination of the marriage penalty. But I sincerely hope that today's vote is not an indication of the way in which the Republican leadership plans to deal with all tax legislation this year.

Mr. MCGOVERN. Mr. Speaker, I rise today in opposition to H.R. 6 and in support of real marriage penalty tax relief that will benefit married couples. The bill we are considering today is flawed in several ways—both in terms of policy and in terms of process. Instead, I will support the Rangel substitute amendment that will provide real relief for married couples and will also allow us to continue working to extend the solvency of both Social Security and Medicare and to pay down the debt.

I will vote for the Rangel Substitute because it accomplishes the right things—an increase in the standard deduction for joint filers to twice that of single filers, an increase in the income level at which the Earned Income Tax Credit is phased out and a provision to ensure that Congress extends the solvency of Social Security until 2050 and Medicare until 2030, and eliminates the debt by 2013. The Rangel substitute will allow us to continue to work on the issues important to all Americans—a prescription drug benefit for Medicare, a strong, comprehensive Patients' Bill of Rights, a continuation of the greatest economic expansion in the history of this country, and targeted tax relief. The Republican Leadership's bill we are debating today places all of these priorities at risk.

H.R. 6 is flawed because the bill targets the wrong people and it places the potential surplus at risk. The most expensive provision of this bill would only affect one out of four married couples. Once fully phased in, this provision will cost $30 billion each year. However, the beneficiaries of this provision are not penalized by the marriage tax but, instead, receive what is known as a marriage bonus. H.R. 6 does not provide the relief needed by the middle- and low-income couples that are penalized by the Tax Code. My constituents deserve the best marriage penalty tax relief possible, relief that is not provided by H.R. 6.

Moreover, H.R. 6 irresponsibly taps the potential budget surplus without consideration of the budgetary impacts. This bill isn't even paid for! Where will the money come from? It will come from the current efforts to pay down the debt, to extend the solvency of Medicare and Social Security and to provide a comprehensive prescription drug benefit. The bill's $182 billion price tag—which will undoubtedly increase as adjustments are made to the alternative minimum tax and other tax provisions—is too costly to blindly rush through Congress, especially as we are just now beginning to consider the budget for the next fiscal year. Congress should be working to provide real, responsible marriage penalty tax reform that targets middle- and low-income married couples.

H.R. 6 is also flawed because of the process under which we are considering this bill today. President Clinton released his budget only two days ago, Congress has yet to complete hearings on his proposed budget and the House Budget Committee has not begun to work on a budget resolution. Besides being irresponsible, consideration of this bill violates the rules of the House. It is a violation of House rules to consider tax or spending measures before Congress considers a budget resolution. In order to consider this bill

today, the Republican leadership forced a vote to waive this rule, Why? Not in the name of true reform, but so they could grandstand on Valentine's Day.

Mr. LANTOS. Mr. Speaker, the legislation which we are considering today has little to do with helping struggling married couples and a great deal to do with politics. For years now, we have been subjected to partisan calls to deal with the so-called ''marriage tax penalty.'' We have heard stories about couples who have considered divorce, or even been divorced, because they had a tax burden that was so inequitable. I don't know about my colleagues on the other side of the aisle, but most people that I know do not make the decision whether to enter into—or not enter into—marriage vows simply because of the tax implications of marriage. Matrimony has many consequences, but tax consequences are probably not the major concern.

Unfortunately, Mr. Speaker, there has been very little cool thoughtful consideration of the policies that we are considering here today. It is abundantly clear that the version of the legislation supported by our colleagues on the other side of aisle has much to do with an agenda to benefit the wealthy and little to do with making our tax system fairer for married couples. Approximately half of the tax benefits this legislation provides will go to tax filers that currently pay NO marriage penalty, and the bulk of the benefits will go to the top quarter of income earners.

The Democratic alternative being presented by our colleague, the gentleman from New York, Mr. RANGEL, provides more genuine tax relief for working families who do pay a ''marriage tax penalty.'' I urge my colleagues to support the Rangel substitute.

Mr. Speaker, The Washington Post (June 16, 1998) published an excellent article by Albert B. Crenshaw entitled ''Congress Tackles Marriage Tax Penalty: Experts Doubt That Debate will Yield Lasting Solution to Perennial Inequity.'' That article was particularly insightful on this complex issue. I am submitting the article for the RECORD at this point, and I urge my colleagues to read it. This careful and thoughtful analysis provides a much-needed counterpoint.

[From the Washington Post, June 16, 1998]

CONGRESS TACKLES MARRIAGE TAX PENALTY—EXPERTS DOUBT THAT DEBATE WILL YIELD LASTING SOLUTION TO PERENNIAL INEQUITY

(By Albert B. Crenshaw)

As House Republicans rally around a proposal to eliminate the tax code's ''marriage penalty,'' some experts are skeptical that this latest round of debate on a long-discussed issue will lead to a lasting solution.

The penalty, which causes some married couples to pay higher income taxes than they would as single people, has been a problem for as long as there has been a federal income tax.

Over the years it has sparked repeated, and largely unsuccessful, efforts by Congress to craft a solution equitable to both married couples and singles. The repeated failure of these efforts has led some experts to say it's impossible to create a tax law that would cause all married couples with the same income to pay the same tax, that would treat taxpayers the same regardless of their marital status and that would at the same time would remain progressive.

The key element that leads to the marriage penalty is the progressive nature of the nation's tax code. As income rises, it is taxed at higher rates, also known as brackets. When two people marry, their income is added together, so instead of, say, two singles in the 15 percent bracket, they become a married couple partly in the 15 percent bracket and partly in the 28 percent bracket.

For example, a single man earning $25,000 annually and a single woman earning $25,000 would each be in the 15 percent bracket. If they marry, however, their annual income becomes $50,000 and some of it is taxed at 28 percent. For married couples filing jointly, that higher bracket starts at $42,350.

While the tax code penalizes married couples with similar incomes, it benefits couples in which one spouse earns most or all of the income.

For example, a single woman earning $50,000 annually is taxed at the 28 percent rate for slightly less than half her income, while the rest is taxed at 15 percent. If she marries a man with no income, $42,350 of her income is taxed at 15 percent, and less than $8,000 at 28 percent.

For lower-income workers, the effect can be even more dramatic because of the earned income tax credit, a credit designed to ease the tax burden on low-income working families. For example, the Congressional Budget Office last year found that two single parents earning $11,000 each would have no income tax liability and each would receive a $2,150 refund under the EITC. If they married, they would owe $765 in tax and receive only $1,368 under the EITC. The credit would wipe out their tax liability, but their refund would be only $603.

Thus this couple would lose $3,701, or 16.8 percent of their income, by virtue of being married.

The CBO study found that about 42 percent of couples paid a marriage penalty in 1996, 51 percent paid less than they would have as singles—a marriage ''bonus''—and 6 percent were unaffected. In other words, 21 million couples paid an average of $1,400 in additional taxes because they were married, while 25 million got a tax benefit—to the tune of an average $1,300—because of their marital status. In total, penalties added up to $29 billion, and bonuses to $33 billion.

Since World War II, tax policy has veered from greatly benefiting married couples to helping out singles to today's hodgepodge of rules that benefit some married couples and penalize others.

The CBO noted that ''marriage penalties and bonuses are not deliberately intended to punish or reward marriage. Rather they are the result of a delicate balance among disparate goals of the federal income tax system.''

Some scholars have found bonuses and penalties in the code going back to 1914, but the modern dispute dates from 1930. At that time, taxes were levied on individuals, and single or married people paid at the same rates. This benefited couples in which spouses had similar incomes and penalized those in which one earned much more than the other.

In community-property states, however, state law required that couples share all income equally. Taxpayers in those states had begun dividing their income equally for tax purposes as well, and in 1930 the Supreme Court upheld that strategy.

This resulted in couples in different states being taxed at different rates, depending on whether they lived in a community-property or common-law state. In 1948, to remedy this, Congress began allowing all couples to, in effect, equally divide their income.

This, in turn, meant that singles paid more tax on the same income than married couples. By 1970, a single person with $20,000 in income was paying $5,328 in tax compared with $3,750 for a married couple—a 42 percent penalty for the single person.

Congress limited the differential to 20 percent beginning in 1971, and in 1981 it added a two-earner deduction of up to $3,000. This cut the penalty for couples affected by the penalty but boosted the bonus for others. The Tax Reform Act of 1986 repealed the two-earner credit but also sharply reduced the number of tax brackets, from 15 to two—at 15 percent and 28 percent—and thus also reduced the marriage penalty. The addition of new brackets in 1990 and 1993 boosted the number to five, and the issue began heating up again.

Here is an example of the marriage penalty, with the husband and wife earning equal salaries . . .

A MARRIAGE PENALTY, A BONUS

	If filing as a single		Filing as a couple
	Husband	Wife	
Adjusted gross income	$37,500	$37,500	$75,000
Less personal exemptions	2,550	2,550	5,100
Less standard deduction	4,000	4,000	6,700
Equals taxable income	30,950	30,950	63,200
At 15 percent	24,000	24,000	40,100
At 28 percent	6,950	6,950	23,100
Tax liability	5,546	5,546	12,483
Marriage penalty			$1,391
. . . and of the marriage bonus, with only one spouse as the sole breadwinner.			
Adjusted gross income	$0	$75,000	$75,000
Less personal exemptions	2,550	2,550	5,100
Less standard deduction	4,000	4,000	6,700
Equals taxable income	0	68,450	63,200
At 15 percent	0	24,000	63,200
At 28 percent	0	34,150	40,000
At 31 percent	0	10,300	23,100
Tax liability	0	16,355	12,483
Marriage bonus			$3,872

SOURCE: Congressional Budget Office.

Mr. STARK. Mr. Speaker, I rise today in opposition of H.R. 6, the Marriage Tax Penalty Relief Act of 2000. The Republicans will characterize those who oppose their bill as opposing tax relief for working families. This is not true. I support targeted tax relief for working families. However, any tax legislation must be enacted prudently and must be structured to target the right population. The bill before us today is far from prudent. I oppose H.R. 6 because of the process chosen by the GOP; the bill is misleading; and the Democrats have offered a better alternative.

Targeted marriage tax penalty relief should be an issue that everyone can support. So it was surprising to learn that Ways & Means Democrats were left out of the whole process. The leadership developed this bill without any consultation from Democrats. If real legislation is going to pass the second session of the 106th Congress, then we must work in a bipartisan fashion. It seems that my colleagues on the other side of the aisle prefer to politicize legislation rather than produce policy that will actually help the citizens we serve.

This bill puts the cart before the horse. There is no budget in place in which to examine this bill in an overall framework for this year's spending. To explain my point, the average American worker should not go out and purchase a brand new car without knowing how much is needed for their other expenses. The worker would end up with bounced checks and nothing left for food and medical expenses. This is exactly what the Republicans intend to do with this tax bill. Congress does not know how much is needed for our other spending priorities. It is fiscally irresponsible to spend money without an overall budget in place.

Without a budget, last year's mantra to save Social Security and Medicare has been completely ignored. I am committed to saving Social Security for current and future retirees. I am also committed to saving Medicare—and enhancing its benefits—for current and future retirees. The American worker is entitled to both of these benefits in their golden years. I will not participate in a negligent Congress whose behavior could eliminate these two programs.

A vote on H.R. 6 today does not allow Congress to prioritize our spending. So not only does this bill fail to ensure solvency for Medicare and Social Security, it prohibits us from other spending needs such as improving our schools, providing a Medicare prescription drug benefit, and making health care available to the 11 million children currently without it.

This bill needs to target tax relief for those who need it most. Unfortunately, the GOP proposal actually helps wealthy Americans, not simply those facing a tax penalty due to marriage. There are nearly as many families that receive ''marriage bonuses'' as receive marriage penalties in the U.S. As much as half of the $182 billion in tax relief in the GOP bill will go to families who receive the bonus and are not hurt by the marriage penalty. This bill's costliest provision, expanding the 15% tax bracket, only benefits taxpayers in the top quarter of the income distribution. This accounts for 65% of the plan's total cost, or nearly $100 billion. The bill's title implies that it helps those who are faced with a marriage penalty when it truthfully benefits the wealthy.

Finally, I cannot support this reckless tax cut when the Democrats have offered a safer, more responsible option. First and foremost, our bill uses the projected surplus to extend the solvency of Medicare to 2030 and the solvency of Social Security to 2050. The American worker has told us time and time again that extending these programs is a priority. I've listened to my constituents and I encourage my GOP colleagues to do the same.

The Democratic substitute bill is not only more responsible than the Republican plan, it is also less costly and targeted to those who need it most. Our plan costs $89 billion over 10 years; one needn't be an economist to know that this is much more affordable than the $182 billion Republican price tag. Low-income married couples face a marriage penalty in the earned income tax credit. The Democratic substitute would reduce those penalties by increasing the income level at which the credit begins to phase out by $2,000 in 2001 and by $2,500 in 2002 and thereafter. It would also repeal the current reduction in the EITC and refundable child credit by the amount of the minimum tax. Again, the Democratic substitute would provide greater tax relief for these taxpayers than would the Republican bill.

We shouldn't even be debating marriage tax penalty today. This is not the right time or the right product through which to achieve a reasonable tax cut. It is ludicrous to take a piecemeal approach to any tax reform package. Treasury Secretary Lawrence Summers has urged President Clinton to veto this bill. We need to oppose H.R. 6, go back to the drawing board, establish a budget and bring responsible tax relief legislation to the floor for a vote.

Mr. FRELINGHUYSEN. Mr. Speaker, it is time we give 25 million married Americans a break—a tax break, that is.

Under our current tax code, working, married couples are pushed into a higher tax bracket than single working Americans. And worse yet, the Marriage Penalty Tax impacts the second wage earner in a family—usually a woman—so, she is taxed at a much higher rate just because she is married!

Is this fair?

Of course not, and that's why Congress must try yet again to repeal the Marriage Penalty Tax, an unfair tax burden on 25 million American families.

Mr. Speaker, this is sensible tax relief for the middle class, and a $1400 tax cut for these hardworking Americans will be put to good use. Indeed, $1400 in the pockets of millions of married couples can be used on important family obligations like tuition for college, a home computer, renovating a kitchen and paying family bills, or investing for retirement security.

Mr. Speaker, 818,116 married couples in my home state of new Jersey would benefit directly if we repeal the Marriage Penalty Tax—72,605 in my District alone, New Jersey's Eleventh.

Each one of them deserve relief from the Marriage Penalty Tax and New Jersey's married couples deserve to know that they are paying only their fair share to Uncle Sam—nothing more.

Let's repeal the Marriage Penalty Tax and restore fairness to our tax code for America's married couples.

And let's get this Marriage Penalty Tax revenue, unfairly collected by the Federal government, out of the hands of Washington bureaucrats and into the pockets of America's married couples where it rightfully belongs.

Mr. BUYER. Mr. Speaker, I rise in support of H.R. 6 and I am proud to be a cosponsor of this bill.

More than 20 million American married couples pay higher taxes than they would if they were single. The ''tax'' on marriage in our system averages nearly $1400 per couple. This $1400 could be used by couples to save for college or retirement, make several months of car payments, pay for braces or piano lessons. Unfortunately, some in this chamber believe that Washington knows better how to use $1400 than a husband and a wife.

Numerous statistical evidence is available that children are far less at risk for academic and behavioral problems when raised in a two-parent family. But built into our Tax Code is a disincentive for families to stick together.

The marriage penalty in the Tax Code is more likely and larger in those households where both marriage partners have incomes that are nearly equal. In 1995, 72 percent of working age couples had both individuals in paid employment. 12 percent of couples with incomes below $20,000 had penalties in 1996; 44 percent of couples with incomes between $20,000 and $50,000 had marriage penalties; and 54 percent of those with incomes over $50,000 had penalties.

It is time that the Federal Tax Code support marriage, and not penalize it. I urge the adoption of the Marriage Tax Penalty Relief Act.

Mr. MILLER of Florida. Mr. Speaker, I rise today in support of this important legislation to end the unfair taxation of married couples and provide real tax relief for working families. The marriage tax penalty is one of the shining examples of stupidity and injustice in our overly complex and injustice tax code.

Mr. Speaker, this tax hits real people, real hard. It punishes working couples by pushing them into a higher tax bracket. It taxes the income of the second wage earner—typically a working woman—at a higher rate than if she were taxed as an individual. It impacts middle class couples the most, with the greatest marriage tax penalties falling on those families where the higher earning spouse makes between $20,000 and $75,000 per year.

Overall, some 42 million working Americans pay higher taxes simply because they are married. On average, each couple pays $1400 more every year to the federal government simply because they are married. In my Florida district alone, over 46,000 couples are hit by this ridiculous marriage tax penalty. Let me tell you about how this tax affects some of them in real terms.

I had an opportunity when this issue first gained prominence, to meet in my district with 20 working women from Bradenton, Sarasota, and Venice. Their number one concern was marriage tax penalty relief. Why? Because this is not some obscure issue, these women knew what an extra $1400 a year meant to their family budget. It's a new computer, it's the yearly grocery bill, it's a semester at community college, or maybe it's a much needed family vacation.

Mr. Speaker, some of my colleagues here talk about wanting to expand government subsidies and programs for health care or daycare. Let me say to them, if you are serious about helping working families, then let's start by letting these families keep $1400 of their own hard-earned money each year and use it towards a year of health care premiums or several months of day care. Let these families make their own choices and meet their own needs without having to beg for their own money back from Washington bureaucrats.

My district in Florida also has a large population of senior citizens. Most people don't think of the marriage tax penalty hurting seniors, but it does depending on how they receive income, and not just the ones who are already married. A not uncommon situation is that two widowed seniors meet each other in a retirement community, find new love, and want to remarry. The marriage tax penalty actually discourages them from remarrying. Our truly bizarre tax code says to this senior couple that they are better off economically if they just live together without getting married! I find this tax to be repugnant.

Mr. Speaker, a tax that penalizes people for falling in love and getting married is an outrage. We have a chance today to get rid of it. I urge my colleagues to vote ''yes'' on this bill and provide real tax relief and fairness to 46,000 working couples in my district and 21 million families nationwide.

Mr. RILEY. Mr. Speaker, there's not a good reason why married couples in my home State of Alabama should pay higher Federal income taxes than if they were single and just living together.

But this is what is happening to more than 60,00 married couples in my district alone and 25 million nation-wide because of the Marriage Tax Penalty.

As our Federal tax law stands now, the average married couple in America pays an additional $1,400 a year on their tax bill. That is absurd.

Mr. Speaker, $1,400 is a lot of money to most folks in Alabama, and not an amount

they're happy doing without just because they are married. You can pay a few house payments with $1,400, or a semester's worth of tuition and books for college. Those are real life expenses, and not just numbers on charts and graphs over at the Internal Revenue Service.

The institution of marriage should be sacred, not taxable.

I urge my colleagues to vote for the Marriage Tax Penalty Relief Act and put an end to this unfair and irresponsible tax.

Mr. BALLENGER. Mr. Speaker, I am pleased that a popular tax relief proposal, the so-called marriage tax penalty relief bill, is coming up for a vote today. Unlike President Clinton, I believe that we can achieve our budget and tax objectives simultaneously in this booming economy. If we keep reigning in new federal spending and waste, fraud and abuse in existing programs, we can provide this long overdue tax relief—and more—while protecting Social Security, Medicare and retiring the public debt.

H.R. 6 is needed to make a down payment on eliminating the marriage tax penalty which roughly 67,439 couples in my congressional district alone pay Uncle Sam each year. A marriage tax penalty happens when a married couple pays more taxes by filing jointly than they would if each spouse could file as a single person. The bottom line is that the tax code punishes millions of couples by pushing them into higher tax brackets, and middle income American families are hit the hardest.

Why should a man and a woman be forced to pay higher taxes simply for being married? Since President Clinton vetoed the marriage tax penalty relief package last fall, I am glad that we have started this process early this year in the hope we can get a bill which President Clinton will sign. After all, just two weeks ago he said he favored marriage tax penalty relief. He should work with us to give hard-working Americans a break.

Mrs. CHENOWETH-HAGE. Mr. Speaker, today I rise to speak about the tax code's Marriage Penalty. This is a fundamentally unbalanced, unfair, and discriminatory section of the tax code.

For far too long, we have treated married couples as if they were an opportunity for the government to tax more. In particular, for the young newly married couple, this penalty means an average of fourteen hundred dollars a year in confiscated income. Assuming a couple invested this fourteen hundred dollars in an IRA that earned a ten percent interest rate, at the end of thirty years they would have two hundred and sixty-six thousand dollars for retirement. A ten percent return is the historic rate.

In Idaho alone, one hundred and twenty-nine thousand married couples are affected by this discriminatory tax. The standard of living and the median income are below the national average. Unemployment rates are above the national average. Marriage Tax relief would provide substantive relief for the one hundred and twenty-nine thousand couples in Idaho who are disparately impacted by this tax.

Mr. Speaker, equality before the laws is a principle enshrined within our Constitution. In 1919, we gave married couples two votes instead of one. It's time we treated hard-working married couples as two people instead of one person and two-thirds of another person.

Mr. CRANE. Mr. Speaker, I rise in strong support of H.R. 6, the Marriage Tax Penalty Relief Act.

The Republican-sponsored Marriage Tax Penalty Relief Act provides $182 billion in tax relief over the next 10 years. Since hundreds of billions of dollars is hard to comprehend, let me explain how that translates to our constituents.

In my Congressional district, over 140,000 taxpayers are penalized by the tax code simply because they are married. In Illinois, 1.1 million couples, or 2.2 million taxpayers are hit with a marriage penalty. Nationwide, there are some 50 million individuals paying a marriage penalty. On average, these couples each earn between $20,000 and $30,000—hardly a princely sum. The bill before us today will provide roughly $1,400 in tax relief to every family faced with a marriage penalty.

I have long argued that the tax code is immoral because it penalizes those values we pass along to our children. We encourage our children to get married and start a family and to save their money for the proverbial rainy day. Unfortunately, once they marry, they're immediately punished by the tax code that charges them more than when they were single. And don't get me started on capital gains taxes and estate taxes punishing savings and investments for the future.

While most of us in Washington have publicly supported marriage tax penalty relief, I am amazed that our Democrat colleagues are opposing our bill and that the President has threatened to veto the measure. I hear that my friend Mr. RANGEL, a Member of our Ways and Means Committee, calls our plan a gimmick. He is opposing our bill because it is being ''rushed'' through Congress before we have a budget. We rush emergency spending measures through this body on a regular basis. I ask my colleagues—why is it wrong to rush this much needed tax refund to hard-working Americans? Especially since President Clinton vetoed our tax bill last year which would have provided relief from the marriage tax penalty.

I understand that our Democrat friends have their own version of what they call marriage tax penalty relief. Unfortunately, their plan provides only a fraction of the relief of H.R. 6, while making the tax code much more complicated in the process. Perhaps all that was rushed was the drafting of their bill.

I urge my colleagues to reject the Democrat amendment and to support H.R. 6 so that we can quickly provide this much needed tax relief to Americans.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R. 6, the Marriage Tax Penalty Relief Act of 2000, of which he is a cosponsor. This bill will have a positive effect, in particular, on middle and lower income married couples.

At the outset, this Member would like to thank both the main sponsor of H.R. 6 from Illinois [Rep. WELLER] and the distinguished Chairman of the House Ways and Means Committee from Texas [Mr. ARCHER], for their instrumental role in bringing H.R. 6 to the floor of the House today.

While there are many reasons to support H.R. 6, this Member will enumerate two reasons. First, H.R. 6 takes a significant step toward eliminating the current marriage penalty in the Internal Revenue Code. Second, H.R. 6 follows the principle that the Federal income tax code should be marriage-neutral.

1. First, H.R. 6 will help eliminate the marriage penalty in the Internal Revenue Code in two ways. It will increase the standard deduction for married couples to double the standard deduction for singles. In addition, H.R. 6 will increase the amount of couples' income subject to the lowest 15 percent marginal tax rate.

2. Second, this bill will help the Internal Revenue Code become more marriage-neutral. Currently, many married couples pay more Federal income tax than they would as two unmarried singles. The Internal Revenue Code should not be a consideration when individuals discuss their future marital status.

Therefore, for these reasons, and many others, this Member urges his colleagues to support the Marriage Tax Penalty Relief Act of 2000.

Mr. MCCOLLUM. Mr. Speaker, as families across the country start to think about filing their taxes, there is a flaw in our tax code that unfairly punishes millions of married couples. In the state of Florida alone, more than 1 million married couples pay an average of $1,400 per year more in taxes than they would pay if they are unmarried. This burdensome tax is especially unfair to working women, whose income is often cut in half by the higher tax rates caused by the marriage penalty.

Under the current tax code, a married couple pays more taxes by filing jointly than they would if each spouse filed as a single person. The marriage tax penalty exists because the standard deduction for couples ($7,350) is $1,450 less than double the standard deduction for singles ($4,400 + $4,400 = $8,800).

In essence, the tax code punishes millions of couples by pushing them into higher tax brackets. The marriage penalty taxes the income of the second wage earner—often the wife's salary—at a much higher rate than if the salary were taxed only as an individual.

For example, an individual earning $30,500 would be taxed at 15 percent. But a working couple with incomes of $30,500 each are taxed at 28 percent on their combined income of $61,000—costing the couple almost $1,400 more in taxes because they are forced into a higher tax bracket.

This year, the House of Representatives wants to provide American couples real relief from the marriage tax penalty. I support H.R. 6, the Marriage Tax Relief Act of 2000, which will provide more than 50 million American couples with $182.3 billion dollars in tax relief. Under this plan, lower and middle income couples—those earning between $20,000 and $70,000—receive the greatest relief.

H.R. 6 would increase the standard deduction for joint returns to twice that of single filers, increase the width of the lowest tax bracket for joint returns to twice that of single returns, and raise the phaseout limit on the earned income tax credit (EITC) by $2,000 for married couples. The increase in the standard deduction and the increased phaseout limit for the EITC would be effective next year. The increase in the 15% tax bracket would be phased in over 6 years starting in 2003. Furthermore, H.R. 6 helps both families who itemize their deductions, like homeowners, and those who do not itemize.

President Clinton, who vetoed the marriage penalty last year as part of Congress' overall tax relief plan, recently proposed a smaller plan that provides $45 billion over the next 10 years. His plan would double the standard deduction over 10 years, as opposed to next

year, and does not expand the 15% tax bracket like Congress' plan does. Under the President's marriage tax relief plan, only families who do not itemize their taxes would benefit. Simply put, Congress will provide working couples with four times more relief than the President's plan, dramatically easing the unfair tax burden on American families.

For working families, an extra $1,400 a year could mean a new computer to help children with their education, child care for three months, or a contribution to retirement savings. Over a decade, that money would pay for a family car, a college education, or the down payment on a new home.

Of all the challenges married couples face in providing for their children, the U.S. tax code should not be one of them. I believe families—not Washington bureaucrats—know best how to spend the money they have earned. It is time to eliminate the marriage tax penalty and help strengthen the building block of or society—the American family.

Mrs. CLAYTON. Mr. Speaker, consistent with the position of many of my colleagues, I firmly believe that the marriage tax penalty ought to be alleviated. It is an unfair burden on many married couples and families. Also, given the level of suffering that has rocked my district, I would like nothing more than to have additional resources remain in the pockets of my constituents.

During the rebuilding process—in the aftermath of destruction from Hurricanes Dennis, Floyd and Irene—every dollar counts. This is especially the case for low-income families.

However, Mr. Speaker, I am disturbed because this bill has many flaws and it is ill-timed.

As a body, we have yet to agree to a budget resolution for Fiscal Year 2001. Thus, size of any budget surplus remains to be determined. As a body we have not yet done what we know Americans want us to do: to reduce the debt, protect Social Security and Medicare first.

Mr. Speaker, H.R. 6 is projected to have a net cost of $182 million over the next ten years. This bill is far too costly and designed to help those couples with no penalty and high incomes. The cost of H.R. 6 is too high, especially when many working families will not even benefit from these proposed tax cuts. The cost of this bill is too high, especially when, as a result of the structure of this legislation, many couples currently unaffected by the marriage penalty will receive tax reductions. Therefore, I ask my colleagues to support the Democratic alternative.

What is true is that Democrats and Republicans alike are committed to alleviating the marriage tax penalty. The President also shares this commitment. Where we differ is on how much this tax cut should be, how universal in nature, and when this bill should be considered.

The bill we are currently considering will prevent other needed tax cuts, prevent resources from being allocated to Medicare, Social Security, child care and other family needs.

I strongly feel that the Democratic alternative to H.R. 6 is effective and will achieve our overall goal of providing Americans across this nation the relief that they so desperately need. It is a more responsible approach in that it reduces the ''marriage penalty'' by $89 million over 10 years; this is about half of what is requested in H.R. 6. More importantly, Mr. Speaker, the substitute makes the tax reduction contingent on certification that the Social Security trust fund will remain solvent until 2050, certification that the Medicare trust fund will remain solvent until 2030, and certification that the publicly held national debt is projected to be eliminated by 2013. I ask my colleagues to vote responsibly by supporting the Rangel substitute.

Mr. RYUN of Kansas. Mr. Speaker, today I rise in support of the 125,000 married people in the Second District of Kansas who are adversely affected by the marriage tax penalty.

Kansas couples have been penalized just for walking down the aisle and saying, ''I do.''

As I've traveled across my district over the past three years and held town meetings, each individual I have explained this penalty to has said it is wrong. They are right, it is wrong, and today I can tell them that we finally did something about it.

Returning $1,000 to the average working couple in Kansas will make a real difference in their lives. It may allow them to save for their children's college education, take a family vacation or make long overdue home improvements. More importantly, returning this tax overpayment will allow them to spend their money in a way that will most benefit their families.

Mr. Speaker, we can look forward to as much as $1.8 billion in non-Social Security budget surpluses over the next 10 years. This bill will give back just 10% of the total projected non-Social Security surplus. I think we can say with confidence that the federal government is in a sound financial position to return some of the taxpayers hard-earned money.

A yes vote on this important bill is not only fiscally sound, it will end the unfair practice of taxing the marriage license, and will put in place a tax policy that encourages marriage and families. Vote yes on the Marriage Tax Penalty Relief Act.

Mr. HOBSON. Mr. Speaker, I rise in support of legislation to repeal the marriage tax penalty. Marriage is one of the most sacred institutions and serves as a strong foundation for stable families. However, our convoluted federal tax code doesn't see marriage as an institution worthy of praise, but rather as a convenient way to provide additional revenue for federal coffers.

The Treasury Department estimates that 25 million couples in the United States have to pay an average of $1,400 more on their income taxes every year, than they would if they could file as individuals. In essence, the federal tax code punishes millions of married couples by pushing them into higher tax brackets. The marriage penalty taxes the income of the family's second wage earner at a much higher rate than if the salary were taxed only as an individual.

This unfair assessment on marriage is nothing new, but it is becoming a larger problem. The share of dual-earner married couples has risen from 48 to 60 percent since 1969, and this percentage is only expected to rise in the future.

Even the President recommended reducing the marriage penalty in his final State of the Union Address, not once, but twice. I earnestly hope that the new millennium will see the beginning of the end for this unfair assault on married taxpayers.

We have tried for years to eliminate the marriage penalty. In fact, it was a key provision in last year's Republican tax plan, which was vetoed by the President. It is past time to get the job done, and I ask my colleagues to support the Marriage Tax Penalty Relief Act of 2000.

Our plan would increase the standard deduction claimed by couples who do not itemize income tax deductions to double the amount of the standard deduction for single taxpayers beginning in 2001. Unlike the President's proposal, we also would provide relief for the millions of families that do itemize their taxes.

By reducing the marriage penalty we can continue to expand the benefits of our current strong economy to an even greater percentage of the American people. I believe the lifting of this unfair marriage tax penalty is a matter of fundamental tax fairness and will improve the lives of many working families by allowing them to keep more of their hard-earned paychecks.

Mr. PACKARD. Mr. Speaker, critics of the Marriage Tax Penalty Relief Act are calling it irresponsible. I rise today to offer what I believe is truly irresponsible.

Mr. Speaker, the past thirty years of taxing hard-working married couples is irresponsible. Over-taxing American families at an average of $1400 annually is irresponsible. Penalizing 25 million families annually is irresponsible. Penalizing 58,781 families in my Southern California district is irresponsible. Placing an unnecessary tax burden on our working men and women who devote their lives to each other in marriage is blatantly irresponsible.

Mr. Speaker, critics are calling eliminating the Marriage Tax Penalty reckless. Mr. Speaker, this is not reckless. Punishing working married couples is reckless. American families paying more in taxes than for food, clothing, shelter and transportation combined—is unequivocally reckless. Eliminating the marriage tax penalty for only a quarter of the affected families as the President's plan would do is reckless.

Mr. Speaker, I urge my colleagues to support this legislation and provide meaningful tax relief for all of our working families. Failure to do so is irresponsible. Failure to honor our most valued institution—the family—is reckless. Let's not lose this opportunity to affirm the American family and provide meaningful tax relief.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). All time for general debate has expired.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. RANGEL:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Marriage Tax Penalty Relief Act of 2000''.

SEC. 2. MARRIAGE PENALTY RELIEF.

(a) STANDARD DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(A) by striking ''$5,000'' in subparagraph (A) and inserting ''twice the dollar amount in effect under subparagraph (C) for the taxable year'',

(B) by adding ''or'' at the end of subparagraph (B),

(C) by striking ''in the case of'' and all that follows in subparagraph (C) and inserting ''in any other case.'', and

(D) by striking subparagraph (D).

(2) INCREASE ALLOWED AS DEDUCTION IN DETERMINING MINIMUM TAX.—Subparagraph (E) of section 56(b)(1) of such Code is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to so much of the standard deduction under subparagraph (A) of section 63(c)(2) as exceeds the amount which be such deduction but for the amendment made by section 2(a)(1) of the Marriage Tax Penalty Relief Act of 2000.

(3) TECHNICAL AMENDMENTS.—

(A) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking ''(other than with'' and all that follows through ''shall be applied'' and inserting ''(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied''.

(B) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

''The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).''.

(b) EARNED INCOME CREDIT.—

(1) IN GENERAL.—Subsection (a) of section 32 of such Code (relating to credit for earned income) is amended by adding at the end the following new paragraph:

''(3) REDUCTION OF MARRIAGE PENALTY.—

''(A) IN GENERAL.—In the case of a joint return, the phaseout amount under this section shall be such amount (determined without regard to this paragraph) increased by $2,500 ($2,000 in the case of taxable years beginning during 2001).

''(B) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2002, the $2,500 amount contained in subparagraph (A) shall be increased by an amount equal to the product of—

''(i) such dollar amount, and

''(ii) 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.

If any increase determined under the preceding sentence is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.''.

(2) REPEAL OF REDUCTION OF REFUNDABLE TAX CREDITS.—

(A) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(B) Section 32 of such Code is amended by striking subsection (h).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. TAX REDUCTIONS CONTINGENT ON SOCIAL SECURITY AND MEDICARE SOLVENCY CERTIFICATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, no provision of this Act (or amendment made thereby) shall take effect until there is—

(1) a social security certification,

(2) a Medicare certification, and

(3) a public debt elimination certification.

(b) DEFINITIONS.—For purposes of this subsection—

(1) SOCIAL SECURITY SOLVENCY CERTIFICATION.—The term 'social security solvency certification' means a certification by the Board of Trustees of the Social Security Trust Funds that the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are in actuarial balance until the year 2050.

(2) MEDICARE SOLVENCY CERTIFICATION.—The term 'Medicare solvency certification' means a certification by the Board of Trustees of the Federal Hospital Insurance Trust Fund that such Trust Fund is in actuarial balance until the year 2030.

(3) PUBLIC DEBT ELIMINATION CERTIFICATION.—There is a public debt elimination certification if the Director of the Office of Management and Budget certifies that, taking into account the tax reductions made by this Act and other legislation enacted during calendar year 2000, the national debt held by the public is projected to be eliminated by the year 2013.

The SPEAKER pro tempore. Pursuant to House Resolution 419, the gentleman from New York (Mr. Rangel) and a Member opposed each will control 30 minutes.

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, for the last 3 hours we have been extolling the virtues of eliminating the marriage tax penalty. The most amazing part of the debate is, we all agree.

I agree with the gentlewoman from Connecticut (Mrs. JOHNSON). In fact, I have introduced legislation that does just that. So that is not in question before us today.

The President supports it. The Vice President, AL GORE, supports it. What is the problem with the bill we have before us today?

Mr. Speaker, look at this chart.

□ 1430

The problem with the bill, and I have taken the liberty of renaming it, I think it should be really called the tax fraud act of the year 2000, because Republican after Republican has stood up and said the bill provides marriage penalty tax relief. When the bill was before the Committee on Ways and Means last week, we asked the Republican staffers, where do the benefits go? Ms. Paulls, their main staffer, conceded to all of us that over 50 percent of the benefits in this bill go to people who do not pay a marriage penalty. They are in a marriage bonus situation. They are rewarded for being married.

So what is all this rhetoric we are hearing about? Why will not any of my Republican colleagues respond to this? If they do not have a decent answer, just say, Because we wanted to do it, that is why.

Well, where does this inequity come from? What the Republicans have done in this bill, they have added a change in the lowest tax bracket, the 15 percent tax bracket. By doing that, we found from the Citizens for Tax Justice that 84 percent of those benefits go to those earning $75,000 a year or more.

Well, wait a minute. I just heard this is for the poor and moderate, the couple that just got married, the Hallihans from Illinois who, by the way, that chart was before the committee last week. Last week their total income is $50,000. Today it is $61,000. God bless them for the big increase over the weekend. Eleven grand. Wow, are they on a roll.

Well, Mr. Speaker, the entire bill before us costs $182 billion. The Democratic substitute resolves the marriage penalty. That costs this much right here, $76 billion, $77 billion. Plus we also correct another problem that is going to be upon us, and that is putting people in the alternative minimum tax. We correct that at this point. My colleagues do not.

But where does the vast benefit go if it is not going to those who pay a marriage penalty? It goes to the high income, those making over $75,000 a year.

As the red portion of the chart shows us, of the total bill before us, $105 billion goes for increasing the 15 percent bracket. Of this slice of the pie, of this slice of the pie, 84.1 percent go to the poor, moderate-income Republicans, making more than $75,000 a year.

I challenge my colleagues in the next hour of debate, respond to this. Tell the American people why half the benefits go to those who do not even pay a marriage penalty today.

Mr. ARCHER. Mr. Speaker, I rise to claim the time in opposition to the amendment.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Texas (Mr. ARCHER) is recognized for 30 minutes.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, let me just say that the legislation that the Democrat substitute, as we are discussing it here today, does not get the job done. We need to do the right thing for the American people, and the right thing is to eliminate the marriage penalty in the Tax Code.

My colleagues just heard in elaborate detail some of the discussion from the gentlemen on the other side of this issue. But I can tell my colleagues on behalf of the people that I represent in the State of South Dakota, I had a gentleman come into my office a couple of weeks ago, a young couple in their middle thirties, combined income about $67,000 a year and two kids. He had gone through the calculation to determine what his marriage penalty would be, and it comes out that he will pay an additional $1,953 this year in income taxes, Federal income taxes, for the benefit and privilege of being married. We need to fix that.

The legislation, as proposed by the House Committee on Ways and Means and the gentleman from Texas (Chairman ARCHER), does that. And it does not just do it halfway, it does it in its entirety.

This is something that we need to fix. It is a problem that is long overdue for a solution. Frankly, Mr. Speaker, I

think it is high time we correct the inequity in the Tax Code as it exists today and vote against the Democrat substitute and support the legislation that came out of the Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from New York (Mr. RANGEL) for yielding me this time. I want to thank the gentleman from New York for offering this substitute, because I think it clarifies the circumstance. We all favor dealing with the marriage penalty and helping those that have a marriage penalty. But let us concentrate on the differences between the Democratic motion, the alternative, and the Republican bill.

The Democratic alternative provides $95 billion of relief. The Republican bill is twice as expensive. The Republican bill spends $100 billion on those who receive a marriage bonus, that is, they pay less taxes because they are married, not more. That is wrong.

The Democratic alternative protects the 44 million people who receive Social Security and Medicare recipients by allowing us to move forward with reducing debt and protecting Medicare and Social Security.

During general debate, I gave the example of a Member of Congress, one who is married, and his spouse has no income, versus a single Member of Congress who is not married. The single person pays $4,300 more in taxes. The married person has a $4,300 marriage bonus today because that person is married. They pay less taxes. The Republican bill, we give that individual $1,400 more in tax relief. That is not right. We should be dealing with the people who pay a penalty.

The gentleman from Illinois (Mr. WELLER), the sponsor of the bill, points to a difference, he says, between our approach and the Republican approach, talking about those who itemize their tax returns. But what the gentleman from Illinois (Mr. WELLER) has not said, that for tax year 2000, for tax year 2001, for tax year 2002, there is no difference for those who itemize their tax returns. I see he is on the floor, and perhaps he will clarify that point. Because the Republican bill does not start to take effect in 2003 as it relates to those who itemize their deductions and does not get fully implemented until the year 2008.

Mr. Speaker, let us come together, Democrats and Republicans. We can do this. The Democrat alternative is one-half as costly. It is focused to those who are really paying the penalty. It gives us a chance to come together. The administration supports it. It is an opportunity for us to really help those who are paying the penalty, not those who are receiving the bonus. That is what we should be doing. We can come together on this issue.

I urge my colleagues to support the alternative.

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT) from the Committee on Ways and Means.

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

Mr. MCDERMOTT. Mr. Speaker, I imagine my colleagues sitting in their offices listening to this, and perhaps the world watching it on C–SPAN, by now, their eyes have got to be glazed over about what is really happening here. The real issue of the Democratic alternative is this: we say that, first, one deals with protecting Social Security, and then one deals with protecting Medicare, and then one deals with paying down the debt of this country. When that is done, when one has a budget that does these things, the next thing one does is look at a tax bill that relieves the burden of the American taxpayer.

Now, my colleagues have seen here that we on the Democratic side are giving $95 billion worth of tax relief under the so-called marriage tax penalty. The chart put up on the other side with a big zero is simply not the truth. But the big issue here is whether we are going to run and give tax relief before we deal with Social Security and Medicare and paying down the debt.

Now, 60 percent of married couples are subject to this tax. Some of them are getting a benefit already because of the way the structure is. My colleagues heard $100 billion of what they are spending out of $190 billion tax bill is for people who already are getting a benefit. No sense in that.

We take the $95 billion and direct it to the people at the bottom who need it, those people like this couple here whose income has gone up $11,000 since we were in the committee. They make $60,000. Most of ours is directed to people below that number. We increase the earned income tax credit for the working poor.

We passed a bill here pushing people out on to work. We do not want them on welfare. We all agree it is better to work than be on welfare. But the earned income tax credit is the way we try and help them when they are out there making $25,000, $30,000 and a couple of kids.

Now, the other thing that is interesting about this Republican bill is those of you who get that valentine in the mail, ''You have received your marriage tax benefit from us, the Republican Party,'' go in your living room immediately and count your children. If you have more than two children, you are not getting it. You are not getting it. So just be real careful about spending this benefit you think you are going to get because it is fraudulent. It sounds like it is for everybody, and in fact it is not for everybody.

But what is so awful about it is that my colleagues would do this and not take care of their own parents, our own parents and our own Social Security first and then deal with taxes.

Vote for the Democratic alternative.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, there has been a lot of rhetoric and a lot of charts on the floor. I would like to just sort of set the record straight.

First of all, I am proud of Republican leadership on this issue, and I am very pleased that my Democrat colleagues now agree that everybody should get the double deduction. In the original proposal, they were not going to give it to stay-at-home moms, and now they are giving it to everybody, and we are giving it to everybody.

But this business of doubling the 15 percent bracket is very, very important; and there is, in fact, only one group of people who are going to benefit. If you are over $51,000 in joint income, there is not going to be any change. You will still be in the 28 percent bracket. If you are under 43 percent, there will be no change. You will still be in the 15 percent bracket. But if you are between 43 and 51, you are going to be able to enjoy a 15 percent bracket which you cannot now.

That is because we are going to let both the mom and the dad have that 25 percent deduction that a single person has. These are the families that really need it the most. These are two people earning under $27,000, who are going to benefit from this, or one earning more and one earning less.

So it is very important from the point of view from fairness. It helps primarily middle-income families in America, and I am real proud of that.

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

Mr. Speaker, the gentlewoman from Connecticut (Mrs. JOHNSON), the previous speaker, is talking about a tax cut, and that should be argued in a separate bill. But I think the way she expresses it and admits it has nothing to do with the marriage penalty, it has everything to do with something else.

Mr. Speaker, I would like to ask the majority as to how many speakers they have remaining, because the last time I yielded back the balance of my time, they had a lot of speakers, and I think that the delivery ought to be more balanced. I have several speakers, but I think the time difference is on their side. I am trying to determine how many speakers that they intend to have.

Mr. ARCHER. Mr. Speaker, if the gentleman will yield, I would say to the gentleman from New York, we have an unlimited number of speakers on this side. They are not all on the floor at this time, and I do not know how many will appear before we conclude this debate, so it is very difficult to tell right now.

Mr. RANGEL. Mr. Speaker, what is the time allotment?

The SPEAKER pro tempore. The full time allotted was 30 minutes on either side. The gentleman from New York (Mr. RANGEL) has 21 minutes remaining. The gentleman from Texas (Mr. ARCHER) has 28 minutes remaining.

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

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

Mr. Speaker, for many reasons, I rise in strong opposition to this substitute amendment. But perhaps the most important reason is shown in these charts. Here is the basic H.R. 6 bill. What it does to provide relief, it doubles the standard deduction for joint filers. It helps couples that itemize, such as homeowners, widens the 15 percent tax bracket. That is a big help to middle-income working Americans.

We did not double the 28 percent bracket, the 31 percent bracket, the 33 percent bracket or the 39.6 percent bracket. Those are the brackets that apply to higher income.

□ 1445

They were left alone. We doubled the 15 percent bracket. That helps middle-income working Americans, and increases the phase-out range for the earned income credit by $2,000. This is real relief from the marriage penalty.

And also included therein is relief for stay-at-home moms who have elected to do the most important task in our society and that is to rear children. The Democrats do not want them to get any help out of this bill. They call it a marriage bonus. So be it. Call it a marriage bonus, but, yes, we unabashedly also help the stay-at-home moms.

Now, what is the Democrat substitute, as estimated by the nonpartisan Joint Tax Committee? There it is, my colleagues. The Joint Tax Committee estimates that the Democrat substitute delivers zero tax relief.

Now, why is that? Because they tie it to the condition that before it can take effect the entire public debt has to be paid off. How long must married couples wait for relief?

And then they add other conditions; that the Social Security Trust Fund must be certified as secure until the year 2050. And then they add another condition; that the Medicare Trust Fund must be certified as being viable through the year 2030.

All of these things must occur before any of their provisions can take effect. And so the joint committee says this is zero tax relief. It does not fix the marriage penalty. It does not fix a single thing.

The plan is just like the old Peanuts comic strip where Charlie Brown keeps trying to kick the ball, and Lucy keeps yanking the ball away as he comes through so he never gets to kick it. That is the Democrat substitute. That is not truth in advertising, and we should not mislead married couples. We should help them.

Now, even if the plan could take effect, which it cannot under their own terminology, why is it faulty? Because, number one, itemizers, if they have any charitable deductions, if they have any home mortgage interest or taxes on their home, they get no help from the marriage penalty. They are left out. Only those who do not itemize are helped. We help the itemizers.

It also has no help for the stay-at-home moms, or dads in those rare cases where the father stays at home and elects to rear children instead of having a career. No help, even if it could go into effect. And yet it creates significant complexities in a code that is already too complex. We simply take advantage of what is already in the code without making it more complex.

But under their system people will be asked to fill out additional worksheets before they can ever fill out their return. That is what targeting so often means. The last thing we should be doing today is making it more difficult for people to understand the Tax Code and to take advantage of it.

So today I say to all my colleagues, make sure and vote for the real marriage penalty tax relief, the bipartisan bill, H.R. 6, cosponsored by 26 Democrats. It is the real marriage penalty relief and it is the real help for the stay-at-home moms. It is not some election year gimmick that can only take effect in some out years which are totally, totally uncertain and, which as my colleagues can see, is estimated by the nonpartisan joint committee as delivering zero tax relief.

Do not let Democrats annul our marriage penalty tax relief.

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

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

Mr. Speaker, the difference between H.R. 6 and the Democratic alternative is that H.R. 6 is going to be vetoed and the Democratic alternative can be signed into law. When the chairman had his blank sheet up there saying that this would provide zero, he was the only one on the other side that admitted that, yes, the Democratic plan and tax alternative is conditioned.

I would say that the 20 or 30 Democrats who joined with the other side in trying to remove this penalty must have thought that they would be working it out in a bipartisan way and not have it fly in the face of the President's budget. They must have thought that the other side would not come and bring a tax cut bill to the floor without first having a budget. They must have thought, as the President would hope, that in the budget they would say that they wanted to deal with Social Security, that they wanted to deal with Medicare. They must have thought that, just being a Republican, that they would say that before a tax cut they would want to pay down, not eliminate but pay down, on the national debt.

We are paying hundreds of billions of dollars of interest on the trillions of dollars that we owe on the national debt. Why should not the President think, as he gave his State of the Union message, that the Democrats and Republicans would come together, have a budget, deal with these issues, so that we can deal with the serious problem of the marriage penalty.

So basically, if my colleagues want to know the difference, if they vote for H.R. 6, they are not voting for relief for the marriage penalty. They are voting for a bill that is going to be vetoed. The other side knows it and those who vote for it know it. If what we really want is relief, and we want it in a bipartisan way, we should not reject the President's hands, we should not reject the hand of the minority and a bill that really is dealing with problems that go far beyond the penalty, and take a bill that is targeted for $95 billion rather than double, take a bill that protects Social Security and Medicare, take a bill that pays down the debt, and take a bill that the joint committee says that this can be done, and take a bill that the President of the United States will sign.

It seems to me that it is very simple for us to decide. If we just want to vote for a gift for Valentine's Day, that will never become law, then there is the choice, the blank sheet that the chairman has shown us. If, on the other hand, we want to reach out in a bipartisan way and present to the President a bill that he can sign, it is here. The choice is ours to make.

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

Mr. ARCHER. Mr. Speaker, the gentleman is right, I am sure the President would sign the bill, a bill that does nothing.

Mr. Speaker, I yield 1½ minutes to the gentleman from Alabama (Mr. CALLAHAN).

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

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the original bill and against the substitute.

But I would like to pose a question to both the author of the substitute as well as the author of the original bill. And that is, in 1993, when we had the largest tax increase in the history of mankind, we suddenly decided it was all right to retroactively tax people. So why does the gentleman from New York (Mr. RANGEL) and the gentleman from Texas (Mr. ARCHER) consider in each of their bills an amendment that would make this tax relief, under either provision, retroactive to January 1, 1999?

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

Mr. CALLAHAN. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I would answer the gentleman's question by saying that the chairman does not talk to Democrats about anything concerning tax policy.

Mr. CALLAHAN. Well, reclaiming my time, Mr. Speaker, I would say to

the gentleman that I am a chairman and I am talking to him right now.

Mr. RANGEL. If the gentleman will continue to yield, I would just simply say that he and I ought to start working together.

Mr. CALLAHAN. Will the gentleman accept an amendment to his bill to make it reactive to January 1, 1999, just as the gentleman supported the retroactiveness of the increasing taxes in 1993?

Mr. RANGEL. If we can find out how much it costs, and make certain we take care of Social Security, we can work it out together.

Mr. CALLAHAN. That is my point, that I think we should accept, and I understand an amendment would be out of order but one is going to be offered anyway, that we should consider the fact that we ought to retroactively effect this just as they did in 1993 when they created all these new taxes. We ought to give these people that were impacted, and that are filing their taxes now, the same opportunity for the income tax refund this April 15.

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

Mr. CALLAHAN. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I would tell my good friend, because I know he is for accuracy, that he must know that the Dole-Reagan tax cut of 1982, that tax increase, was higher than the 1993.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER), the distinguished sponsor of this legislation.

Mr. WELLER. Mr. Speaker, I thank the gentleman for the opportunity to address the substitute being offered by the gentleman from New York (Mr. RANGEL). And of course I rise in opposition to the substitute, with all due respect to my colleague, and rise in support of H.R. 6, the bipartisan approach to eliminating the marriage tax penalty.

My colleagues, H.R. 6 helps 25 million married working couples, 50 million Americans who today pay higher taxes just because they are married. We believe to be fair, and eliminating the marriage tax penalty is a fairness issue, that we should help everybody who suffers the marriage tax penalty. That is why we double the standard deduction for those who do not itemize.

I would point out that that benefits 6 million senior citizens. It is a good idea, and we make it effective immediately. We also help those who itemize. And the Joint Committee on Taxation tells us that half of those who suffer the marriage tax penalty do not itemize and the other half do itemize.

The main reason that many middle class families itemize is because they are homeowners, or they give to their church or synagogue or charity, so they itemize their taxes. The Rangel substitute ignores homeowners and those who give to charity, their church, synagogue, or temple and itemize.

We should help everybody who suffers the marriage tax penalty if we truly want to make the Tax Code fair. We do so by doubling the standard deduction. But I would also point out that widening the tax pack in the 15 percent bracket, helping those who itemize, we will benefit 42 million Americans.

We also help the working poor by addressing the marriage penalty under the earned income tax credit. And that will benefit 1 million low-income families who receive higher earned income credit payments, up to $421 a year more, because we wipe out their marriage tax penalty as well.

My colleagues, the Joint Committee on Taxation scored. They are the ones that tell us whether or not there is tax relief in a proposal. They said they estimate the substitute will not go into effect and thus there is no revenue impact. And what they mean by that is, the way this is written, it will never happen. So under the Democrat substitute there is not going to be any marriage tax relief. It will never happen.

□ 1500

Under H.R. 6, we begin providing marriage tax relief for the middle class next year immediately. And my hope is a good number of Democrats will join with us. I was proud that 30 Democratic Members chose to cosponsor the bill, joining almost 240 colleagues of this House, a bipartisan majority, cosponsoring an effort to wipe out the marriage tax penalty for a majority of those who suffer it.

It is a fairness issue. We should work together. My hope is that, by the time this legislation reaches the President's desk, it is a stand-alone bill, there are no extraneous issues. It is a clean marriage tax elimination proposal that helps 25 million married couples. It deserves bipartisan support. Let us get it signed into law.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

Mr. Speaker, I support the Democratic substitute because I want to provide honest marriage penalty relief for the more than 44 million families in my congressional district. But I also want to protect the Social Security and Medicare benefits that are enjoyed by more than 42,000 of my constituents, as well; and I also want to reduce the more than $8.4 billion that my constituents must bear of the more than $3.6 trillion in debt that the Federal Government right now holds.

Mr. Speaker, the reason we have problems is because this plan, under H.R. 6, does nothing on Social Security. It does not strengthen it. Where is the plan to strengthen Medicare? Where is the plan to reduce that $3.6 trillion Federal debt? There is no plan because this Congress yet has to come up with a budget. We have done nothing to come up with a budget.

We are treating this particular issue on marriage tax penalty like a child in a candy store. Give the child a dollar, that child is going to come back with $5 worth of candy to purchase. If we tell the child about a budget, the child will say, what budget? Congress cannot handle the budget for all of America's families like a child in a candy store.

In my city of Los Angeles, where more than four out of every five people in the city make less than $70,000, few of them will benefit, because 70 percent of the benefits in this particular bill before us, H.R. 6, goes to those who make more than $70,000. That is not fair.

By 2010, when this fully takes effect, 47 percent of American families with two children will receive nothing or less than the tax relief that this bill proposes to give to America's families. That is not tax relief for America's families.

Let us eliminate the marriage tax penalty for married couples. Let us all agree to that. But let us do it right, let us do it fairly, and let us do it responsibly within the framework of a responsible budget. Let us get our act together. Let us do it the way American families do it, figure out how much money we have and then figure out how much money we can spend and invest. But, before that, do not put the cookies and candy in front of the children because they take it; and at the end of the day, we will not have the money to pay for it.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, the family is the fundamental building block of American society. No school or social worker can replace it. Without the family, a child is deprived. Without parents, a child grows up with a very real disability.

If our families are this important, I do not see how we can possibly justify penalizing American couples for being married. Marriage is sacred. It should not be penalized. The marriage penalty tax is unfair. It harms 25 million American families.

Charging American families $1,400 a year for being married is unconscionable. Our tax policy should not discourage family formation. It should encourage family formation. It is time for us to strengthen our families in this country. Perhaps we cannot make strong families just by passing laws, but we can remove those laws that tempt families to split apart.

We should go on record by saying that we believe our moms and dads should be together, that every child deserves a mom and dad in one house and have time for their kids. A vote for H.R. 6 is a vote for the American family.

Mr. RANGEL. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, the Republicans' risky and irresponsible tax schemes have more lives than Freddy Krueger, the marauder in the movie ''Nightmare on Elm Street.'' They died in August, and they are back in February. They just will not die no matter how bad they are.

Last year's monster tax machine, a plan that primarily would have benefited the wealthiest Americans, is back to haunt us again this year. The majority has chopped a huge tax bill into smaller bills, and the marriage penalty bill before us is one of those pieces.

Well, we are not going to stand by while they threaten the American economy. We are not going to stand by while they strengthen our sacred compact with seniors, Social Security. We are not going to stand by and let them turn Valentine's Day into the Valentine's Day Massacre of America's future.

It is clear, the majority did not learn a thing after last year's tax debacle. The American people saw right through the Republicans' $792 billion risky tax scheme. They saw that the top 1 percent of American income earners would have reaped 41 percent, the top 1 percent, 41 percent of the benefits, according to an analysis by Citizens for Tax Justice.

That unfairness is one reason why President Clinton vetoed that bill. And that is why, my colleagues, Senator JOHN MCCAIN called it ''a cornucopia of good deals for special interests and a nightmare for common citizens.'' That was JOHN MCCAIN. This is a nightmare the majority apparently wants us to relive today.

Now the majority has even hitched its wagon to the tax plan put out by presidential candidate George W. Bush. The Bush campaign says its plan would cost an estimated $483 billion over 5 years. But what it does not say, my colleagues, is that the Bush tax plan would explode to $1.8 trillion by fiscal year 2010.

The Bush plan not only would eat up the entire non-Social Security surplus, it would also raise as much as three-fourths, 75 percent, of the 10-year projected Social Security surplus, according to the Citizens for Tax Justice.

We are not the only ones who see the dangers lurking. In Johnstown, Iowa, on January 16, again Senator MCCAIN commented, ''Governor Bush's plan has not one penny for Social Security, not one penny for Medicare, and not one penny for paying down the national debt.''

In one of his television ads, Senator MCCAIN stated, quote, ''There's one big difference between me and the others: I will not take every last dime of the surplus and spend it on tax cuts that mostly benefit the wealthy.'' That was Senator MCCAIN.

Neither will we. We have a rare opportunity in our Nation's history, and we must seize it. Let us use these surpluses to shore up our sacred promise of Social Security. Let us extend the life of and add prescription drug benefits to America. And let us pay down our national debt and keep our economy vibrant for future generations.

I urge my colleagues to vote against this bill, the first of many that would only squander our budget surpluses.

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

Mr. Speaker, I am disappointed at the remarks of the previous gentleman, inserting presidential political campaign rhetoric into this debate. It really does not connect to what we are talking about today.

Now, many may be concerned, many may be interested in his comments about Governor Bush's tax plan. It just so happens it has no relationship to the debate of the bill that we are talking about today. I would hope that we could stay on debating this bill.

Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, this is a very important matter of tax fairness. This is not a huge tax package. It is not a budget buster. It is about tax fairness.

I am disappointed that my Democratic colleagues were against this provision when it was part of a big bill; but they said they were for marriage penalty relief, just not in that bill. Now we bring a small bill, just marriage penalty relief; and they are not for this bill, even though they say they are for marriage penalty relief.

We are for marriage penalty relief. And we know that by starting this tax bill now, by the time it winds its way through our slow process, we will have a budget resolution; and, in that budget resolution, we will make clear how much we are going to spend, how much we are going to pay down the national debt, and how much we are going to reserve to reduce the burden of taxes on the American people.

It was the Republicans that in the last year led the fight for $15 billion add-back to Medicare. Before our committee, the President would say, oh, there is a problem. Do something about it. But he never would say how much or where from. And when he sent a bill up here to close that deficit in our budget, what was in it? A Medicare cut.

So we added back in Medicare. We have reduced the deficit by $140 billion. And the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, has committed to eliminating the debt by the year 2015. So we are on track to fulfill our promises to reduce the American Government's debt to lower taxes on the American people. We are on track.

Last year we added more money back in education than the President recommended. We added more money back in education and more money back in healthcare. Education, health care, the environment. Those were priorities in our budget. And we did it at the same time we also reduced the debt and recommended tax cuts.

Now, this is a modest tax cut. And look who it will help. A police officer and waitress making $30,000 with two kids would get an additional $718 in benefits under the Republican marriage penalty. This couple is not rich. They are hard working and they need tax relief. A schoolteacher and a storm manager making $50,000 a year with two kids would get $225 under this tax plan, or over 10 years $2,550. That is a lot toward a kid's college education. They are not rich. They need tax relief.

I said this earlier when I got up, by doubling the bracket, all we are doing is helping schoolteachers, waitresses, policemen, store managers, those kinds of hard-working Americans. And I am proud to do it.

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

Mr. Speaker, is the gentlewoman from Connecticut (Mrs. JOHNSON) saying that she is supporting recommending a tax cut before we have a budget?

Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut (Mrs. JOHNSON) to answer the question.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I am absolutely supporting getting this tax-cutting bill started. Because the gentleman from New York (Mr. RANGEL) knows and I know that our process is such a long and complicated one that, by the time this bill winds its way through the Senate and into conference committee, this House and the Senate will have a budget resolution passed. Because we know we are going to set aside some money for tax fairness, and we say this is number one on tax fairness.

Mr. RANGEL. Mr. Speaker, I thank the gentlewoman for her comments.

I think, basically, Mr. Speaker, that the gentlewoman from Connecticut (Mrs. JOHNSON) may have set the difference that we have between our approach to this very serious tax problem. We like to have a budget. We like to take care of the things we have to take care of. And we like to target relief.

□ 1515

The gentlewoman is suggesting that if we give this relief now, that, sooner or later, the House and the Senate will have a budget.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM), a man who has worked for many, many years on this budget problem, who may be able to explain this new Republican concept to us.

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

Mr. STENHOLM. Mr. Speaker, I, too, am a little troubled by some of the rhetoric I have been hearing from my colleagues today that the Democratic substitute does nothing, objecting to the language of the Democratic substitute and the motion to recommit making tax relief contingent on a plan to eliminate the debt and strengthening Social Security and Medicare.

The simple truth is if the Republican leadership is serious about eliminating the publicly held debt and strengthening Social Security and Medicare, the contingency language in the Democratic substitute will not prevent marriage tax penalty relief from becoming a reality, or, to my friend from Alabama, having it retroactively applied to this year, if we can fit it within a budget.

The Speaker and the President have both expressed a desire to pay off our national debt by 2013. There are several plans to strengthen Social Security; Kolbe-Stenholm, that of the gentleman from Michigan (Mr. SMITH), the gentleman from South Carolina (Mr. SANFORD), and Archer-Shaw.

We could deal with these challenges if the leadership of the House was willing to work together and make it a priority. The only explanation for any objection to the contingency language in the Democratic substitute is that the Republican leadership is not serious about establishing a plan to eliminate the publicly held debt or strengthening Social Security and Medicare. That has to be the conclusion.

Now, I want to provide relief to the 57,000 couples in the 17th Congressional District of Texas who pay a marriage tax penalty, but I also care about the 67,000 households in my district who depend upon Social Security, the 253,000 workers paying into the Social Security system now who are counting on us to make sure Social Security and Medicare are there for them when they retire, the 250,000 children under age 18 who will face a crushing debt burden and higher taxes if we do not take action now to deal with Social Security and Medicare and paying off our national debt, and the 107,000 families in my district I care about with home mortgages who I believe will benefit from lower interest rates if we reduce our national debt.

I do not understand, Mr. Chairman, with all due respect to the gentleman as a fellow Texan, why we continue to have all of the debate about a tax cut instead of bringing the Social Security question to the floor of the House and debating it. I do not understand why we spent all of last year debating a $1 trillion tax cut that did get vetoed, as it should have gotten vetoed, and, here we go again, same argument, same debate, same mischaracterization of everybody's position regarding the issue.

Why can we not deal openly and honestly with Social Security? As the gentleman knows, I will gladly join with him, as I have joined with others on his side of the aisle, to work on this question. But the only conclusion I come to is that is not on the agenda for this year, that we have to wait. That is why getting a budget first makes a lot more sense to the American people.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume simply to respond to the gentleman from Texas.

The gentleman clearly knows that whatever budget resolution we adopt will have plenty of room for this modest tax cut. The gentleman fully knows that it will not interfere with Medicare, that it will not interfere with Social Security, that it will not interfere with paying down the debt. The only way that it could would be if he and his colleagues want to increase spending $170 billion above current level, which is in the President's budget. The President spent $4.3 billion a minute for every minute in his State of the Union address for new spending. But any budget that we adopt will include plenty of room for this.

Now, as far as Social Security is concerned, the gentleman is genuine about Social Security; I am genuine about Social Security. I have laid forth a plan called the Archer-Shaw plan that would save Social Security for all time, not just for 50 years, that would get better and better and better at the end of the next century and the century beyond, and it can be done for $1.3 trillion of the surplus out of a $3 trillion projected surplus. There is plenty of room.

Now, why have we not considered Social Security? It should not get up in this debate. It has no connection to this bill. But the gentleman raised it. It is because there has not been active presidential leadership.

I have done my best to try to build a bipartisan coalition in the House. I have developed a plan that has been criticized severely by the right wing. But there has been no coming together, and the President has not provided the leadership. I, too, would like to say save that. But let us talk about this bill, and not about a disconnect that has nothing to do with this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman for his good work on this bill.

Mr. Speaker, it is instructive to think back as to how this particular unfair tax penalty on marriage got in the code in the first place. It happened, I am informed, about 30 years ago. And guess who controlled Congress then? The Democratic Party.

Now we want to take it out in strict fairness to the 58,000-plus couples in my particular Congressional District who pay an average of $1,400 more than they otherwise would if they were not married, and now guess who wants to not take it out, to prevent it from being taken out of the code? The Democratic Party.

It does not work. You cannot have it both ways. From 1969 until the Republican Congress took over the House and the Senate, the debt went up dramatically. Who was in charge then? The Democratic Congress.

So I think it is disingenuous of the Democrats in this House to start blaming the Republicans for the problems that exist with regard to the debt and the unfairness in the Tax Code, when in fact it was they that are responsible for them in the first place. Let us pass this bill overwhelmingly today.

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

Mr. Speaker, it is really interesting to see my distinguished chairman asking for the President's leadership on Social Security. He sure did not ask for any leadership for that $792 billion tax cut, and I do not hear them asking for leadership, since they are in the majority, on any other issue.

As a matter of fact, we can talk about the Archer-Shaw plan all we want. We do not have any legislation that has been submitted to our committee or to the House floor for consideration. But I guess we are still waiting for the President to provide leadership for this legislative body to fix Social Security.

Now the President comes and says he wants to fix the marriage penalty, but you do not ask for his leadership on that. You go in the back room and you come out with this tax cut.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I use this time to respond to my good friend from Texas by saying he made my point, my point in asking that we have a budget before we discuss tax cuts or spending increases.

It is the fact that the gentleman's very own bill, which he mentioned, will cost $933 billion over the next 10 years. It would seem to me, and this is the point I was trying to make, that if we truly are concerned about the future of Social Security, and you have a good program, you have one of which I would not talk down about, but it costs money, and what the gentleman is saying with the bill today is that it takes priority over the Social Security bill that the gentleman is advocating. My point is we should have that debate in the context of priorities.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. FLETCHER).

Mr. FLETCHER. Mr. Speaker, I appreciate the chairman putting forth this bill, and I rise today in strong support of this bill.

I stand amazed as we see the minority be very gifted in demagoguery, to the point I think they could demagogue apple pie if we put that up. It is also very interesting as we look that there has been a lot of rhetoric and jargon, we are talking about Social Security and Medicare. I looked at the number of bills. We have almost 4,000 bills filed, almost 2,000 by the minority side, and only 49 deal with Social Security. We bring up one bill that will bring fairness to families and married couples and they talk about Social Security, when we have 25 percent more bills that deal with Social Security and Medicare and offer plans to reform them.

So it is very clear that first we have saved Social Security. We put all the

money aside. Now we want to provide fairness, fairness because a couple wants to make a committed relationship to their family.

Now we talk about family. What does that mean? What about the spouses that want to stay home? Our bill gives them that kind of support, because they make a great sacrifice when they stay home. Your bill does not do that on the minority side.

The President sent down a budget with one provision called an infant child credit. He gives $250 a year for an infant. But do you know what it does? It takes it away after the child is one year old. That is what he has got in his budget. He kicks him out and says you are on your own after one year. What kind of values are those? That is not valuing the American family.

This bill is clearly something that will set straight fairness and begin the path to fairness in our tax structure and begin to say we are concerned about the family, and we want to make sure that the message we have coming out of this House is a message that says you are important and we want to support you in what you are doing.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. CRANE), the ranking member on the Committee on Ways and Means.

Mr. CRANE. Mr. Speaker, I thank my distinguished chairman for yielding me time on this issue.

Mr. Speaker, I will be celebrating my 41st wedding anniversary on Valentine's Day, and am looking forward to that occasion, and my wife is too, and our seven remaining children are going to be there to celebrate it with us. It is something that, when I reflect on the importance of getting some kind of relief in our obscene Tax Code, is an issue that I struggled with, my wife struggled with, all of our kids struggled with, and I know you folks over here struggled with the same thing. It is something we are trying to address.

Mr. Speaker, in my district in the State of Illinois we have the highest number of married couples that are being burdened with this marriage penalty tax in the entire State of Illinois. It is over 70,000 couples. That is over 140,000 individuals in my Congressional District.

I do recognize that our distinguished minority leader has only 30,000 couples in his district that are burdened this way, and I asked him if they had done polling up there, because I questioned whether they are registered Republicans and not understanding they are taking this hit, or are they Republicans and Democrats, because maybe we should all become Democrats.

Mr. RANGEL. If the gentleman would yield, would the gentleman restate his question?

Mr. CRANE. I was pointing out the gentleman has only 30,000 couples in his district that are adversely negatively affected by this marriage penalty. There are 70,000 in mine.

Mr. RANGEL. Would the gentleman explain his point, please?

Mr. CRANE. My only point is has the gentleman checked their registration, their voter registration?

Mr. RANGEL. No. I only want to do what is right for the people, regardless of their registration.

Mr. CRANE. I wanted to make sure that these are not just Republicans taking the hit in the gentleman's district.

Mr. RANGEL. That is a good point.

Mr. CRANE. I think we all, on a bipartisan basis, we all have an opportunity here to provide much-needed relief to continue to foster the growth of an institution that is in our national interest and our community interest. Our families are dependent upon it, and we do not want to continue to punish people for doing the right thing. As you know, that hit is primarily on people in the $20,000 to $75,000 income bracket. That used to be awesome dollars. It is not awesome dollars any more, and people are struggling and struggling very hard.

So I would urge all of my colleagues, let us get back together again. Even President Clinton recognized belatedly that there was marriage penalty tax relief in that big bill that we passed before that he vetoed.

□ 1530

So even he came back with a modest move in the right direction. We will help him continue down that path too. I urge all of my colleagues to get behind the bill. Vote for H.R. 6.

Mr. ARCHER. Mr. Speaker, I would say to the gentleman that I believe under the rules we have the right to close, and I would encourage the gentleman to have his last speaker, and then we will have our last speaker.

Mr. RANGEL. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI).

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I commend him for his great work on this Democratic alternative.

I urge support of it and rise in opposition to this so-called valentine for married couples in America, which is more like a Halloween trick masking yet again another tax break for the high end. I urge my colleagues to vote yes on the alternative and no on the Republican proposal.

The timing of this bill is a political stunt for Valentine's Day. It forces Members to vote on a bill without knowing its relationship to the overall budget.

The bill is too expensive. Without gimmicks, the true cost would be in excess of $250 billion. It is a flawed attempt to resurrect the failed $800 billion tax cut strategy of last session.

The bill will drain projected surpluses that should be used to extend the solvency of the Social Security and Medicare systems, provide a prescription drug benefit to the elderly, a Patients Bill of Rights, education initiatives and an increase in the minimum wage.

It is entirely unclear how the measure's whopping cost will fit into the budget picture, since the bill is being advanced before consideration of the FY 2001 budget resolution.

A family with one child and an income of $50,000 would receive at most $218 in annual tax relief because their taxable income is at the 15% tax rate. If they own their own home and itemize their mortgage interest deduction they would receive no benefit from the Republican bill.

Many middle-income families with children will not get any tax relief because the Republicans ignored the alternative minimum tax (AMT) when writing their bill.

Once fully phased in, 70% of the benefit of the tax cut goes to the top quarter of income earners and will cost about $20 billion a year. Half of the relief goes to those who do not pay any marriage penalty today.

I support the Democratic Substitute because (1) it protects Social Security and Medicare first, (2) provides more relief to lower income working couples, and (3) costs less than half as much as the Republican bill.

Mr. RANGEL. Mr. Speaker, I yield the remainder of the time to the gentleman from Michigan (Mr. BONIOR), our minority whip.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Michigan (Mr. BONIOR) is recognized for 6½ minutes.

Mr. BONIOR. Mr. Speaker, I want to congratulate the gentleman from New York (Mr. RANGEL), my dear friend and his committee, as well as Members on the other side of the aisle for working on this bill.

A few years back, Jim Carey had a movie out that I am sure some of you heard about, perhaps, and hopefully did not see; but it was called ''Dumb and Dumber.'' We could give the same title to a movie about the marriage penalty tax. After all, what could possibly be dumber than telling a schoolteacher and a police officer, for example, that if they tied the knot, their taxes would be going up. Well, there is one thing that would be dumber, and that would be to allow this kind of taxpayer abuse to continue.

The bottom line is that at a time when it has never been more important to help keep America's families together, the marriage penalty tax does only one thing, and that is help to pull couples apart.

That is why so many of us were looking forward to working together to craft a bipartisan bill, Democrats and Republicans together, to repeal the marriage penalty once and for all. That is why so many of us were so disappointed when the product that came out of the committee, H.R. 6, hit this floor.

Instead of bringing Democrats and Republicans together to draft a sensible proposal to help middle-class couples, the sponsors of H.R. 6 have presented us with something far, far different. With a price tag, as we have heard throughout the debate this afternoon, of over $182 billion, H.R. 6 is a two-fisted assault on the U.S. Treasury. It would rob America of the dollars it is going to take to pay down the

debt, to strengthen Social Security, to protect Medicare. But as bad as all of that is, under H.R. 6, nearly half, half of all families with two children would receive only a small part of the tax relief that had been promised them. In many cases, they would receive nothing at all.

What is more, half of the tax breaks provided under H.R. 6 would go to taxpayers who currently pay no marriage penalty tax today. Let me repeat that. Half of the $182 billion would go to folks who pay no marriage penalty tax today. Many of them are in the group of the highest income earners in our country, the top 25 percent of Americans.

There is only one marriage H.R. 6 would strengthen, Mr. Speaker, and that is the long-standing romance between the Republican leadership and those who are most well off in this country.

What is at stake here? What is this really all about, H.R. 6? It is about taking last year's Republican tax plan, we all remember it, it was very close to $1 trillion, with a similar plan that Governor Bush has out there now that is over $1 trillion, it is taking that plan and cutting it up into little slices, little pieces, hoping the American people will swallow all of it.

Well, Mr. Speaker, we are not biting and neither are America's working families. Today, in my congressional district, there are 61,000 couples who are being stuck with the marriage penalty. They deserve relief, not empty promises. That is why we Democrats have an alternative which unlike H.R. 6 would pull the plug on the marriage penalty and provide real tax relief to middle-class families.

Today, I would like to invite my Republican colleagues and friends to join us in making it the law of the land. Why do we not decide right here and now to join together, to roll up our sleeves and say in one strong voice that we believe that marriage is a good thing. What is more, we should not have to have a law on the books of this country that discourages it. We could even call it the bipartisan marriage penalty repeal act of the year 2000. Because what really matters at the end of the day is not who gets the credit, it is whether families get the help that they need.

Mr. Speaker, H.R. 6 will not provide it, and we ought to get together and craft a bipartisan plan that will. I urge my colleagues to think of what our alternative would do in moving us in that direction. Mr. Speaker, $95 billion in marriage penalty relief targeted to middle-income families across this country and working families, and at the same time it does that, it would protect 44 million Social Security and Medicare recipients and help us pay down that national debt. We pay down that national debt, we free up all that interest that is going to service that debt, and we can take care of the marriage penalty for middle-income working people, we can deal with strengthening and protecting Medicare and Social Security; we can have the resources to deal with our education and health care needs.

Mr. Speaker, I urge my colleagues to vote for our substitute. It is the only plan that repeals the marriage penalty, but also allows us to pay down the debt, protect Social Security, strengthen Medicare.

Mr. Speaker, the marriage penalty is dumb, but H.R. 6 is dumber. I urge my colleagues to vote against it on final passage.

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

Mr. Speaker, I must say that as I stand here in the well of this House of the people that I sense a string of large red herrings being drawn across the well. There is no connection between what we are doing here and Social Security or Medicare. Any reasonable person knows that the surpluses ahead are more than enough to take care of Social Security and Medicare and leave an awful lot left over. The only thing that I can think is that the Democrats who want to draw this connection really want to spend the money. They are following the leadership of their President when he said last year, we have a surplus; what should we do with it? We could give some of it back to you, the taxpayers who sent it here; but who would know if you would spend it right? They genuinely believe they know how to spend money better than the taxpayers do by keeping more of their money and spending it on their own problems. Only that could generate a concern as to whether this might impact on Social Security or on Medicare.

So let us dismiss that. That is one of the large red herrings.

Then another is, oh, we are going to give too much to the rich. Another red herring.

Let me read to my colleagues from the distribution table of the joint committee, the nonpartisan body that advises this Congress. What does this bill do? For those with $20,000, it will create a 14.4 percent reduction in taxes. For a family of four with an income of $30,000, it will create a 93.9 percent reduction in taxes. For a family of four with $50,000, it will be 7.6 reduction. For a family of four with $75,000, it will be 10.7. For a family of four with $100,000, it will be 7.6; and if one has over $200,000, which may get into the rich category, it will be a reduction of only 2.5 percent.

So who gets the benefit from this bill? These are the official numbers, not concocted by somebody else who wants to bend statistics. This is a fair bill. More importantly, it is the right thing to do. And yes, they say, appropriately, that some of the benefits in this bill will not go to the people who are suffering from an immediate marriage penalty; and we are proud of that, because that is relief for the stay-at-home moms.

They call it a marriage bonus. What do they mean by a marriage bonus? They mean the child-caring parents who forgo a career, who forgo going out and making money in the private sector, and they are performing the most beautiful and the most important role in our society. Yes, we help them. We are proud of it. They urge it as a defect in the bill. They do nothing for them. But I say to my colleagues, their substitute does nothing for anyone. It is a nothing bill. And the joint committee says it gives no tax relief.

Let us also talk about who bears the marriage penalty burden the most. The CBO has done a study, and here is what they say: marriage bonuses occurred most often among married couples with incomes less than $20,000. I say to the gentleman from New York (Mr. RANGEL), we help them. We do. I admit it. I am proud of it. And many of them are stay-at-home moms and stay-at-home dads, and that is a great asset in this bill, and my colleagues do nothing for them.

What I said is a fact. What we are doing here is providing relief for all married couples, but we are accentuating the elimination of the marriage tax penalty, which is wrong.

I am proud of this bill. All of us on a bipartisan basis should vote for it instead of finding excuses that the time is not right, the amount is too big, the amount is too small. We do not like this; we do not like that. This is a good bill and vote against the substitute.

The SPEAKER pro tempore. Pursuant to House Resolution 419, the previous question is ordered on the bill and on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 192, nays 233, not voting 9, as follows:

[Roll No. 13]

YEAS—192

Abercrombie	Blumenauer	Clyburn
Ackerman	Bonior	Condit
Allen	Borski	Conyers
Baca	Boswell	Costello
Baird	Boucher	Coyne
Baldacci	Boyd	Cramer
Baldwin	Brady (PA)	Crowley
Barrett (WI)	Brown (FL)	Cummings
Becerra	Capuano	Davis (FL)
Bentsen	Cardin	Davis (IL)
Berkley	Carson	DeGette
Berman	Clay	Delahunt
Bishop	Clayton	DeLauro
Blagojevich	Clement	Deutsch

Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—233

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Brown (OH)
Capps
DeFazio
Everett
Hinojosa
Jefferson
Lofgren
McCollum
Vento

□ 1606

Messrs. SMITH of Michigan, OXLEY, LINDER, and RAHALL changed their vote from ''yea'' to ''nay.''

Messrs. LANTOS, FORD, and THOMPSON of Mississippi changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

REQUEST TO OFFER AMENDMENT

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to offer an amendment to change the effective date to the year 2000 to double the standard deduction for married couples, and add that amendment to this bill.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The previous question has been ordered under the rule. Therefore, no further amendments are in order and the Chair therefore declines to recognize the unanimous consent request of the gentleman.

Mr. COLLINS. Mr. Speaker, I could not hear the Chair's ruling. The House is not in order, and I could not hear the Chair's ruling.

Mr. Speaker, I am not so sure the Chair understood my request. I ask for unanimous consent to offer an amendment to change the effective date to the year 2000 to double the standard deduction for married couples under this bill.

The SPEAKER pro tempore. The Chair advises the gentleman that the previous question has been ordered under the rule. Therefore, no further amendments are in order, and the Chair declines to recognize the request of the gentleman.

PARLIAMENTARY INQUIRY

Mr. COLLINS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. COLLINS. Under the advice of the parliamentarian, I was told to offer this amendment after disposing of the substitute. I do not quite understand your previous question. Had I been told to offer it prior to that order, I would have offered it at the end of the previous substitute prior to the vote.

The SPEAKER pro tempore. The Chair would advise the gentleman that under the rule, the previous question was ordered from the outset. The Chair has declined to entertain the unanimous consent request of the gentleman, which is the Chair's discretionary prerogative.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to suspend the rules whereby I may offer this amendment.

The SPEAKER pro tempore. The Chair would remind the gentleman that the previous decision of the Chair stands and the Chair will decline the request of the gentleman.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HILL OF INDIANA

Mr. HILL of Indiana. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HILL of Indiana. Yes, in its current form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HILL of Indiana moves that the bill, H.R. 6, be recommitted to the Committee on Ways and Means with instructions to report back promptly to the House, with an amendment—

(1) which corrects the disparity in the Tax Code affecting married couples, including those married couples receiving the EIC, commonly known as the ''marriage penalty'' and ensures this correction is fully available to middle income married couples with children, and

(2) which provides that the effectiveness of the tax reduction contained therein is contingent on a certification by the Director of the Office of Management and Budget, based on the most recently adopted concurrent resolution on the budget and any other legislation enacted by the date of the certification, that:

(a) there is a comprehensive budget framework which provides resources for debt retirement, strengthening Social Security and Medicare, tax relief and investing in other priorities;

(b) a portion of the on-budget surplus is reserved for debt retirement that is sufficient to put the government on a path to eliminate the public held debt by 2013 under current economic and technical projections;

(c) there are protections (comparable to those applicable to the Social Security Trust Fund surpluses) to ensure that funds reserved for debt retirement may not be used for any other purpose, except for adjustments to reflect economic and technical changes in budget projections.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. HILL) is recognized for 5 minutes in support of his motion.

Mr. HILL of Indiana. Mr. Speaker, I am a new Member of Congress but I am a veteran observer of Congress. For 20 years, I have watched this Congress spend more money than it took in. Year after year, I watched our government run deficits every year and charge their irresponsibility to a credit card paid for by the American taxpayers.

The result of all of these years of overspending is a massive national debt. In 1980, the government had $700 million in debt. Today our debt is $3.6 trillion. Our debt has become so big that 14 percent of all the money the government spends is just to cover interest payments on this debt.

Mr. Speaker, despite what people in Washington believe, we do not have a large budget surplus. Our surplus is based upon uncertain 10-year projections. To pass this today is like spending an inheritance we have not yet received. Committing money that one may or may not have 10 years from now is just bad business.

Any businessman, of which I am one, and businesswoman looking at government's finances would recommend that before we do anything else we should reduce our debt burden and pay back what this Congress has already spent.

Mr. Speaker, there are many good tax relief and spending proposals I would like to support this year. One of them is a marriage penalty tax reduction. There are millions of married couples in this country who pay higher taxes than single people, and I believe this is wrong. I believe Congress should give tax relief to married couples this year, but I believe Congress needs to increase defense spending this year, to boost our national security, continue our efforts to recruit and retain the most talented and promising soldiers in our armed services.

I believe Congress needs to put priority on keeping the promises we have made to our veterans, helping our family farms and making our schools better and safer, but I cannot support these proposals before Congress commits to acting in a fiscally responsible way. It makes no sense to pass tax and spending legislation before we have created a budget framework that guarantees that the taxpayers' money is used in a responsible way.

□ 1615

Congress cannot go back to the old ways, and that is what this motion to recommit guarantees. I am introducing this motion on behalf of the Blue Dog Coalition. This motion establishes the principle that guides all of our activities this year.

This motion says that, before we begin debating anything else, Congress must pledge to pay off the government's publicly held debt of more than $3.6 trillion over the next 12 years. This motion says that debt reduction should not be an afterthought in this year's budget process. It says that the debt reduction should be our guiding principle.

Now is the time to see if my colleagues across the aisle will commit to paying off our debts or if they are willing to pass a bill that could actually increase our debt or force Congress to start borrowing money from Social Security again just like Congress has done for the last 30 years.

My colleagues on the other side of the aisle will get up and say that the Joint Committee on Taxation has concluded that Democrats oppose tax relief. That is the same old Washington spin doctoring that has got us into this mess in the first place.

Democrats will say that our debt is because of Reaganomics. Let me say that again. The Republicans will say that the Democrats are against tax relief, and the Democrats on my aisle are going to say that Reaganomics caused this large debt. This is all a bunch of spin doctoring; that is all it is.

People are tired of the spin doctors on both sides of the aisle. It is what got us in this mess in the first place. It really does not matter who is to blame for saddling our children and grandchildren with a $3.7 trillion debt. It is time to start getting the government's fiscal house in order and paying back what this Congress has borrowed.

I challenge everybody in this House to do the right thing for our children and our grandchildren and commit to paying off the debts that this government has built up over the last 30 years.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Does the gentleman from Illinois (Mr. WELLER) rise in opposition to the motion to recommit?

Mr. WELLER. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, I say to the gentleman from Indiana (Mr. HILL) that if he votes against H.R. 6 and for the motion to recommit, that 62,000 married couples in the 9th Congressional District of Indiana, one-half of whom are itemizers, that they will not get any relief, no relief from the marriage tax penalty. That is not something I hope that he ever wants to explain to those couples back home.

Mr. Speaker, I rise in opposition to the motion to recommit. Mr. Speaker, over the last several years, many of us have been raising a pretty fundamental question of fairness in this House; that is, is it right, is it fair that, under our Tax Code, 25 million married working couples, on average, pay $1,400 more in higher taxes just because they are married? Is that right? Is that fair? Of course not.

Today we have the opportunity to address that issue of fairness. The motion to recommit fails that fundamental test of fairness because, according to the Joint Committee on Taxation, the motion to recommit, which is basically identical to what this House has already rejected, provides zero marriage tax relief.

The average marriage tax penalty is $1,400. I have with me a photo of Shad and Michelle Hallihan, two public schoolteachers from Joliet, Illinois. They pay almost the average marriage tax penalty. In the south suburbs of Chicago which I have the privilege of representing, $1,400 is a year's tuition in a community college. It is 3 months of day care. It is a washer and dryer for a home. As Michelle Hallihan has pointed out to me, she said, ''We just had a newborn baby. Share with your friends in the Congress that the marriage tax penalty that we send to Washington would buy over 3,000 diapers for our newborn child.''

It is for couples such as Michelle and Shad Hallihan that we should eliminate the unfairness of the marriage tax penalty. There are 25 million married working couples such as Michelle and Shad Hallihan.

I am so proud of what we are doing today. Think about it. Democrats and Republicans today have the opportunity to vote to eliminate and wipe out the marriage tax penalty, the most unfair consequence of our Tax Code.

I want to thank the gentlewoman from Missouri (Ms. DANNER) and almost 30 other Democrats who have joined in this bipartisan effort to cosponsor H.R. 6 which we are voting on today. This is a bipartisan effort.

Democrats and Republicans have been working together for over a year now and working to eliminate the marriage tax penalty with this proposal. We help those who itemize by widening the 15 percent bracket.

Let us remember, the motion to recommit, even if it did provide tax relief, would do nothing to married couples, any kind of help for those who itemize such as homeowners or those who give money to church or charity.

So we want to widen that 15 percent tax bracket. That is how eliminate the marriage tax penalty for Shad and Michelle Hallihan.

We also want to help those who do not itemize by doubling the standard deduction; and for the working poor, those who benefit from the earned income tax credit, we address the marriage penalty there as well. So we help the working poor, we help those married couples who suffer the marriage tax penalty who happen to be homeowners, and we also help those who do not itemize.

It is the fair way to do things. That is what this is all about. Do we want fairness in the tax code, or do we want to do nothing? If my colleagues want to do nothing, vote yes for the motion to recommit. If my colleagues want to make the tax code more fair, vote no on the motion to recommit and yes on H.R. 6.

Let us wipe out the marriage tax penalty. Let us make the tax code

more fair. Let us do it in a bipartisan way.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. HILL of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—ayes 196, noes 230, not voting 8, as follows:

☐ 1629

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). The Chair would advise the Members that he is aware that the panel from DANNER to DOYLE is not illuminating behind the Chair, but the Chair has been advised that those votes are indeed being recorded. Those that are in that panel, from DANNER to DOYLE, should recheck your vote on the electronic voting device, but the Chair is advised those votes are being recorded.

☐ 1639

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair would like to advise Members one more time that the panel from DANNER to DOYLE is not illuminated but the votes indeed are being recorded. And the Chair would advise those Members on that panel to once again check and see that their votes are being recorded as they intended them to be recorded.

[Roll No. 14]

AYES—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lucas (KY)
Luther
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—230

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
McCarthy (NY)
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Brown (OH)
Capps
DeFazio
Everett
Hinojosa
Lofgren
McCollum
Vento

☐ 1641

Mr. LAZIO changed his vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 268, nays 158, not voting 9, as follows:

[Roll No. 15]

YEAS—268

Aderholt
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)

Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Martinez
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Stabenow
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NAYS—158

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Capuano
Cardin
Clay
Clayton
Conyers
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hoeffel
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lowey
Luther
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Sherman
Slaughter
Snyder
Spratt
Stark
Stenholm
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thurman
Tierney
Towns
Turner
Udall (NM)
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—9

Brown (OH)
Capps
DeFazio
Everett
Gillmor
Hinojosa
Lofgren
McCollum
Vento

□ 1649

Mr. DELAY changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

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

''A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to repeal the reduction of the refundable tax credits.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MCCOLLUM. Mr. Speaker, on February 10, 2000, I was unavoidably detained and missed rollcall vote numbers 11, 12, 13, 14, and 15. Had I been present, I would have voted 'yes' on approving the journal; 'yes' on H. Res. 419, the rule for H.R. 6; 'no' on the motion to recommit H.R. 6 with instructions; and 'yes' on H.R. 6, the Marriage Tax Penalty Relief Act.

MESSAGE FROM THE SENATE

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

S. Con. Res. 80. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, may I inquire of the gentleman from Texas (Mr. ARMEY), the distinguished majority leader, the schedule for the remainder of the week and next week?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that we have completed legislative business for the week. There will be no recorded votes in the House on Friday.

The House will next meet for legislative business on Monday, February 14, at 12:30 p.m. for morning hour debate and at 2 o'clock p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices tomorrow. On Monday, we do not expect recorded votes until 6 o'clock p.m.

On Tuesday, February 15, through Thursday, February 17, the House will consider the following measures:

H.R. 2086, the Networking and Information Technology Research and Development Act, under an open rule;

H.R. 2366, the Small Business Liability Reform Act, subject to a rule; and

H.R. 1987, the Fair Access to Indemnity and Reimbursement Act, also subject to a rule.

Mr. Speaker, we also expect to consider a motion to go to conference next week on the digital signatures legislation that has passed both the House and the Senate.

Mr. Speaker, on Friday, February 18, no votes are expected.

Mr. BONIOR. Mr. Speaker, I thank my colleague for the information, and I wish him a good weekend.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3308

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3308.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERSONAL EXPLANATION

Mr. SAXTON. Mr. Speaker, on February 2, I was tending to my ill mother and missed rollcall No. 7. Had I been present, I would have voted ''no'' on final passage.

RE-REFERRAL OF S. 1809 TO THE COMMITTEE ON COMMERCE AND TO THE COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that the Senate bill, S. 1809, the Developmental Disabilities Assistance and Bill of Rights Act, be re-referred to the Committee on Commerce, 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.

Mr. Speaker, today S. 1809 was re-referred to the Committee on Commerce and in addition the Committee on Education and the Workforce. Titles I and III have been traditionally in the sole jurisdiction of the Committee on Commerce and Title II, Family Support, has been traditionally in the sole jurisdiction of the Committee on Education and the Workforce. Title II, Family Support, would authorize a program that was originally created in Section 315 of P.L. 103–382, Improving America's Schools Act of 1994, which created a new Part I in the Individuals with Disabilities Education Act. In 1997, Part I, Family Support of IDEA was repealed by Section 203(a), Repealers, of P.L. 105–17, the Individuals with

Disabilities Education Act Amendments of 1997, see H.R. 5, the Individuals with Disabilities Education Act Amendments of 1997.

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

There was no objection.

ADJOURNMENT TO MONDAY, FEBRUARY 14, 2000

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

RECESS OR ADJOURNMENT OF SENATE FROM FEBRUARY 10, 2000, OR FEBRUARY 11, 2000 TO FEBRUARY 22, 2000, AND ADJOURNMENT OF THE HOUSE FROM FEBRUARY 16, 2000, FEBRUARY 17, 2000 OR FEBRUARY 18, 2000 TO FEBRUARY 29, 2000.

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 80) providing for recess or adjournment of the Senate from February 10 or 11, 2000, to February 22, 2000, and adjournment of the House from February 16, 17, or 18, 2000, to February 29, 2000.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 80

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, February 10, 2000, or Friday, February 11, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, February 22, 2000, 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; and that when the House adjourns on the legislative day of Wednesday, February 16, 2000, Thursday, February 17, 2000, or Friday, February 18, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Tuesday, February 29, 2000, for morning-hour debate, 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 Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid upon the table.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1987, FAIR ACCESS TO INDEMNITY AND REIMBURSEMENT ACT

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, this afternoon a ''Dear Colleague'' letter will be sent to all Members informing them that the Committee on Rules is planning to meet the week of February 14 to grant a rule for the consideration of H.R. 1987, the Fair Access to Indemnity and Reimbursement Act.

The Committee on Rules may grant a rule which would require that amendments be preprinted in the CONGRESSIONAL RECORD. In this case, amendments must be preprinted prior to their consideration on the floor.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

ECONOMIC REPORT OF THE PRESIDENT OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Joint Economic Committee:

To the Congress of the United States:

Today, the American economy is stronger than ever. We are on the brink of marking the longest economic expansion in our Nation's history. More than 20 million new jobs have been created since Vice President Gore and I took office in January 1993. We now have the lowest unemployment rate in 30 years—even as core inflation has reached its lowest level since 1965.

This expansion has been both deep and broad, reaching Americans of all races, ethnicities, and income levels. African American unemployment and poverty are at their lowest levels on record. Hispanic unemployment is likewise the lowest on record, and poverty among Hispanics is at its lowest level since 1979. A long-running trend of rising income inequality has been halted in the last 7 years. From 1993 to 1998, families at the bottom of the income distribution have enjoyed the same strong income growth as workers at the top.

In 1999 we had the largest dollar surplus in the Federal budget on record and the largest in proportion to our economy since 1951. We are on course to achieve more budget surpluses for many years to come. We have used this unique opportunity to make the right choices for the future: over the past 2 years, America has paid down $140 billion in debt held by the public. With my plan to continue to pay down the debt, we are now on track to eliminate the Nation's publicly held debt by 2013. Our fiscal discipline has paid off in lower interest rates, higher private investment, and stronger productivity growth.

These economic successes have not been achieved by accident. They rest on the three pillars of the economic strategy that the Vice President and I laid out when we took office: fiscal discipline to help reduce interest rates and spur business investment; investing in education, health care, and science and technology to meet the challenges of the 21st century; and opening foreign markets so that American workers have a fair chance to compete abroad. As a result, the American economy is not only strong today; it is well positioned to continue to expand and to widen the circle of opportunity for more Americans.

THE ADMINISTRATION'S ECONOMIC STRATEGY

Our economic strategy was based on a commitment, first, to fiscal discipline. When the Vice President and I took office, the U.S. Government had a budget deficit of $290 billion. Today we have a surplus of $124 billion. This fiscal discipline has helped us launch a virtuous circle of strong investment, increasing productivity, low inflation, and low unemployment.

Second, we have remained true to our commitment to invest in our people. Because success in the global economy depends more than ever on highly skilled workers, we have taken concerted steps to make sure all Americans have the education, skills, and opportunities they need to succeed. That is why, even as we maintained fiscal responsibility, we expanded our investments in education, technology, and training. We have opened the doors of college to all Americans, with tax credits, more affordable student loans, education IRAs, and the HOPE Scholarship tax credits. So that working families will have the means to support themselves, we have increased the minimum wage, expanded the Earned Income Tax Credit (EITC), provided access to health insurance for people with disabilities, and invested in making health insurance coverage available to millions of children.

Third, we have continued to pursue a policy of opening markets. We have achieved historic trade pacts such as the North American Free Trade Agreement and the Uruguay Round agreements, which led to the creation of the

World Trade Organization. Negotiations in the wake of the Uruguay Round have yielded market access commitments covering information technology, basic telecommunications, and financial services. We have engaged in bilateral initiatives with Japan and in regional initiatives in Europe, Africa, Asia, the Western Hemisphere, and the Middle East. We have also actively protected our rights under existing trade agreements through the World Trade Organization and helped maintain the Internet as a tax-free zone.

MEETING THE CHALLENGES OF THE FUTURE

Despite the economy's extraordinary performance, we must continue working to meet the challenges of the future. Those challenges include educating our children, improving the health and well-being of all our citizens, providing for our senior citizens, and extending the benefits of the economic expansion to all communities and all parts of this Nation.

We must help our children prepare for life in a global, information-driven economy. Success in this new environment requires that children have a high-quality education. That means safe, modern schools. It means making sure our children have well-trained teachers who demand high standards. It means making sure all schools are equipped with the best new technologies, so that children can harness the tools of the 21st century.

First and foremost, our children cannot continue trying to learn in schools that are so old they are falling apart. One-third of all public schools need extensive repair or replacement. By 2003 we will need an additional 2,400 schools nationwide to accommodate these rising enrollments. That is why, in my State of the Union address, I proposed $24.8 billion in tax credit bonds over 2 years to modernize up to 6,000 schools, and a $1.3 billion school emergency loan and grant proposal to help renovate schools in high-poverity, high-need school districts.

Second, if our children are to succeed in the new digital economy, they must know how to use the tools of the 21st century. That is why the Vice President and I have fought for initiatives like the E-rate, which is providing $2 billion a year to help schools afford to network their classrooms and connect to the Internet. The E-rate and our other initiatives in education technology have gone a long way toward giving all children access to technology in their schools. But there is still a great ''digital divide'' when children go home. Children from wealthy families are far more likely to have access to a computer at home than children from poor or minority families. That is why, in my budget, I propose a new Digital Divide initiative that will expand support for community technology centers in low-income communities; a pilot project to expand home access to computers and the Internet for low-income families; and grants and loan guarantees to accelerate the deployment of high-speed networks in underserved rural and urban communities.

Third, we must continue to make college affordable and accessible for all Americans. I have proposed a college opportunity tax cut, which would invest $30 billion over 10 years in helping millions of families who now struggle to afford college for their children. When fully phased in, this initiative would give families the option to claim a tax deduction or a tax credit on up to $10,000 of tuition and fees for any post-secondary education in which their members enroll, whether college, graduate study, or training courses. I have proposed increases in Pell grants, Supplemental Educational Opportunity Grants, and Work Study. I have also proposed creating new College Completion Challenge Grants to encourage students to stay in college.

We have seen dramatic advances in health care over the course of the 20th century, which have led to an inrease in life expectancy of almost 30 years. But much remains to be done to ensure that all have and maintain access to quality medical care. That is why my budget expands health care coverage, calls for passing a strong and enforceable Patients' Bill of Rights, strengthens and modernizes Medicare, addresses long-term care, and continues to promote life-saving research.

My budget invests over $110 billion over 10 years to improve the affordablility accessibility, and quality of health insurance. It will provide a new, affordable health insurance option for uninsured parents as well as accelerate enrollment of uninsured children who are eligible for Medicaid and the State Children's Health Insurance Program. The initiative will expand health insurance options for Americans facing unique barriers to coverage. For example, it will allow certain people aged 55–65 to buy into Medicare, and it will give tax credits to workers who cannot afford the full costs of COBRA coverage after leaving a job. Finally, my initiative will provide funds to strengthen the public hospitals and clinics that provide health care directly to the uninsured. If enacted, this would be the largest investment in health coverage since Medicare was created in 1965, and one of the most significant steps we can take to help working families.

As our Nation ages and we live longer, we face new challenges in Medicare and long-term care. Despite improvements in Medicare in the past 7 years, the program begins this century with the disadvantages of insufficient funding, inadequate benefits, and outdated payment systems. To strengthen and modernize the program, I have proposed a comprehensive reform plan that would make Medicare more competitive and efficient and invest $400 billion over the next 10 years in extending solvency through 2025 and adding a long-overdue, voluntary prescription drug benefit.

The aging of America also underscores the need to build systems to provide long-term care. More than 5 million Americans require long-term care because of significant limitations due to illness or disability. About two-thirds of them are older Americans. That is why I have proposed a $27 billion investment over 10 years in long-term care. Its centerpiece is a $3,000 tax credit to defray the cost of long-term care. In addition, I propose to expand access to home-based care, to establish new support networks for caregivers, and to promote quality private long-term care insurance by offering it to Federal employees at group rates.

We must continue to make this economic expansion reach out to every corner of our country, leaving no town, city, or Native American reservation behind. That is why I am asking the Congress to authorize two additional components of our New Markets agenda. The first is the New Markets Venture Capital Firms program, geared toward helping small and first-time businesses. The second is America's Private Investment Companies, modeled on the Overseas Private Investment Corporation, to help larger businesses expand or relocate to distressed inner-city and rural areas. Overall the New Markets initiative could spur $22 billion of new equity investment in our underserved communities.

I am also proposing a new initiative called First Accounts, to expand access to financial services for low- and moderate-income Americans. We will work with private financial institutions to encourage the creation of low-cost bank accounts for low-income families. We will help bring more automated teller machines to safe places in low-income communities, such as the post office. And we will educate Americans about managing household finances and building assets over time.

To further increase opportunities for working families, I am proposing another expansion of the EITC to provide tax relief for 6.4 million hard-pressed families—with additional benefits for families with three or more children. We have seen the dramatic effects that our 1993 expansion of the EITC had in reducing poverty and encouraging work: 4.3 million people were directly lifted out of poverty by the EITC in 1998 alone. More single mothers are working than ever before, and the child poverty rate is at its lowest since 1980.

Our initiatives to open overseas markets will continue. We have successfully concluded bilateral negotiations on China's accession to the World Trade Organization and now seek congressional action to provide China with permanent normal trade relations. The United States will also work to give the least developed countries greater access to global markets. We will participate in the scheduled multilateral talks to liberalize trade in services and agriculture and will continue to press our trading partners to launch a new round of negotiations within the World Trade Organization.

We have a historic opportunity to answer the challenges ahead: to increase economic opportunity for all American families; to provide quality, affordable child care, health care, and long-term care; and to give our children the best education in the world. Working together, we can meet these great challenges and make this new millennium one of ever-increasing promise, hope, and opportunity for all Americans.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 2000.*

□ 1700

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair will now recognize one minute requests.

TRIBUTE TO SGT. BRUCE A. PROTHERO, A FALLEN HERO

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

Mr. EHRLICH. Mr. Speaker, today in Reisterstown, Maryland, hundreds of police officers have gathered to pay tribute to another fallen hero. Earlier this week, Sergeant Bruce A. Prothero, a 13-year veteran of the Baltimore County Police Department, said goodbye to his wife and five young children. He went to work his second job, something many police officers must do to support their families.

Shortly after the jewelry store at which Sergeant Prothero was employed opened for business, armed thugs entered the store. While horrified customers were forced to the floor, the Sergeant was held at gunpoint until the robbery was completed. As the thugs made their escape, Sergeant Prothero was gunned down.

Every day, all across America, police officers lay their lives on the line so that we may enjoy the freedoms so many of us take for granted. They are our moms and dads, our brothers and sisters, our sons and daughters. They are our heroes. Sergeant Bruce A. Prothero was just such a hero. But, more importantly, he was a loving father, a devoted husband, a son, and a brother.

May God grant strength to his family, and eternal peace to another fallen hero. Let these words, now a permanent part of the history of this great Nation, serve as an introduction to those who never knew Sergeant Prothero, and as a reminder to those who will miss him so dearly.

WORKING TOGETHER TO ACHIEVE NASA'S GOALS

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

Mr. WELDON of Florida. Mr. Speaker, space program supporters often compete among themselves for programs and funding. I want to do my part to bring everyone together to work towards a common goal, and I recently had an opportunity to visit NASA's Johnson Space Center in Houston.

My district includes Kennedy Space Center, which is a traditional rival for funding with the Johnson Space Center. But I went to Texas to build bridges between our great States, and I want you to know that the people in Houston were very cooperative and great to work with.

I want to thank the Clear Lake Area Economic Development Foundation, Boeing Corporation, GB Tech, United Space Alliance, Lockheed Martin and Barrios Technology for giving me an overview of the local aerospace industry; and I want to especially thank Johnson Space Center Director George Abbey for his hospitality during our trip.

Our human space flight program is the crown jewel of our Nation's space exploration and development efforts; and I am confident that, working together, key States such as Texas, Florida, Alabama, California, as well as Nevada and Washington, can help build the political support for a stronger space program.

BLIND JUSTICE?

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

Mr. GIBBONS. Mr. Speaker, yesterday a judicial oversight council ordered an investigation be conducted into the special assignment of criminal cases involving the friends of President Clinton to favorable judges appointed by President Clinton.

Yes, indeed, these were ''special'' cases. So special, in fact, that the assignment of these cases intentionally bypassed the computer system which normally and randomly assigns criminal cases of all other accused individuals; well, all other accused individuals that are not the personal friends or associates of the President it seems.

Our judicial system must maintain complete impartiality, no matter ''who you know'' in politics. Whether the judicial system was abused to grant preferential treatment to presidential allies, that will be determined. However, we need to remain vigilant over our justice system to ensure that our laws are applied equally to everyone.

Justice is supposed to be blind. That includes being blind to who your friends are too.

ELIMINATE THE TRICARE PRIME COPAY

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

Mr. NETHERCUTT. Mr. Speaker, I hear from constituents on a daily basis who are concerned about the availability and affordability of military health care. On February 1, I introduced H.R. 3565 to eliminate the copayment requirement for TRICARE Prime and to make military health care more affordable.

Retirees pay an annual enrollment fee for coverage and are also subject to copayment requirements. Active duty families do not pay an enrollment fee, but are subject to copayments. I am concerned that these copays can dramatically increase overall health care costs, particularly for retirees on a fixed income or for younger enlisted personnel. At $6 to $12 a visit, these copays quickly erode the real progress Congress made last year in approving a long overdue increase in military pay. Unless we reduce out-of-pocket costs for military personnel, pay raises only help on the margin.

Mr. Speaker, this bill is very good for veterans, it is good news for active duty personnel, it is fair under the circumstances today, and I urge my colleagues to support it.

SPECIAL ORDERS

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

NATIONAL DONOR DAY 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Mrs. THURMAN) is recognized for 5 minutes.

Mrs. THURMAN. Mr. Speaker, organ donation falls into the category of things you never think will affect you, your friend, your neighbor, or your family. It happens to other people. In this Congress alone, there are several Members who have undergone successful organ transplants; and we are thankful that these fine people are here with us today. The gentleman from Massachusetts (Mr. MOAKLEY) and the gentleman from South Carolina (Mr. SPENCE) are two of the lucky ones.

My husband, John, was also one of the lucky ones. His successful transplantation not only gave John a new lease on life, but it also has given my children back a father, and me, a loving husband.

Mr. Speaker, though we are not alone, every year thousands of Americans wait anxiously on the organ donation lists, and they are entirely dependent on those kind enough to give. They are entirely dependent on those aware that there is a genuine need.

Today transplantation is extremely successful and people can live productive lives with a transplanted organ. However, because of this technology, even more people have been added to the national waiting list.

Sadly, the number of donors has not grown as fast as the number of people

awaiting an organ transplant. Today there are not enough organs for everyone who needs them. Even with the growing number of transplants performed, on average, there is an increase in the number of patients on the national waiting list every day. Today there are more than 65,000 people awaiting an organ transplant, and at least 11 people die each day while waiting for an organ.

In simple terms, the biggest problem facing transplant patients is the shortage of organs. One way that you can help address this health care crisis is to talk to your friends and families about the importance of organ and tissue donation.

I stand before you today to ask for your help. We need to work together to increase the awareness about the importance of organ and tissue donation. I ask you to join us in cosponsoring House Resolution 247, a resolution that recognizes and supports National Donor Day. National Donor Day is organized by Saturn and the United Auto Workers, along with a number of organ foundations, health organizations, and the Department of Health and Human Services.

They have established February 12, 2000, as National Donor Day 2000. This day is dedicated to educating people about the Five Points of Life. This weekend this coalition is again joining forces for the third time to bring us together for a National Donor Day. This is America's largest one-day donation event.

Held just before Valentine's Day, the first two donor days raised a total of 17,000 units of blood, added over 24,000 potential donors to the National Marrow Donor Registry and distributed tens of thousands of organ and tissue pledge cards.

You and I, your friends and families, can participate in this historic event by, one, giving blood or pledging to give blood; two, volunteering with the National Marrow Donor Program; or, three, filling out an organ and tissue donation pledge card and agreeing to discuss the decision with family members.

I would also like to take a moment to thank these people and groups in my district, including Saturn in Gainesville, along with Lifesouth Community Blood Centers in Gainesville and other groups and individuals for pulling together to host a donation event on National Donor Day in the Fifth District of Florida.

I urge everyone to talk to their friends and families about the importance of organ donation and to let others know about this year's National Organ Donor Day. Do not forget, it is February 12, 2000. We are counting on you.

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

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

H.R. 3620—THE SECOND CHANCE IRA ACT OF 2000

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

Mr. HORN. Mr. Speaker, every Member of this House knows that although we have a Federal budget surplus now, we still face a very low national savings rate. That is because individuals simply do not or cannot save a significant portion of their income. That suggests to me that we must do more to encourage savings, particularly among younger Americans who need to begin building the savings that will help them have a secure retirement.

The difficulties of many younger people were illustrated to me recently by a 38-year-old constituent. He outlined a personal and a generational dilemma.

He mentioned, ''When I graduated from school and entered the workforce, I had too many student loans and too little income to put away $2,000 a year in an IRA. Now I make enough to contribute to an IRA, but I am not allowed to make up for the past 10 years of tax deductible contributions. Why not change the law to let me make up those lost contributions and maximize my IRA?''

Mr. Speaker, that is a very good question, and today I am introducing legislation and will try to give an answer to a good question.

This legislation is called the Second Chance IRA Act of Year 2000, H.R. 3620, and I am pleased that 23 Representatives are joining with me as original cosponsors.

Our bill simply says that if you were eligible to make an IRA contribution in the past and did not make one, you can make the contribution in the current year and take the tax deduction up to a maximum $2,000. That would be in addition to any current IRA contribution and deduction that you are eligible to make. That means a qualifying individual could deduct a total of $4,000 a year and a qualifying couple could deduct up to $8,000 a year.

This legislation offers a powerful incentive for young people to make up their missed opportunities and to save for the future. It also offers an opportunity for women to build a retirement account after being out of the work force to raise a family or to care for a parent. In short, we give a second chance to those who have failed to maximize their savings and who were denied that chance due to circumstances beyond their control.

The Second Chance IRA Act aims to encourage personal responsibility and to maximize personal flexibility in building a secure retirement amid the many insecurities of the 21st Century economy where every person will have multiple careers with multiple employers. Let us help these young people to move forward with confidence by allowing them to fill in blank spots in their IRA ledger.

Mr. Speaker, I thank the Members who have joined me today in this effort. I urge all of my colleagues to review the proposal and to join us in cosponsoring this legislation.

Mr. Speaker, I include for the RECORD the text of the bill and the original cosponsors.

H.R. 3620

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 ''_____ Act of 1999''.

SEC. 2. MAXIMUM IRA DEDUCTION INCREASED BY PORTION OF UNUSED PRIOR DEDUCTION LIMITATIONS.

(a) IN GENERAL.—Subparagraph (A) of section 219(b)(1) of the Internal Revenue Code of 1986 (relating to maximum amount of deduction) is amended to read as follows:

''(A) the sum of—

''(i) $2,000, and

''(ii) the lesser of—

''(I) $2,000, or

''(II) the aggregate of the unused deduction limitations (as defined in paragraph (5)) for all prior taxable years, or''.

(b) UNUSED DEDUCTION LIMITATION.—Subsection (b) of section 219 of such Code is amended by adding at the end the following new paragraph:

''(5) UNUSED DEDUCTION LIMITATION.—For purposes of paragraph (1), the unused deduction limitation for any prior taxable year is the excess of—

''(A) the lesser of—

''(i) $2,000, or

''(ii) the compensation includible in the individual's gross income for such taxable year, over

''(B) the amount of qualified retirement contributions of such individual for such taxable year.''

(c) CONFORMING AMENDMENTS.—Sections 408(a)(1), 408(b), 408((j), and 408(p)(8) of such Code are each amended by striking ''$2,000'' each place it appears and inserting ''$4,000''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

CO-SPONSORS FOR H.R. 3620

Mr. Houghton, Mrs. Johnson of Connecticut, Mr. Gilman, Mr. Bilbray, Mr. Boehlert, Mr. Calvert, Mr. Oxley, Mr. Biggert, Mr. Gallegly, Mr. Gibbons, Mr. Gilchrest, Mr. Greenwood, Mr. Hefley, Mr. Istook, Mr. Kingston, Mr. Kuykendall, Mr. LaHood, Mr. Mica, Mr. Paul, Ms. Pryce of Ohio, Mr. Smith of Michigan, Mr. Weldon of Pennsylvania, and Mr. Walden of Oregon.

TRIBUTE TO VOLA LAWSON, A TRULY REMARKABLE AMERICAN

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

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize a truly remarkable American, Vola Lawson, who will be retiring on March 1st. For 30 years Vola has been a beacon of dedication to public service.

□ 1715

She has been my mentor, my heroine, and my inspiration. To say that Vola

will be missed understates her far-reaching presence throughout the entire metropolitan Washington area.

Her 30-year career in public service has been unparalleled in its effectiveness. Vola entered public life as a civil rights activist in the 1960s and then in 1971 became assistant director of the Alexandria Economic Opportunities Commission. Her efforts as the chairperson of the Alexandria Ad Hoc Committee on Women in 1973 led to the establishment of the Alexandria Commission on Women. She is widely recognized for her efforts promoting diversity in the city government's workforce.

As the assistant manager for housing in 1975, Vola initiated more than $100 million in low-income and senior citizen housing projects. For the past 15 years, Vola has shared the distinction of being only one of three women to hold the city manager position in cities with more than 100,000. There are only three women, and she is one of those three women. I do not know the others, but I would venture to say there is no one as capable as Vola. As city manager, she has overseen a budget of more than $360 million and supervised almost 2,000 people. I would also suggest that she knows every one of them and their families and cares about each and every one of them deeply, and that caring is reciprocal.

Due to Vola's financial acumen, Alexandria enjoys a AAA credit rating, an honor shared by just 22 cities nationwide, which was first garnered by the city in 1986. In 1992, the city's creditworthiness was upgraded once again, and Alexandria now is one of only 10 cities in the country to hold a AAA credit rating. That is through her substantial efforts and the people that work with her and for her, as well as the Alexandria city council. It is something to be very proud of, and that is the balance between a caring, progressive manager and one that is fiscally responsible.

But she is more than a sharp and capable city manager. A breast cancer survivor, she turned her personal health crisis into a public crusade. She initiated Alexandria's annual breast cancer walk to raise funds to provide free breast cancer screening for low-income women. Over the years, Vola has been the recipient of countless honors and awards and citations. Most recently, Washingtonian Magazine named Vola a Washingtonian of the Year for 1999, and she was inducted into Virginia's Women's Hall of Fame in 1993.

I count myself among those who have been very privileged and honored to have served with Vola in the Alexandria city government. She is a great friend. Her legacy of compassion, her dedication, and her fortitude will long be associated with the city of Alexandria and public service in general. She has enhanced the entire profession. She will be remembered for that, as well as her humor and her uncanny ability to get to the heart of seemingly byzantine issues.

The city of Alexandria and I will miss Vola. I am sure her retirement presents more opportunities for her to have an even greater and more positive impact upon the lives of Alexandrians and all of those throughout the metropolitan Washington community. She is a very, very special person. I wish there were more people like her. I wish she was not retiring, but I am happy for her, as she deserves a little rest and a lot more appreciation. She is wonderful, and I am proud to have this opportunity to say a few words about her on the floor of the House of Representatives.

The SPEAKER pro tempore (Mr. BASS). Under a previous order of the House, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 5 minutes.

(Mrs. CHENOWETH-HAGE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

H.R. 2777, THE TRANSPORTATION INFRASTRUCTURE AND LOCAL GOVERNMENT CAPITAL ENHANCEMENT ACT

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

Mr. METCALF. Mr. Speaker, my top priority when I was elected to Congress was to balance the budget and rein in the skyrocketing national debt. These two goals are vital to the economic well-being of the United States.

Today's budget outlook is considerably more optimistic than when the phrase ''deficits as far as the eye can see'' was commonly used in conjunction with budget projections.

The Congressional Budget Office is forecasting enormous budget surpluses which provides Congress an immense opportunity to begin to pay down the $3.3 trillion of marketable debt. Today, the Treasury auctioned $10 billion worth of 30-year bonds, and they are expecting an additional small auction in August. After that, the Treasury is not expected to auction any additional bonds until February 2001. In fact, yesterday's Bloomberg article states that, ''Wall Street bond dealers have decided that probably this will be the last bond ever: a collector's item to be displayed on the shelf along with golf trophies in the recreation room.''

This poses an interesting dilemma for the Federal Reserve Board. Their job is to accommodate a substantial rate of economic growth by assuring needed increases in the money supply which has been accomplished in the past by buying United States Government securities at an average annual rate of about $20 billion. When the Treasury stops buying U.S. securities, the Federal Reserve will be losing a vital lever to accommodate the needed increases in the money supply.

My bill, H.R. 2777, the Transportation Infrastructure and Local Government Capital Enhancement Act, would provide the Federal Reserve Board a replacement mechanism to accommodate the needed increase in the money supply without buying U.S. Government securities, that is, without going into debt. The Federal Reserve or its surrogate would buy zero interest mortgages on State and local infrastructure improvements.

These mortgages would be amortized over periods of up to 30 years depending on the nature of the improvement, and in almost every case where the State or local government incurs a debt to finance investment in infrastructure, the voters have to approve the loan and pay interest. That taxpayers do not lightly assume such obligations is testified by the nearly zero rate of defaults on municipal bonds.

The scheduled repayments of the zero interest mortgages would provide a constantly renewed source of funds for public projects without requiring the Treasury to pay interest on these loans. Unlike now, when Federal borrowing means virtually permanent increases in the public debt, the proposed mortgage loans would be regularly repaid by local governments.

Evidence of failures to maintain and improve infrastructure is seen every day in such problems as unsafe bridges, urban decay, dilapidated and overcrowded schools, inadequate airports. A General Accounting Office study finds that education is seriously handicapped by deteriorating school buildings, and that an investment of $110 billion is needed to bring them up to minimally accepted standards.

I am particularly concerned about our crisis in critical transportation bottlenecks that are in trade corridors, and maritime vulnerabilities. We also need to make immediate investments to address our Nation's vulnerability in the end-to-end movement of forces, equipment and material necessary to support a rapid military deployment.

This plan is fiscally sound. It is a means of providing the Federal Reserve Board with a needed lever to increase the money supply and provide public infrastructure necessary to meet the challenges of the 21st century.

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

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

A FAIR HEARING FOR ELIAN GONZALEZ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, the seas are stormy, the waves are beating against your frail little face, the winds are bitter cold. Your dark eyes are blinded by tears. You feel your mother's hands as they struggle to hold you above the waves. You hear her gentle voice praying to God to protect you, asking God to help you reach the land of liberty, and whispering to you to pray to your guardian angel.

Suddenly, there is distress in your mother's voice. This turns into cries of anguish and the last words you hear from your mother are, ''I love you, my child. You are in God's hands now.''

Committed to honor your mother's wishes, strengthened by her love and faith, you cling to an inner tube, all alone in the vast Atlantic Ocean. You continue to pray and on Thanksgiving Day, 1999, you are rescued by two fishermen off the coast of Florida.

Despite the harrowing experience, you are filled with joy, joy in the knowledge that you made it to the United States, that your mother's sacrifice was not in vain.

This is the story of Elian Gonzalez, who was then 5 years old and his mother, Elizabet Broton. One cannot help but wonder if there was divine intervention.

Elian has repeatedly spoken about the schools of dolphins who surrounded his inner tube. He is emphatic about the fact that these dolphins protected him from the sharks while using their snouts to push him closer to our U.S. shores.

Donato, one of the fishermen who saved Elian's life, has publicly stated and has personally said to many Members of Congress of this chamber how he as a Christian believes that God guided him toward Elian on that fateful day. Donato explains, ''At first I thought it was a doll. I would have never seen Elian's tiny little hands clinging to the inner tube had there not been some force driving us toward him.''

Some who have looked into Elian's eyes have seen the purity of his spirit, the antithesis of the evil that is Fidel Castro and his atheist regime. Some can see the collective anguish of the Cuban soul, in chains since Castro came to power and banished God and religion from Cuba, replacing it with Communist doctrine and institutions.

However, all who have come in contact with the child, including Jeanne O'Laughlin, who facilitated the meeting between Elian and his grandmothers, are touched by Elian.

Sister O'Laughlin was hand-picked by Attorney General Janet Reno and the INS. She is a neutral observer who answers to a higher call. Yet, after looking into Elian's tiny dark eyes, she said, ''He would grow to greater freedom of manhood here.'' She believes that Elian should ''live free of fear'' and that ''the final challenge of finding the best way for Elian to heal and to be nurtured should lie with a court that has experience in seeking the best interests of children.''

Yet, there are those who shut themselves to this possibility and want only for Elian to be returned to his father in Cuba.

For those, I would like to quote Sister O'Laughlin again. She writes, ''It troubles me that Elian's father has not come to the United States. I realize how he must love Elian. What, if not fear, could keep a person from making a 30-minute trip to reclaim his son? And what might Elian's father fear if not the authoritarian Cuban government itself? Could we send the boy back to a climate that may be full of fear without at least a fair hearing in a family court,'' Sister Jeanne asks.

Some would discount that this fear exists. Some would question that the regime takes any action that would instill fear. No, that would not be, they say. But imagine how intense the fear must be, how horrific the oppression and subjugation must be in Cuba, that thousands upon thousands of mothers and fathers risk their lives to bring their children to freedom here in the United States. Imagine how the spirit of the Cuban people is strangulated by the Castro regime that they are driven to such desperate measures.

Imagine not being able to go to church or to turn to any religious leader for guidance or support because you would be arrested and interrogated. Where would those be who would doubt that there is fear in Cuba? What would they say to the dissidents who are persecuted because they want human rights, or to the political prisoners because they want freedom and democracy for Cuba? What would they say to the Cuban mothers and fathers who must relinquish control of their children's upbringing and education and leave it to the Castro regime, a regime which teaches children to read using books such as these:

This one, for example, is used to teach Elian and his classmates and it says, ''G'' is for guerrilla. It also includes songs such as the ones where the children pledge their devotion to Castro, to Che Guevara, and to other Cuban revolutionary leaders. This one, for example, says, ''I want to be like him. I could be like him. I will have to be like him. Like whom,'' it says. ''Like Che.''

Is this the environment that Elian should be returned to without so much as an opportunity to have him speak and express his desires?

I ask that my colleagues search their consciences and let God guide their steps as they consider this issue.

□ 1730

URGING REPUBLICAN MEMBERS TO SIGN DISCHARGE PETITION ON H.R. 664, THE PRESCRIPTION DRUG FAIRNESS FOR SENIORS ACT

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

Mr. ALLEN. Mr. Speaker, Congress is back in session. We heard from the President the other night, and he laid out an agenda for this country of priorities that we need to work on during the course of this year. Many of those priorities in fact are the unfinished business of last year, when we did not accomplish all that we might have.

The issue that I want to address this evening has to do with the high cost of prescription drugs for our seniors, because there is a problem that in the past year has only become much worse.

Two years ago, in 1998, I first had a study done in my district that showed that seniors on average pay twice as much for their prescription medications as the drug companies' preferred customers. Those preferred customers are HMOs, hospitals, and the Federal government itself, which purchases drugs for Medicaid and for the Veterans Administration.

In October of 1998, we released a second study in the first District of Maine. That study showed that people in Maine pay 72 percent more than Canadians and 102 percent more than Mexicans for the same drug in the same quantity from the same manufacturer.

That price discrimination is going on all over the country. We have now had over 150 different studies, one study or the other demonstrating this price discrimination by the pharmaceutical industry against those who do not have insurance for their prescription drugs.

Seniors make up 12 percent of the population, but they buy one-third of all prescription medications. Seniors, 37 percent of them have no coverage at all for their prescription medications. About 8 percent have prescription drug coverage through a MediGap policy, but those Medigap policies are very limited in terms of their benefits. Often they are capped out at $1,000 or $1,500 per year. Often the policies cost more than the benefit that they provide.

About 8 percent of people in this country have prescription drug coverage through an HMO. Medicare beneficiaries have HMO coverage. But if we read the news about what is happening to HMOs providing coverage under Medicare, some of them are dropping coverage in areas entirely because it is not profitable. Most of them are lowering the cap that they provide for a benefit on prescription drugs, and most of them are increasing the premiums that they are asking people to pay.

So HMOs under Medicare are no way to provide secure, reliable coverage for prescription drugs. The fact is that the industry charges whatever the market will bear for prescription drugs, and they give discounts to big customers, to favored customers, they give discounts to Canadians and Mexicans and Europeans, but seniors in this country pay the highest prices in the world.

The fact is, the bottom line is that the most profitable industry in the country is charging the highest prices

in the world to people who can least afford it, including our seniors.

The bill that I introduced last year, H.R. 664, the Prescription Drug Fairness for Seniors Act, would deal with this problem by eliminating the price discrimination. The bill is very simple. It allows the government to negotiate lower prices for people who are on Medicare, people who are already in a Federal health care plan. It is called Medicare. It works, but it does not have prescription drug coverage, and it needs to.

All my bill would do is allow pharmacies to buy drugs for Medicare beneficiaries at the best price given to the Federal government, either the price given to the Veterans Administration or the price paid by Medicaid.

I thought that this bill would attract Members of the other side of the aisle when they understood it was a bill that created no new bureaucracy, it involved no significant amount of expenditure by the Federal government, and it would provide a discount of up to 40 percent for seniors in this country who really need the help and need it now.

But the truth is that though we have 140 Democratic cosponsors of this legislation, not one Republican, not one has seen fit to step up and cosponsor this legislation.

I grant that this is a battle. The pharmaceutical industry does not like this bill. The pharmaceutical industry is running TV ads all across the country touting what a wonderful, warm, and fuzzy industry it is, and how they do research and development that is important for the American people. About that, they are right. But what they are trying to do is block the President's prescription drug benefit plan. They are trying to block the progress that we are making in getting a discount for Medicare beneficiaries.

This is a huge battle. On this battle, the Democrats are lining up, taking on the pharmaceutical industry. We are going to be introducing a discharge petition to bring this bill to the floor next week. We would like to have some Republican support. I certainly hope at some point we will get it.

WISHING A HAPPY BIRTHDAY TO GLENYS BURQUIST

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

Mr. NETHERCUTT. Mr. Speaker, February 3 marked a special day for a person close to my heart, for it was the 90th birthday of a wonderful woman with whom my family had a long association of close to 60 years. Her name is Glenys Burquist, and she was a legal secretary to my late father for 36 years, and a secretary to me for 18 years, until I was elected to Congress in 1994. She worked 2 years for my dear wife, who is also a lawyer, and she worked for 11 years before starting with my dad back in 1941 at the law firm that he joined that year.

Her job with our firm was the only job she ever had after becoming a legal secretary, and she was a great one, able to smooth the edges of an unhappy client, or make a happy client happier by her warmth and sense of humor.

I have never met anyone more loyal, more selfless, more honest, more diligent, more full of wisdom, more efficient than Glenys. She never let you know if she had a bad day. Despite a few health problems in her later years, she never has considered herself a victim of anything because she was too busy looking on the bright side of things.

Over the course of 60 years this woman, Glenys Burquist, typed the pleadings for thousands of adoptions that we did, thousands of probates, thousands of letters and other pleadings and real estate closings and minutes of corporations, and all the other things that go on in a law firm.

Before copy machines, she simply used carbon paper. In the late 1980s, she gave in and finally switched to a memory typewriter. That was about as far as she would go.

Unfortunately, in today's world, Glenys may represent the end of an era of employee stability and commitment. She never was looking for a better deal elsewhere, or griped about a little extra work that kept her after regular hours. For years she came into the office regularly for half a day on Saturdays, without any complaint.

Quite simply, Glenys Burquist is one in a million, an institution in the Spokane, Washington legal community, and a person so deserving of happiness and peace and respect and congratulations that this recognition hardly does her justice.

On behalf of the Nethercutt family and my wife, Mary Beth, especially, and all the lives she has touched, we wish Glenys Burquist the happiest of birthdays, and send our abundant love and respect.

IT IS TIME FOR MARRIAGE TAX RELIEF FOR THE AMERICAN PEOPLE

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

Mr. FOLEY. Mr. Speaker, I rise today to discuss an issue that was just on the floor less than an hour ago today. That was the marriage penalty elimination.

I must say, as a member of the Committee on Ways and Means, I was quite shocked. If Members listened to the entire debate, they would have heard the hand-wringing and moaning and groaning from the other side of the aisle that somehow we were doing a terrible injustice to the United States budget, and that we were somehow going to bankrupt our Nation by providing necessary relief to married couples across this great land of ours.

In the committee, when we were marking up the bill, I heard many Members of the leadership on that side of the aisle describing things like giving taxpayers back some of their money as a bonus. Why are they giving people a bonus when they do not pay those taxes that are being claimed on marriage penalties? And if we are giving them more of their money back, that is a bonus?

Mr. Speaker, where I come from, every cent that the American taxpayer earns, a taxpayer who works hard 40-plus hours a week, some with two jobs, every cent that they send to this Capitol here in Washington, D.C. is their money, not ours.

But they on the other side have this nomenclature of bonus, surplus, and you name it. Then, of course, I heard today about the most important necessity established by that side of the aisle, which is pay down the debt, pay down the debt. I must have heard it 48 times today, if I heard it once.

I am glad they finally recognize that they need to pay down the debt that they have run up when they were in charge for well over 40 years, charging things to the American taxpayer, politically popular programs, but no means in sight to pay for them. Much like a reckless person with a credit card, they were ringing up the total, ringing up the purchase, not worrying about who is going to pay the bill.

We are at a day of reckoning. We have balanced the budget. We are putting money towards debt repayment. We paid over $139 billion over the last 2 years in debt repayment. I think we are making wonderful progress towards debt repayment.

Remember, a few years ago when we, the majority, started this and decided to cut the capital gains tax from ordinary income to 20 percent, we heard again, you cannot do it, the markets will go crazy, you will bankrupt the Nation. Let us talk about what has happened: a record Dow, a record NASDAQ, higher income for all Americans, more money to the Treasury, surplus revenues.

Then the following campaign year when they argued against it, most took credit for it and said, I gave you a tax cut.

We gave a $500 per child tax cut from this Congress because we believe raising children is expensive, and people need more of their own money back.

Those are just some of the things we did to make a difference in Americans' lives.

We also heard last year before we adjourned that we were dipping into social security, we were dipping into social security. Then new numbers came out in December that reflected the opposite. We did not touch social security. We kept our commitment. We kept our pledge. Our pledge was this: shore up social security, shore up Medicare, work on things for the average

family and give them some tax reduction.

Today we passed the bill. After the contentious debate, hours on this floor, hours of hand-wringing, we actually got 268 votes for our proposal to eliminate the marriage penalty. Forty-eight Democrats and one Independent joined us. That is a bipartisan effort. I applaud those who had the courage to recognize the inequity of the Tax Code. Fifty-one thousand and twenty-one people in my district are paying a marriage penalty, and 1,176,000 throughout the great State of Florida are paying a marriage penalty.

We were on record today as moving forward to eliminate this tax burden on the average families who are working, who are struggling, who are providing for their children and their families in the districts in which they live.

Let us get out of the notion here in this Capital of Washington, D.C. that this is our money, because it is not. This money belongs to the taxpayers of America. Every chance we get, and I am telling the Members, seriously, we are working as a Congress on our side of the aisle to preserve social security, to preserve Medicare, to fix the problems.

Yes, we will meet, I am certain, in some accommodation on prescription drugs. I am certain of this. I know we need to do that. We will reach out in a bipartisan manner. But I have to tell the Members, I have just about had enough, because on some issues that are important to the other side of the aisle, this should be a bipartisan effort.

When we come to the floor on what we think is a bipartisan effort, 22 Democrats signed our bill, we would think there would be mutual admiration for the great work being done today. President Clinton, Vice President GORE, support some marriage penalty elimination. It is all the devil in the details. If it is not their bill, they are not happy and satisfied, and have to bellyache about the consequences.

Mr. Speaker, we will balance the budget. We will pay down the debt. We will shore up social security. We will fix Medicare. We will work on prescription drug coverage. We will also do the things that are necessary to help the American family, who are working oftentimes two jobs in order to make ends meet. We will work to make certain we have reached the threshold so they can at least have some of their own hard-earned money back in their pockets.

At the end of a 40-hour work, it is pretty difficult to go home and realize you have very little left after paying excise taxes, mortgage taxes. In fact, Mrs. Clinton today was shocked, shocked when she said, and I quote from the New York Times, ''I can't believe how high taxes are on properties here in New York,'' since she just bought a house, the first one in well over 20 years.

Welcome to the real world. We are paying taxes all our lives. I have been paying property taxes for decades. It is difficult. It is tough. Wake up. This is reality, so people do need a break.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EVERETT (at the request of Mr. ARMEY) for today on account of illness in the family.

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. MORAN of Virginia) to revise and extend their remarks and include extraneous material:)

Mrs. THURMAN, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mrs. CHENOWETH-HAGE, for 5 minutes, today.

Mr. HORN, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. TOOMEY, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On February 9, 2000:

H.R. 2130. To amend the Controlled Substances Act to direct the emergency scheduling of gamma hydroxybutyric acid, to provide a national awareness campaign, and for other purposes.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until Monday, February 14, 2000, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6117. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 00–004–1] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6118. A letter from the General Counsel, Federal Emergency Management, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7721] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6119. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA–7725] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6120. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6121. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7308] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6122. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6123. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received Jnauary 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6124. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6125. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7301] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

6126. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Polymers [Docket No. 97F–0116] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6127. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Santizers [Docket No. 99F–2534] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6128. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: New Hampshire; Plan for Controlling Emissions From Existing Hospital/Medical/Infectious Waste Incinerators [Docket No. NH040–7167a; FRL–6532–2]

received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6129. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, El Dorado County Air Pollution Control District [CA083–0214; FRL–6530–6] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6130. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—AP600 Design Certification (RIN: 3150–AG23) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6131. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Virginia Regulatory Program [VA–114–FOR] received February 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6132. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Plant Yreka Phlox from Siskiyou County, California (RIN: 1018–AE82) received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6133. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Virginia Abandoned Mine Land Reclamation Plan [VA–115–FOR] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6134. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Pennsylvania Regulatory Program [PA–123–FOR] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6135. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Two Chinook Salmon Evolutionarily Significant Units (ESUs) in California (RIN: 1018–AF82) received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6136. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marquette, MI; revocation of Class E Airspace; Sawyer, MI, and K.I. Sawyer, MI [Airspace Docket No. 99–AGL–42] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6137. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29907; Amdt. No. 1971] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6138. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Cooperstown, ND [Airspace Docket No. 99–AGL–54] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6139. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Bemidji, MN [Airspace Docket No. 99–AGL–53] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6140. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Steubenville, OH [Airspace Docket No. 99–AGL–52] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6141. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Maui Night Club Fireworks Display, Delaware River, Philadelphia, Pennsylvania [CGD 05–99–077] (RIN: 2115–AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6142. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Wild Goose Classic Challenge, Chester River, Chestertown, Maryland [CGD 05–99–074] (RIN: 2115–AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6143. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Harford County Power Boat Regatta, Bush River, Abingdon, Maryland [CGD 05–99–072] (RIN: 2115–AE46) received January 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6144. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue: All Industries—Cafeteria Plan/Qualified Retirement Plan Hybrid Arrangement [UIL–125.05–00] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6145. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—McLeod v. United States—received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6146. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain cash or deferred arrangements [Rev Rul. 2000–8] received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6147. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Substantiation of Business Expenses—received February 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6148. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters [Rev. Proc. 2000–8] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6149. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Exchange of MACRS Property for MACRS Property [Notice 2000–4] received January 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 422. Resolution providing for consideration of the bill (H.R. 2086) to authorize funding for networking and information technology research and development for fiscal years 2000 through 2004, and for other purposes (Rept. 106–496). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JACKSON of Illinois (for himself and Mr. GUTIERREZ):

H.R. 3610. A bill to provide for the acquisition, construction, and improvement of child care facilities or equipment, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. KELLY:

H.R. 3611. A bill to increase the number of interaccount transfers which may be made from business accounts at depository institutions, to require the Board of Governors of the Federal Reserve System to pay interest on certain reserves, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. SAM JOHNSON of Texas (for himself, Mr. RAMSTAD, Mr. TRAFICANT, Mr. SENSENBRENNER, Mr. HOSTETTLER, Mr. ISTOOK, Mr. GOSS, Mr. FOLEY, and Mr. GEKAS):

H.R. 3612. A bill to amend the Internal Revenue Code of 1986 to repeal the adjusted gross income limitations on itemized deductions, the personal exemption deduction, and the child tax credit and to repeal the alternative minimum tax on individuals; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. WELLER, and Mr. VENTO):

H.R. 3613. A bill to provide for the Secretary of Housing and Urban Development to fund, on a 1-year emergency basis, certain requests for grant renewal under the programs for permanent supportive housing and shelter-plus-care for homeless persons; to the Committee on Banking and Financial Services.

By Mr. GOODLING (for himself, Mr. PETRI, Mr. GREENWOOD, Mr. UPTON, Mr. COMBEST, Mr. GOODLATTE, Mr. CLAY, Mr. KILDEE, Ms. WOOLSEY, Mr. STENHOLM, and Mrs. CLAYTON):

H.R. 3614. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Education and the Workforce.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, Mr. BAKER, Mrs. EMERSON, Mrs. CAPPS, Mrs. BONO, Mr. OBERSTAR, Mr. EWING, Mr. GILCHREST, Mr. METCALF, Mr. QUINN, Mr. BASS, Mr. LATHAM, Mr. KILDEE, Mr. PHELPS, Mr. MCINNIS, Mr. RAHALL, Mr. BUYER, Mr. WATKINS, Mr. FROST, Mr. BALDACCI, Mr. GOODE, Mr. PETERSON of Minnesota, Mr. HINCHEY, Mr. BOYD, Mr. WALDEN of Oregon, Mr. OLVER, Mr. FLETCHER, Mr. COLLINS, Mr. THORNBERRY, Mrs. CUBIN, Mr. NETHERCUTT, Mr. WICKER, Mr.

LAHOOD, Mr. BOEHLERT, Mr. GOODLING, Mr. HERGER, Mr. NUSSLE, Mr. RADANOVICH, Mr. EHRLICH, Mr. HASTINGS of Washington, Mr. THUNE, Mr. COOKSEY, Mr. HILLEARY, Mrs. FOWLER, Mr. BONILLA, Mr. BALLENGER, Mr. SKEEN, Mr. SHIMKUS, Mr. PICKERING, Mr. ADERHOLT, Mr. SHERWOOD, Mr. UPTON, Mr. HAYES, Mr. PETERSON of Pennsylvania, Mr. SMITH of Texas, Mr. VITTER, Mr. JENKINS, Mr. TAUZIN, Mr. RILEY, Mr. CANADY of Florida, Mr. BARTLETT of Maryland, Mr. ISAKSON, Mr. CHAMBLISS, Mr. BARRETT of Nebraska, Mr. GANSKE, Mr. BISHOP, Mr. THOMAS, Mr. OXLEY, Mr. GOSS, Mr. JONES of North Carolina, Mr. DOOLITTLE, Mr. POMBO, Mr. WAMP, Mr. DUNCAN, Mr. NORWOOD, Mrs. CHENOWETH-HAGE, Mr. DAVIS of Virginia, Mr. DICKEY, Mr. EHLERS, Mr. LEWIS of Kentucky, Mr. WELLER, Mr. FOLEY, Mr. HUTCHINSON, Mr. SMITH of Michigan, Mr. GEKAS, Mr. HOUGHTON, Mr. REYNOLDS, Mr. PORTMAN, Mr. TRAFICANT, Mr. SCHAFFER, Mr. THOMPSON of California, Mr. MINGE, Mrs. CLAYTON, Mr. SHOWS, Mr. SISISKY, Mr. BRYANT, Mr. WALSH, Mr. MCHUGH, Mrs. JOHNSON of Connecticut, Mr. BEREUTER, Mr. ROGERS, Mr. FARR of California, Mr. KIND, and Mr. HILL of Montana):

H.R. 3615. A bill to amend the Rural Electrification Act of 1936 to ensure improved access to the signals of local television stations by multichannel video providers to all households which desire such service in unserved and underserved rural areas by December 31, 2006; to the Committee on Agriculture, and in addition to the Committees on Commerce, 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. HAYES (for himself, Mr. GOODLING, Mr. GREENWOOD, Mr. SCOTT, Mr. EDWARDS, Mr. POMEROY, Mr. HAYWORTH, Mr. KILDEE, Mr. CUNNINGHAM, Mr. THORNBERRY, Mr. MCHUGH, Mr. BILBRAY, Mr. MCCRERY, Mrs. KELLY, Mr. JONES of North Carolina, Mr. KUYKENDALL, Mr. HEFLEY, Mr. YOUNG of Alaska, Mr. CHAMBLISS, Mr. MCKEON, Mr. FLETCHER, Mr. GIBBONS, Mr. NETHERCUTT, Mrs. CUBIN, Mr. KENNEDY of Rhode Island, Mr. SKELTON, Mr. MCINTYRE, Mr. SAXTON, Mr. CALVERT, Mr. WHITFIELD, Mr. PORTER, Mr. PACKARD, Mrs. BONO, Mr. ROHRABACHER, Mr. TERRY, Mr. TANCREDO, and Mr. STUMP):

H.R. 3616. A bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LAZIO (for himself, Mr. LEACH, Mr. WALSH, and Mr. ENGLISH):

H.R. 3617. A bill to prevent fraud under the FHA rehabilitation loan program under section 203(k) of the National Housing Act; to the Committee on Banking and Financial Services.

By Mr. ANDREWS:

H.R. 3618. A bill to amend the Fair Debt Collection Practices Act with regard to liability for noncompliance, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 3619. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to notify parents concerning missing person reports about their children, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HORN (for himself, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Mr. GILMAN, Mr. BILBRAY, Mr. BOEHLERT, Mr. CALVERT, Mr. OXLEY, Mrs. BIGGERT, Mr. GALLEGLY, Mr. GIBBONS, Mr. GILCHREST, Mr. GREENWOOD, Mr. HEFLEY, Mr. ISTOOK, Mr. KINGSTON, Mr. KUYKENDALL, Mr. LAHOOD, Mr. MICA, Mr. PAUL, Ms. PRYCE of Ohio, Mr. SMITH of Michigan, Mr. WELDON of Pennsylvania, and Mr. WALDEN of Oregon):

H.R. 3620. A bill to amend the Internal Revenue Code of 1986 to allow individuals an additional IRA deduction based on unused amounts of deduction limitation in prior years; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Mr. HILL of Montana, Mr. POMEROY, Mr. BATEMAN, Mr. BLILEY, Mr. BLUMENAUER, Mr. GOODE, Mr. LEWIS of Kentucky, and Mrs. NORTHUP):

H.R. 3621. A bill to provide for the posthumous promotion of William Clark of the Commonwealth of Virginia and the Commonwealth of Kentucky, co-leader of the Lewis and Clark Expedition, to the grade of captain in the Regular Army; to the Committee on Armed Services.

By Mr. DICKEY:

H.R. 3622. A bill to designate a highway bypass in Pine Bluff, Arkansas, as the ''Wiley A. Branton, Sr. Memorial Highway''; to the Committee on Transportation and Infrastructure.

By Mr. JACKSON of Illinois (for himself, Mr. FATTAH, Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mr. CLAY, and Ms. NORTON):

H.R. 3623. A bill to assure protection for the innocent to the fundamental right to life by providing a temporary moratorium on carrying out the death penalty to assure that persons able to prove their innocence are not executed; to the Committee on the Judiciary.

By Mr. ENGLISH (for himself and Mr. HOLDEN):

H.R. 3624. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to assure that the full amount deposited in the Abandoned Mine Reclamation Fund is spent for the purposes for which that Fund was established; to the Committee on Resources.

By Mr. DICKEY:

H.R. 3625. A bill to amend the Federal Water Pollution Control Act to exempt agricultural stormwater discharges and silviculture operations from permits under the national pollutant discharge elimination system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FOSSELLA:

H.R. 3626. A bill to reform the process by which the Office of the Pardon Attorney investigates and reviews potential exercises of executive clemency; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey:

H.R. 3627. A bill to amend title 49, United States Code, to require air carriers to require passengers before boarding an aircraft to provide government-issued identification; to the Committee on Transportation and Infrastructure.

By Mr. GALLEGLY (for himself and Mr. HANSEN):

H.R. 3628. A bill to prohibit the importation of bidi cigarettes; to the Committee on Ways and Means.

By Mr. GREEN of Wisconsin (for himself, Mr. BARRETT of Nebraska, Mr. POMEROY, Mr. METCALF, Mr. HILL of Montana, Mr. OBERSTAR, Mr. HAYWORTH, and Mr. PETERSON of Minnesota):

H.R. 3629. A bill to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III; to the Committee on Education and the Workforce.

By Mr. ISAKSON:

H.R. 3630. A bill to amend title 23, United States Code, to make certain passenger rail projects eligible for funding under the highway program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KLECZKA:

H.R. 3631. A bill to amend title XVIII of the Social Security Act, the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to provide for an election for retirees 55-to-65 years of age who lose employer-based coverage to acquire health care coverage under the Medicare Program or under COBRA continuation benefits, and to amend the Employee Retirement Income Security Act of 1974 to provide for advance notice of material reductions in covered services under group health plans; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Ms. PELOSI, Ms. WOOLSEY, Mr. CAMPBELL, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. STARK, Mrs. TAUSCHER, Ms. LOFGREN, Ms. LEE, and Mr. THOMPSON of California):

H.R. 3632. A bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes; to the Committee on Resources.

By Mr. LEACH (for himself, Mr. BACHUS, and Mr. WATTS of Oklahoma):

H.R. 3633. A bill to require the Secretary of the Treasury to mint coins in commemoration of Dr. Martin Luther King, Jr.; to the Committee on Banking and Financial Services.

By Mrs. MALONEY of New York (for herself, Mr. GREENWOOD, Ms. PELOSI, Mr. GILMAN, Mr. CAMPBELL, Mrs. KELLY, Mr. CROWLEY, Ms. WOOLSEY, Ms. MCKINNEY, Mrs. THURMAN, Mrs. MORELLA, and Mr. WEINER):

H.R. 3634. A bill to provide for international family planning funding for the fiscal year 2001, and for other purposes; to the Committee on International Relations.

By Mr. NADLER:

H.R. 3635. A bill to repeal the per-State limitation applicable to grants made by the National Endowment for the Arts from funds made available for fiscal year 2000; to the Committee on Education and the Workforce.

By Mr. PAUL:

H.R. 3636. A bill to amend the Internal Revenue Code of 1986 with respect to the purchase of prescription drugs by individuals who have attained retirement age, and to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs and the sale of such drugs through Internet sites; to the Committee on 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 Mrs. ROUKEMA (for herself, Mr. LEACH, Mr. LAFALCE, Mr. VENTO, Mr. LAZIO, Mr. FRANK of Massachusetts, and Mr. HANSEN):

H.R. 3637. A bill to amend the Homeowners Protection Act of 1998 to make certain technical corrections; to the Committee on Banking and Financial Services.

By Mr. SHADEGG:

H.R. 3638. A bill to require the Secretary of the Interior to fulfill his obligation to transfer additional Federal lands to the State of Arizona as required by the Arizona-New Mexico Enabling Act of June 20, 1910; to the Committee on Resources.

By Mr. SKELTON (for himself and Mr. BLUNT):

H.R. 3639. A bill to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, as the ''Harry S. Truman Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Michigan:

H.R. 3640. A bill to amend title XVIII of the Social Security Act to take the Federal Hospital Insurance Trust Fund under the Medicare Program off budget; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWEENEY:

H.R. 3641. A bill to require the Secretary of Energy to study causes of the recent home heating fuel price spikes in the Northeast and to create a 10,000,000 barrel heating oil reserve in the Northeast; to the Committee on Commerce.

By Mr. THOMPSON of California (for himself, Ms. WOOLSEY, Mr. GEPHARDT, Mr. VENTO, Mr. PICKERING, Mr. JENKINS, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. SMITH of New Jersey, Mr. SHIMKUS, Mr. GIBBONS, Mr. HOUGHTON, Mr. COOKSEY, Mr. MCGOVERN, Mr. DOOLEY of California, Mr. WOLF, Mr. BATEMAN, Mr. RADANOVICH, Mr. CROWLEY, Mr. POMBO, Mr. FROST, Mr. RAMSTAD, Mr. BACA, Mrs. FOWLER, Mr. SKELTON, Ms. ESHOO, Mr. ABERCROMBIE, Mr. REYES, Mr. VISCLOSKY, Mr. CONDIT, Mrs. LOWEY, Ms. DELAURO, Mr. HOLDEN, Mr. CRAMER, Mr. DICKS, Mr. MOORE, Mrs. THURMAN, Mr. LUCAS of Kentucky, Mr. SABO, Mr. GUTIERREZ, Mr. BOYD, Mr. SISISKY, Mr. BISHOP, Mrs. KELLY, Mr. CUNNINGHAM, Mr. BARRETT of Nebraska, Mr. THOMPSON of Mississippi, Mr. FARR of California, Mr. NETHERCUTT, Mr. FOSSELLA, Mr. SHAYS, Mr. MURTHA, Mr. WATTS of Oklahoma, Mr. KENNEDY of Rhode Island, Mrs. CLAYTON, Mr. LAHOOD, Ms. MILLENDER-MCDONALD, Ms. LEE, Mr. GOODLATTE, Ms. ROYBAL-ALLARD, Mr. HUTCHINSON, Mr. OBERSTAR, Mr. BILBRAY, Mr. PETERSON of Minnesota, Mr. MARKEY, Mr. FILNER, Mr. OWENS, Mr. STENHOLM, Mr. SANDLIN, Mr. MINGE, Mr. TURNER, Mr. JOHN, Mr. DREIER, Mr. OBEY, Mr. BECERRA, Mr. MCNULTY, Mr. ACKERMAN, Mr. ALLEN, Mr. BALDACCI, Ms. BALDWIN, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BROWN of Ohio, Mr. CHAMBLISS, Mrs. CHRISTENSEN, Mr. CLEMENT, Mr. DOYLE, Mr. EDWARDS, Mr. ENGEL, Mr. FOLEY, Mr. FORBES, Mr. GILMAN, Mr. GORDON, Mr. GREEN of Texas, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HULSHOF, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. KILDEE, Mr. KIND, Mr. KING, Mr. KUCINICH, Mr. LEWIS of Kentucky, Ms. LOFGREN, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCKEON, Mr. MASCARA, Mrs. MEEK of Florida, Mrs. MORELLA, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASCRELL, Ms. PELOSI, Mr. PHELPS, Mr. PICKETT, Mr. POMEROY, Mr. RODRIGUEZ, Ms. SANCHEZ, Mr. SAWYER, Mr. SHOWS, Mr. SNYDER, Mrs. TAUSCHER, Mr. UDALL of New Mexico, Ms. WATERS, Mr. WEINER, Mr. WU, Mr. WYNN, Mr. ARMEY, Mr. BAIRD, Mr. CALVERT, Mr. CAPUANO, Mr. COBLE, Mrs. CUBIN, Mr. GONZALEZ, Mr. HILL of Indiana, Mr. HOEFFEL, Mr. HORN, Mr. HOYER, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. LAMPSON, Mr. LANTOS, Mr. UDALL of Colorado, Mr. WATT of North Carolina, Mr. TIERNEY, Mr. MORAN of Virginia, Mr. BERMAN, Mr. PETRI, Mr. ANDREWS, Mr. BARCIA, Ms. BERKLEY, Mr. BLAGOJEVICH, Mr. BORSKI, Mr. BRADY of Pennsylvania, Mr. CALLAHAN, Mr. CARDIN, Mrs. CHENOWETH-HAGE, Mr. CONYERS, Mr. DELAY, Mr. DICKEY, Mr. EVANS, Mr. GALLEGLY, Mr. GOODE, Mr. HALL of Texas, Mr. HINCHEY, Mr. HOLT, Mr. HYDE, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KUYKENDALL, Mr. LEWIS of California, Mr. LUTHER, Mr. MARTINEZ, Mr. NADLER, Mr. ORTIZ, Mr. OSE, Mr. PRICE of North Carolina, Mr. REYNOLDS, Mr. SHERMAN, Mr. SPRATT, Mr. STARK, Mr. STRICKLAND, Mr. SWEENEY, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mr. WAMP, Mr. WAXMAN, Mr. WELDON of Pennsylvania, Mr. WEXLER, Mrs. WILSON, Mrs. BIGGERT, Mr. BONIOR, Mr. COYNE, Mr. DIAZ-BALART, Mr. HERGER, Mr. KLINK, Mr. LAZIO, Mr. MCINTYRE, Mr. QUINN, Mr. RYAN of Wisconsin, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. SMITH of Washington, Mr. TOWNS, Mr. HILLIARD, Mr. FORD, Mr. STUPAK, Mr. BONILLA, Mr. LATOURETTE, Mr. FRANK of Massachusetts, Mr. THUNE, Mr. ISAKSON, Mr. BOEHLERT, Mr. WHITFIELD, Mr. WALSH, Mr. EVERETT, Mrs. MINK of Hawaii, Mr. GEJDENSON, Mrs. MALONEY of New York, Mr. MANZULLO, Mr. SKEEN, Ms. VELAZQUEZ, Ms. SLAUGHTER, Mr. SCOTT, Ms. SCHAKOWSKY, Mr. PASTOR, Mr. OLVER, Ms. NORTON, Mr. MENENDEZ, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. LARSON, Ms. KILPATRICK, Mr. ETHERIDGE, Mr. DELAHUNT, Ms. DEGETTE, Mr. DAVIS of Florida, Mr. BENTSEN, Mr. RUSH, Mr. LIPINSKI, Ms. CARSON, Mrs. BONO, Mr. CUMMINGS, Ms. BROWN of Florida, Mr. BARTLETT of Maryland, Mr. BARRETT of Wisconsin, Mr. DIXON, Mrs. EMERSON, Mr. HALL of Ohio, Ms. HOOLEY of Oregon, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MATSUI, Mr. MEEHAN, Mr. NEAL of Massachusetts, Ms. RIVERS, Mr. DAVIS of Illinois, Mr. MORAN of Kansas, Mr. WEYGAND, Mr. COSTELLO, Mr. HUNTER, Mr. EWING, Mr. WELLER, Mr. SMITH of Michigan, Mr. BALLENGER, Mr. BRYANT, Mr. SANDERS, Mr. UNDERWOOD, Mr. CLYBURN, Mr. KANJORSKI, Mr. KOLBE, Mr. SCARBOROUGH, Mr. BURTON of Indiana, Mr. BUYER, Mr. TAUZIN, Mr. TERRY, Mr. MCHUGH, Mr. MEEKS of New York, Mr. JONES of North Carolina, Mr. WALDEN of Oregon, Mr. DEMINT, Mr. MOAKLEY, Mr. SIMPSON, Mr. HAYWORTH, Ms. MCKINNEY, Mr. SHERWOOD, Mr. DEAL of Georgia, Mr. TANCREDO, Mr. WELDON of Florida, Mr. DEUTSCH, Mr. RAHALL, Mr. MILLER of Florida, Mr. CRANE, Mr. EHLERS, Mr. UPTON, Mr. PAYNE, Mr. SAXTON, Mr. SERRANO, Mr. FATTAH, Mr. TOOMEY, Mr. WISE, and Mr. KLECZKA):

H.R. 3642. A bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world; to the Committee on Banking and Financial Services.

By Mr. WALDEN of Oregon:

H.R. 3643. A bill to amend the Occupational Safety and Health Act of 1970 to provide that the Act will not apply to employment performed in a workplace located in the employee's residence; to the Committee on Education and the Workforce.

By Mr. WEYGAND:

H.R. 3644. A bill to authorize drawdown and distribution from the Strategic Petroleum Reserve in the case of severe emergency supply interruptions on a State or regional level; to the Committee on Commerce.

By Mr. BACA:

H. Con. Res. 248. Concurrent resolution encouraging the people of the United States to show support for and become active participants in the American Red Cross and its local chapters; to the Committee on International Relations.

By Mr. NETHERCUTT (for himself and Mr. PORTER):

H. Con. Res. 249. Concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, abide by the International Covenant on Civil and Political Rights, and permit Kadeer, her secretary, and her son to move to the United States if they so desire; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NETHERCUTT:

H.R. 3645. A bill for the relief of Leilani Winnefred Tooley; to the Committee on the Judiciary.

By Mr. RAHALL:

H.R. 3646. A bill for the relief of certain Persian Gulf evacuees; 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. 5: Mr. SHERMAN, Mr. CAPUANO, Mr. TOOMEY, Mr. MILLER of Florida, and Mr. BLUNT.

H.R. 8: Mr. GILCHREST.

H.R. 65: Mr. WU.

H.R. 72: Mr. CALLAHAN and Mr. CALVERT.

H.R. 123: Mr. HYDE, Mr. JENKINS, and Mr. WELDON of Florida.

H.R. 163: Mr. LAHOOD.

H.R. 274: Mr. ROMERO-BARCELO, Mr. GONZALEZ, Mr. DOYLE, Mr. ABERCROMBIE, and Mr. MEEHAN.

H.R. 287: Mr. DUNCAN.

H.R. 303: Mr. BALDACCI, Mr. FRANKS of New Jersey, Mr. WU, Mr. POMEROY, and Mr. BLUMENAUER.

H.R. 323: Mr. SHAYS and Mr. ABERCROMBIE.

H.R. 329: Mr. KILDEE.

H.R. 373: Mr. TANCREDO.

H.R. 488: Mr. ENGEL.

H.R. 531: Mr. ACKERMAN.

H.R. 534: Mr. MOLLOHAN, Mr. LUCAS of Kentucky, Mr. TALENT, and Mrs. MYRICK.

H.R. 606: Mr. MANZULLO.

H.R. 623: Ms. GRANGER and Mr. NETHERCUTT.

H.R. 632: Mr. COOKSEY.

H.R. 664: Mr. TOWNS and Mr. KIND.
H.R. 721: Ms. PELOSI, Ms. LOFGREN, and Mr. EWING.
H.R. 738: Mr. GOODLING.
H.R. 803: Mr. LATOURETTE and Mr. LATHAM.
H.R. 816: Mr. CUNNINGHAM, Mr. GREENWOOD, Mr. KUCINICH, Mr. SENSENBRENNER, Mr. WALSH, and Mrs. MINK of Hawaii.
H.R. 827: Mr. LAFALCE and Mr. OWENS.
H.R. 837: Mr. KUCINICH.
H.R. 887: Mr. HOEKSTRA.
H.R. 903: Mr. GEPHARDT.
H.R. 914: Mr. ORTIZ.
H.R. 941: Mr. PRICE of North Carolina and Ms. RIVERS.
H.R. 979: Mr. BLAGOJEVICH and Mr. BISHOP.
H.R. 996: Mr. MCDERMOTT and Mr. SHERMAN.
H.R. 1017: Mr. GOODE.
H.R. 1032: Mr. SCHAFFER.
H.R. 1075: Mr. WU and Mr. PAUL.
H.R. 1076: Mr. PAUL.
H.R. 1083: Mr. BARTLETT of Maryland.
H.R. 1093: Mr. BACA.
H.R. 1102: Mr. THORNBERRY and Mr. GANSKE.
H.R. 1130: Ms. CARSON and Mr. MATSUI.
H.R. 1145: Mr. WU.
H.R. 1228: Ms. ROYBAL-ALLARD, Mr. MORAN of Virginia, Mr. DIAZ-BALART, Mr. ABERCROMBIE, Mr. DELAHUNT, Mr. EVANS, Mr. PAYNE, and Mr. STUPAK.
H.R. 1234: Mrs. KELLY
H.R. 1298: Ms. SLAUGHTER.
H.R. 1304: Mr. LATOURETTE, Mr. ENGEL, Mr. POMBO, and Mr. CAMP.
H.R. 1310: Mr. SKEEN, Mr. FROST, Mr. CALVERT, Mr. DOYLE, Mr. MCINTOSH, Mr. FORBES, Mr. TERRY, Ms. ESHOO, Mr. FRELINGHUYSEN, Mr. KUYKENDALL, Mr. HALL of Ohio, Mr. LATOURETTE, Mr. HINCHEY, Mr. LIPINSKI, Mr. KNOLLENBERG, and Mr. GRAHAM.
H.R. 1311: Mr. FRELINGHUYSEN, Mr. LATOURETTE, Mr. BARCIA, Mr. KNOLLENBERG, Mr. GRAHAM, Mr. HOEKSTRA, and Ms. STABENOW.
H.R. 1325: Mrs. KELLY, Mr. EVANS, Ms. DUNN, and Mrs. CAPPS.
H.R. 1354: Mr. HALL of Texas, Mr. SANDLIN, Mr. WATKINS, and Mr. TURNER.
H.R. 1358: Mr. HINCHEY.
H.R. 1366: Mr. TOOMEY.
H.R. 1367: Mr. FRELINGHUYSEN and Mr. ENGLISH.
H.R. 1523: Mr. GREEN of Wisconsin.
H.R. 1532: Mr. LAFALCE.
H.R. 1601: Mrs. NAPOLITANO, Ms. ESHOO, Mr. TANCREDO, Mr. CROWLEY, Mr. WICKER, Mr. GREEN of Wisconsin, Mr. PHELPS, and Mr. BLAGOJEVICH.
H.R. 1606: Mr. KENNEDY of Rhode Island and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1621: Mr. OWENS.
H.R. 1640: Mr. OLVER, Mr. JACKSON of Illinois, Mr. BECERRA, Mr. LIPINSKI, Mr. LATOURETTE, Mr. DELAHUNT, Mr. EVANS, Mr. ACKERMAN, and Mr. GUTIERREZ.
H.R. 1705: Mr. DEFAZIO and Mr. HOLT.
H.R. 1708: Mr. FOLEY.
H.R. 1747: Mr. GOSS.
H.R. 1776: Ms. GRANGER, Mr. MCCOLLUM, Mr. BURTON of Indiana, and Mr. LATHAM.
H.R. 1798: Ms. STABENOW.
H.R. 1824: Mr. PASCRELL, Mr. FROST, Ms. BERKLEY, and Mr. CALVERT.
H.R. 1839: Ms. PRYCE of Ohio.
H.R. 1899: Mr. SMITH of Washington.
H.R. 1937: Mr. KUYKENDALL.
H.R. 1975: Mr. WELDON of Florida.
H.R. 2121: Ms. LOFGREN.
H.R. 2128: Mr. SHIMKUS and Mr. NUSSLE.
H.R. 2166: Mrs. CAPPS and Mr. OXLEY.
H.R. 2246: Mr. TOOMEY.
H.R. 2265: Mr. HILLIARD, Mr. CLAY, and Mr. MCINTOSH.
H.R. 2308: Mr. PAUL, Mr. OWENS, and Mr. KOLBE.
H.R. 2321: Mr. GEJDENSON.
H.R. 2335: Mr. MCKEON, Mr. CLYBURN, Mr. SPENCE, Mr. BARRETT of Nebraska, and Mr. SHADEGG.
H.R. 2387: Mr. WU.
H.R. 2498: Mr. ROMERO-BARCELO and Mr. PHELPS.
H.R. 2534: Mr. UDALL of New Mexico.
H.R. 2593: Mr. EVANS.
H.R. 2594: Mr. DEFAZIO, Mr. LAZIO, and Ms. NORTON.
H.R. 2631: Mr. MCGOVERN, Mr. MALONEY of Connecticut, Mr. MEEHAN, and Mr. MARTINEZ.
H.R. 2655: Mr. WELDON of Pennsylvania.
H.R. 2700: Mr. DAVIS of Illinois.
H.R. 2710: Mrs. BIGGERT and Mr. LOBIONDO.
H.R. 2749: Mr. CALVERT.
H.R. 2765: Mr. WATT of North Carolina, Mr. LEACH, Mr. BLAGOJEVICH, Ms. BALDWIN, Mr. BECERRA, Mr. LAFALCE, Mr. LARSON, Mrs. MEEK of Florida, Mr. UNDERWOOD, and Mr. BACA.
H.R. 2788: Mr. WHITFIELD.
H.R. 2790: Mr. GREENWOOD, Mr. NADLER, and Mr. CAMP.
H.R. 2792: Mr. HOYER.
H.R. 2802: Mr. MCINTOSH, Ms. KILPATRICK, Mr. MEEKS of New York, Mr. FROST, Mr. STUPAK, Mr. WEINER, Mr. SANDERS, Ms. CARSON, Mr. FILNER, Mr. KUCINICH, Mr. FORBES, Mr. BROWN of Ohio, Mr. OWENS, Mrs. CHRISTENSEN, and Mr. ROMERO-BARCELO.
H.R. 2836: Mr. DUNCAN.
H.R. 2837: Mr. PAYNE.
H.R. 2901: Mr. STUPAK.
H.R. 2907: Ms. STABENOW, Mr. HINCHEY, and Ms. RIVERS.
H.R. 2933: Mr. LAMPSON.
H.R. 2934: Mr. LAMPSON, Mr. MEEKS of New York, Mrs. JONES of Ohio, Mr. MALONEY of Connecticut, Mr. BAIRD, Mr. KILDEE, Ms. ESHOO, Mr. BORSKI, Mr. SABO, Mr. WYNN, and Mr. GONZALEZ.
H.R. 2954: Mr. FATTAH.
H.R. 2965: Mr. BACHUS and Mr. CONYERS.
H.R. 2966: Mr. BURTON of Indiana, Mr. HOEFFEL, Mr. KING, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. RYAN of Wisconsin, Mr. SHERWOOD, and Mr. OSE.
H.R. 2980: Mr. MCGOVERN.
H.R. 2985: Mr. HOEKSTRA.
H.R. 2996: Mr. SANFORD.
H.R. 3083: Mr. DELAHUNT, Mr. FILNER, Mr. JACKSON of Illinois, Ms. CARSON, Mrs. CHRISTENSEN, Ms. LOFGREN, Mr. OWENS, Mr. EVANS, and Mr. PASTOR.
H.R. 3087: Mrs. CHRISTENSEN.
H.R. 3091: Mr. ENGLISH and Mr. BILIRAKIS.
H.R. 3103: Mr. BROWN of Ohio, Mr. KLINK, Mr. FRANK of Massachusetts, and Mr. LAFALCE.
H.R. 3109: Mr. WATT of North Carolina.
H.R. 3118: Mr. STUPAK.
H.R. 3136: Ms. LOFGREN and Ms. CARSON.
H.R. 3140: Mr. FARR of California and Mr. PHELPS.
H.R. 3155: Mr. HOLDEN and Mr. SHERWOOD.
H.R. 3180: Mr. MINGE.
H.R. 3193: Mr. HUTCHINSON, Mr. SMITH of Texas, Ms. KAPTUR, Ms. LOFGREN, Mr. TAYLOR of Mississippi, Mr. NEY, Mr. MCDERMOTT, Mr. ALLEN, and Mr. FROST.
H.R. 3201: Mrs. CHRISTENSEN.
H.R. 3224: Mr. LAFALCE and Mr. OWENS.
H.R. 3233: Mr. FRANK of Massachusetts.
H.R. 3235: Mr. BRADY of Pennsylvania.
H.R. 3293: Mr. FORD, Ms. STABENOW, Mr. NORWOOD, Mr. METCALF, Mr. BLAGOJEVICH, Mr. BILBRAY, Mr. EWING, Mr. BARRETT of Wisconsin, Mr. GOODLATTE, Mrs. CHRISTENSEN, Mr. MATSUI, and Mr. COOK.
H.R. 3295: Ms. CARSON.
H.R. 3297: Ms. MCKINNEY.
H.R. 3299: Mr. PRICE of North Carolina.
H.R. 3329: Mr. GOODLING.
H.R. 3389: Mr. CUMMINGS.
H.R. 3405: Mr. NADLER, Mr. EVANS, and Mr. BERMAN.
H.R. 3408: Mr. TERRY.
H.R. 3430: Mr. YOUNG of Alaska, Ms. STABENOW, Mr. FROST, and Ms. CARSON.
H.R. 3439: Mr. OBERSTAR, Mr. COBURN, Mr. BATEMAN, Mr. DEAL of Georgia, Mr. UDALL of New Mexico, Mr. DREIER, and Mr. LUCAS of Oklahoma.
H.R. 3485: Mr. MENENDEZ.
H.R. 3508: Mr. GONZALEZ and Mr. EHRLICH.
H.R. 3514: Mr. TOWNS.
H.R. 3519: Mr. GUTIERREZ, Ms. ROYBAL-ALLARD, and Mr. EVANS.
H.R. 3525: Mr. HASTINGS of Washington, Mr. SANFORD, Mr. SUNUNU, Mr. TAYLOR of Mississippi, Mr. KINGSTON, Mr. THUNE, Mr. PEASE, and Mr. SALMON.
H.R. 3539: Mr. SALMON.
H.R. 3540: Mr. BORSKI, Mr. WAXMAN, Mr. PHELPS, Mr. MCGOVERN, Mr. FILNER, and Mr. CHAMBLISS.
H.R. 3542: Mr. FROST, Mr. CAPUANO, Mr. BROWN of Ohio, and Mr. CLAY.
H.R. 3544: Mr. KING, Mr. PITTS, and Mr. GONZALEZ.
H.R. 3552: Mr. KUCINICH and Mrs. CUBIN.
H.R. 3557: Mr. ROMERO-BARCELO, Mr. PHELPS, Mr. TOWNS, Mr. GREEN of Wisconsin, Mr. GOODLING, Mr. HOEKSTRA, Mr. SERRANO, and Ms. VELAZQUEZ.
H.R. 3558: Mr. NETHERCUTT, Mr. MCDERMOTT, Mr. HASTINGS of Washington, Mr. DICKS, and Mr. BAIRD.
H.R. 3565: Mr. GILCHREST, Mr. RILEY, Mr. SANDERS, Mr. SCARBOROUGH, and Mr. RAHALL.
H.R. 3573: Mr. ANDREWS, Ms. BALDWIN, Mr. BERRY, Mr. BOUCHER, Mr. BURTON of Indiana, Mr. CHAMBLISS, Mrs. CHENOWETH-HAGE, Mr. DIAZ-BALART, Mr. FROST, Mr. GOODE, Mr. HILLEARY, Mr. HUTCHINSON, Mr. INSLEE, Ms. LOFGREN, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. NEY, Mr. PETERSON of Pennsylvania, Mr. RILEY, Mr. SHERWOOD, Mrs. THURMAN, Mr. WATT of North Carolina, Mr. WOLF, and Mr. FOLEY.
H.R. 3575: Mr. SALMON.
H.R. 3576: Mr. KOLBE, Mr. HILLEARY, Mr. RAHALL, and Mr. FRANK of Massachusetts.
H.R. 3594: Mr. PORTMAN, Mrs. CAPPS, Mr. EHLERS, Mr. THORNBERRY, Mr. STUMP, Mr. SUNUNU, Mr. TURNER, Mr. DOOLITTLE, Mr. COOKSEY, Mr. SCHAFFER, Mr. GOODLATTE, Mr. NETHERCUTT, Mr. BOEHLERT, Ms. GRANGER, Ms. STABENOW, Mr. LOBIONDO, Mrs. CUBIN, Mr. DAVIS of Virginia, and Ms. BERKLEY.
H.J. Res. 56: Mrs. LOWEY.
H.J. Res. 64: Mr. WALDEN of Oregon and Mr. BARTLETT of Maryland.
H.J. Res. 77: Mr. POMBO.
H.J. Res. 86: Mr. BLILEY and Mr. OSE.
H. Con. Res. 57: Mr. MOLLOHAN.
H. Con. Res. 76: Mr. FARR of California, Mr. RILEY, and Mr. GONZALEZ.
H. Con. Res. 115: Ms. LOFGREN and Mr. STARK.
H. Con. Res. 159: Mr. CLEMENT.
H. Con. Res. 220: Mr. ROYCE, Ms. STABENOW, and Mr. PAYNE.
H. Con. Res. 226: Mr. TOWNS.
H. Con. Res. 243: Mrs. TAUSCHER, Mr. MCNULTY, Mr. DAVIS of Illinois, Mr. FARR of California, Ms. JACKSON-LEE of Texas, Mr. SANDERS, Mr. CAPUANO, Mr. WYNN, Mr. TOWNS, Ms. DELAURO, Mr. PAYNE, Mr. RUSH, Mr. FRANK of Massachusetts, Mr. CLAY, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. HILLIARD, Mrs. MALONEY of New York, Ms. PELOSI, Ms. WOOLSEY, Mr. WU, Mr. GONZALEZ, Ms. SLAUGHTER, Mr. KUCINICH, Mr. BORSKI, and Mr. RODRIGUEZ.
H. Con. Res. 247: Mr. BECERRA, Mr. WATT of North Carolina, Mr. CUNNINGHAM, Mrs. KELLY, Mr. PHELPS, Ms. LOFGREN, Mr. BILIRAKIS, Ms. BERKLEY, Mr. BENTSEN, Ms. ROS-LEHTINEN, Mrs. EMERSON, Mr. BALDACCI, Mr. PASTOR, Mrs. BIGGERT, Mr. GALLEGLY, Mr. FROST, Mrs. JONES of Ohio, Mr. BLUMENAUER, Mr. LEVIN, and Ms. CARSON.

H. Res. 107: Mr. LANTOS.
H. Res. 202: Mr. KUCINICH.
H. Res. 343: Mr. MILLER of Florida.
H. Res. 397: Mr. ROMERO-BARCELO, Mr. SCARBOROUGH, Mr. EWING, Mr. FROST, and Mr. WELDON of Pennsylvania.
H. Res. 399: Mr. SAM JOHNSON of Texas and Mr. SCHAFFER.
H. Res. 416: Mr. MASSACHUSETTS.
H. Res. 417: Mr. CAMPBELL, Mr. WAXMAN, Mr. TIERNEY, and Mr. EVANS.
H. Res. 421: Mr. WOLF.

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. 3308: Mr. SAXTON.
H.R. 3387: Mrs. EMERSON.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2086

OFFERED BY: MR. CAPUANO

AMENDMENT NO. 3: Page 5, lines 12 through 15, strike ''$439,000,000'' and all that follows through ''$571,300,000'' and insert ''$492,300,000 for fiscal year 2000; $520,250,000 for fiscal year 2001; $546,700,000 for fiscal year 2002; $606,950,000 for fiscal year 2003; and $636,000,000''.

Page 6, lines 14 through 17, strike ''$106,600,000'' and all that follows through ''$129,400,000'' and insert ''$53,300,000 for fiscal year 2000; $51,750,000 for fiscal year 2001; $53,500,000 for fiscal year 2002; $62,850,000 for fiscal year 2003; and $64,700,000''.

H.R. 2086

OFFERED BY: MR. LARSON OF CONNECTICUT

AMENDMENT NO. 4: At the end of the bill, insert the following new section:

SEC. 10. REPORT TO CONGRESS.

Section 103 of the High-Performance Computing Act of 1991 (15 U.S.C. 5513), as amended by section 5 of this Act, is further amended by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and by inserting after subsection (a) the following new subsection:

''(b) REPORT TO CONGRESS.—

''(1) REQUIREMENT.—The Director of the National Science Foundation shall conduct a study of the issues described in paragraph (3), and not later than 1 year after the date of the enactment of the Networking and Information Technology Research and Development Act, shall transmit to the Congress a report including recommendations to address those issues. Such report shall be updated annually for 6 additional years.

''(2) CONSULTATION.—In preparing the reports under paragraph (1), the Director of the National Science Foundation shall consult with the National Aeronautics and Space Administration, the National Institute of Standards and Technology, and such other Federal agencies and educational entities as the Director of the National Science Foundation considers appropriate.

''(3) ISSUES.—The reports shall—

''(A) identify the current status of high-speed, large bandwidth capacity access to all public elementary and secondary schools and libraries in the United States;

''(B) identify how high-speed, large bandwidth capacity access to the Internet to such schools and libraries can be effectively utilized within each school and library;

''(C) consider the effect that specific or regional circumstances may have on the ability of such institutions to acquire high-speed, large bandwidth capacity access to achieve universal connectivity as an effective tool in the education process; and

''(D) include options and recommendations for the various entities responsible for elementary and secondary education to address the challenges and issues identified in the reports.''.

H.R. 2086

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 5. Page 16, after line 2, insert the following new paragraph:

(6) UNITED STATES GEOLOGICAL SURVEY.—Title II of the High-Performance Computing Act of 1991 (15 U.S.C. 5521 et seq.) is amended—

(A) by redesignating sections 207 and 208 as sections 208 and 209, respectively; and

(B) by inserting after section 206 the following new section:

''SEC. 207. UNITED STATES GEOLOGICAL SURVEY.

''The United States Geological Survey may participate in or support research described in section 201(c)(1).''.

United States of America

Congressional

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, THURSDAY, FEBRUARY 10, 2000 No. 12

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Roger V. Elliott, Edenton Street United Methodist Church, Raleigh, NC. He is sponsored by Senator JOHN EDWARDS.

We are pleased to have you with us.

PRAYER

The guest Chaplain, Dr. Roger V. Elliott, offered the following prayer:

Let us pray.

Almighty God, Creator and Sustainer of all life, we thank You for this great land in which we live; for its worthy aims, its charities, and its opportunities for all. Help this melting pot called America with all its varied colors, traditions, and hopes continue to be the best promised land this world can offer. Gracious God, as You anointed leaders and called prophets of old, lead us to recognize our true representatives and authentic leaders—men and women who love Your people and can walk with them, who sense their pain and share their joys, who dream their dreams and strive to accompany them to their common goal. Grant these elected leaders Your wisdom to seek first Your kingdom and Your righteousness, knowing that to do so will cause all others things to fall into place. Lead these Senators to seek Your counsel and to ask what You would have them do so that they may be saved from wrong choices and harmful actions. Guide them in Your straight path so that they may not stumble. Empower and embolden them to serve Your people well and to promote the principles of liberty and justice for all. Hear us, O Lord, as we make our prayer in Your holy name and presence. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM BUNNING, a Senator from the State of Kentucky, 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.

ORDER OF PROCEDURE

The PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. REID. I ask unanimous consent that prior to the proceedings beginning, the Senator from North Carolina be recognized to speak.

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

The Senator from North Carolina.

Mr. EDWARDS. I thank the Chair.

REVEREND ROGER V. ELLIOTT

Mr. EDWARDS. Mr. President, I thank Dr. Ogilvie for helping work to get Dr. Elliott here this morning. Dr. Ogilvie has been a wonderful friend and counselor to me in the short time I have been here, and we are also very pleased to see he is doing well.

Dr. Elliott, the guest Chaplain today, is the minister of my home church, the church of which I am a member in Raleigh, NC. Edenton Street United Methodist Church is a church of which we are very proud—about 3,000 strong, I think, the last time I saw. He is here this morning with his lovely wife Jackie. We are very proud to have both of them with us.

The church itself, as I say, is a church of which we are extremely proud. It is a church that is involved in every aspect of ministering to the community in Raleigh and outside of Raleigh. Dr. Elliott has provided extraordinary leadership for this church. He has been a wonderful friend and counselor to myself and my family.

Dr. Elliott, I believe, received his doctorate degree from Duke University and did some postdoctoral study at Drew University. More important than that, though, is that he baptized both of my daughters, Emma Claire and Kate, of whom we are, of course, very proud. But most importantly, Dr. Elliott is a true messenger for God. He speaks the word of God rightly, and he inspires all of us; when he preaches on Sunday morning, we all come out knowing that God was present in our service. That is the most important thing I can say about Dr. Elliott. There is no finer Methodist anywhere, no finer minister anywhere, and I am very proud and honored to have him with us this morning to give the opening prayer.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The Senator from Wyoming.

SCHEDULE

Mr. THOMAS. Mr. President, this morning the Senate will begin debate on the nuclear waste disposal bill. Under the previous order, there will be 1 hour remaining for debate to be equally divided between the two bill managers. Following that debate, the Senate will immediately vote on final passage of the bill. Therefore, Senators may expect the first vote at approximately 11 a.m. Following the vote, the Senate may begin consideration of any executive or legislative items cleared for action. Therefore, further votes may occur during today's session of the Senate.

I thank the Chair.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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NUCLEAR WASTE POLICY AMENDMENTS ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1287 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1287) to provide for the storage of spent nuclear fuel pending completion of a nuclear waste repository, and for other purposes.

Pending:

Lott (for Murkowski) amendment No. 2808, in the nature of a substitute.

The PRESIDING OFFICER. The time until 11 a.m. shall be controlled by the Senator from Alaska, Mr. MURKOWSKI, and the Senator from New Mexico, Mr. BINGAMAN, or their designees.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, we are now in the final hour of discussion about this nuclear waste-related bill. I thought, since I do not see Senator MURKOWSKI, the chairman of our committee, I would go ahead and make my statement indicating my position. I did speak yesterday on the Senate floor on this issue and laid out the reasons I will be voting against S. 1287 this morning. I encourage my colleagues to join me in voting against the bill. I do so for the simple reason that the bill as presently before us does not solve the problems of the nuclear waste program. In fact, it magnifies those problems.

Let me go through some of the specifics.

First, the bill does not reduce the liability that is borne by taxpayers for the program's failure. Instead of reducing that liability, this bill would increase that liability. The part of the bill that purports to offer the Department of Energy authority to settle lawsuits filed against it is arguably worse for the U.S. taxpayer than is current law. Other parts of the bill set new and arbitrary deadlines for the Department of Energy to ship nuclear waste to Nevada. We know today that the Department of Energy cannot meet those deadlines, and a vote for this bill is a vote for a new wave of litigation. We are already enmeshed in a great deal of litigation. A vote for this bill will bring us even more litigation.

Second, this bill does not speed up the decision of the Department of Energy on whether Yucca Mountain is suitable for a repository. In fact, the effect of the bill is to slow down that decision. By delaying the issuance of a radiation standard for Yucca Mountain by EPA, the bill would delay the process of finalizing whether Yucca Mountain will be a repository site.

The third point I want to make is that this bill does not make new funds available to the nuclear waste program so we can do an effective job of investigating Yucca Mountain and building a repository. Instead of making those funds available, which we should be doing, to the contrary, this bill caps the amount of funds the Department of Energy can collect and shifts the burden of paying for nuclear waste disposal from the beneficiaries of that nuclear power—that is, the people who received electricity from it—to everyone else in the country.

The fourth point I want to make is that the bill does not facilitate the movement of nuclear waste out of our individual States. In fact, this bill, as I read it, would impede the transportation of waste out of those States. Even if we managed to build a repository, if you are from a State that has nuclear waste, the bill contains an impossible hurdle to moving that waste out of your State. Read page 17 of the bill. You will find that no shipments of nuclear waste can occur anywhere until the Secretary of Energy has determined that emergency responders in every locality and every tribal entity along primary or alternative shipping routes for nuclear waste have met acceptable standards of training.

Right in that single provision are the seeds of two huge lawsuits that will keep nuclear waste in your State forever: A lawsuit over what constitutes acceptable training and a lawsuit over the reasonableness of the required determination by the Secretary of Energy that every volunteer fire or ambulance company in every locality that might see nuclear waste at some point is adequately trained.

Also, the requirements are vastly more restrictive on the Department of Energy than anything we have ever considered in the Waste Isolation Pilot Plant case.

In my view, such a certification by a Cabinet officer is a practical impossibility, not to mention an unprecedented intrusion by the Federal Government into local government responsibilities.

The fifth point is that this bill does not fix the problem of the one utility that is actually threatened by a shutdown of one of its plants because of the failings of the Department of Energy's nuclear waste program. I am speaking about the Northern States Power plant at Prairie Island. Nothing in this bill forestalls the shutdown of that plant which is expected in January of 2007.

One of the most disappointing developments of the past few days has been the stripping from the bill of the major provision that did make this bill worth passing, in my view, even though some of the flaws I have described are still in the bill.

The provision that was stripped was a provision giving the Department of Energy new authority and capability to resolve lawsuits that have been filed against it. We have been told this is what a group of seven Governors are insisting. They wanted us to drop this provision.

I studied a copy of their purported letter on this subject, and I find it a very strange document. The copy I have been given is not dated, it carries no signatures, and it is not on any official letterhead. In fact, it carries a heading that suggests it is a draft document. The letter is not about this bill. It is about testimony Secretary of Energy Bill Richardson gave about a year ago.

Some of the reasons given in the draft letter for opposing take title do not apply to this legislation. One argument in the letter complains that nuclear waste might be stored on riverfronts or lakes or seashores where, of course, the reality is one finds nuclear waste stored today in powerplants.

Specifically, an alternative to take title recommended in the letter is not contained in the bill on which we are about to vote, so the claim that by gutting this bill of its key provision —that is, its take title provision—we have satisfied seven Governors is certainly not supported by anything I have found in the document.

The other curious thing about what we have done to the bill during the course of our deliberations this week when we removed this take title provision is that we have converted its statutory instructions to the Department of Energy for settling industry lawsuits into something we know the States themselves publicly oppose. Without take title, all the Department of Energy can do is use money from the nuclear waste fund to give monetary and in-kind compensation to the utilities. That is what section 105 of the bill now authorizes.

Listen to what 51 State agencies from 35 different States told a District of Columbia Circuit Court of Appeals in January 1998 about this concept. This is a quote from their pleadings in that case:

The Court should act decisively to bar DOE from using the NWF [Nuclear Waste Fund] and ongoing fee payments to pay the costs and damages resulting from its deliberate noncompliance. Even the potential for DOE to consider such a course should be immediately invalidated. . . .

That is what the States said in 1998, and in this legislation we instruct the Secretary of Energy to do exactly what 35 States pleaded with the court not to allow the Department of Energy to do.

The No. 1 remedy sought by the 35 States in this lawsuit, several pages after this statement, was a court order forbidding the Department of Energy from doing what section 105 of this bill now tells the Department of Energy to do. I am not making this statement based on some unsigned, undated document. We have a copy of the signed petition to the court here. I am glad to share that with any colleague who wants to review it between now and the time of our final vote.

On that document, many of us will see the signature of our Attorney General, our respective attorneys general from the States, or our representatives from the public utility commissions in our States.

The bottom line is this bill is not going to fix what is wrong with the Department of Energy's nuclear waste

program. On the contrary, it will move us further from a final solution we need to achieve. We should not pass the legislation. I hope my colleagues will join me in voting against it.

Mr. President, I yield the floor, and I reserve the remainder of our time.

Mr. THOMAS. I yield 5 minutes from our time to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Wyoming for his graciousness.

I rise in support of the provisions of the manager's amendment that strikes the take title language from the Nuclear Waste Policy Act amendments. I express my great appreciation to the committee chairman, Senator MURKOWSKI, for his willingness to work with us to address the concerns of a number of States, including my home State of Maine, about the take title provisions.

Our States feared that the take title provisions would grant the Department of Energy a license to permanently store nuclear waste where it now sits—on the very vulnerable riverfronts, seashores, and lake borders of many States.

The take title provision was a fatal flaw in this otherwise necessary and sound legislation. This provision was based upon an ill-advised effort by the Department of Energy to shirk its responsibilities to store nuclear waste.

The take title provision would have allowed the Department of Energy to take ownership of the nuclear waste at each individual nuclear plant across the Nation. At first blush, that sounds very reasonable, but we have to look at the record.

Given the Department of Energy's dismal record of missed deadlines and its utter failure to deal with the nuclear waste issue, new waste storage facilities created under the take title provision would run the very real risk of becoming de facto permanent waste sites.

Moreover, this administration has simply done a miserable job of allaying the fears of the Governor of my State and the people of many other States who all fear the take title provision is a ruse to create permanent repositories at each site.

Residents of my State of Maine have been paying into the nuclear waste fund for years with assurances that the radioactive waste from the State of Maine and from Maine Yankee, in particular, would be moved to a permanent repository, not left in Wiscasset, ME, where the plant once operated. Since 1982, the ratepayers of Maine have paid nearly $150 million into the fund. Yet we have seen no progress, no results.

What to do with our Nation's nuclear waste is, indeed, a difficult question, but creating semipermanent storage at over 100 facilities across the Nation is clearly not the answer.

Similarly, allowing the Department of Energy to continue to dodge its responsibilities is not the answer. The answer is a safe, consolidated facility. The answer is for the Department of Energy to fulfill its obligations. The answer is for the Department of Energy to take possession of the waste, not just in Maine but by physically removing it from these sites across our country.

I urge my colleagues to support the manager's amendment. I believe it will solve the problems with the take title provision and thus improve this important piece of legislation.

Mr. President, I yield the floor and thank the Senator from Wyoming for yielding.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I will be brief.

I come to the floor for just a couple of moments to express my sincere regret that we have not been able to come together to resolve the outstanding differences that are represented today in the debate and will be represented in the final outcome of the vote.

I give great credit to the distinguished ranking member of the committee, Senator BINGAMAN, and to our colleagues, both from Alaska and Nevada, for the effort that has been made to try to reach some accommodation.

Unfortunately, in part because of a lack of willingness on the part of some of our Republican colleagues to come to the middle, we have lost a golden opportunity to finally resolve this matter once and for all.

The administration has indicated it will veto this bill in its current form. The EPA, the Secretary of Energy, and others, have expressed vehement opposition. Environmental groups, both liberal and conservative, the energy utility companies, oftentimes in favor of this legislation, in many cases today have come out in opposition to this bill, in part because of the failure to reach some compromise, and in part because this situation now makes their lives even more complicated and more difficult than it was before. Furthermore, there is deep concern that this bill undermines EPA's ability to protect the American public by delaying its authority to issue a radiation safety standard until 2001.

Instead of streamlining the process of moving nuclear waste to Nevada, this bill has complicated it even more. And, it fails to relieve American taxpayers of the extraordinary liability they face due to the failure to establish a long-term storage site. As a result, we have no choice but to continue to oppose the legislation in its current form.

I hope my colleagues will join me in opposition to this bill. Maybe in conference we can work it out. If we can, maybe we can come to the floor at another date, with another opportunity to see if we cannot successfully resolve these outstanding problems. But today that has not happened.

Today, Senator BINGAMAN and others have expressed their regret and their opposition. We simply cannot allow a bad bill to pass and be signed into law. This is the one opportunity we will have to do it right. We have to do it right before it is signed into law. The President has insisted on that. I think it is incumbent on us to insist on that. I think the American people expect no less.

Mr. President, in just a short while we will have the opportunity to vote. It is my sincere hope that a large number of colleagues, on both sides of the aisle, will join us in saying: No. We have not done the job yet. Until we do it right, our vote will remain no.

I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. I yield myself such time as I may utilize.

Mr. President, I rise in support of the bill. The time has come for the Congress and the Federal Government to step up to do something. This is not a new issue. It has been going on for a very long time. As a matter of fact, the basic legislation—the Nuclear Waste Policy Act of 1982—required the Federal Government to build a storage facility for spent fuel, to accept nuclear waste by 1998, to develop a transportation system, and that the cost would be paid for by the electric utility customers. The Department of Energy has not done this. The administration has not lived up to its part of it. They have been required to have a plan, but they have done very little.

The Federal Government has accepted the more than $16 billion collected from utility customers to do this. It has not shown results. The customers, of course, have been hit more than once in terms of paying the higher rates.

The time has sort of expired to continue to debate this issue, to continue to have opposition, which does not surprise me because there has not been many positive options coming from the other side of the aisle. All we have is resistance. All we have is: No, we are not going to do that.

This year I had the chance to go down to the nuclear storage site in New Mexico. We have spent billions of dollars there. We have moved only a very small amount into that storage spot. Idaho has not been able to use that at all.

Currently over 40,000 metric tons of spent nuclear fuel is being stored at 74 sites in 36 States. An additional 35,000 metric tons from weapons production and naval facilities increases the number of sites.

I understand this legislation isn't what everybody would like to have, but the fact is that we need to do something. Passing this bill will start us moving in that direction. That is what we ought to do.

The legislation drops interim storage, requires the Congress to approve

increases in fees collected, sets a schedule for the development of a repository, authorizes backup storage for any spent fuels, and allows EPA to set radiation standards after June 1, 2001. It does a number of things on which we need to move further. It authorizes the settlement for outstanding litigation and sets an acceptance schedule for spent fuel. I know it is a difficult issue.

I commend Chairman MURKOWSKI and Senator CRAIG for all of their hard work. The Energy Committee, which has approached this several times, has done a number of things. Frankly, the time for delay is over.

We are experiencing some of the same kind of resistance to doing something now in the INEEL situation in Idaho where we are looking very hard at some alternative to incineration.

I have heard from the Vice President. He said he would look into it. I have heard from Mr. Frampton from the White House who said he would look into it. I have heard from the Secretary of Energy who promised to look into it, but nothing has happened.

There is a limit to the amount of time we can continue to stall in making some decisions with regard to this nuclear issue.

I urge support for this bill. I hope we can move forward with it today.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I wish the Chair a good morning.

I ask, how much time is remaining for the majority?

The PRESIDING OFFICER. The majority has 18½ minutes.

Mr. MURKOWSKI. And for the minority?

The PRESIDING OFFICER. Fourteen minutes.

Mr. MURKOWSKI. Mr. President, I note a Dear Colleague letter is circulating this morning from one of our colleagues from Montana and one of our colleagues from California. It concerns the critical environmental vote that will occur at 11 o'clock on the Nuclear Waste Policy Act amendments.

It identifies that the protection of the health and safety of American citizens should be our highest priority. I agree with that. It further states that in order to do this, all decisions must be made based on science, not politics. It suggests this legislation does not do that.

I implore my colleagues, what we are attempting to do is use the best science available. That is why we brought the Nuclear Regulatory Commission and the National Science Academy into the recommending process for EPA. But I point out for the benefit of anyone who still has a doubt that the Environmental Protection Agency has the final authority on determining the radiation standards. But the effort is to get the best science.

Let's be honest with one another. Every time this legislation comes up, it comes down to one thing: Nobody wants the waste.

I have said time and again, if you throw it up in the air, it has to come down somewhere and that somewhere is Nevada. That decision was made some time ago. We have expended $6 billion in the Yucca Mountain effort.

The criticism of this legislation to which this Dear Colleague letter points is it doesn't address an alternative. It is innuendo to say the legislation ''unnecessarily slows EPA's ability.'' It can't do anything until it is licensed. The ''legislation conveys undisclosed acreage of Federal land to Nye and Lincoln Counties in Nevada without providing any maps of the areas or conducting any hearings.'' That is simply not true.

We are trying to accommodate the two affected counties in Nevada by giving them BLM-accessed land. What in the world is wrong with that? Is that contrary to the public health and safety? To me it is good for the people of Nevada. I am sure if you asked the two Senators from Nevada whether their constituents should receive this land, they would have a pretty positive opinion.

What we have here are more smokescreens. We have a statement by the minority ranking member of the Committee on Environment and Public Works saying they have the sole discretion over nonmilitary environmental regulations and control of atomic energy. Well, as chairman of the Energy and Natural Resources Committee, we have the obligation to address the disposal of the nuclear waste. We have attempted to do that in a responsible manner.

Yes, this is politics. This is hard core politics. It is trying to accommodate my good friends from Nevada over their objection to put the waste in their State. The Clinton administration, the administration of Vice President Gore, simply doesn't want to address it on their watch. That is all there is to it.

Each Member who votes against this legislation better be prepared to go home and explain why they voted to keep the waste in their individual State, when we had a chance to move it out to one central location at Yucca Mountain. There it is, 80 sites in 40 States. We have a chance to move it to one location.

The Northeast corridor State Governors said: We don't trust the Federal Government; they didn't take the waste in 1998 when it was contractually due; the ratepayers paid $15 billion; they broke the sanctity of a contractual relationship. What the Governors are saying is they don't want the waste stored in their State by the Federal Government taking title because they are convinced the Federal Government will leave it there. Well, they very well could be right.

As a consequence, we have this waste stored in these States on the way to the schoolgrounds, the playgrounds, the hospitals, homes. We have it on the shores of the Great Lakes—Lake Michigan, Lake Huron, Lake Erie, Lake Superior, Lake Ontario—the great rivers—the Mississippi, the Colorado, the Columbia—the Nation's seashores. We must resolve to put it at a permanent site. That is all there is to it.

We have a good bill. This is a responsible environmental vote. The environmental community has said, we are opposed to this legislation. What are they for? Are they for leaving the waste where it is? Well, they wouldn't respond to that question.

Each Member of this body is elected to make a responsible decision and not be led by groups motivated by their own particular ideology. Make no mistake about it: A large segment of America's environmental community wants to kill the nuclear power industry. They want to kill the nuclear industry because they are opposed to it. But they don't look at the contribution that industry makes to clean air, and they do not address the responsibility of what the alternative is.

So a responsible environmental vote is to move this from these 40 States and 80 sites to one central location that is designed for it. Make no mistake about it: These temporary locations are not designed for it.

There is criticism that this is some kind of a full blown attack by the nuclear power industry. What they are seeking is relief. They are seeking relief from the waste that has been generated over an extended period of time and the inability of the Federal Government to meet its contractual commitments. That should make every Member of this body indignant. But that is what happened. Do you know who is taking it in the shorts? The American taxpayer, because the claims against the Federal Government for not taking that waste under the contract are somewhere between $40 and $80 billion. That is about $1,400 per family every year in this country. Nobody seems to care about it. I care about it. I am sure you do, Mr. President.

We have a good bill. It uses the WIPP transportation model. It is safe transport. The States decide the routes. Some of my colleagues are fearful it is going to be moved by rail. It is not going to be moved by rail. It is very doubtful. Rails don't go direct. A rail goes from one railyard to the next railyard. Oftentimes those railyards are around areas of high concentration of population. That doesn't make sense. The Governors are going to have control of where these routes are determined. They are going to be safe routes because we are going to have professionals out there determining the safeguards, the drivers, and so forth. In fact, we submitted a letter yesterday from the national Teamsters Union. They are concerned because they want trained people. Their trained people will be involved.

Finally, EPA has the sole authority to set the radiation standard. Don't let anybody tell you differently. I love my friends from Nevada. I really do. I have a great deal of respect for them. I know where they are coming from. Do you know what they said in the hearing? They said, regardless of what the safeguards are, what assurances we have, we are not going to support a bill that would put the waste in Nevada. I understand that. So it means it doesn't make any difference what we do, what the minority does, what the Senator from California and the Senator from Montana do. We will never be able to convince them. I understand that. So let's recognize that for what it is.

The Secretary may settle lawsuits and save the taxpayers this $80 billion liability. This legislation allows early receipt of fuel, once construction is authorized, as early as 2006. The nuclear waste fee can only be increased by Congress. It prevents unreasonable increases in the fees. We provide benefits to counties most affected by repository land conveyance of the 76,000 acres to Nye and Lincoln Counties. This is the land that Nevada wanted. Well, I wonder how bad they want it now.

We struggled with this problem for many years. The time is right. S. 1287 is the solution. Utility consumers have paid over $15 billion into that waste fund. We cannot jeopardize the health and safety of citizens across the country by leaving that spent nuclear fuel in 80 sites in 40 States. That is irresponsible. We should move it once and for all where it belongs: at a remote site on the desert.

I will show my colleagues that picture one more time, where we have had 800 nuclear tests over a period of 50 years. That is the site. We risk, if we can't get this legislation through, losing 20 percent of our clean generation. Where are we going to make it up? We can't jeopardize our economic and environmental future by ignoring the nuclear waste management issues. That is what we are going to do if this legislation is not supported. We risk losing 103 nuclear powerplants.

I urge Members to vote for S. 1287 and finally put this problem behind us. And one more time, Mr. President—remember, each Member who votes against this bill is going to be obliged to explain why they voted to keep the waste in one of the 40 States that they come from when they had a chance to move it to one central location, Yucca Mountain.

Mr. JEFFORDS. Will the Senator yield?

Mr. MURKOWSKI. Yes. How much time remains?

The PRESIDING OFFICER. Six minutes.

Mr. JEFFORDS. I will be very brief.

Mr. MURKOWSKI. I yield 1 minute to my friend from Vermont.

Mr. JEFFORDS. Mr. President, I thank the Senator for the changes made in the take title provisions. I have discussed it with my Governor, and now I can say that we no longer have an objection to the bill. The Governor hopes it passes with the changes that were made. So I wanted to let everybody know that I am in favor of the bill, and I appreciate the changes that were made.

I yield the floor.

Mr. BINGAMAN. I yield 3 minutes to Senator BRYAN, the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. BRYAN. I thank the Chair.

I hardly know where to begin because so much misinformation has been uttered about this piece of legislation. This is clearly a legislative vessel that is flying under false colors. There is absolutely nothing in this bill that says, look, it is going to be Yucca Mountain as opposed to anything else. That decision, in terms of studying it, has already been made. I regret that, but it doesn't alter the fact that only Yucca Mountain is being considered and that process goes forward. The bill has nothing to do with whether or not Yucca Mountain is going to be the site that is going to be considered and studied over the next few years, absolutely nothing. So vote against this bill.

With respect to the compensation issue, we have agreed for more than a decade, and this Senator has personally offered legislation to compensate the utilities. That is not an issue. We agree. This bill would pass by unanimous consent if that was the only provision that was in there. This Senator would be among the first to say that is fair.

What this is all about is trying to game the standards. That is what we are talking about. By and large, in its original form, this bill stripped out EPA. Now, games are still being played. Somehow it is suggested that EPA is being unreasonable. EPA has set a standard of 15 millirems, the same one set at WIPP, the transuranic for nuclear waste. In 1982, when the Nuclear Waste Policy Act was enacted, Congress thought EPA ought to be the one to make that determination. Now, is it a fair, reasonable standard? Somehow this crazy myth has been spilled out all over the floor that this is an unreasonable standard. The National Academy of Sciences—and this is not a Nevada-based group; the ''N'' stands for National, not Nevada—has looked at the standards and said, look, the range should be between 2 and 20 millirems, and it is 15.

Any Member of this Senate can defend a ''no'' vote on this legislation on the basis that Yucca Mountain is going forward in the study process. Nothing changes that. All we are saying is, in the interest of fairness, don't play politics with the standards. And that is what is occurring. All we are asking is that the health and safety of Nevada be accorded the same protection that the good citizens of New Mexico and every other place in America enjoy. So by moving this into the next year, they are trying to play politics. Do you know what. The very perverse result of all of this is that it is going to result in a further delay, and that would be as a result of this legislation being enacted.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, let me respond to a few of the points made in debate. The other Senator from Nevada also wishes to speak.

First, when my good friend from Wyoming made his comments, he made a point that we hear a lot on the floor, which is that the people who are opposed to this bill have offered no alternatives. That is not true. I think anyone who has followed the course of this legislation in committee knows that I offered an alternative in committee, which got a significant number of votes, which I believe would have been a substantial step forward. On each of the issues we are debating, I have offered alternative language. So, clearly, that is not the case.

Second, on the issue about the Department of Energy making no progress with the Yucca Mountain project, I don't think that is an accurate or fair criticism at this point. Clearly, they have not done all we wish had been done, but it is also true that Congress, most years, has not provided the funding requested for this project.

The Department of Energy is on target to characterize the Yucca Mountain facility. Five miles of tunnel have been built in the last few years. Numerous test facilities have been built. Progress is being made but not adequate progress. I am sure they are unhappy with the pace of progress. Of course, this legislation contains a delay in the EPA's ability to issue their standards. The take title is perhaps the part that is most confusing because there seems to be an underlying belief on the part of some Senators who have spoken that if we provide this take title authority so that the Department of Energy can go in and take the title and settle these lawsuits that are pending, somehow or other that lessens the need for the Department of Energy to go ahead and move the waste to Yucca Mountain or to any other central facility. I don't see that myself. What Federal agency is going to want to permanently be the owner and caretaker of nuclear waste in 80 different locations? Clearly, DOE would not want that result. They would like to resolve the pending lawsuits, take title to the property, move ahead as quickly as possible to get the site characterized, and if it meets the standard, then go ahead with it. So I don't think this take title thing is what it is described to be.

On the land transfer issue, on which there has been some discussion, there were no land transfers in the committee-reported bill. I think we need to understand that. So there are no maps

and there was no discussion about it in the committee because it wasn't brought up there. Page 11 of the bill makes reference to ''maps dated February 1, 2000, and on file with the Secretary of Energy.'' We can't find any such maps. The Secretary of Energy can't find any such maps. We don't know what they are talking about. There is real confusion about the specifics of these land transfers.

The final point I will make on this—and I will defer to my colleague, Senator REID—is the chairman, understandably, in his concluding remarks, said if you vote for this bill, we will put this problem behind us. Mr. President, if that were true, I would be sorely tempted to vote for this bill. The truth is, we can vote for this bill, pass this bill, and the President can sign this bill, but not only are the problems not behind us, our problems would be compounded. Therefore, I will not be able to support the bill. I regret that we will not pass something that does, in fact, put the problem behind us.

I yield 3 minutes to my colleague from Nevada, Senator REID.

Mr. REID. Mr. President, as I said yesterday, when I practiced law, I represented car dealers, and there were times when they got cars in their inventory that simply were bad cars, lemons. There wasn't anything they could do to fix them. They would take them into the shop two, three, four times, and they turned out to be lemons. I represented a car dealer who sold a car to someone and he said, ''They have a car out in front of my place painted yellow that looks like a float; it is a lemon.'' He said, ''You have to settle this case.''

That is what we have. This legislation is a lemon. Whatever the esteemed chairman of the full committee tries to do, he can't make an orange out of a lemon. This is bad legislation. The Senator from New Mexico is known in the Senate as being a very thoughtful man. He has tried very hard to get a piece of legislation that improves the process for Yucca Mountain. Now, this situation has been amply described by anybody who is willing to read this legislation as being a travesty. This legislation doesn't help anything. It is opposed by the environmental community, the President of the United States, the Director of the EPA, and the Department of Energy Secretary. This is bad legislation and it should be voted against.

Talking about the land in Nevada, nobody knows what that is. There are about 74 million acres in Nevada. They are talking about maps that don't exist. What the chairman has tried to do in this legislation is satisfy one group of people and, in the process, he eliminates others.

For the first time in the history of this legislation, the utilities are opposed to the States. The utilities wanted to get rid of this nuclear waste. Now they own it more than they ever owned it. They will be stuck with it forever if this legislation passes.

I think this legislation should be taken back to the drawing board to see if anything can be done to improve it. In the meantime, at Yucca Mountain the characterization is still taking place. I think we should let the 1987 act stand for what is going to take place at Yucca Mountain—not some cockamamie piece of legislation that is trying to give the nuclear industry a reward they don't deserve.

Mr. FEINGOLD. Mr. President, I want to share my views on the Nuclear Waste Policy Amendments Act of 2000 (S. 1287). Specifically, I want to explain why I will continue to oppose this legislation in its current form.

Let me first express my grave concern about the process by which this legislation has been developed over the last few days. My office received a new version of this legislation, which eventually was proposed as a substitute amendment, nearly every day last week. Closed negotiations have continued even while the bill has been on the floor. For those of us who have utilities in our states that are grappling with nuclear waste storage questions, this made it nearly impossible to analyze this bill on behalf of our constituents. The issues presented in this legislation are serious policy issues, and our constituents deserve better information.

I am principally opposed to this bill because it does little to address the nuclear waste storage question in my home state of Wisconsin. Wisconsinites want nuclear waste removed from our state and stored in a permanent geologic repository out of state so that it has no chance of coming back to Wisconsin. I opposed nuclear waste legislation in the last Congress which sought to build large scale interim storage facilities before the permanent storage site is ready and would have jeopardized consideration of the permanent site. This year's bill would have provided federal funds for on-site storage of nuclear waste until the permanent storage site at Yucca Mountain was ready to take our waste.

The substitute amendment stripped out the on-site storage provisions. This bill now does nothing to address the waste situation at the majority of Wisconsin's nuclear plants. The bill, as amended by the substitute amendment, does contain a specific section which would address the nuclear waste situation at the La Crosse Boiling Water Reactor, which is owned by Dairyland Power and has been shut down for years. The Dairyland language is something that I have supported and will continue to support, but I had hoped this legislation would be able to extend similar relief to other Wisconsin utilities.

With the on-site storage provisions stripped out, the bill retains a loosely knit collection of provisions that seem unlikely to have a beneficial impact on the country's nuclear waste program. The bill requires the Nuclear Regulatory Commission's and the National Academy of Sciences' concurrence in the radiation exposure standard that the U.S. Environmental Protection Agency is drafting—an entirely new procedure. If those entities do not agree, the responsibility to set the standard comes back to Congress. I am concerned that if those entities cannot agree it is likely that Congress can not do much better to resolve the issues.

One of my other concerns has always been the safety and security of shipping nuclear materials from their current locations to a permanent geologic storage site outside of the state. Obviously, there is a risk that, during the transportation, accidents may occur. Although the legislation provides for emergency response training in the jurisdictions through which nuclear material would be transported, I still feel that these provisions need to be strengthened to ensure that state and local governments have the financial and equipment resources they need to respond to accidents.

In conclusion, I cannot support legislation which purports to fix the country's nuclear waste program and leaves Wisconsin so far behind. I continue to remain hopeful that legislation in this area can be crafted that can win my support.

Mr. LEVIN. Mr. President, I will vote for the most recent version of the Nuclear Waste Policy Amendments Act of 2000. It advances the process further, and it is essential that the promised and paid for disposal of nuclear waste from Michigan proceed. There are a number of provisions in this bill which are problematic and while I will vote to advance this legislation, I will review the final product that comes before the Senate.

Mr. DASCHLE. Mr. President, for the last several days the Chairman of the Energy and Natural Resources Committee, Senator MURKOWSKI, and the Ranking Member, Senator BINGAMAN, have been working to come to an agreement on legislation to resolve how our nation will provide long-term storage for deadly nuclear waste that is currently stockpiled near nuclear reactors around the country.

Despite many hours of hard work, an agreement was not reached. The legislation before the Senate today will not ensure the safety of the American public or deal with the critical issues of liability that first led us to consider this legislation.

I would like to take a few moments this morning to explain why I will be opposing the substitute amendment to S. 1287, the Nuclear Waste Amendments Act of 2000.

As Senator BINGAMAN explained last night, this legislation was proposed because the federal government was unable to meet its obligation under the law to provide a long-term storage site for nuclear waste. In 1982, Congress directed the Department of Energy to begin accepting waste at a long-term storage site by 1998. This deadline has not been met, and as a result, the taxpayers are facing billions of dollars in potential liability.

Originally, this bill would have allowed the Department to settle these lawsuits by taking title to the waste in its current sites pending completion of a long-term storage facility. This provision has now been removed from the bill. As a result, this legislation does nothing to relieve the taxpayers of the enormous bill they may have to foot.

I am also deeply concerned by steps taken in the bill to undermine the authority of the Environmental Protection Agency to set radiation safety standards. EPA has currently proposed tough but reasonable standards to protect groundwater and those living in the area. These standards are consistent with a report of the National Academy of Sciences issued in 1995.

However, this legislation prevents EPA from issuing final standards until June 1, 2001. The clear expectation underlying this provision is that a new president will be in office who will support weaker standards than those currently proposed.

Mr. President, it is unacceptable to gamble with the health of Americans who will be living near the long-term storage site. It is very likely that waste will be stored at Yucca Mountain in Nevada. Nearby, there is a dairy farm and fields of crops that use groundwater for irrigation. If we do not support tough safety standards, there is a chance that radiation in the groundwater will end up in the water used in these farms and for drinking by those who live there, putting public health at risk.

Finally, I am concerned about an enormous potential write-off for nuclear utilities in this bill. Currently, utilities pay into a Nuclear Waste Fund to ensure that the Department of Energy has the resources it needs to pay for long-term storage. This bill caps the amount that must be paid by utilities, setting up the taxpayer to fund whatever costs remain.

We need to do a better job of protecting the safety of the American public and the taxpayers from the bottomless liability that may result from this legislation. For these reasons, I will oppose this bill.

Finally, I want to thank Senator BINGAMAN for his hard work on this issue, and Senators REID and BRYAN. While this bill today is not yet satisfactory, it is significantly better than those we have seen in the past. It is largely thanks to the efforts of these Senators that these changes have been made.

Mr. CRAPO. Mr. President, I rise in support of S. 1287, a bill to provide for the storage of spent nuclear fuel, pending completion of the permanent nuclear waste repository.

I also want to thank Senator CRAIG and Senator MURKOWSKI for their tireless efforts to move forward on legislation to address the issue of disposing of spent nuclear fuel and high-level waste.

The federal government made a commitment to the nation's nuclear utilities that it would build a permanent repository to dispose of commercial spent nuclear fuel. By law, the repository was supposed to be ready to accept nuclear waste by 1998.

Six billion dollars later, the Department of Energy effort to build a repository is years behind schedule and mired in political warfare.

As a result of these delays, the U.S. Court of Appeals for the District of Columbia ruled that the DOE had failed to meet its legal obligations and ordered the Department to pay contractual damages to the nuclear utilities.

If the current situation is allowed to continue, the utilities will be paying twice. They have already contributed to the nuclear waste fund to build the repository. Without this legislation, they will continue to pay for the repository and on site storage for waste the federal government said it would take.

As a result of national defense and research activities, the federal government itself has generated thousands of tons of spent nuclear fuel and high-level waste. This waste continues to be monitored and stored at federal sites across the country, including the Idaho National Engineering and Environmental Laboratory, at significant cost. This waste is also waiting to be sent to a permanent repository.

The financial resources that are necessary to continuously store, monitor, and maintain this fuel and waste are overwhelming and could be used for other constructive purposes by the government and utilities instead of watching and waiting as has been the past practice.

This bill offers an option for relief to utilities where the Department of Energy could take title to the fuel and transport it to the repository site. Different from past legislation, this bill identifies that spent fuel storage at the repository site, in advance of fuel placement in a repository, cannot occur until construction of the repository has been authorized.

This bill is particularly important to the State of Idaho because of the 1995 Settlement Agreement. This agreement was entered into in Federal court. It was agreed to by the Departments of Energy and Navy and the State of Idaho. One of the requirements is to remove all spent fuel from Idaho by 2035. A repository or interim storage site is essential for the parties to comply with the agreement.

The logical location for the permanent repository is Yucca Mountain. It has been designated by Congress as the only site for study. It is located on dry Federal desert land. It is adjacent to the Nation's nuclear testing site where hundreds of nuclear weapons have been exploded.

The bill establishes a schedule for decisions on the adequacy of Yucca Mountain as a repository which will allow the parties to comply with the Idaho Settlement Agreement. The bill also deletes the 70,000 metric ton uranium cap which had been imposed on the repository. Removal of this cap allows one geological repository to be capable of handling the nation's inventory of spent fuel and high-level waste instead of multiple repositories.

The bill allows the Nuclear Regulatory Commission and National Academy of Sciences to give input on the scientific validity and protection of the public health and safety provided by the proposed Environmental Protection Agency radiation standard. The Environmental Protection Agency maintains standard setting authority, cannot set a standard until June 1, 2001, and is not bound to accept or even consider the Nuclear Regulatory Commission or National Academy of Sciences input. This compromise only delays the setting of a radiation standard by the Environmental Protection Agency and delays the date by when the Secretary of Energy will have an established radiation standard to work to. Although I dislike the compromise that was reached I understand that a compromise needed to be made to move this important legislation forward.

Support of this bill is the right thing to do for the country.

Idaho is one of several states where defense and DOE spent nuclear fuel and high level waste are stored; other major states include Washington, South Carolina, and New York.

There are over 70 commercial nuclear utilities that are storing spent nuclear fuel because the federal government has not lived up to its contract.

Storage facilities at these locations are filling up quickly, will not last forever, and will be expensive to monitor and maintain.

The U.S. receives 20 percent of its electricity capacity from nuclear power. There are no other emission free alternative power generating technologies that could replace this capacity if opponents are successful in shutting down nuclear power. Many of the issues associated with spent nuclear fuel are political, not technical. Nuclear fuel has been moved safely across this country and around the world for nearly forty years. The ''mobile Chernobyl'' scare tactics are a myth.

Movement needs to continue on a permanent repository and relief needs to be provided for nuclear utilities. This bill provides forward momentum and relief.

I would have preferred to see the bill go further by establishing an interim storage facility at the Nevada Test Site and vesting standard setting authority with the Nuclear Regulatory Commission. Unfortunately, the Congress has been unable to enact this type of legislation because of the threat of a presidential veto. While I would have preferred to vote in support of a stronger bill, I understand why Senator MURKOWSKI has made concessions to the other side to try to move this legislation forward.

This is an important piece of legislation which will show the American people that we can address the issue of nuclear waste in a way that is technically and environmentally sound.

I urge my colleagues to vote to support enactment of this important piece of legislation.

Mr. BINGAMAN. Mr. President, I would like to take this opportunity before we vote to recognize a member of the Senate staff who has contributed a lot to the nuclear waste debate over the years. That person is Joe Barry, who has worked for Senator BRYAN for many years, and who apparently has actually had other duties not related to nuclear waste, as well. He is a tremendous professional who has helped keep the debate in the Senate on this issue on a high level of technical accuracy. I understand that he will be leaving for a position in the private sector in Boston when we break for this recess. Senators don't always agree with each other in debate. The search for relevant and accurate information and perspectives is essential to the legislative process, and is greatly helped when Members have highly competent professional staff like Joe. We will miss him in this chamber, and I would like to extend my personal best wishes to him for great success in the future.

Mr. WELLSTONE. Mr. President, I regret that I cannot support S. 1287, the Nuclear Waste Policy Amendments Act of 2000.

I cannot support this bill because it fails to meet the safety concerns of our local communities regarding the hazards of nuclear waste. I cannot support this bill because it poses an unacceptable danger to the lives and health of the thousands of Minnesotans and millions of Americans who live near shipment routes.

By dramatically increasing the number of hazardous shipments through local communities, S. 1287 increases the risk of transportation accidents involving nuclear waste and could put public health and safety in jeopardy. This legislation would mean an additional 800 shipments in the first two years, growing to about 1,800 shipments annually by the fifth year. These shipments would continue for at least 25 years, traveling within half a mile of 50 million Americans.

Under this legislation, highly dangerous nuclear waste would be shipped through 40 or more states, including my own state of Minnesota, regardless of whether it is safe for our local communities, and without their input. Without reliable and efficient emergency response safeguards for our local communities, S. 1287 fails to protect local communities from even a small accident during the shipment of nuclear waste.

Recently, DOE projected that a nuclear waste transportation accident in a rural area with even a small release of radioactive material would contaminate 42 square miles. DOE also estimated that it would take 460 days to clean up such an accident, at a cost of $620 million. The safety record of nuclear waste transportation should give us pause. Between 1964 and 1997, the Department of Energy (DOE) made approximately 2,913 shipments of used nuclear fuel. During this time, there were 47 safety incidents involving nuclear shipments, including 6 accidents.

Furthermore, S. 1287 undermines the Environmental Protection Agency's (EPA) standard-setting process. It would delay the EPA's existing statutory authority to adopt health and safety standards to protect local communities from the release of radioactive materials. This delay stands in fundamental contradiction to the claimed urgency of this legislation. It also highlights the misplaced priorities of S. 1287, with an unacceptable emphasis on disposal at any cost, regardless of whether the safety and health of local communities have been adequately provided for.

It is especially regrettable that S. 1287 does not resolve our dilemma regarding the future of nuclear waste storage. Nobody, including me, wants this waste to stay onsite forever, but we need a safe and responsible solution for disposal of the waste we have created. As we head into the 21st century, we urgently need to develop a policy that protects the health and safety of local communities and all Americans. Unfortunately, this bill fails to meet that requirement. S. 1287 is a disappointing step in the wrong direction and a regression from past legislative efforts in this area. And for that reason I am voting against it.

Mrs. BOXER. Mr. President, I strongly oppose S. 1287 and the substitute amendment being offered. This is bad policy and should be rejected by the Senate.

Protecting the health and safety of American citizens should be our highest priority in evaluating the disposal of our nuclear waste. In order to do this, all decisions must be made based on science, not politics. This legislation does not do that. Under the cover of a ''compromise'' bill, this legislation is the latest attempt to pre-empt science and legislate the scientific suitability of Yucca Mountain, Nevada, as a high-level nuclear waste dump.

Instead of finding a repository that meets our health and safety standards established in law, this legislation attempts to weaken our health and safety standards to meet the repository. I cannot and will not support such an action.

For many years we have debated the suitability of a high-level radioactive waste dump site at Yucca Mountain. And for years, I have been down on this Senate floor with my colleagues from Nevada fighting to protect the health and safety of the citizens of Nevada. But I know that Yucca Mountain is not just a Nevada issue, it is a national issue—and more important to me, it seriously and directly affects my State of California.

Yucca Mountain is only 17 miles from the California border and the Death Valley National Park. Development of this site has the potential to contaminate California's groundwater and poses unnecessary threats to the health and safety of Californians due to possible transportation accidents from shipping high-level nuclear waste through Inyo, San Bernardino and neighboring California counties.

Since its inception as a National Monument in 1933, the federal government has invested more than $600 million in the Death Valley National Park. The Park receives over 1.4 million visitors every year. Furthermore, the communities surrounding the park are economically dependent on tourism. The income generated by the presence of the Park exceeds $125 million per year. The Park has been the most significant element in the sustainable growth of the tourist industry in the Mojave Desert. The Park is committed to sustainable growth of jobs and infrastructure in contrast to the traditional boom-and-dust desert economy.

Scientific studies show that a significant part of the regional groundwater aquifer surrounding Yucca Mountain discharges in Death Valley because the valley is down-gradient of areas to the east. If the groundwater at Death Valley is contaminated, that will be the demise of the Park and the surrounding communities. The long-term viability of fish, wildlife and human populations in the area are largely dependent on water from this aquifer. The vast majority of the Park's visitors rely on services and facilities at the park headquarters near Furnace Creek. These facilities are all dependent upon the groundwater aquifer that flows under or near Yucca Mountain. And, unfortunately, there is no alternative water source that can support the visitor facilities and wildlife resources.

Water is life in the desert. Water quality must be preserved for the viability of Death Valley National Park and the dependent tourism industry.

I hope my colleagues agree that we should not threaten these visitors, this natural treasure, and our huge financial investment with incomplete science and unnecessary actions. The potential loss is just too great.

It has been extremely difficult to get the Energy Department to accept California's connection to the site. Although DOE now recognizes Inyo County, California as an Affected Unit of Local Government under the Nuclear Waste Policy Act, it did so reluctantly after a successful lawsuit by the county that resulted in DOE granting affected unit status in 1991. Inyo is the only county in California that is now listed. Fortunately, in response to a letter that I sent to the Energy Department, a hearing will be schedule in San Bernardino County to discuss the potential threat of transportation routes through the county. But my State's concerns are not being fully addressed. I ask unanimous consent that my letter to Secretary Richardson and his response be included in the RECORD.

As an Affected Unit of Local Government, Inyo County receives Federal appropriations to monitor the Yucca

Mountain project. The primary thrust of Inyo County's monitoring program has been to demonstrate the hydrologic connection between the aquifer underlying Yucca Mountain and the discharge points in Death Valley National Park and surrounding communities.

In addition to the groundwater concerns, my State is extremely concerned about the increased transportation of high level radioactive waste that will be shipped through our State as a result of this bill. Despite my objections, the Department of Energy has already started to ship low-level nuclear waste through Inyo County to the Nevada Test Site. Inyo and San Bernardino are especially concerned because of the lack of thorough studies on the transportation routes.

The State of California has also been very involved in this issue. The California Energy Commission's comments on the Yucca Mountain Project Draft Environmental Impact Statement express the State's serious concerns over the possible groundwater contamination and the lack of adequate analysis of proper transportation routes. In fact, the Western Governor's Association has repeatedly asked the Energy Department to complete a more detailed and thorough analysis of the transportation routes to Yucca Mountain to no avail.

While the legislation that we are debating today is an improvement from bills introduced and debated in the past, it still must be stopped. This legislation would undermine the regulatory framework authorized in the Nuclear Waste Policy Act of 1982 and implemented by the EPA and DOE.

The EPA was directed by Congress to establish a radiation exposure standard for Yucca Mountain. The EPA is in the process of completing that requirement. The draft standards were issued last August and the EPA is currently considering all comments on the proposal. The draft standard includes a separate—and much needed—groundwater standard for the repository that must meet the requirements of the Safe Drinking Water Act.

The legislation we are discussing today prevents the Clinton Administration from acting in a timely manner to protect public health. However, once this Administration leaves office, the EPA standards could move forward. Where is the science in that?

This provision flies in the face of science and the fundamental principle of protecting public health and safety first and foremost.

I understand that a 1995 study by the Department of Energy showed that the radiation at Yucca Mountain would be much higher than allowed under current regulations. In fact, the DOE study finds that maximum doses at the site would be 50 rem per year.

If, like me, you are not a scientist, let me put that number into perspective for you. That is like having approximately 5,000 chest x-rays annually. Furthermore, it is about 2000 times higher than what the public is currently permitted to receive under an operating powerplant under current EPA regulations. That dose is sufficient to produce approximately 100 percent probability of dying of cancer under NRC and DOE current risk estimates. Virtually everyone exposed to that dose would die of cancer. So rather than go back and try to design a better repository to meet the standards, we are on this floor to change the standards to meet the repository.

Finally, the one provision in S. 1287 that most people could agree on was stripped from this substitute amendment. That provision would have allowed the Energy Secretary to take title to the waste that is currently being stored on-site in order to resolve the liability issue.

The alleged reason for moving this legislation was to deal with the liability issue that was created by a successful lawsuit from the utilities against the Energy Department. The utilities claimed that the Energy Department was not meeting its obligations under the Nuclear Waste Policy Act to store this waste. And the utilities won. Senator MURKOWSKI and Secretary Richardson seemed to agree that the best way to resolve this issue was to have the Energy Department take title to the waste at the utilities. That was the reason for moving a bill. Now, that provision is gone, and therefore the reason to move this bill is gone.

Mr. President, I urge my colleagues to vote no on this unnecessary legislation.

I ask unanimous consent that correspondence in regard to this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
HART SENATE OFFICE BUILDING,
Washington, DC, January 12, 2000.

Hon. BILL RICHARDSON,
Secretary of Energy, James Forrestal Building, Washington, DC.

DEAR MR. SECRETARY: I am writing about the environmental impact report being prepared for the proposed transfer of radioactive material to Yucca Mountain near Las Vegas. More specifically, I am writing about the concerns of the San Bernardino Board of Supervisors that the County of San Bernardino has received less than adequate information about the process.

Though radioactive material being transported to Yucca Mountain in Nevada will be transported within San Bernardino County, there has been no hearing on the proposal within the County. Further, San Bernardino County officials allege that they have received no formal notice of hearings held outside the county or other notices of the environmental process.

I understand that other hearings were recently added to the Yucca Mountain review process. This is a request that you schedule a further hearing within San Bernardino County. I am certain that San Bernardino County officials will be happy to help arrange such a hearing. Thank you for your attention to this matter. Please respond to me through my San Bernardino office.

Sincerely,

BARBARA BOXER,
U.S. Senator.

SECRETARY OF ENERGY,
Washington, DC, February 3, 2000.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: Thank you for your letter of January 12, 2000, regarding the environmental impact report being prepared for the proposed transfer of radioactive material to Yucca Mountain.

I am sensitive to your concerns and the concerns of your constituents in San Bernardino County regarding their involvement in the Draft Environmental Impact Statement (EIS) for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada. I have added an additional public hearing in the city of San Bernardino. The hearing will be held prior to the end of the comment period for the Draft EIS, which has been extended until February 28, 2000. A Federal Register Notice announcing the date and location of this public hearing is forthcoming.

The Department is making every effort to address the public's interest in this document. This past December, three additional hearings were scheduled to include locations in the Midwest, including Lincoln, Nebraska; Cleveland, Ohio; and Chicago, Illinois. With the inclusion of an additional hearing in your State, the Department will have conducted a total of 21 hearings, 11 throughout the country and 10 in the State of Nevada. The Department is striving to ensure that the public has ample opportunity to comment on the Draft EIS. I hope the additional hearing in California addresses your concerns and those of your constituents.

If you have any questions or additional concerns, please call me or have a member of your staff contact John C. Angell, Assistant Secretary for Congressional and Intergovernmental Affairs, at 202–586–5450.

Yours sincerely,

BILL RICHARDSON.

BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO,
San Bernardino, CA, January 12, 2000.

Hon. BARBARA BOXER,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: The Board of Supervisors unanimously approved [a] resolution at our meeting yesterday. It expresses our substantial concern over the lack of notification from the Department of Energy with regard to their plans to transport thousands of shipments of high-level radioactive waste through the major cities of our County.

The only hearing held in this State took place in a remote area hundreds of miles from our major population centers. In addition we were not provided with any official notification of the Issuance of the Environmental Impact Statement nor were we provided a copy of same.

While we understand that transportation and storage/disposal of this material is essential for operation of various facilities, it is only appropriate that the jurisdictions which will be recipient of the majority of these shipments be given notice and response opportunities.

We ask for your strong support for our request to the Department of Energy for full disclosure, additional time for response and review, and for a public hearing to be held in our area. The hearing should be held somewhere near the population centers which will be subject to these shipments and the potential dangers imposed thereby.

We appreciate your serious consideration of this request.

Sincerely.

JERRY EAVES,
Supervisor, Fifth District.

COUNTY OF VENTURA,
February 1, 2000.

Hon. BARBARA BOXER,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR BOXER: I am writing to reiterate the Ventura County Board of Supervisors' opposition to S. 1287, the Nuclear Waste Policy Amendments of 1999, which, as currently written, would allow spent nuclear fuel and radioactive waste to be transported through Ventura County.

The Board of Supervisors endorses the development of a national policy for the transportation of spent nuclear fuel. However, the Board opposes transporting these material through Ventura County. County officials and residents are concerned about the proximity of the Diablo Canyon Nuclear Power Plant in San Luis Obispo County and the vulnerability to potential disasters related to the transportation of hazardous materials through the community, which poses serious health and safety risks to County residents.

Please vote against S. 1287 unless it is amended to prohibit the transportation of spent nuclear fuel and radioactive waste through Ventura County and other heavily populated areas.

Sincerely yours,

THOMAS P. WALTERS,
Washington Representative.

COUNTY OF INYO,
Independence, CA, February 1, 2000.

Hon. BARBARA BOXER,
U.S. Senate, Senate Office Building, Washington, DC.

DEAR SENATOR BOXER, I am writing to express concern with S. 1287, the Nuclear Waste Policy Amendments Act of 1999. S. 1287 proposes to abandon current specific DOE guidelines for determining the suitability of Yucca Mountain, Nevada (for siting of a nuclear waste repository) in lieu of less-demanding, generalized criteria. S. 1287 also removes the role of the Environmental Protection Agency from determining the human health standard to which repository design and operations should be held.

S. 1287, as it currently stands, would replace DOE's current and specific site suitability criteria (10 CFR 960—adopted in 1986 after considerable public input) with a generalized ''total system performance assessment'' approach (proposed in 10 CFR 963) which does not require the site to meet specific criteria with regard to site geology and hydrology or waste packet performance. Replacement of the current site suitability criteria by 10 CFR 963 would reduce the likelihood that the repository would be designed and constructed using the best available technology. Individual components of the repository system could be less than optimal in design and performance if computer modeling of the design showed it capable of meeting NRC's less-demanding standard. Given the significant long-term risk that development of the repository places on California populations and resources, any compromises on repository design, operations or materials cannot be tolerated.

S. 1287 allows the Nuclear Regulatory Commission to set a standard for protection of the public from radiological exposure associated with development of the repository. The power to set a standard for the Yucca Mountain project rightfully belongs with the EPA in its traditional role of setting health standards for Federal projects. In our recent response to EPA's proposed radiological health standard for the repository, Inyo County stated its strong support for EPA authority over the project and for use of a standard which focuses on maintaining the safety of groundwater in the Yucca Mountain-Amargosa Valley-Death Valley region.

Based on these considerations, S. 1287 will not provide adequate protection for Inyo County resources or citizens. We hope that the provisions in the bill for setting repository standards and for changing the site suitability guidelines will be deleted.

We appreciate your continued support of Inyo County's efforts to safeguard the health and safety of its citizens.

Sincerely,

MICHAEL DORAME,
Supervisor, Fifth District, County of Inyo.

CALIFORNIA ENERGY COMMISSION,
Sacramento, CA, February 7, 2000.

Hon. BARBARA BOXER,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR BOXER: We have reviewed S. 1287 (Nuclear Waste Policy Amendments Act of 2000) (NWPA) and offer the following comments.

The State of California, including thirteen California agencies, has reviewed the Department of Energy's (DOE) Draft Environmental Impact Statement (DEIS) for the proposed Yucca Mountain High-Level Nuclear Waste Repository. This review, coordinated by the California Energy Commission, identified major areas of deficiencies and scientific uncertainties in the DEIS regarding potential transportation and groundwater impacts in California from the repository. In light of these deficiencies and uncertainties, there are serious questions whether a decision should/can be made on the Yucca Mt. site's suitability in time for shipments to begin in 2007, as required by S. 1287.

These deficiencies and uncertainties include the need for better data and more realistic models to evaluate groundwater flow and potential radionuclide migration toward regional groundwater supplies in eastern California. In addition, there are major scientific uncertainties regarding key variables affecting how well geologic and engineered barriers at the repository can isolate the wastes from the environment. For example, there is considerable uncertainty regarding waste package corrosion rates, potential water seepage through the walls of the repository, groundwater levels and flow beneath the repository, and the potential impact on California aquifers from the potential migration of radionuclides from the repository. California is concerned about these uncertainties and deficiencies in studies of the Yucca Mt. project and the serious lack of progress in DOE's developing transportation plans for shipments to the repository.

Potential major impacts in California from the proposed repository include: (1) transportation impacts, (2) potential radionuclide contamination of groundwater in the Death Valley region, and (3) impacts on wildlife, natural habitat and public parks along shipment corridors and from groundwater contamination. Transportation is the single area of the proposed Yucca Mt. project that will affect the most people across the United States, since the shipments will be traveling cross-country on the nation's highways and railways. California is a major generator of spent nuclear fuel and currently stores this waste at four operating commercial nuclear power reactors, three commercial reactors being decommissioned, and at five research reactor locations throughout the State. Under current plans, spent nuclear fuel shipments from California reactors will begin the first year of shipments to a repository or storage facility.

In addition to the spent fuel generated in California, a major portion of the shipments from other states to the Yucca Mountain site could be routed through California. This concern was elevated recently when DOE decided, over the objections of California and Inyo and San Bernardino Counties, to reroute through southeastern California, along California Route 127, thousands of low-level waste shipments from eastern states to the Nevada Test Site, in order to avoid nuclear waste shipments through Las Vegas and over Hoover Dam. We objected to DOE's rerouting these shipments over California Route 127 because this roadway was not engineered for such large volumes of heavy truck traffic, lacks timely emergency response capability, is heavily traveled by tourists, and is subject to periodic flash flooding. We are concerned that S. 1287, by requiring that shipments minimize transport through heavily populated areas, could force NWPA shipments onto roadways in California, such as State Route 127, that are not suitable for such shipments.

The massive scale of these shipments to the repository or interim storage site will be unprecedented. Nevada's preliminary estimates of potential legal-weight truck shipments to Yucca Mountain show that an estimated 74,000 truck shipments, about three-fourths of the total, could traverse southern California under DOE's ''mostly truck'' scenario. Shipments could average five truck shipments daily through California during the 39-year time period of waste emplacement. Under a mixed truck and rail scenario, California could receive an average of two truck shipments per day and 4–5 rail shipments per week for 39 years. Under a ''best case'' scenario that assumes the use of large rail shipping containers, Nevada estimates there could be more than 26,000 truck shipments and 9,800 shipments through California to the repository.

We are concerned that S. 1287 would require that NWPA shipments begin prematurely before the necessary studies determining the site's suitability have been completed and before the transportation impacts of this decision have been fully evaluated. S. 1287 accelerates the schedule for the repository by requiring shipments to begin at the earliest practicable date and no later than January 31, 2007. In contrast, DOE has been planning for shipments to begin in 2010, a date considered by many to be overly optimistic. Shipping waste to a site before the necessary scientific evaluations of the site have been completed and before route-specific transportation impacts have been fully evaluated could have costly results. The DOE nuclear weapons complex has many examples of inappropriate sites where expediency has created a legacy of very costly waste clean-up, e.g., Hanford, Washington. The use of methods that were not fully tested for the storage and disposal of nuclear wastes has resulted in contaminants from these wastes leaking into the environment. Transporting waste to a site, as mandated by S. 1287, before the appropriate analyses are completed could create a ''de facto'' high-level waste repository in perpetuity with unknown and potentially serious long-term public and environmental consequences.

Sincerely,

ROBERT A. LAURIE,
Commissioner and State Liaison Officer to the Nuclear Regulatory Commission.

WHY NUCLEAR WASTE WON'T GO TO SOUTH CAROLINA

Mr. HOLLINGS. I would like to inquire of the manager whether it is possible for any spent nuclear fuel to go to South Carolina under the provisions of Section 102, ''Backup Storage Capacity'' of the manager's substitute amendment.

Mr. MURKOWSKI. Absolutely not. Spent nuclear fuel cannot go to South Carolina under the specific terms of the amendment's Backup Storage Capacity provisions, which states that the government shall: ''* * * transport such spent fuel to, and store such spent fuel at, the repository site. * * *'' That site is Yucca Mountain, Nevada.

Mr. HOLLINGS. I thank the manager.

Mr. MURKOWSKI. Mr. President, what is the remaining time on this side?

The PRESIDING OFFICER. Five minutes.

Mr. MURKOWSKI. Mr. President, as this debate comes to an end, I think it appropriate to respond to my friend from New Mexico relative to what I understand he said—that he had not seen a real letter from the Governors opposing taking title. I don't know whether the White House will not make that available, but we have it here. I will be happy to share it with him. I will put it in the RECORD because it shows all the signatures of all the Governors:

The Honorable Howard Dean, Governor of Vermont; the Honorable Jeb Bush, Governor of Florida; the Honorable Angus King, Jr., Governor of Maine; the Honorable John Kitzhaber, Governor of Oregon; the Honorable Jeanne Shaheen, Governor of New Hampshire; the Honorable Jesse Ventura, Governor of Minnesota; and the Honorable Tom Vilsack, Governor of Iowa.

There are more coming, I am told. I hope we can put that particular criticism to rest.

This is not an imaginary letter. This a letter from the Governors objecting, if you will, to the situation of leaving the waste in their States for the specific reason that they don't trust the Federal Government. The reason they do not trust the Federal Government is the Federal Government has not performed on its contract after taking $15 billion from the ratepayers to take the waste. They are fearful that the waste will stay in their States under the control of the Federal Government. That is a legitimate concern.

Again, I refer to the chart of where that waste is. It is in those 40 States. It is in 40 States, and each Member is going to have to respond as to why they voted to leave that waste in their State.

We have had questions brought up about the land in Nevada. It is kind of fuzzy because this is beneficial to Nevada. Now they are saying they did not have any notice and they don't have the maps. The maps are in our office. We have them for the counties. I am sure the minority could get them. I am sure the two Senators from Nevada could get the maps of their own counties. We have them in our office, in fact, and I will try to get them in the RECORD so they can see them.

As far as the land transfer is concerned, it has always been in previous bills. These are smokescreens. Our friends from Nevada are trying to explain why this isn't a good deal. They wanted it. It is there. Now they are saying: Well, just wait a minute; we don't have the facts. We have them. They are there and available for anybody. The land transfer is authorized in the previous bills. Let's not beat around the bush.

In the remaining time I have, I want to highlight what this bill really accomplishes.

I think the minority ranking member would recognize that we have tried to work with him on his list of alternatives. We addressed his concern on the interim storage. Our bill uses the WIPP transportation model. EPA has the sole authority to set the standard. We took out the international collaboration in transmutation which they wanted. We couldn't take everything, but we certainly tried.

This is a valuable piece of legislation as it stands because we have in this substitute dropped the interim storage. Isn't this kind of ironic? We dropped the interim storage. The administration was opposed to the interim storage in Nevada. The idea was that we could move this stuff out at a critical time and put it out there. They said: No, we can't do that until Yucca is finalized—until it is finally licensed. But now they are doing it twice. They are having it both ways. They are saying we will just leave it in the State. Then it becomes interim in the State. These Governors are smart enough to figure it out. I hope every Member of this body is because it is a flimflam. That is just what it is.

The administration wants to have it both ways. They do not want interim storage. They want the interim storage in the States. It drops interim storage.

It requires Congress to approve any increase in fees to protect the consumer. It sets schedules for development of a repository. It authorizes backup storage at the repository for any spent fuel that the utilities can't store on site. It allows the EPA to set radiation standards after June 1, 2001; prior to that consultation only with NAS and NRC, to ensure that any standard is the best science available.

What in the world is wrong with that?

It authorizes settlement agreements for outstanding litigation. It requires an election to settle within 180 days as requested by the administration. In other words, it brings them together.

Finally, it transfers 76,000 acres.

Let me conclude by saying that each Member is going to have to respond as to why they left this waste in their State if they don't support this bill. I encourage my colleagues to recognize that it is time to bring this matter to an end. Let's support the legislation.

I yield the floor.

Mr. BINGAMAN. Mr. President, I yield 1 minute to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. I thank the Chair. I thank the Senator from New Mexico.

Mr. President, let me respond to the map issue. I think the Senator from Alaska characterized it as ''flimflam.'' That is what this legislation is. As recently as yesterday, in requesting the maps, they had none. The only thing they have is these notes right here. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PAYMENTS TO LOCAL COUNTIES ELIMINATED

Annual payments prior to first receipt of fuel: 2.5 million/year $12.5.

Upon 1st fuel receipt: 5 million/one time 5.0.

Annual payments after 1st receipt until closure: $5 million/year (2007–2042 125 million.)

Total—Over 140 million up to 2042 then 5 million/year after that.

LAND CONVEYANCES RETAINED

Total of: 76,000 acres.
46,000 to Nye County.
30,000 to Lincoln County.
For a variety of uses: For example—
City of Caliente:
Municipal landfill (240 acres).
Community growth (2,640 acres).
Community recreation (800 acres).
Lincoln County
Community Growth:
Pioche—2,080 acres.
Panaca—2,240 acres.
Rachel—1,280 acres.
Alamo—1,920 acres.

These lands had been previously identified by BLM as available for disposal.

Towns:
Beatty—3,400 acres.
Ione—1,280 acres.
Manhattan—750 acres.
Round Mountain/Smokey Valley—11,300 acres.
Tonopah—11,500 acres.
Total estimated 28,230 acres.
Towns:
Amargosa—2,700 acres.
Pahrump—14,750 acres.
Total estimated 17,450 acres.
BLM/Grand Total: 45,680 acres.

Western Members should be pleased about this kind of transfer of public lands from federal ownership.

There are lots of benefits to doing these kinds of transfers:

Long term financial benefits are:
Decrease federal mgmt costs;
Increase State & local benefits;

The land can now be used for income providing activities.

Such transfers help consolidate land ownership and that leads to a more cost-effective and environmentally sound ecosystem management.

Mr. BRYAN. Mr. President, there are no maps.

That will give you some indication of what a shoddy, moving target this has been as we have tried to debate and expand on it. It is simply indefensible public policy.

I urge my colleagues to vote against it.

Mr. BINGAMAN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. Two and one-half minutes.

Mr. BINGAMAN. Mr. President, let me take the remaining time to commend our chairman, Senator MURKOWSKI, for his heroic efforts in trying

to come up with legislation that would be constructive and deal with this problem. This is not an easy issue to resolve. There are many points of view.

First, the subject is complex. The history of the legislation is certainly varied and difficult.

I certainly believe the chairman has worked in good faith to try to come up with a solution. As I stated several times this morning, I do not believe he has been successful in that regard.

I am not able to support the bill.

I think there is a lot of confusion that has surrounded our debate here on the floor. As to the whole notion that the Governors are fearful that waste would wind up remaining in their States if they did not drop this take title provision, I can say if they are worried that waste will remain, they have good grounds to be worried because it is going to remain in their States. Under current law, and under this legislation, if this legislation becomes law, the waste will remain in their States. The only question is, who is going to have ownership and responsibility for that waste.

We had proposed that the Department of Energy be given ownership and responsibility. We believe that would, if anything, desensitize the Department to move ahead more quickly on Yucca Mountain. I believe that is clearly the case.

The notion that anybody who opposes this bill is going to have to explain why they want waste to remain in their States is not the issue on which we are voting. Waste is going to remain in each of the States where it is now located unless and until we get the Yucca Mountain site characterized. I hope we do that quickly. I am doing all I can to support doing that quickly. I believe the waste should be moved to a permanent repository. I think that is clearly where we need to head. But the notion that this problem is going to be somehow solved by passing this bill is just not supported by anything. There is no logic to that.

We can pass this bill. This bill can be signed by the President. You can wind up 5 years from now trying to explain to people in your State why the waste is still sitting there because it is going to be there in 5 years regardless.

I think people need to understand that there is much less here than meets the eye. As far as this legislation is concerned, anyone who thinks this legislation is going to put any problem behind them is going to be sorely disappointed down the road. In fact, I think the problems will be compounded if we enact this legislation and it were to become law.

I urge colleagues to oppose the bill and I yield the floor.

The PRESIDING OFFICER. All time has expired. Under the previous order, the hour of 11 a.m. having arrived, the substitute amendment, No. 2808, is agreed to.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''no.''

The result was announced—yeas 64, nays 34, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—64

Abraham	Gramm	McConnell
Allard	Grams	Murkowski
Ashcroft	Grassley	Murray
Bennett	Gregg	Nickles
Bond	Hagel	Robb
Breaux	Hatch	Roberts
Brownback	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sessions
Cleland	Hutchison	Shelby
Cochran	Inhofe	Smith (NH)
Collins	Jeffords	Smith (OR)
Coverdell	Kerrey	Snowe
Craig	Kohl	Specter
Crapo	Kyl	Stevens
DeWine	Landrieu	Thomas
Domenici	Leahy	Thompson
Enzi	Levin	Thurmond
Fitzgerald	Lincoln	Voinovich
Frist	Lott	Warner
Gorton	Lugar	
Graham	Mack	

NAYS—34

Akaka	Dodd	Mikulski
Baucus	Dorgan	Moynihan
Bayh	Durbin	Reed
Biden	Edwards	Reid
Bingaman	Feingold	Rockefeller
Boxer	Feinstein	Sarbanes
Bryan	Harkin	Schumer
Byrd	Inouye	Torricelli
Campbell	Johnson	Wellstone
Chafee, L.	Kerry	Wyden
Conrad	Lautenberg	
Daschle	Lieberman	

NOT VOTING—2

Kennedy	McCain

The bill (S. 1287), as amended, was passed, as follows:

S. 1287

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 ''Nuclear Waste Policy Amendments Act of 2000''.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term ''contract holder'' means a party to a contract with the Secretary of Energy for the disposal of spent nuclear fuel or high-level radioactive waste entered into pursuant to section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)); and

(2) the terms ''Administrator'', ''civilian nuclear power reactor'', ''Commission'', ''Department'', ''disposal'', ''high-level radioactive waste'', ''Indian tribe'', ''repository'', ''reservation'', ''Secretary'', ''spent nuclear fuel'', ''State'', ''storage'', ''Waste Fund'', and ''Yucca Mountain site'' shall have the meanings given such terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

TITLE I—STORAGE AND DISPOSAL

SEC. 101. PROGRAM SCHEDULE.

(a) IN GENERAL.—The President, the Secretary, and the Nuclear Regulatory Commission shall carry out their duties under this Act and the Nuclear Waste Policy Act of 1982 by the earliest practicable date consistent with the public interest and applicable provisions of law.

(b) MILESTONES.—(1) The Secretary shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the President by December 31, 2001;

(2) The President shall make a final decision whether to recommend the Yucca Mountain site for development of the repository to the Congress by March 31, 2002;

(3) The Nuclear Regulatory Commission shall make a final decision whether to authorize construction of the repository by January 31, 2006; and

(4) As provided in subsection (c), the Secretary shall begin receiving waste at the repository site at the earliest practicable date and no later than eighteen months after receiving construction authorization from the Nuclear Regulatory Commission.

(c) RECEIPT FACILITIES.—(1) As part of the submission of an application for a construction authorization pursuant to section 114(b) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(b)), the Secretary shall apply to the Commission to receive and possess spent nuclear fuel and high-level radioactive waste at surface facilities within the geologic repository operations area for the receipt, handling, packaging, and storage prior to emplacement.

(2) As part of the issuance of the construction authorization under section 114(b) of the Nuclear Waste Policy Act of 1982, the Commission shall authorize construction of surface facilities described in subsection (c)(1) and the receipt and possession of spent nuclear fuel and high-level radioactive waste at such surface facilities within the geologic repository operations area for the purposes in subsection (c)(1), in accordance with such standards as the Commission finds are necessary to protect the public health and safety.

SEC. 102. BACKUP STORAGE CAPACITY.

(a) Subject to section 105(d), the Secretary shall enter into a contract under this subsection with any person generating or owning spent nuclear fuel that meets the requirements of section 135(b)(1) (A) and (B) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10155(b)(1) (A) and (B)) to—

(1) take title at the civilian nuclear power reactor site to such amounts of spent nuclear fuel from the civilian nuclear power reactor as the Commission determines cannot be stored onsite; and

(2) transport such spent nuclear fuel to, and store such spent nuclear fuel at, the repository site after the Commission has authorized construction of the repository without regard to the Secretary's Acceptance Priority Ranking report or Annual Capacity report.

SEC. 103. REPOSITORY LICENSING.

(a) ADOPTION OF STANDARDS.—Notwithstanding the time schedule in section 801(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note), the Administrator shall not publish or adopt public health and safety standards for the protection of the public from releases from radioactive materials stored or disposed of in the repository at the Yucca Mountain site—

(1) except in accordance with this section; and

(2) before June 1, 2001.

(b) CONSULTATION AND REPORTS TO CONGRESS.—(1) Not later than 30 days after the enactment of this Act, the Administrator shall provide the Commission and the National Academy of Sciences—

(A) a detailed written comparison of the provisions of the proposed Environmental Protection Standards for Yucca Mountain, Nevada, published in the Federal Register on August 27, 1999 (64 Fed. Reg. 46,975) with the recommendations made by the National Academy of Sciences in its report, Technical Bases for Yucca Mountain Standards, pursuant to section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note); and

(B) the scientific basis for the proposed rule.

(2) Not later than April 1, 2001, the Commission and the National Academy of Sciences shall, based on the proposed rule and the information provided by the Administrator under paragraph (1), each submit a report to Congress on whether the proposed rule—

(A) is consistent with section 801(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note);

(B) provide a reasonably expectation that the public health and safety and the environment will be adequately protected from the hazards posed by high-level radioactive waste and spent nuclear fuel disposed of in the repository;

(C) is based on the best reasonably obtainable scientific and technical information concerning the need for, and consequences of, the rule; and

(D) imposes the least burden, consistent with obtaining the regulatory objective of protecting the public health and safety and the environment.

(3) In the event that either the Commission or the National Academy of Sciences finds that the proposed rule does not meet one or more of the criteria listed in paragraph (2), it shall notify the Administrator not later than April 1, 2001 of its finding and the basis for such finding.

(c) APPLICATION OF CONGRESSIONAL REVIEW PROCEDURES.—Any final rule promulgated under section 801(a)(1) of the Energy Policy Act of 1992 (42 U.S.C. 10141 note) shall be treated as a major rule for purposes of chapter 8 of title 5, United States Code, and shall be subject to all the requirements and procedures pertaining to a major rule in such chapter.

(d) CAPACITY.—Section 114(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10134(d)) is amended by striking ''The Commission decision approving the first such application . . .'' through the period at the end of the sentence.

SEC. 104. NUCLEAR WASTE FEE.

The last sentence of section 302(a)(4) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(4)) is amended to read as follows: ''The adjusted fee proposed by the Secretary shall be effective upon enactment of a joint resolution or other provision of law specifically approving the adjusted fee.''.

SEC. 105. SETTLEMENT AGREEMENTS.

(a) IN GENERAL.—The Secretary may, upon the request of any person with whom he has entered into a contract under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), enter into a settlement agreement with the contract holder to—

(1) relieve any harm caused by the Secretary's failure to meet the Department's commitment, or

(2) settle any legal claims against the United States arising out of such failure.

(b) TYPES OF RELIEF.—Pursuant to a settlement agreement entered into under this section, the Secretary may—

(1) provide spent nuclear fuel storage casks to the contract holder;

(2) compensate the contract holder for the cost of providing spent nuclear fuel storage at the contract holders' storage facility; or

(3) provide any combination of the foregoing.

(c) SCOPE OF RELIEF.—The Secretary's obligation to provide the relief under subsection (b) shall not exceed the Secretary's obligation to accept delivery of such spent fuel under the terms of the Secretary's contract with such contract holder under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)), including any otherwise permissible assignment of rights.

(d) WAIVER OF CLAIMS.—(1) The Secretary may not enter into a settlement agreement under subsection (a) or (f) or a backup contract under section 102(a) with any contract holder unless the contract holder—

(A) notifies the Secretary within 180 days after the date of enactment of this Act of its intent to enter into a settlement negotiations, and

(B) as part of such settlement agreement or backup contract, waives any claim for damages against the United States arising out of the Secretary's failure to begin disposing of such person's high-level waste or spent nuclear fuel by January 31, 1998.

(2) Nothing in this subsection shall be read to require a contract holder to waive any future claim against the United States arising out of the Secretary's failure to meet any new obligation assumed under a settlement agreement or backup storage agreement, including any obligation related to the movement of spent fuel by the Department.

(e) SOURCE OF FUNDS.—Notwithstanding section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)), the Secretary may not make expenditures from the Nuclear Waste Fund for any costs that may be incurred by the Secretary pursuant to a settlement agreement or backup storage contract under this Act except—

(1) the cost of acquiring and loading spent nuclear fuel casks;

(2) the cost of transporting spent nuclear fuel from the contract holder's site to the repository; and

(3) any other cost incurred by the Secretary required to perform a settlement agreement or backup storage contract that would have been incurred by the Secretary under the contracts entered into under section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) notwithstanding their amendment pursuant to this Act.

(f) REACTOR DEMONSTRATION PROGRAM.—(1) Not later than 120 days after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, and notwithstanding Section 302(a)(5) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)(5)), the Secretary is authorized to take title to the spent nuclear fuel withdrawn from the demonstration reactor remaining from the Cooperative Power Reactor Demonstration Program (Pub. L. No. 87–315, Sec. 109, 75 Stat. 679), the Dairyland Power Cooperative La Crosse Boiling Water Reactor. Immediately upon the Secretary's taking title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the Secretary shall assume all responsibility and liability for the interim storage and permanent disposal thereof and is authorized to compensate Dairyland Power Cooperative for any costs related to operating and maintaining facilities necessary for such storage, from the date of taking title until the Secretary removes the spent nuclear fuel from the Dairyland Power Cooperative La Crosse Boiling Water Reactor site. The Secretary's obligation to take title or compensate the holder of the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel under this subsection shall include all of such fuel, regardless of the delivery commitment schedule for such fuel under the Secretary's contract with the Dairyland Power Cooperative as the contract holder under Section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) or the acceptance schedule for such fuel under section 106 of this Act.

(2) As a condition to the Secretary's taking of title to the Dairyland Power Cooperative La Crosse Boiling Water Reactor spent nuclear fuel, the contract holder for such fuel shall enter into a settlement agreement containing a waiver of claims against the United States as provided in this section.

(g) SAVINGS CLAUSE.—(1) Nothing in this section shall limit the Secretary's existing authority to enter into settlement agreements or address shutdown reactors and any associated public health and safety or environmental concerns that may arise.

(2) Nothing in this Act diminishes obligations imposed upon the Federal Government by the United States District Court of Idaho in an order entered on October 17, 1995 in United States v. Batt (No. 91–0054–S–EJL). To the extent this Act imposes obligations on the Federal Government that are greater than those imposed by the court order, the provisions of this Act shall prevail.

SEC. 106. ACCEPTANCE SCHEDULE.

(a) PRIORITY RANKING.—Acceptance priority ranking shall be determined by the Department's ''Acceptance Priority Ranking'' report.

(b) ACCEPTANCE RATE.—As soon as practicable after construction authorization, but no later than eighteen months after the year of issuance of a license to receive and possess spent nuclear fuel and high-level radioactive waste under section 101(c), the Secretary's total acceptance rate for all spent nuclear fuel and high-level waste shall be a rate no less than the following as measured in metric tons uranium (MTU), assuming that each high-level waste canister contains 0.5 MTU: 500 MTU in year 1, 700 MTU in year 2, 1,300 MTU in year 3, 2,100 MTU in year 4, 3,100 MTU in year 5, 3,300 MTU in years 6, 7, and 8, 3,400 MTU in years 9 through 24, and 3,900 MTU in year 25 and thereafter.

(c) OTHER ACCEPTANCES.—Subject to the conditions contained in the license to receive and possess spent nuclear fuel and high-level radioactive waste issued under section 101(c), of the amounts provided for in paragraph (b) for each year, not less than one-sixth shall be—

(1) spent nuclear fuel or civilian high-level radioactive waste of domestic origin from civilian nuclear power reactors that have permanently ceased operation on or before the date of enactment of the Nuclear Waste Policy Act Amendments of 2000;

(2) spent nuclear fuel from foreign research reactors, as necessary to promote nonproliferation activities; and

(3) spent nuclear fuel and high-level radioactive waste from research and atomic energy defense activities, including spent nuclear fuel from naval reactors:

Provided, however, That the Secretary shall accept not less than 7.5 percent of the total quantity of fuel and high-level radioactive waste accepted in any year from the categories of radioactive materials described in paragraphs (2) and (3) in subsection (c). If sufficient amounts of radioactive materials are not available to utilize this allocation, the Secretary shall allocate this acceptance capacity to other contract holders.

(d) EFFECT ON SCHEDULE.—The contractual acceptance schedule shall not be modified in any way as a result of the Secretary's acceptance of any material other than contract holders' spent nuclear fuel and high-level radioactive waste.

(e) MULTI-YEAR SHIPPING CAMPAIGNS.—Consistent with the acceptance schedule, the Secretary shall, in conjunction with contract holders, define a specified multi-year period for each shipping campaign and establish criteria under which the Secretary could accept contract holders' cumulative allocations of spent nuclear fuel during the campaign period at one time and thereby enhance the efficiency and cost-effectiveness of spent nuclear fuel and high-level waste acceptance.

SEC. 107. INITIAL LAND CONVEYANCES.

(a) CONVEYANCES OF PUBLIC LANDS.—One hundred and twenty days after enactment, all right, title and interest of the United States in the property described in subsection (b), and improvements thereon, together with all necessary easements for utilities and ingress and egress to such property, including, but not limited to, the right to improve those easements, are conveyed by operation of law to the County of Nye, County of Lincoln, or the City of Caliente, Nevada, unless the county notifies the Secretary of the Interior or the head of such other appropriate agency in writing within 60 days of such date that it elects not to take title to all or any part of the property, except that any lands conveyed to the County of Nye under this subsection that are subject to a Federal grazing permit or lease or a similar federally granted permit or lease shall be conveyed between 60 and 120 days of the earliest time the Federal agency administering or granting the permit or lease would be able to legally terminate such right under the statutes and regulations existing at the date of enactment of this Act, unless Nye County and the affected holder of the permit or lease negotiate an agreement that allows for an earlier conveyance.

(b) SPECIAL CONVEYANCES.—Subject to valid existing rights and notwithstanding any other law, the Secretary of the Interior or the head of the other appropriate agency shall convey:

(1) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: Proposed Pahrump Industrial Park Site

Map 2: Proposed Lathrop Wells (Gate 510) Industrial Park Site

Map 3: Pahrump Landfill Sites

Map 4: Amargosa Valley Regional Landfill Site

Map 5: Amargosa Valley Municipal Landfill Site

Map 6: Beatty Landfill/Transfer Station Site

Map 7: Round Mountain Landfill Site

Map 8: Tonopah Landfill Site

Map 9: Gabbs Landfill Site.

(2) To the County of Nye, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: Beatty

Map 2: Ione/Berlin

Map 3: Manhattan

Map 4: Round Mountain/Smoky Valley

Map 5: Tonopah

Map 6: Armargosa Valley

Map 7: Pahrump.

(3) To the County of Lincoln, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 2: Lincoln County, Parcel M, Industrial Park Site, Jointly with the City of Caliente

Map 3: Lincoln County, Parcels F and G, Mixed Use, Industrial Sites

Map 4: Lincoln County, Parcels H and I, Mixed Use and Airport Expansion Sites

Map 5: Lincoln County, Parcels J and K, Mixed Use, Airport and Landfill Expansion Sites

Map 6: Lincoln County, Parcels E and L, Mixed Use, Airport and Industrial Expansion Sites.

(4) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: City of Caliente, Parcels A, B, C and D, Community Growth, Landfill Expansion and Community Recreation Sites

Map 2: City of Caliente, Parcel M, Industrial Park Site, Jointly with Lincoln County.

(5) To the City of Caliente, Nevada, the following public lands depicted on the maps dated February 1, 2000, and on file with the Secretary:

Map 1: City of Caliente, Industrial Park Site Expansion.

(c) CONSTRUCTION.—The maps and legal descriptions of special conveyance referred to in subsection (b) shall have the same force and effect as if they were included in this Act. The Secretary may correct clerical and typographical errors in the maps and legal descriptions and make minor adjustments in the boundaries of the sites.

(d) EVIDENCE OF TITLE TRANSFER.—Upon the request of the County of Lincoln or the County of Nye, Nevada, the Secretary of the Interior shall provide evidence of title transfer.

(e) CONSENT.—(1) The acceptance or use of any of the benefits provided under this title by any affected unit of local government shall not be deemed to be an expression of consent, express or implied, either under the Constitution of the State of Nevada or any law thereof, to the siting of the repository in the State of Nevada, any provision of such Constitution or laws to the contrary notwithstanding.

(2) ARGUMENTS.—Neither the United States nor any other entity may assert any argument based on legal or equitable estoppel, or acquiescence, or waiver, or consensual involvement, in response to any decision by the State of Nevada, to oppose the siting in Nevada of the repository premised upon or related to the acceptance or use of benefits under this title.

(3) LIABILITY.—No liability of any nature shall accrue to be asserted against the State of Nevada, its Governor, any official thereof, or any official of any governmental unit thereof, premised solely upon the acceptance or use of benefits under this title.

TITLE II—TRANSPORTATION

SEC. 201. TRANSPORTATION.

Section 180 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10175) is amended to read as follows:

''TRANSPORTATION

''SEC. 180. (a) IN GENERAL.—The transportation of spent nuclear fuel and high-level radioactive waste from any civilian nuclear power reactor to any other civilian nuclear power reactor or to any Department of Energy Facility, by or for the Secretary, or by or for any person who owns or generates spent nuclear fuel or high-level radioactive waste, shall be subject to licensing and regulation by the Commission and the Secretary of Transportation under all applicable provisions of existing law.

''(1) PREFERRED SHIPPING ROUTES.—The Secretary shall select and cause to be used preferred shipping routes for the transportation of spent nuclear fuel and high level radioactive waste from each shipping origin to the repository in accordance with the regulations promulgated by the Secretary of Transportation under authority of the Hazardous Materials Transportation Act (chapter 51 of title 49, United State Code) and by the Nuclear Regulatory Commission under authority of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.).

''(2) STATE REROUTING.—For purposes of this section, a preferred route shall be an Interstate System highway for which an alternative route is not designated by a State routing agency, or a State-designated route designated by a State routing agency pursuant to section 397.103 of title 49, Code of Federal Regulations.

''(b) SHIPPING CONTAINERS.—No spent nuclear fuel or high-level radioactive waste may be transported by or for the Secretary under this Act except in packages—

''(1) the design of which has been certified by the Commission; and

''(2) that have been determined by the Commission to satisfy its quality assurance requirements.

''(c) NOTIFICATION.—The Secretary shall provide advance notification to States and Indian tribes through whose jurisdiction the Secretary plans to transport spent nuclear fuel or high-level radioactive waste.

''(d) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—

''(A) STATES AND INDIAN TRIBES.—As provided in paragraph (3), the Secretary shall provide technical assistance and funds to States and Indian tribes for training of public safety officials or appropriate units of State, local, and tribal government. A State shall allocate to local governments within the State a portion of any funds that the Secretary provides to the State for technical assistance and funding.

''(B) EMPLOYEE ORGANIZATIONS.—The Secretary shall provide technical assistance and funds for training directly to nonprofit employee organizations, voluntary emergency response organizations, and joint labor-management organizations that demonstrate experience in implementing and operating worker health and safety training and education programs and demonstrate the ability to reach and involve in training programs target populations of workers who are or will be directly engaged in the transportation of spent nuclear fuel and high-level radioactive waste or emergency response or post-emergency response with respect to such transportation.

''(C) TRAINING.—Training under this section—

''(i) shall cover procedures required for safe routine transportation of materials and procedures for dealing with emergency response situations;

''(ii) shall be consistent with any training standards established by the Secretary of Transportation under subsection (h); and

''(iii) shall include—

''(I) a training program applicable to persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste;

''(II) instruction of public safety officers in procedures for the command and control of the response to any incident involving the waste; and

''(III) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving spent nuclear fuel or high-level radioactive waste being transported.

''(2) NO SHIPMENTS IF NO TRAINING.—

''(A) There shall be no shipments by the Secretary of spent nuclear fuel and high-level radioactive waste through the jurisdiction of any State or the reservation lands of any Indian tribe eligible for grants under paragraph (3)(B) to the repository until the Secretary has made a determination that personnel in all State, local, and tribal jurisdictions on primary and alternative shipping

routes have met acceptable standards of training for emergency responses to accidents involving spent nuclear fuel and high-level radioactive waste, as established by the Secretary, and unless technical assistance and funds to implement procedures for the safe routine transportation and for dealing with emergency response situations under paragraph (1)(A) have been available to a State or Indian tribe for at least 3 years prior to any shipment: *Provided, however,* That the Secretary may ship spent nuclear fuel and high-level radioactive waste if technical assistance or funds have not been made available because of—

''(i) an emergency, including the sudden and unforeseen closure of a highway or rail line or the sudden and unforeseen need to remove spent fuel from a reactor because of an accident, or

''(ii) the refusal to accept technical assistance by a State or Indian tribe, or

''(iii) fraudulent actions which violate Federal law governing the expenditure of Federal funds.

''(B) In the event the Secretary is required to transport spent fuel or high-level radioactive waste through a jurisdiction prior to 3 years after the provision of technical assistance or funds to such jurisdiction, the Secretary shall, prior to such shipment, hold meetings in each State and Indian reservation through which the shipping route passes in order to present initial shipment plans and receive comments. Department of Energy personnel trained in emergency response shall escort each shipment. Funds and all Department of Energy training resources shall be made available to States and Indian tribes along the shipping route no later than three months prior to the commencement of shipments: *Provided, however,* That in no event shall such shipments exceed 1,000 metric tons per year: *Provided further,* That no such shipments shall be conducted more than four years after the effective date of the Nuclear Waste Policy Amendments Act of 2000.

''(3) GRANTS.—

''(A) IN GENERAL.—To implement this section, the Secretary may make expenditures from the Nuclear Waste Fund to the extent provided for in appropriation Acts.

''(B) GRANTS FOR DEVELOPMENT OF PLANS.—

''(i) IN GENERAL.—The Secretary shall make a grant of at least $150,000 to each State through the jurisdiction of which and each federally recognized Indian tribe through the reservation lands of which one or more shipments of spent nuclear fuel or high-level radioactive waste will be made under this Act for the purpose of developing a plan to prepare for such shipments.

''(ii) LIMITATION.—A grant shall be made under clause (i) only to a State or a federally recognized Indian tribe that has the authority to respond to incidents involving shipments of hazardous material.

''(C) GRANTS FOR IMPLEMENTATION OF PLANS.—

''(i) IN GENERAL.—Annual implementation grants shall be made to States and Indian tribes that have developed a plan to prepare for shipments under this Act under subparagraph (B). The Secretary, in submitting the annual departmental budget to Congress for funding of implementation grants under this section, shall be guided by the State and tribal plans developed under subparagraph (B). As part of the Department of Energy's annual budget request, the Secretary shall report to Congress on—

''(I) the funds requested by States and federally recognized Indian tribes to implement this subsection;

''(II) the amount requested by the President for implementation; and

''(III) the rationale for any discrepancies between the amounts requested by States and federally recognized Indian tribes and the amounts requested by the President.

''(ii) ALLOCATION.—Of funds available for grants under this subparagraph for any fiscal year—

''(I) 25 percent shall be allocated by the Secretary to ensure minimum funding and program capability levels in all States and Indian tribes based on plans developed under subparagraph (B); and

''(II) 75 percent shall be allocated to States and Indian tribes in proportion to the number of shipment miles that are projected to be made in total shipments under this Act through each jurisdiction.

''(4) AVAILABILITY OF FUNDS FOR SHIPMENTS.—Funds under paragraph (1) shall be provided for shipments to a repository, regardless of whether the repository is operated by a private entity or by the Department of Energy.

''(5) MINIMIZING DUPLICATION OF EFFORT AND EXPENSES.—The Secretaries of Transportation, Labor, and Energy, Directors of the Federal Emergency Management Agency and National Institute of Environmental Health Sciences, the Nuclear Regulatory Commission, and Administrator of the Environmental Protection Agency shall review periodically, with the head of each department, agency, or instrumentality of the Government, all emergency response and preparedness training programs of that department, agency, or instrumentality to minimize duplication of effort and expense of the department, agency, or instrumentality in carrying out the programs and shall take necessary action to minimize duplication.

''(e) PUBLIC INFORMATION.—The Secretary shall conduct a program, in cooperation with corridor States and tribes, to inform the public regarding the transportation of spent nuclear fuel and high-level radioactive waste, with an emphasis on those States, units of local government, and Indian tribes through whose jurisdiction the Secretary plans to transport substantial amounts of spent nuclear fuel or high-level radioactive waste.

''(f) USE OF PRIVATE CARRIERS.—The Secretary, in providing for the transportation of spent nuclear fuel and high-level radioactive waste under this Act, shall contract with private industry to the fullest extent possible in each aspect of such transportation. The Secretary shall use direct Federal services for such transportation only upon a determination by the Secretary of Transportation, in consultation with the Secretary, that private industry is unable or unwilling to provide such transportation services at a reasonable cost.

''(g) COMPLIANCE WITH TRANSPORTATION REGULATIONS.—Any person that transports spent nuclear fuel or high-level radioactive waste under the Nuclear Waste Policy Amendments Act of 2000, pursuant to a contract with the Secretary, shall comply with all requirements governing such transportation issued by the Federal, State and local governments, and Indian tribes, in the same way and to the same extent that any person engaging in that transportation that is in or affects interstate commerce must comply with such requirements, as required by section 5126 of title 49, United States Code.

''(h) EMPLOYEE PROTECTION.—Any person engaged in the interstate commerce of spent nuclear fuel or high-level radioactive waste under contract to the Secretary pursuant to this Act shall be subject to and comply fully with the employee protection provisions of section 20109 of title 49, United States Code (in the case of employees of railroad carriers) and section 31105 of title 49, United States Code (in the case of employees operating commercial motor vehicles), or the Commission (in the case of all other employees).

''(i) TRAINING STANDARD.—

''(1) REGULATION.—No later than 12 months after the date of enactment of the Nuclear Waste Policy Amendments Act of 2000, the Secretary of Transportation, pursuant to authority under other provisions of law, in consultation with the Secretary of Labor and the Commission, shall promulgate a regulation establishing training standards applicable to workers directly involved in the removal and transportation of spent nuclear fuel and high-level radioactive waste. The regulation shall specify minimum training standards applicable to workers, including managerial personnel. The regulation shall require that the employer possess evidence of satisfaction of the applicable training standard before any individual may be employed in the removal and transportation of spent nuclear fuel and high-level radioactive waste.

''(2) SECRETARY OF TRANSPORTATION.—If the Secretary of Transportation determines, in promulgating the regulation required by paragraph (1), that existing Federal regulations establish adequate training standards for workers, then the Secretary of Transportation can refrain from promulgating additional regulations with respect to worker training in such activities. The Secretary of Transportation and the Commission shall, by Memorandum of Understanding, ensure coordination of worker training standards and to avoid duplicative regulation.

''(3) TRAINING STANDARDS CONTENT.—(A) If training standards are required to be promulgated under paragraph (1), such standards shall, among other things deemed necessary and appropriate by the Secretary of Transportation, provide for—

''(i) a specified minimum number of hours of initial offsite instruction and actual field experience under the direct supervision of a trained, experienced supervisor;

''(ii) a requirement that onsite managerial personnel receive the same training as workers, and a minimum number of additional hours of specialized training pertinent to their managerial responsibilities; and

(iii) a training program applicable to persons responsible for responding to and cleaning up emergency situations occurring during the removal and transportation of spent nuclear fuel and high-level radioactive waste.

''(B) The Secretary of Transportation may specify an appropriate combination of knowledge, skills, and prior training to fulfill the minimum number of hours requirements of clauses (i) and (ii).

''(4) EMERGENCY RESPONDER TRAINING STANDARDS.—The training standards for persons responsible for responding to emergency situations occurring during the removal and transportation of spent nuclear and high-level radioactive waste shall, in accordance with existing regulations, ensure their ability to protect nearby persons, property, or the environment from the effects of accidents involving spent nuclear fuel and high-level radioactive waste.

''(5) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of Transportation, from general revenues, such sums as may be necessary to perform his duties under this subsection.''.

TITLE III—DEVELOPMENT OF NATIONAL SPENT NUCLEAR FUEL STRATEGY

SEC. 301. FINDINGS.

(a) Prior to permanent closure of the geologic repository in Yucca Mountain, Congress must determine whether the spent fuel in the repository should be treated as waste subject to permanent burial or should be

considered an energy resource that is needed to meet future energy requirements.

(b) Future use of nuclear energy may require construction of a second geologic repository unless Yucca Mountain can safely accommodate additional spent fuel. Improved spent fuel strategies may increase the capacity of Yucca Mountain.

(c) Prior to construction of any second permanent geologic repository, the nation's current plans for permanent burial of spent fuel should be re-evaluated.

SEC. 302. OFFICE OF SPENT NUCLEAR FUEL RESEARCH.

(a) ESTABLISHMENT.—There is hereby established an Office of Spent Nuclear Fuel Research within the Office of Nuclear Energy Science and Technology of the Department of Energy. The Office shall be headed by the Associate Director, who shall be a member of the Senior Executive Service appointed by the Director of the Office of Nuclear Energy Science and Technology, and compensated at a rate determined by applicable law.

(b) ASSOCIATE DIRECTOR.—The Associate Director of the Office of Spent Nuclear Fuel Research shall be responsible for carrying out an integrated research, development, and demonstration program on technologies for treatment, recycling, and disposal of high-level nuclear radioactive waste and spent nuclear fuel, subject to the general supervision of the Secretary. The Associate Director of the Office shall report to the Director of the Office of Nuclear Energy Science and Technology. The first such Associate Director shall be appointed within 90 days of the enactment of the Nuclear Waste Policy Amendments Act of 2000.

(c) GRANT AND CONTRACT AUTHORITY.—In carrying out his responsibilities under this section, the Secretary may make grants, or enter into contracts, for the purposes of the research projects and activities described in (d)(2).

(d) DUTIES.—(1) The Associate Director of the Office shall involve national laboratories, universities, the commercial nuclear industry, and other organizations to investigate technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste.

(2) The Associate Director of the Office shall—

(A) develop a research plan to provide recommendations by 2015;

(B) identify promising technologies for the treatment, recycling, and disposal of spent nuclear fuel and high-level radioactive waste;

(C) conduct research and development activities for promising technologies;

(D) ensure that all activities include as key objectives minimization of proliferation concerns and risk to the health of the general public or site workers, as well as development of cost-effective technologies;

(E) require research on both reactor- and accelerator-based transmutation systems;

(F) require research on advanced processing and separations;

(G) ensure that research efforts with this Office are coordinated with research on advanced fuel cycles and reactors conducted within the Office of Nuclear Energy Science and Technology.

(e) REPORT.—The Associate Director of the Office of Spent Nuclear Fuel Research shall annually prepare and submit a report to the Congress on the activities and expenditures of the Office that discusses progress being made in achieving the objectives of subsection (b).

TITLE IV—GENERAL AND MISCELLANEOUS

SEC. 401. DECOMMISSIONING PILOT PROGRAM.

(a) AUTHORIZATION.—The Secretary is authorized to establish a Decommissioning Pilot Program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas.

(b) FUNDING.—No funds from the Nuclear Waste Fund may be used for the Decommissioning Pilot Program.

SEC. 402. REPORTS.

(a) The Secretary is directed to report within 90 days from enactment of this Act regarding all alternatives available to Northern States Power Company and the Federal Government which would allow Northern States Power Company to operate the Prairie Island Nuclear Generating Plant until the end of the term of its current Nuclear Regulatory Commission licenses, assuming existing State and Federal laws remain unchanged.

(b) Within six months of enactment of this Act, the General Accounting Office is directed to report back to the Senate Committee on Energy and Natural Resources and the House Committee on Commerce on the potential economic impacts to Minnesota, North Dakota, South Dakota, Wisconsin, and Michigan ratepayers should the Prairie Island Nuclear Generating Plant cease operations once it has met its State-imposed storage limitation, including the costs of new generation, decommissioning costs, and the costs of continued operation of onsite storage of spent nuclear fuel storage.

SEC. 403. SEPARABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 404. FAST FLUX TEST FACILITY.

Any spent nuclear fuel associated with the Fast Flux Test Facility at the Hanford Reservation shall be transported and stored at the repository site as soon as practicable after the Commission has authorized the construction of the repository.

Mr. MURKOWSKI. I move to reconsider the vote.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SANTORUM. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. 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. MURKOWSKI. Mr. President, I certainly want to accommodate the Senator from Massachusetts. I would like to take a moment to thank some of the people who have worked on this legislation.

I take this opportunity to, first of all, compliment the professional staff who prepared a good deal of the material for the debate we just concluded. Andrew Lundquist, who is pretty much the general on the Energy Committee as the chief of staff of the Energy Committee, worked very hard. He had a little difficulty because his wife had a baby in the middle of the debate—a little girl, who joins three young brothers. But I do thank Andrew.

Colleen Deegan, who is on my right, we would not have been able to get as far as we had without her. Other committee staff who helped or others who did not create too many problems are Kelly Johnson, Kristin Phillips, Bryan Hannigan, David Dye, Betty Nevitt, Jim Beirne—who sat here an extended period of time—and Bob Simon and Sam Fowler from the minority. The departed staff member who worked on this for about 5 years is Karen Hunsicker, who worked on it until the end of last year.

While Senator BINGAMAN and I could not agree to resolve all the issues, I compliment him and his staff for working to try to reach an accord on the issue.

I think it is unfortunate we could not bring the administration aboard in a responsible manner, either taking title or without taking title. It is clear this matter will not be resolved on the watch of the Clinton administration. I suspect the Vice President's attitude on this should be known by the public as the campaign progresses.

But nevertheless, I thank my two colleagues from Nevada for the manner in which they nobly represented the interests of their State. That is very important around here. As they know, Senator STEVENS and I have often tried to convince this body that those of us who are elected from an individual State really have the best interests of that State at heart. For the most part, the Members I think should be very sensitive of that fact. That was evidenced in the vote today.

I would like to make one assumption, that where we ended up is where we ended up the last time on this. Although Senator MCCAIN was not here, we can assume he would have voted with us.

Mr. REID. Senator KENNEDY was not here.

Mr. MURKOWSKI. Of course, Senator KENNEDY was not here.

While there were a few changes, we ended up just about where we were the last time. As far as I am concerned, this matter has to rest with the administration for a solution. The Senator from Alaska will not be banging his head against the door to try to solve this Nation's nuclear waste problem until we get from the administration a program that suggests they are going to address the problem with a resolve.

Again, I thank all of those who were involved in the debate. I wish you all a good day as we lament on the reality of this last vote.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KERRY. Mr. President, I appreciate the recognition, but I do not want to deprive the Senator from Nevada speaking if he wants a brief moment to follow up.

How much time does the Senator wish?

Mr. BRYAN. If the good Senator would yield for a minute?

Mr. KERRY. I ask unanimous consent that I be permitted to yield for 1 minute to the Senator and that then the floor would be returned to me.

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

Mr. BRYAN. I thank the distinguished Senator from Massachusetts.

I wish to respond to the gracious statement by the chairman of the Energy Committee. Although we have had strong differences on this issue, the differences have been professional, not personal. He has been very professional in the way in which he has handled this matter. He has extended us every courtesy. I appreciate that. I think his conduct and deportment reflect the highest traditions of the Senate. I publicly acknowledge that. Even though, in combat, we were forceful in our advocacy, as was he, this is something that is intensely personal to us. The Senator understands that. But I do thank him very much for his graciousness and professionalism.

I yield the floor and thank the Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that I may proceed as in morning business.

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

THE BUDGET

Mr. KERRY. Mr. President, as we approach the budget debate this year, I think it is important for us to take a moment ahead of time to think about the broad outline of what we spend money on and also what we do not spend money on—how we allocate the priorities of this budget—because the budget is, after all, the most concrete, clearest expression of the priorities and intentions of the Congress.

I would like to walk through that for a moment, if I can, and then make a proposal to my colleagues, which I hope might, in the context of this year's surplus and the choices we face, be attractive.

The reality is, of the $1.8 trillion we will spend this year, the largest single expense, as we all know, goes to Social Security. The Federal Government is going to spend $400 billion or 22 percent of the Federal budget on monthly retirement and disability payments for about 45 million Americans who are either senior citizens or disabled.

The second largest commitment will be made to Medicare, nearly $220 billion or 12 percent of the Federal budget, ensuring that virtually every individual over the age of 65 receives health insurance benefits covering hospitalization, physician services, home health care, limited nursing home care, and laboratory tests, and providing health benefits to roughly 5 million disabled people.

In those two expenditures alone, we have spent a little over one-third of our budget on Social Security and Medicare. Of the remaining $1.2 trillion of that budget, we will spend $115 billion or about 6.5 percent of the budget on Medicaid. Those are, obviously, the health care benefits we provide to the least able to afford health insurance. In addition, we will spend about $110 billion or a little over 6 percent of the budget on Federal, civilian, and military retirement and disability benefits as well as veterans benefits.

When you throw in the other mandatory entitlement programs—such as foster care, unemployment compensation, farm price supports, food stamps, and supplemental security income, which is, as everybody knows, an income safety net for the poorest people in America—we then reach over $1 trillion in Federal spending.

This year, of the $1.8 trillion Federal budget, over $1 trillion will go towards the mandatory entitlement programs that, while vitally important, are on autopilot. We are not going to make individual judgments about them except to the degree we decide we need to shore up the Medicare program or shore up the Social Security program. They are basically on autopilot in terms of their existence. The consensus of the Congress wants them; the country wants them. We support them. They don't need to be renewed, and they don't need to be reauthorized. They obviously are not appropriated on an annual basis.

When we talk about the budget that we, as Members of Congress, are going to be dealing with in terms of discretionary spending, where we will make long-term investments, where we have some flexibility, we are dealing with about $800 billion.

All of us understand what happens very quickly to that remaining portion of the budget, to those $800 billion. Two hundred twenty-four billion or 12 percent of the Federal budget will go almost immediately to interest payments on the national debt. We are grateful that having reached the point of having a surplus, and with the President's proposal, we can see an end to the payments of interest on the national debt by the year 2013. But for the moment, 12 percent of the Federal budget this year is going to go to pay interest on the national debt. Those payments are not optional.

Putting that spending aside, we are now left with about one-third of the overall Federal budget or $600 billion which we now can use to cover all other Government functions. But that disappears very quickly. Two hundred eighty-three billion of that budget will be spent on national defense this year, nearly 16 percent of the Federal budget. Another 2.5 percent of the budget will be spent building highways, channeling harbors, financing mass transit, all to a cost of about $45 billion this year. Then you factor in housing assistance, nutrition programs, at a cost of about $42 billion, that is another 12 plus percent of the budget. And less than 2 percent of all the budget will go to health research, public health programs, searching for a cure to cancer, for HIV–AIDS, licensing new drugs for the marketplace, programs to attack teen smoking, services for the mentally ill.

One and a half percent of the budget will go to crime control, putting cops on the street, fighting drug trafficking, and barely 1 percent of the budget will go to foreign aid. Many Americans labor under the perception that somehow foreign aid is this vast proportion of the Federal budget. In fact, foreign aid is a significantly less percentage and real expenditure than it was under Ronald Reagan. I think we spent two or three times as much under Ronald Reagan in foreign affairs than we are spending today, which, I might add, is particularly ironic when you measure the changes in the world and the need for the United States to be more involved, not less involved, in a world that is increasingly globalizing and where we are all feeling the impact and forces of technology.

The point I make to my colleagues today: For what most people agree is the single most important investment we can make in America, there is precious little money remaining. How many of my colleagues in the last years, recognizing the impact of the technology revolution, have come to the floor emphasizing the importance of education in America? We reap the benefits and the deficits of our attention to education in a thousand different ways. When Senators come to the floor and talk about the increasing problem of children having children, babies being born out of wedlock, the number of kids in America who are at risk, we should be directly examining how many of our schools stay open into the evening, how many of our schools have afterschool programs. How many of our schools don't even have an ability to be able to track children who are truant?

It used to be that in the United States of America there was an ethic that when children were not showing up in school, the truant officer went out and found the kids. We did something about it. Today, you can be a kid in school and not show up and nobody even stops to wonder what happened. In too many schools in America they may not even contact what is too often a single parent and find out whether that single parent might have had time to be able to be aware that their kid might not be in school or what they might have time or ability to be able to do about it.

I don't raise this issue of spending to try to disparage the other budget priorities. I think they are all priorities. I vote for them. I support them. I think everybody in the Senate understands the importance of all of the things I listed. We have built up a very real bipartisan consensus on the importance of most of these investments.

But why is it that in the year 2000, after years of talking about education's importance and education reform, we are so absent a consensus in this institution on the need to be investing in communities that have no tax base with which to improve the school system? Ninety percent of America's children go to school in public schools. We waste more time on the floor of the Senate debating some alternative to public schools, such as vouchers or charters, rather than figuring out how we are going to fix the public school system and invest in it properly so those 90 percent of our children have a place to grow up properly and share in the virtues of this new world that America is increasingly witnessing and even playing a critical role in developing.

Every one of us meets with the extraordinary creative energy of the new technology community of this Nation. We have remarkable people doing remarkable things. We have companies that have built up more wealth faster than at any time in the history of this Nation. But there is an enormous gap for those companies in their capacity to grow over the coming years. Every chief executive of every technology company in our Nation will tell us again and again and again that their greatest restraint on growth is the lack of an available skilled labor pool. There are some 370,000 jobs going wanting today in the technology field.

(Mr. ROBERTS assumed the chair.)

Mr. KERRY. We are going to debate in Congress whether we are going to expand visas to bring immigrants from other countries to fill the jobs a properly educated young American ought to be able to fill or would want to fill if they had the opportunity to be able to do so. I think it is important to point out that out of a $1.8 trillion Federal budget, we are spending a relatively tiny amount of money to empower local communities to improve student achievement, to support teacher and administrator training, to help finance and encourage State, district, and school reforms, to recruit teachers, to fix failing schools, and to provide children the extra help they need to meet the challenging academic standards that are needed to make it in today's world.

Let me speak quickly to the teacher situation, Mr. President. For 3 years now, some of us have been coming to the floor of the Senate to warn our colleagues and America of our need to hire 2 million new teachers in the next 10 years. Why do we need to hire 2 million? Because we lose 40 percent of the new teachers in the first 3 years; because the schools are in such disarray, they have burnout in a mere 3 years, or they find the support systems are so inadequate they don't want to continue to teach. But we are also losing them because we have a whole generation of teachers reaching retirement age and we need to renew the teaching profession.

Ask any kid in college today: Do you want to go teach? How many kids plan to go teach in today's world? I read in the newspapers yesterday that the starting salary for an associate in a major law firm in Boston or New York is now equivalent to the salary of a Senator—about $140,000 a year. That is what you get the day you get out of law school and go to work for a large law firm.

If you want to, coming out of college today—and most kids need to because the average student gets out of college with about $50,000 to $100,000 worth of loans—they can look to go into some dot-com company where they can earn $60,000 or $70,000 within the first year or so of employment. What does a teacher get—$21,000, $22,000 a year? And after 15 years of teaching, when you have broken through and gotten your master's degree, you can get into the midthirties or high thirties. In some school districts, you may break into the forties. You can wind up an entire career of teaching and be earning maybe somewhere in the low fifties, high fifties, and very few districts hit the sixties. How do you attract anybody, under those circumstances, to do what we pretend is the most valued profession one can undertake—teaching.

So this year we are going to spend a grand total of slightly over $19 billion for all elementary and secondary education initiatives—or just barely over 1 percent of the $1.8 trillion Federal budget. When we hear our esteemed budget committee leaders talk about the great commitment on the part of Congress or the Federal Government toward improving education, I ask people to remember that what we are talking about is 1 percent of that Federal budget. We put so much more money into the back end of life in America, whether it is through Medicare or through Social Security, or just dying in a hospital—I hate to say it, but, tragically, in the last 2 weeks of life in America. We spend so much more at the back end of life than we invest when the brain is developing and it is in the most important stage of life.

Not one scientist will fail to document that what a human being will be—their capacity to think, their capacity to socialize, their capacity to be able to learn and to be a full participant in society—is 95 percent determined in the first 3 years of life. And we invest a fraction of a percentage of our budget to guarantee that children are safe and nurtured and, indeed, given the opportunities to have the maximum amount of brain development and opportunity for safety in those stages.

Our young people pull in about a penny on every dollar in terms of the investment priorities of the U.S. Congress. The National Center for Educational Statistics reports that the Federal Government provided 8.4 percent of total expenditures for elementary and secondary education from 1970 to 1971. It was 9.2 percent from 1980 to 1981. Yet last year we provided only 6.1 percent. The school population goes up, the demand goes up, but the commitment of the U.S. Congress, in total terms, goes down.

Let me put this in a different perspective, if I may. Let me compare the cost of investing in our children to the cost of some of our recently enacted tax provisions. In 1997, the President proposed, and Congress agreed, to create a new capital gains exclusion on home sales. Today, a homeowner can exclude from tax up to $500,000 of the capital gain from the sale of a principal residence. Obviously, we all agree that exempting the sale of a home from capital gains taxation is a good thing, and I am for that. Calculating the capital gain from the sale of a home is perhaps one of the most complex tasks a typical taxpayer faces because they have to keep detailed records of transactions on home improvements, they have to draw distinctions between improvements that add to the home's basis and repairs that don't. But what does it say about our national priorities—that the cost of exempting up to $500,000 of gain on the sale of a home will cost the Federal Government $18.5 billion this year. We are going to give up $18.5 billion of our revenue because we have decided it is important to reflect this ''priority.'' That is almost exactly the amount of money we spend as a nation on all elementary and secondary education.

Mr. President, I think that is a disturbing budget reality, and it is an incontrovertible fact, which I believe requires us to try to reconcile with the current demands we face from millions of Americans, whether they are parents, teachers, or business leaders, all of whom are asking us to help improve the schools of this Nation.

Now, I point this out because I believe now, when we enjoy the greatest economic expansion in the history of our Nation, we have an opportunity to lay the foundation for a new era in America. It is an opportunity to fix our schools, to increase their accountability, to recruit more and better teachers, and to reduce the average class size. I share with my Republican colleagues the desire to guarantee that we have a new accountability in the school systems. I believe we can reach a consensus and achieve that. But it must be done by some commitment of additional resources in order to allow the reformers at the local level to empower their States and local school districts to be able to turn their schools around.

Under the CBO's most recent estimates, the on-budget surplus—that is, the non-Social Security surplus—will amount to somewhere between $800 billion and nearly $2 trillion. I believe their most conservative estimate is probably the better place for us to start. That conservative estimate assumes that spending will continue to

increase at the rate of inflation. It assumes the continuation of emergencies, such as droughts in the Midwest and hurricanes on the east coast. It even assumes the continuation of unlikely events such as a decennial census every year—when we all know that expense occurs only once every 10 years.

I ask my colleagues to focus on the fact we are not talking about just Social Security now. We are assuming that the Social Security surplus is locked up, as it ought to be and as we wanted it to be. But we must decide to dedicate a portion of these surpluses towards the appropriate investment priorities of the Nation. Yes, that includes Medicare reform and putting it on solid footing. Yes, it includes a prescription drug benefit to help people pay the extraordinary costs of prescription drugs. We should dedicate a portion of that surplus towards debt reduction so we can keep reducing interest rates, and reduce the future interest obligations and extend the virtuous cycle of fiscal discipline which is at the heart of our economic expansion. Yes, we ought to pass some targeted tax cuts for middle-income families—such as the marriage penalty, estate tax relief, and an increase in the standard deduction. We can do those things.

We can also reserve an appropriate amount of money for the education of our young people—to raise that education to the level of rhetoric, to the level of campaigning, and to the level of debate that has existed in the Congress in the past years. I think the Congress has a unique opportunity this year to tell America that our young people at those critical stages of development are worth more than one penny on the dollar.

I intend to introduce a 21st century early learning and education trust fund. This legislation would set aside 20 percent of the most conservative CBO estimate of the on-budget surplus over the next 10 years only. I believe, with all of the debate on both sides of how to raise student achievement and reform public education, about the growing acknowledgment on both sides that reform costs money, that we should at the very least take a step that locks up a portion of the budget surplus and dedicate this money to early learning, and to education as a whole, where the country gets the greatest return on investment. Almost every analysis suggests that for $1 put into education at that stage, a minimum of $6 is returned to the Federal coffers over the course of the next years in one way or another.

My proposal would set aside $2.2 billion this year, $30 billion over 5 years, and nearly $170 billion over 10 years for education, for early learning, for childhood interventions, which will make a difference in building the fabric of families. That will help us break the cycle of children having children out of wedlock. That will help us solve the problem of parents who do not have time to be parents and be with their children in those critical hours of the afternoon when most kids get into trouble.

It will literally turn around the fabric building of our own Nation and ultimately provide us with an educated workforce that has the ability to continue the extraordinary economic growth we experienced these last years, as well as, I might add, empower us to be able to guarantee that a citizenry that grows up in a world of more information has the skills and capacities to be able to manage that information and, indeed, contribute to the wise decisionmaking—the wise choosing of policies in a world that will become increasingly more virtual, more capable of making faster decisions with more information being thrown at people and people trying to discern the truth for themselves. As Thomas Jefferson and George Washington, the Founding Fathers of this country, understood, nothing is as important as that effort of guaranteeing that your citizenry is educated.

The funds that would be held by the education trust fund could be used—and only used—to finance legislation to approve the quality of early learning through secondary education above the current inflation-adjusted baseline. Eligible uses include but would not be limited to programs and reforms authorized under the Elementary and Secondary Education Act and the Head Start Act. Trust fund expenditures would have to traverse the normal budget process.

If Congress were unable to agree on how to use trust fund revenue or if Congress simply doesn't commit enough resources to trigger the use of the trust fund, the trust fund assets would be carried over to the next year. The trust fund would work similar to the Social Security trust fund. On paper, those assets would carry forward to the next fiscal year. In reality, unspent funds would be used to pay down the public debt.

Trust fund revenue would not be available for anything other than these education specifics. Appropriators could not tap those trust fund moneys for sugar subsidies, for pet projects, or for other related purposes. Tax writers could not tap into trust fund money to pay for special interest tax breaks. But tax writers could use the trust fund money for education purposes ranging from school construction bonds to any other number of priorities on which the Congress could reach consensus. In effect, the trust fund would create a budgetary firewall protecting our national commitment to young people for early learning and education generally.

I have strong views about how some of that money might be best spent. But that is a debate for a different day. The question before us, as we think about the budget as a whole, particularly since it is the first budget of the new millennium, is, What is our commitment as a nation to education? Are we satisfied that one penny per dollar less than we used to commit under Ronald Reagan and less than we used to commit under Richard Nixon is currently being committed by the Federal Government for the purpose of building the future fabric of this Nation? I don't think I am alone in believing that surplus funds ought to be used to some degree in some manner for these education expenses.

In the State of the Union Address, the President pledged to increase our commitment to the Nation's education system by using surplus funds. In fact, his fiscal year 2001 budget requests an increase in discretionary spending for $5.7 billion for elementary and secondary education. I wholeheartedly support that critical increase. But I know and you know, Mr. President, and all of us in this Congress know that if we put together the proper structure that requires accountability that changes the relationships that currently exist in our public education system, that embrace choice, competition, accountability; that if we unleash the capacity of our school systems to be the best they can be, whether it means adopting the best of a charter school, the best of a parochial school, the best of a private school, the best of the best public schools, we have the ability in this Congress to find a way to guarantee that local communities embrace real concepts of reform. But none of those concepts can be properly implemented without some commitment of resources for communities that have no tax base and no ability to fund those systems through the property tax.

This is our mission, and $5 billion is not enough to fix our schools, or to guarantee a qualified teacher in every classroom, or to provide students with meaningful afterschool programs.

I am not suggesting a Federal mandate. I am not suggesting the long arm of Washington reaching in and telling people how to do it. To the contrary. I am suggesting that we leverage the capacity of local districts to make those choices for themselves. If we don't tell them how to get there as true fiscal watchdogs looking over our taxpayers' dollars, we will look on the back end to see they did get where they said they were trying to go. If we in this body intend to make education a top priority and work for serious reform, we have to guarantee children have access to those things that will contribute to their education's success.

I have never been able to reconcile in the Senate how it is that we are so ready to augment the expenses for the juvenile justice system, build new prisons and house people for the rest of their life for $35,000 to $75,000 a year, but we are unwilling to invest $35,000 a year to keep them out of those prisons and to provide them with a set of other choices when it matters the most. That, it seems to me, is the obligation of this country. The American people want funding for education increases. The American people in community

after community know they can't take any more on the property tax burden. Seniors who want to live out their years in the house they paid for can't see the property tax go up. Young families with a fixed stream of income who bought into their first home can't see the property tax go up. However, we fund our education system as if we were still the agrarian society which set up the entire structure for property tax in the first place.

Our obligation is to find a way to release the creative energies and learning capacities of our Nation. If we were to find a bipartisan consensus and reach across the aisle to end this wasted debate about saving a few kids rather than saving all of the kids, it seems to me we would have the ability in the Congress to achieve something that would truly be a long and lasting legacy. It would be a great beginning for this millennium.

Education is the No. 1 issue in America. It deserves more than a penny, a dollar. That, it seems to me, is the mission we should embark on over the course of these next months.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. It is such pleasure to see the distinguished Senator from Kansas in the chair. I know the Chamber will be kept in order, and we will make real progress.

PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND HOUSE OF REPRESENTATIVES

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 80, the adjournment resolution, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 80) providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 80) was agreed to, as follows:

S. CON. RES. 80

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, February 10, 2000, or Friday, February 11, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, February 22, 2000, 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; and that when the House adjourns on the legislative day of Wednesday, February 16, 2000, Thursday, February 17, 2000, or Friday, February 18, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Tuesday, February 29, 2000, for morning-hour debate, 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 Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations en bloc: Executive Calendar Nos. 408 and 410. I further ask unanimous consent that the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection to the request?

Mr. INHOFE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, in light of that objection, I move to proceed to executive session to consider Executive Calendar No. 408. There is a request for a vote by our distinguished colleague, Senator INHOFE. Therefore, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. Mr. President, before the Chair puts the question, I understand following this vote there will be some debate by my colleague from Oklahoma with respect to these two judges. I further understand, following the Senator's statement, we will proceed to two further rollcall votes on the confirmation of these judicial nominees. Senators should, therefore, be notified that a rollcall vote will begin on the pending motion and that after some time for debate, two additional votes will occur today.

The PRESIDING OFFICER. The distinguished Democratic leader.

Mr. DASCHLE. Reserving the right to object, I ask the majority leader, may we have an understanding that vote will not occur prior to 1:45 p.m.? Let me clarify. The motion to proceed can take place now, but if there are subsequent votes, those votes not take place——

Mr. LOTT. Is the Senator asking consent?

Mr. DASCHLE. I ask unanimous consent.

Mr. LOTT. Mr. President, I have no objection to that.

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

Mr. LOTT. Mr. President, before we do go to a vote on the motion, I want to have a colloquy with the distinguished Senator from Oklahoma. The vote then on the motion will occur immediately following this colloquy, which should not take very long. Then the vote on the two nominees will not occur before 1:45 p.m. It may be later than that; I emphasize that.

The Senator from Oklahoma may want to talk for a while, and others may want to comment on this. We want to accommodate, as we always do, Senators who wish to be heard on important nominations. I yield the floor to the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the majority leader for yielding to me.

Last year, at the end of the session, I came to the floor and informed the White House, as well as my colleagues, that of a list of 13 proposed appointments, 8 were acceptable. I did this by checking with my colleagues to find out who would be placing holds on which of those 13 nominees. There were five that would have had holds on them.

I further stated that if anyone other than the eight were appointed, I would put a hold on all judicial nominations for the 2nd session of the 106th Congress. This policy was the result of an exchange of letters with the administration last summer in which the White House agreed to provide a list of potential recess appointments prior to adjournment so that the Senate could act on these appointments and avoid contentious action on recess appointments. The 8 to which I agreed were from a list of 13 that was provided by the White House, and I read those into the RECORD.

On December 9 the White House gave a recess appointment to Stuart Weisberg to the OSHA Review Commission, and on December 17 the White House gave a recess appointment to Sarah Fox to the National Labor Relations Board. They were not on the list of 13 that was received on November 18 and to which I referred on November 19. Based on these actions, I believe the White House violated their commitment by making these recess appointments. Therefore, I said I would put a hold on every judicial nomination this year. I believe this is the correct reaction to the action taken by the White House.

Mr. LOTT. Mr. President, will the Senator yield?

Mr. INHOFE. Yes.

Mr. LOTT. First of all, I appreciate sincerely the efforts of the Senator from Oklahoma to limit the recess appointment power of the Executive. Over a period of years, Executives of both parties have probably abused this authority. It is one that has been used by President Bush, President Reagan, as well as President Carter and President Clinton. I know in the past Senator BYRD, as a matter of fact, worked on this area of concern of the Senate and worked out an agreement, with the cooperation, as I recall, of Senator Dole and President Reagan, who was in the White House at that time.

Because of the Senator's concern and insistence about this matter, my colleagues will recall that last year, once again, we went through a process that led to a similar agreement in writing between the Senate and this President about how these recess appointments would be handled. It is important that we make every effort to live up to the letter of that agreement, as well as the spirit.

I emphasize that Senator INHOFE has already helped in bringing that about. There is no doubt in my mind that his efforts and his comments last year and this year had an impact on the number of recess appointments with which the administration did, in fact, go forward.

I know for sure—in fact, the President indicated as much to me—that they had wanted to do more, but they showed restraint and they realized that it could cause even more serious problems. So he has had an impact, there is no question about that. It is very helpful.

Indeed, Senator INHOFE did inform me of his intentions last November before he made his speech on the floor—I remember, I walked over to this area and talked with him. I admit, I was dealing with a lot of different issues at the time and perhaps should have paid a little bit more attention to exactly the exchange that was occurring and the lists that were being discussed—after I had shared with him the list of possible recess appointees provided by the White House on November 19 in compliance with a similar Byrd-Reagan agreement. There is no question his memory of that discussion and his efforts did take place, and I appreciate that.

As majority leader, I must also say I worked with the White House to limit their use of these recess appointments through these negotiations both now and in the past. I am quick to say, on more than one occasion I thought they made a mistake and I told them so. I remember one ambassadorial appointment in particular.

On many occasions, we have been able to resolve differences. With regard to the appointment of a person during the recess, sometimes there were problems, but concerns were worked out after further consideration. I do acknowledge that they have worked on a regular basis with me as majority leader and with my staff when I have been absent and in my own State or in other States.

I have great sympathy for the Senator's plan to object to these judicial nominations. I have said before, I am not one who gets all weepy-eyed about having more Federal judges of any kind anywhere. However, as majority leader, I must take some other factors into account.

Using the Sarah Fox example, she had previously been confirmed to a position on the NLRB by a vote of the full Senate. I believe she would have been confirmed to a full term if her nomination were brought to the floor of the Senate again. It probably would have eventually because, in this case, it is not a judicial nomination.

If the Chair will excuse me and my colleagues a moment of partisanship, I hope to have a Republican in the White House next year to succeed President Clinton. So, therefore, I hope this Republican will be able to name a majority of the members of boards and commissions as soon as possible. I did not want Sarah Fox serving a full NLRB term, which would have extended until 2004. I thought a 1-year appointment allowing, then, for her to be replaced by the next President—whichever party that President may be from—made some sense.

Maybe that contributed to a violation of the letter or the spirit of the agreement, but it was after a lot of discussion with colleagues on our side of the aisle. I thought it made sense to go ahead and do that.

I am also concerned very much about the Senate getting into the possibility of filibustering judicial nominations. It is a bad precedent. The Senate has generally not done that. Once again, I hope we will be having nominations suggested by the Senator from Kansas next year. I would be greatly concerned about the idea that a nomination would be filibustered.

As a matter of fact, you may recall last year when the Democrats did filibuster a nominee from Utah, I complained loudly that it was a mistake, should not be done. As you recall, the better part of judgment prevailed, and we backed away from that. We, in fact, confirmed that nominee. So that is another factor I have to inject.

I do not think we should or would be able to go all year without confirming any nominees. Some of these nominees are good men and women. Some of them have already waited a long time. Some of them are supported by Governors and Democrats and Republicans in the Senate and should not be held.

In some of these States there truly is a need for more judges, as bad as that may sound to some of us. Florida is a State with a growing docket of cases. Even hard-working Federal judges cannot cope with it.

So all of these are matters I have to consider as majority leader. It is one of those burdensome, delicate balances for which the majority leader has to assume the responsibility.

So based on that—my concern about how long these appointments would be for; my feeling that, in fact, the White House did try to work with us; my feeling that we should not start filibustering these nominations—these and other concerns lead me to the conclusion that I will honor a Senator's hold for a reasonable period of time and will certainly honor a hold by the Senator from Oklahoma and will inform him when nominations will be brought to the floor so that he can take whatever action he is compelled to take—and I will honor that also—but, nevertheless, I think we should move forward and bring these nominees to a vote on the floor.

I thank the Senator from Oklahoma for yielding.

Mr. REID. Will the leader yield?

Mr. LOTT. I do not believe I have the floor.

The PRESIDING OFFICER. The majority leader does have the floor.

Mr. LOTT. I thank the Chair.

I would be glad to yield. And then I will yield back to the Senator from Oklahoma for his remarks.

Mr. REID. In addition to what has been said, I also think it is important to say that we have started this session off on a good note.

Mr. LOTT. Thanks to the efforts of the whip, we have made good progress.

Mr. REID. We have gone through two very big, complicated pieces of legislation: The bankruptcy bill, with over 300 amendments, and the nuclear waste bill, with the potential of well over 100 amendments. Those have gone through now.

I appreciate, commend, and applaud the leader for being a man of his word, as we knew he would be. I hope the Senator from Oklahoma, recognizing how strongly he feels about the issue, would understand it is not only the State of Florida. In Nevada, we are four judges short. We do not want the bandits to take over the town.

We appreciate very much the majority leader's efforts to move these four. We hope the Senator from Oklahoma will understand the personal situations in States such as Nevada, where we are desperate for new judges.

Mr. LOTT. Mr. President, if I could comment briefly on that, I meant it sincerely when I said there has been good, hard work done on both sides of the aisle: Senator GRASSLEY and Senator HATCH on the bankruptcy bill; Senator MURKOWSKI, obviously, and others on the nuclear waste bill. But Senator REID has done excellent work on his side of the aisle in helping us move this legislation through in a positive way.

The fact is, already this year we have passed bankruptcy reform; we have passed a bill that would provide for a minimum wage increase and tax relief for small business men and women, and for a nuclear waste repository. These

are important issues. They are complicated and difficult to deal with substantively and politically. I think the Senate can feel good. I hope we can continue to work our way through important issues and that we will be able to do it as much as possible in a bipartisan way.

I yield further to the Senator from Oklahoma.

Mr. INHOFE. I thank the majority leader.

I hate to interrupt this love-in, but I want an opportunity to explain my actions. First of all, I want to say to the majority leader that I appreciate his acknowledgement of the accuracy of what happened on November 19. That is important to me. There have been some erroneous statements made in various newspapers reflecting the existence of other lists, and all that.

The bottom line is this: We made a request, the list came forward, and 10 minutes before we adjourned on November 19 we read from the list.

I believe there were strong reasons why the two particular nominees, Weisberg and Fox, would have been unacceptable. There are several Senators I have spoken with who would have found them unacceptable—frankly, I am one of them—and who would have been placed holds on those two individuals had they known that recess appointments were imminent. Some would have placed holds or at the very least insisted that hearings be held to explore the important policy matters surrounding these two appointments.

I think that is irrelevant. The fact is, the names were not on the Nov. 19 list. If the names had been on that list, that would have been totally different. Maybe some would have objected to them so they would not have been brought forward. The point is, appointments were made, and they violated the statements and the intent of the letter that we received from the White House vowing to honor their commitment.

I say to the majority leader, it is my intention, if we go forward at some point to vote on the two particular nominations to which you referred, that I will want to be heard and go back and maybe talk a little bit about what happened to bring us to the point where we are today.

I add that the President is not keeping his commitments. I think when I read his letter there is no question in my mind. I made it abundantly clear on the floor what the consequences would be.

I say, also, that I am in a position, I say to the majority leader, that while the President does not keep his commitments, I do keep my commitments. My commitments are to do what I can to try to block judicial nominations.

Mr. DURBIN. Will the Senator yield for a question?

Mr. INHOFE. No, not now.

I just say this. In following through with my commitment to try to block the confirmations, while it is not my intention—if the handwriting is on the wall—to just arbitrarily lay down blanket filibusters, I do intend to consult with my colleagues and reserve my rights under the rules to assess what actions, if any, can succeed in this effort.

I want to make one other comment about this, too; that is, you hear a lot of yelling and screaming about: Oh, what are we going to do without these appointments that we have to have? I remind you, back in 1993, at the end of the Bush administration—he was ready to go out of office—there were 109 vacancies in the Federal judiciary. In other words, the Democratic controlled Congress failed to fill these vacancies.

Right now, there are 74 vacancies in the Federal judiciary. If you determine where we would be if normal history takes its course through deaths or resignations, at the most there would be another 25 vacancies. That means, at the most, we would have about 100 vacancies at the end of President Clinton's term. Compare that to the 109 vacancies left after the Bush administration. I make that comment to offset the argument before it is made as to what type of judicial crisis will come about if we ended up without judicial nominees being confirmed.

Mr. LOTT. I thank the Senator for his comments.

We have Senators who I believe are about to leave the Chamber. Are we ready to put the question? And then we would go ahead with the debate on the judges.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to executive session to consider Executive Calendar No. 408, the nomination of Thomas L. Ambro, of Delaware, to be United States Circuit Judge for the Third Circuit. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—79

Abraham	Chafee, Lincoln	Frist
Akaka	Cleland	Gorton
Ashcroft	Cochran	Graham
Baucus	Collins	Hagel
Bayh	Conrad	Harkin
Bennett	Coverdell	Hatch
Biden	Daschle	Hollings
Bingaman	DeWine	Hutchinson
Bond	Dodd	Hutchison
Boxer	Dorgan	Inouye
Breaux	Durbin	Jeffords
Brownback	Edwards	Johnson
Bryan	Feingold	Kerrey
Byrd	Feinstein	Kerry
Campbell	Fitzgerald	Kohl
Kyl	Murray	Smith (OR)
Landrieu	Nickles	Snowe
Lautenberg	Reed	Specter
Leahy	Reid	Stevens
Levin	Robb	Thompson
Lieberman	Roberts	Torricelli
Lincoln	Rockefeller	Voinovich
Lott	Roth	Warner
Lugar	Santorum	Wellstone
Mack	Sarbanes	Wyden
Mikulski	Schumer	
Moynihan	Sessions	

NAYS—19

Allard	Gramm	Murkowski
Bunning	Grams	Shelby
Burns	Grassley	Smith (NH)
Craig	Gregg	Thomas
Crapo	Helms	Thurmond
Domenici	Inhofe	
Enzi	McConnell	

NOT VOTING—2

Kennedy	McCain

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the Senator from Florida has asked that he be recognized to make a unanimous consent request, and I yield to him for that purpose.

Mr. GRAHAM. Mr. President, I ask unanimous consent that upon the completion of the two votes which are currently scheduled to commence at 2 p.m. I be granted 20 minutes as in morning business for the purpose of a bill introduction.

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

The Senator from Oklahoma.

EXECUTIVE SESSION

NOMINATION OF THOMAS L. AMBRO, OF DELAWARE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

Mr. INHOFE. Mr. President, I yield to the Senator from Georgia for a couple of unanimous-consent requests.

Mr. COVERDELL. I appreciate the courtesy of the Senator from Oklahoma.

Mr. President, I ask consent at 2 p.m. today the Senate proceed to a vote on the confirmation of Executive Calendar No. 408. I further ask consent that following that vote the Senate proceed to a vote on the confirmation of Executive Calendar No. 410. I finally ask consent following those votes the President immediately be notified of the Senate's action and the Senate then resume legislative session.

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

Mr. INHOFE. Mr. President, I would like to make a couple of statements about the vote that just took place, the reason for it, the history behind it, where we are today, and where we are going from here.

First of all, I suggest during the 5-day Memorial Day recess there was a pending nominee on whom there had been several holds. It is my understanding the appropriate committee had not received the financial information on that individual and there were

other problems that had been voiced that precipitated the holds. Consequently, during that 5-day Memorial Day recess, President Clinton went ahead and granted him a recess appointment.

I think the majority leader was correct when he said there have been Democrat Presidents as well as Republican Presidents who have made recess appointments. Frankly, I do not think the Republicans should have done it. I do not think the Democrats should have done it. If we go back and read the Constitution on what recess appointments are all about, we would see that back in the horse-and-buggy days when we would be in session for just a few weeks every other year, and if there were a death of a Secretary of State or something like that, it was necessary to put ourselves in a position where the President would be able to fill that vacancy. That was the whole intent of recess appointments.

In 1985, President Reagan was making recess appointments because at that time we had a conservative Republican President and we had a liberal Democrat-controlled Senate. Consequently, he wanted to get his conservatives passed, so he went ahead and made recess appointments. I do not believe he should have made those appointments. I think that contradicted the provisions in the Constitution. However, he did it anyway.

At that time, the minority leader, the distinguished senior Senator from West Virginia, Mr. BYRD, did what was perfectly appropriate, and that was to send a letter to the President to say: Before you violate the constitutional prerogative of the Senate in its advise and consent power on any future recess appointments, I request a letter from you at a time with sufficient notice before the recess goes into effect. I request that you notify the Senate of what recess appointments you are intending to make during that recess and why.

Sufficient notice was interpreted and vocalized several times by Senator BYRD to be adequate notice so we would know they were coming up, so we could go to Members and see if there were anyone who would want to put a hold on a judicial or any kind of nominee during the recess and have adequate time to act on it before recess. In the extreme case, I suppose we could have just gone into a pro forma session and not gone into recess. Nevertheless, that is what he requested from President Reagan. I might add, President Reagan did agree to that request. He sent a letter that was satisfactory to Senator BYRD, so that set the precedent.

Because of the recess appointments of this President, I merely did the same thing Senator BYRD did back in 1985. I sent a letter, a communication to the White House, and I said: Because of your appointments, I am going to make the same request Senator BYRD made of President Reagan, with which President Reagan complied, and that is that you notify us in advance of any appointments you plan to have. If not, we will put holds on all appointments at that time—all nonmilitary nominees.

We did not get the letter for awhile. A few trial letters came over, but they were not consistent with what President Reagan had agreed to. Finally, on June 15, 1999, President Clinton sent a letter that said:

> I share your opinion that the understanding reached in 1985 between President Reagan and Senator BYRD cited in your letter remains a fair and constructive framework, which my administration will follow.

He agreed to follow the same mandates President Reagan did. At that time, I wrote a letter back praising the President for agreeing to abide by the same agreement as the Byrd-Reagan agreement. However, on November 10, as we approached our recess, I anticipated the President might be tempted to make recess appointments that were not consistent with that agreement. So I sent a letter to him that says:

> If you do make recess appointments during the upcoming recess which violate the spirit of our agreement—

Then I went into the details as to what the spirit was; there had to be adequate notice on a list we could consider and pass around to our colleagues—

> then we will respond by placing holds on all judicial nominees. The result would be a complete breakdown in cooperation between our two branches of government on this issue which could prevent the confirmation of any such nominees next year. We do not want this to happen. We urge you to cooperate in good faith with the Majority Leader concerning all contemplated recess appointments.

That was signed by me and by 16 other Senators. Almost all, I believe—most of them, anyway—voted against the motion to proceed a few minutes ago.

On November 17—I remember that well; it was my 65th birthday—I made a speech on the floor, and in that speech, anticipating there could be a misunderstanding of what our intent was, I said, on November 17, on this floor, at this podium:

> I want to make sure there is no misunderstanding and that we don't go into a recess with the President not understanding that we are very serious. . . . It is not just me putting a hold on all judicial nominees for the remaining year of his term, but 16 other Senators have agreed to do that. . . . I want to make sure it is abundantly clear without any doubt in anyone's mind in the White House—I will refer back to this document I am talking about right now—that in the event the President makes recess appointments, we will put holds on all judicial nominations for the remainder of his term. It is very fair for me to stand here and eliminate any doubts in the President's mind of what we will do.

That is exactly what we said on the floor, and I am going back now and reminding this body of that statement.

On November 19—that was the day we were going out of session on recess, and it would be a lengthy recess going until January, the State of the Union time—the President notified the Senate of contemplated recess appointments. This was in compliance with the intent of the letter.

I hasten to say here it is not quite in compliance because this is on the day we are going into recess. But nonetheless, in the spirit of cooperation and fairness, we agreed to take this list and to read the list and to go to our colleagues and see what names were on this list of 13 nominees whom he desired to appoint during the recess, and we found there were 5 on the list who were unacceptable to some Members of the Senate. So we sent back to him that communication, that there are 8 of them, and if there were any appointments other than these 8, that would be in violation of the letter.

To reaffirm that, the majority leader was good enough to let me be the last speaker on this floor, where I stood here 10 minutes before we went into recess and I made a rather lengthy talk, of which I will just repeat a little bit right now. I said:

> If anyone other than these eight individuals is recess appointed, we will put a hold on every single judicial nominee of this President for the remainder of his term in office. . . . I reemphasize, if there is some other interpretation as to the meaning of the (Nov. 10) letter, it does not make any difference, we are still going to put holds on them. I want to make sure that there is a very clear understanding: If these nominees come in, if he does violate the intent (of the agreement) as we interpret it [by appointing anyone other than these eight], then we will have holds on [all judicial] nominees.

There was one individual about whom the majority leader came to me, right after that, after we went into recess. He said: You know, we made a mistake, there was one other individual. Let's increase that to nine people instead of eight.

I said: That's fine.

We sent a letter to the President dated November 23 that, in the spirit of cooperation, we are adding one name to the list:

> I hope this makes our position clear. Any recess appointments other than the nine listed above would constitute a violation of the spirit of our agreement and trigger multiple holds on all judicial nominees.

On December 7 we urged the White House not to violate the agreement. Yet, we found that by December 17 the White House did, and President Clinton did, in fact, violate the agreement directly and blatantly by appointing both Sarah Fox to the NLRB and Stuart Weisberg to the OSHA Review Commission.

It happens that both of these recess appointments that violated our agreement would have been objected to by a number of Senators, two of whom are in this Chamber right now. However, that is not significant. There are reasons we would have found that objectionable. But even if they had been acceptable, it still violated the very specific agreement we had.

On December 20, I stated:

I am announcing today that I will do exactly what I said I would do if the President deliberately violated our agreement.

And on January 25, 2000, I did just that. I placed a hold on all judicial nominees. On this Senate floor I said:

It was in anticipation of just such defiance—

I am talking about the President's defiance of the Senate's prerogative to advise and consent to nominees—

It was in anticipation of just such defiance that I and my colleagues warned the President on at least five separate occasions exactly what our response would be if he violated this agreement. We would put a hold on all judicial nominees. So today it will come as no surprise to the President that we are putting a hold on all judicial nominees. We are simply doing what we said we would do to uphold constitutional respect for the Senate's proper role in the confirmation process.

Today we have agreed—I did not agree, but we went ahead and agreed to bring up two nominees on which I did assert my prerogative and say we are going to have rollcall votes on every nominee that does come up, and those rollcall votes are going to be taking place in about 15 minutes.

I say for those individuals who hysterically talked about the chaos that would be created in the event we put holds on all nominees, and no nominees were, in fact, appointed by this President for the last year of his administration and confirmed by the Senate, if you go back and look at what happened in January of 1993—that was the last month President Bush was in office—there were 109 vacancies in the judiciary. In other words, 109 vacancies that the then-Democrat-controlled Senate failed to act upon.

Today, there are 74 vacancies in the judiciary. In the event normal history takes its course and the normal number of either deaths or resignations take place, it will be not more than 25 more. In other words, there will be approximately 100 vacancies at the end of President Clinton's term of office. That is still nine fewer than there were at the end of President Bush's administration.

This is sad. We are in the process of giving up an opportunity, by voting on some of these, for the first time in 7 years of this President's administration of holding him to his word. He has broken his word over and over. He has told lies to the American people over and over, and to this body he has broken his commitment. What we are giving up is our last and maybe only opportunity in 8 years to hold this President to his commitment. What is going on today is very sad. I deeply regret it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

Mr. HATCH. Mr. President, I rise to commend the majority leader, Senator LOTT, for proceeding today with votes for these two judicial nominees. We will continue to process the confirmations of nominees who are qualified to be Federal judges. In that respect, the Senate Judiciary Committee will hold its first nominations hearing of this session on Tuesday, February 22, and I expect to see more judicial nominees moving through the process in the coming months. There is a perception held by some that the confirmation of judges stops in election years. That perception is inaccurate, and I intend to move qualified nominees through the process during this session of Congress.

That said, in moving forward with the confirmations of judicial nominees, we must be mindful of problems we have with certain courts, particularly the ninth circuit. In addition, the President must be mindful of the problems he creates when he nominates individuals who do not have the support of their home-State Senators. In this regard, I must say that it appears at times as if the President is seeking a confrontation with the Senate on this issue, instead of working with the Senate to see that his nominees are confirmed.

Last session, despite partisan rhetoric, the Judiciary Committee reported 42 judicial nominees, and the full Senate confirmed 34 of these—a number comparable to the average of 39 confirmations for the first sessions of the past five Congresses, when vacancy rates were generally much higher. In total, the Senate has confirmed 338 of President Clinton's judicial nominees since he took office in 1993.

I am disturbed by some of the allegations that have been made that the Senate's treatment of certain nominees differed based on their race or gender. Such allegations are entirely without merit. For noncontroversial nominees who were confirmed in 1997 and 1998, there was little, if any, difference between the timing of confirmation for minority nominees and non-minority nominees. Only when the President appoints a controversial female or minority nominee does a disparity arise. Moreover, last session, over 50 percent of the nominees that the Judiciary Committee reported to the full Senate were women and minorities. Even the Democratic former chairman of the Judiciary Committee, Senator JOE BIDEN, stated publicly that the process by which the Committee, under my chairmanship, examines and approves judicial nominees ''has not a single thing to do with gender or race.''

The Senate has conducted the confirmations process in a fair and principled manner, and the process has worked well and, in my opinion, will continue to work well. The Federal Judiciary is sufficiently staffed to perform its function under article 3 of the Constitution. Senator LOTT, and the Senate as a whole, are to be commended.

I want to make sure we make those points in the RECORD before we start voting on these judicial nominees. When the Judiciary Committee reports a nominee to the floor, it does not even consider telling Senators what the nominee's race or ethnicity or anything else is. The nominee's race or ethnicity or gender is irrelevant as far as we are concerned. We report judicial nominees because we believe them to be qualified. We report them because the President of the United States has the constitutional right to nominate judges. The Senate has right to confirm or not confirm them.

I have to say, the big battles are behind the scenes where we determine, in consultation with the White House, whether or not people should be nominated at all. That process is participated in by virtually every Senator in this body, and certainly by the leaders of the Judiciary Committee.

I wish to set the record straight because I see continual politicization of the judiciary by this administration whereby this administration tries to make appointments that literally do not deserve to be made.

Naturally, having said all this, during a Presidential election year the nomination process does slow down. It ultimately ends during that year, and historically has done so whether there has been Republican or Democrat control of the Senate, and whether there has been a Republican or Democrat in the White House.

Another point I believe must be emphasized: We in the Senate cannot take action on nominees we do not have.

Yesterday, at a Democratic National Committee event in Texas, President Clinton took the Senate to task for not acting swiftly enough on his judicial nominees. Given the fact that this is his last year in office, and that he was speaking at a DNC event, President Clinton is bound to say anything.

The nominees we will confirm today will bring the total number of Clinton judges confirmed by the Senate Republicans to 340. Approximately 40 percent of the total federal judiciary now are Clinton judges—judges confirmed by Republicans.

I note this: The President has made nominations for less then half of the vacancies that currently exist. For all the bad-mouthing this administration does from time to time regarding the confirmation of judges, it is important to note there are presently 79 vacancies, and to date we have received only 38 nominees—4 of which we received just today, so, in essence, just 34 nominees until today. There are 41 vacancies for which the President has not even made a nomination. That needs to be said.

I want to work with the President. I want to treat him fairly. I think we have been more than fair with him. I intend to be fair in the future as well,

but I would appreciate it if he would speak a little more fairly himself.

Mr. ROTH. Mr. President, it is the Senate's responsibility to assure that only our Nation's most exceptional legal minds dispense justice during lifetime appointments to the Federal bench. This definition precisely describes Delaware's Thomas Ambro, whom we have just confirmed to serve as a Federal judge on the Third Circuit Court of Appeals.

I have followed Tom's legal career from the time he served on my Washington staff while attending Georgetown University Law School. Following a clerkship with Delaware Supreme Court Justice Daniel Herrmann, Tom distinguished himself as a corporate law attorney with the law firm of Richards, Layton and Finger in Wilmington, Delaware.

I have no doubt that Thomas Ambro's national reputation as a corporate bankruptcy attorney will soon be supplanted by a reputation as one of our wisest Federal judges. Congratulations to Tom on this significant day.

The PRESIDING OFFICER (Mr. VOINOVICH). The question is, Will the Senate advise and consent to the nomination of Thomas L. Ambro, of Delaware, to be United States Circuit Judge for the Third Circuit?

Mr. HATCH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 10 Ex.]

YEAS—96

Abraham	DeWine	Kerrey
Akaka	Dodd	Kerry
Allard	Domenici	Kohl
Ashcroft	Dorgan	Kyl
Baucus	Durbin	Landrieu
Bayh	Edwards	Lautenberg
Bennett	Enzi	Leahy
Biden	Feingold	Levin
Bingaman	Feinstein	Lieberman
Bond	Fitzgerald	Lincoln
Boxer	Frist	Lott
Breaux	Gorton	Lugar
Brownback	Graham	Mack
Bryan	Gramm	McConnell
Bunning	Grams	Mikulski
Burns	Grassley	Moynihan
Byrd	Gregg	Murkowski
Campbell	Hagel	Murray
Chafee, Lincoln	Harkin	Nickles
Cleland	Hatch	Reed
Cochran	Helms	Reid
Collins	Hollings	Robb
Conrad	Hutchinson	Roberts
Coverdell	Hutchison	Rockefeller
Craig	Inouye	Roth
Crapo	Jeffords	Santorum
Daschle	Johnson	Sarbanes
Schumer	Specter	Torricelli
Sessions	Stevens	Voinovich
Shelby	Thomas	Warner
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden

NAYS—2

Inhofe Smith (NH)

NOT VOTING—2

Kennedy McCain

The nomination was confirmed.

NOMINATION OF JOEL A. PISANO, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Joel A. Pisano, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Joel A. Pisano, of New Jersey, to be United States District Judge for the District of New Jersey?

Mr. BIDEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Florida (Mr. MACK) are necessarily absent.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 11 Ex.]

YEAS—95

Abraham	Edwards	Lott
Akaka	Enzi	Lugar
Allard	Feingold	McConnell
Ashcroft	Feinstein	Mikulski
Baucus	Fitzgerald	Moynihan
Bayh	Frist	Murkowski
Bennett	Gorton	Murray
Biden	Graham	Nickles
Bingaman	Gramm	Reed
Bond	Grams	Reid
Boxer	Grassley	Robb
Breaux	Gregg	Roberts
Brownback	Hagel	Rockefeller
Bryan	Harkin	Roth
Bunning	Hatch	Santorum
Burns	Helms	Sarbanes
Byrd	Hollings	Schumer
Campbell	Hutchinson	Sessions
Chafee, L.	Hutchison	Shelby
Cleland	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kerrey	Stevens
Coverdell	Kerry	Thomas
Craig	Kohl	Thompson
Crapo	Kyl	Thurmond
Daschle	Landrieu	Torricelli
DeWine	Lautenberg	Voinovich
Dodd	Leahy	Warner
Domenici	Levin	Wellstone
Dorgan	Lieberman	Wyden
Durbin	Lincoln	

NAYS—2

Inhofe Smith (NH)

NOT VOTING—3

Kennedy Mack McCain

The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. GRAHAM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, as I understand, under the previous order, the distinguished Senator from Florida is to be recognized next. Seeing him on the floor, I ask unanimous consent that I be allowed to continue, without him losing his place in the order, for up to 4 minutes in reference to the judicial nominations we just confirmed.

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

Mr. LEAHY. Mr. President, as we begin the 2d session of the 106th Congress, we should think about the challenge we face with respect to our constitutional responsibility to work with the President to provide the many Federal judges who are desperately needed around the country.

Today I thank our Democratic leader, but I also particularly thank the majority leader, both longtime friends. They moved forward Senate consideration of two of the seven judicial nominations that were favorably reported to the Senate by the Judiciary Committee last year.

I know that had the distinguished majority leader not taken the earlier parliamentary action he did today, this would not have happened. I thank him for doing that.

I note the heavy vote on both these nominees. One had a vote of 96 votes. The other had a vote of 95 votes. Perhaps more relevant, there were only two votes against them. I would love to win elections by those kinds of margins in my home State of Vermont.

The point is that these distinguished jurists have been held up for some time. Yet when they finally come to a vote, we find an overwhelming majority of Republicans and Democrats are for them.

I hope that we might proceed to prompt action on the remaining five judicial nominations on the Senate calendar, as well. Having confirmed Judge Ambro and Judge Pisano, I wish we were proceeding, as well, on the confirmations of Kermit Bye to the Eighth Circuit, Judge George Daniels to the District Court for the Southern District of New York, Tim Dyk to the Federal Circuit, and Marsha Berzon and Judge Richard Paez to the Ninth Circuit.

I hope that the distinguished majority leader, Senator LOTT, and the distinguished Democratic leader, Senator DASCHLE, the distinguished chairman of the Judiciary Committee, Senator HATCH, and I can find a way to consider each of the judicial nominations reported last year to the Senate by the Judiciary Committee.

Last October, Senator LOTT committed to working with us, and I commend him for that. Also, in November, he announced he would press forward for votes on the nominations of Judge Richard Paez and Marsha Berzon to the Ninth Circuit by March 15. In that regard, not only do I commend him for pushing forward, but I commend the distinguished Senators from California, Senators FEINSTEIN and BOXER, for their steadfast support of these nominees. They are now in line to receive Senate action. We should do the same with all the others.

Then there is the question of the 31 judicial nominations pending in the Judiciary Committee. In fact, 29 not yet had hearings, although we now have some planned.

I am challenging the Senate to regain the pace it met in 1998 when the committee held 13 hearings and the Senate confirmed 65 judges. That would still be one fewer than the number of judges confirmed by a Democratic Senate majority in the last year of the Bush administration in 1992. In fact, in the last 2 years of the Bush administration, a Democratic Senate majority with a Republican President confirmed 124 judges. We now have a Democratic President with a Republican-controlled Senate, and it would take 90 confirmations this year alone for the Senate to equal that total.

Let me show a chart. These are Presidential election years. This is what we have done on nominations: 64 in 1980; 44 in 1984; 1988, with a Democratic-controlled Senate and a Republican-control Presidency, 42; in 1992, with the Democrats in control of the Senate and with a Republican President, we confirmed 66 judges; but then 4 years later with a Republican Senate and a Democratic President, it dropped to only 17 judges without a single judge confirmed to the federal courts of appeals; and now we have confirmed 2 judges so far this year.

I hope we can do better. I hope we will say that 1996 was an anomaly and the Senate will very much take its duties seriously.

Let these judges have a vote. If Senators do not want them, vote against them. But as we have seen, oftentimes even when they are held up, if they can finally get a vote, they are overwhelmingly confirmed by the Senate.

Over the last 5 years, the Republican-controlled Senate confirmed the following: 58 federal judges in the 1995 session; 17 in 1996; 36 in 1997; 65 in 1998; and 34 in 1999. In one year, 1994, with a Democratic majority in the Senate, we confirmed 101 judges. With commitment and hard work many things are achievable. I am not demanding that the Senate confirm 101 judges this year, as we did in 1994, or 90 or 80 or even 70. But I do challenge the Republican-controlled Senate to hold at least 13 hearings and confirm at least 65 judges, as it did in 1998.

We failed to reach those goals last year when the Judiciary Committee held barely half that number of hearings and confirmed barely half that number of judges. A confirmation total of 65 at the end of this year is achievable if we make the effort, exhibit the commitment and do the work that is needed to be done. We cannot achieve this goal if we wait several more weeks before holding hearings or wait several weeks between hearings. To hold at least 13 hearings requires the Committee to begin holding hearings right away and to hold hearings at least every other week for the entire session.

I am continuing to work with Chairman HATCH so that all of the nominees submitted to us get a fair hearing before the committee and a fair up-or-down vote before the Senate.

We begin this year with 79 judicial vacancies, more than existed when the Republican majority took control of the Senate five years ago and over 50 percent more than when the Senate adjourned in 1998. Over the last 5 years we have actually lost ground in our efforts to fill longstanding judicial vacancies that are plaguing the Federal courts.

Moreover, the Republican Congress has refused to consider the authorization of the additional judges needed by the federal judiciary to deal with their ever increasing workload. In 1984, and in 1990, Congress responded to requests by the Chief Justice and the Judiciary Conference for needed judicial resources. Indeed, in 1990, a Democratic majority in the Congress created scores of needed new judgeships during a Republican administration.

Three years ago the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. Last year the Judicial Conference renewed its request but increased it to 72 judgeships needing to be authorized around the country. Instead, the only Federal judgeships created since 1990 were the nine District Court judgeships authorized in the omnibus appropriations bill at the end of last year.

If Congress had timely considered and passed the Federal Judgeship Act of 1999, S. 1145, as it should have, the Federal judiciary would have over 150 vacancies today. That is the more accurate measure of the needs of the Federal judiciary that have been ignored by the Congress over the past several years and places the vacancy rate for the Federal judiciary at over 16 percent—151 out of 915. As it is, the vacancy rate is almost 10 percent—79 out of 852—and has remained too high throughout the 5 years that the Republican majority has controlled the Senate.

Especially troubling is the vacancy rate on the courts of appeals, which continues at 15 percent—27 out of 179—without the creation of any of the additional judgeships that those courts need to handle their increased workloads.

Most troubling is the circuit emergency that had to be declared four months ago by the Chief Judge of the Court of Appeals for the Fifth Circuit. I recall when the Second Circuit had such an emergency 2 years ago. Along with the other Senators representing States from the Circuit, I worked hard to fill the five vacancies then plaguing my circuit. The situation in the Fifth Circuit is not one that we should tolerate; it is a situation that I wished we had confronted by expediting consideration of the nominations of Alston Johnson and Enrique Moreno last year. I hope that the Senate will consider both of them promptly in the early part of this year.

I deeply regret that the Senate adjourned in November and left the Fifth Circuit to deal with the crisis in the federal administration of justice in Texas, Louisiana and Mississippi without the resources that it desperately needs. I look forward to our resolving this difficult situation promptly this session. I will work with the majority leader and the Democratic leader to resolve that emergency at the earliest possible time.

With 27 vacancies on the Federal appellate courts across the country and 73 percent of the judicial emergency vacancies in the Federal courts system in our appellate courts, our courts of appeals are being denied the resources that they need, and their ability to administer justice for the American people is being hurt. There continue to be multiple vacancies on the Ninth Circuit. Six vacancies out of 28 authorized judgeships is too many; perpetuating five judicial emergency vacancies, as the Senate has in this one circuit, is irresponsible. We should act on these nominations promptly and provide the Ninth Circuit with the judicial resources it needs and to which it is entitled.

I am likewise concerned that the Third, Fourth and Sixth Circuits are suffering from multiple vacancies.

I look forward to Senate action on the long-delayed nominations of Judge Richard Paez, Marsha Berzon and Tim Dyk. I continue to urge the Senate to meet our responsibilities to all nominees, including women and minorities, and look forward to prompt and favorable action on the nominations of Judge Julio Fuentes to the Third Circuit, Judge James Wynn, Jr. to the Fourth Circuit, Enrique Moreno to the Fifth Circuit, and Kathleen McCree Lewis to the Sixth Circuit.

Working together the Senate can join with the President to confirm well-qualified, diverse and fair-minded judges to fulfill the needs of the Federal courts around the country. I urge all Senators to make the Federal administration of justice a top priority for the Senate this year.

Mr. President, I see my distinguished friend from Florida on the floor. I thank him for his courtesy. I commend the distinguished senior Senator from New Jersey for giving us such a fine nominee. I yield the floor.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I be permitted to speak for up to 6 minutes

without the Senator from Florida losing any of his time. I thank him for his willingness to allow this.

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

Mr. LAUTENBERG. Mr. President, this is a good day for New Jersey. I am so pleased the Senate has confirmed the appointment of an outstanding citizen of our State, Joel Pisano, for a seat on the U.S. District Court for New Jersey. He is a competent, thorough, well-thought-of individual. I thank Senator HATCH and Senator LEAHY for their help in moving Mr. Pisano's nomination through the Judiciary Committee and their support of his nomination. I recommended him in June of 1999. I am grateful to hear he was confirmed by a vote of 95 to 2.

Joel Pisano has outstanding credentials. He is going to be an excellent addition to our district court. The backlog of cases is very high. It takes a long time for people to bring their cases and have them adjudged. Joel Pisano will be an excellent addition to our bench and help move that caseload fairly and rapidly.

He has served as a magistrate judge since 1991. He is already performing many of the duties of a district court judge, including jury and nonjury trials. He has managed pretrial proceedings in about 600 civil cases, so he is used to controlling the large caseload of a Federal court. He has also dealt with a wide variety of different cases—patent and trademark cases, environmental cleanup disputes, antitrust and securities litigation, employment discrimination cases, and civil RICO matters.

I did a lot of personal research, as I have on all of the recommendations I have made to the Federal bench, and I was so pleased to hear of the unanimous approval of Mr. Pisano as a candidate for the Federal bench.

He has a reputation for competence, energy, and commitment that perfectly fits the profile of an excellent candidate to sit on the Federal district court bench.

He has consistently impressed everyone who appears before him and who works with him in his capacity for fairness and his thorough understanding of the law.

I heard not one critical note from the people I spoke to—lawyers, judges, those who make up much of the legal community in the State of New Jersey.

Prior to his appointment as a magistrate, Mr. Pisano was a partner in a distinguished law firm. In the 13 years he spent representing clients, he developed an expertise in a wide variety of areas, in both civil and criminal matters.

Mr. Pisano appeared in court almost every day and tried 150 cases to conclusion. He also managed the litigation section of his firm, which I think was an early indication of the supervisory skills that have served him so well as a magistrate.

Magistrate Pisano's depth of experience and organizational skills are exactly what we need at a time when staggering caseloads are making it more and more difficult for our Federal judges to spend as much time with each case as they would wish.

He will tackle his new responsibilities with energy to spare. I am pleased the Senate confirmed him. I am honored that I brought him to the attention of the Senate. I believe he will serve as one of our most outstanding judges in the district court.

Mr. President, I thank my friend from Florida and yield the floor.

Mr. TORRICELLI. Mr. President, I am pleased that the Senate, by a 95–2 vote, has confirmed Joel Pisano as a district court judge for the District of New Jersey.

Judge Pisano is an excellent choice to fill the district court seat created with the confirmation of Marion Trump Barry to the third Circuit Court of Appeals this past summer. He is extremely well-respected in New Jersey for his commitment to public service, as well as for his depth and breadth of knowledge of the law.

A graduate of Lafayette College and later of Seton Hall University Law School, Judge Pisano has had a varied and distinguished legal career. He served for 4 years as a public defender in New Jersey, before moving into private practice as a partner with a well-respected New Jersey law firm for 14 years.

In 1991, Judge Pisano was appointed to be a U.S. Magistrate Judge in Newark, New Jersey. In that capacity, he ably presided over a number of high profile cases, including that of a former Mexican deputy attorney general who was charged with laundering $9.9 million in drug payoffs.

In a 1995 survey of attorneys who practice in New Jersey before Federal judges, Judge Pisano was praised for his skills in managing cases and his efficiency in moving a calendar quickly. His ''street-wise'' nature and prior experience as a trial attorney were said to serve him well on the bench.

Judge Pisano's 8 years as a magistrate judge have prepared him for his promotion to the district court. He has an understanding of, and the training for, the responsibilities and challenges he will face as a district court judge. I am confident that he will serve us all well in his new role.

In conclusion, I just want to say how pleased I am that Joel Pisano has been confirmed by the Senate as a district court judge for the District of New Jersey. I am sure that he will be a superb addition to the bench.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. FITZGERALD). Under the previous order, the Senate will now return to legislative session.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. The Senator from Florida has been gracious enough to allow me to take a few moments, and that is all I will do. I ask unanimous consent to be able to do that.

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

(The remarks of Mr. WELLSTONE pertaining to the introduction of S. 2055 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WELLSTONE. Mr. President, I thank my colleague from Florida for allowing me to speak.

I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

(The remarks of Mr. GRAHAM pertaining to the introduction of S. 2058 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. BYRD. Is there a time limit in the order?

The PRESIDING OFFICER. There is no time limit.

FLOYD RIDDICK

Mr. BYRD. Mr. President, I wish to speak briefly regarding the late Floyd Riddick.

Floyd Riddick was for several years the Parliamentarian of the Senate. Floyd Riddick was born in 1908 in Trotville, NC. That was the same year in which the Model T Ford was made. The Model A Ford came along in December of 1927, but the Model T Ford came on the market in 1908.

Floyd Riddick was from that generation of Americans committed to duty, excellence, and hard work. His entire life reflected a love of duty, of excellence, and of hard work. Floyd Riddick attended Duke University. He attained his master's degree at Vanderbilt, and then he returned to Duke University to earn his Ph.D. in political science. While working on his doctoral dissertation, Floyd Riddick spent a year observing the workings of the U.S. House of Representatives. And then, in 1941, he published an expanded version of that research as congressional procedure.

For the benefit of the viewing public, I hold in my hand a copy of the volume about which I have just spoken. The title is ''Riddick's Senate Procedure.'' This particular volume, which was printed by the U.S. Government Printing Office here in Washington in 1992, including the appendix, contains 1,564 pages. Mr. President, I have read this book on Riddick's Procedure through and through and through a number of times. It used to be that when I was the Democratic whip, and while I was also Secretary of the Democratic Conference in the Senate, and during the

time I was majority leader, minority leader, and majority leader again, I read this book once every year—the complete book. It is a very valuable book. If one hopes to ever have a fairly good understanding of the Senate rules and precedents, then he or she should read this book. The Parliamentarians of the Senate are very familiar with it. They resort to it many times a day, and it is a sure and dependable guideline with respect to the rules and precedents in the Senate. Doc Riddick—we called him ''Doc''—published a book on congressional procedure. This book is on Senate procedure.

He then came to Washington permanently as a statistical analyst and as an instructor of political science at American University. He was a Ph.D. in political science. I never received my baccalaureate in political science until I was 76 years old. That was about 6 years ago. I received my baccalaureate in political science, but, of course, I knew a lot about political science long before I ever received that degree. I am a graduate of the school of hard knocks, and I learned a long time ago the lessons that are taught by service in this body and in the other body. This is my 48th year on Capitol Hill.

The late Richard Russell talked with me one day about the rules in the Democratic Cloakroom, right in back of where I am now standing. He said: ROBERT, you need not only to know about the rules, you need also to understand the precedents of the Senate.

I said: Where can I learn about them?

He picked up this book, ''Riddick's Procedure,'' and he said: This is the book where you can learn a lot about the precedents of the Senate.

Doc Riddick—as I say, because he had a Ph.D. in political science, Doc Riddick wrote the book. From 1943 to 1946, Dr. Riddick edited the Legislative Daily for the U.S. Chamber of Commerce, a post which led to his being asked to set up a Daily Digest in the CONGRESSIONAL RECORD which would summarize congressional events and serve as a guide to the daily RECORD.

Now, Doc Riddick wasn't the first man who ever thought of that. Julius Caesar developed what well might have been called the legislative daily. He developed a process whereby the daily actions of the Senate would be noted and would be distributed to the various parts of the Roman Empire, and nailed upon walls for all to see.

That was a kind of daily legislative digest. That came along quite a good many years before Dr. Riddick's time. But he followed in the shoes of Julius Caesar in that regard in that he set up a Daily Digest in the CONGRESSIONAL RECORD. It is still to be found in the back of the CONGRESSIONAL RECORD. In the back of the RECORD there is a Daily Digest, and Senators can go to the Daily Digest and very quickly be informed about the actions of the Senate and the House the day before, and what legislation was passed and how many rollcall votes there were. It is a very valuable compendium of the actions of the Senate and the House on the day previous to the day on which the CONGRESSIONAL RECORD appears in our office.

From that position in 1951, Dr. Riddick joined the Office of Parliamentarian as an assistant, succeeding to the position of Senate Parliamentarian in 1964 where he served until 1974. After his retirement, Dr. Riddick continued to serve the Senate as Parliamentarian Emeritus and as a consultant to the Senate Committee on Rules and Administration. Do you know what his salary was? Zero. He didn't charge anything for his services.

That was a deeply dedicated man who enjoyed giving of his knowledge and talents, his expertise, his experience to other Senators. I have been a member of that committee for a long time, so I am quite familiar with Floyd Riddick and his work on the committee.

Most Senators now serving will be most familiar with the name of Floyd Riddick in connection with Riddick's Rules of Procedure. He also authored a series of articles summarizing each congressional session which appeared in the American Political Science Review and the Western Political Quarterly, along with several other books on the organization, history, and procedures of the Congress.

I used to conduct a seminar on the legislative process at American University during the summers. I didn't earn much money, but the money that I earned I put into a fund for the college education of a Chinese orphan. I would have Dr. Riddick over to speak during those days when I was conducting the seminar. Dr. Riddick would come over and speak to the class. It wasn't an easy class. It was a tough one. I gave between 600 and 700 questions on the final exam, and I flunked three or four individuals in the class who apparently thought it would be an easy thing to skip when they wanted to. But they didn't make the grade. I had no hesitancy in flunking them. Dr. Riddick, though, was one of those who spoke for me from time to time.

I also had Senator Sam Ervin over to speak to my class. I had the late Speaker, Carl Albert, over to American University from time to time to speak in this seminar. I asked some of the officers of the Senate to visit the class. So we offered those young people a real treat in the legislative process.

The Random House College Dictionary gives us this definition of the word ''integrity'': ''Adherence to moral and ethical principles; soundness of moral character; honesty.''

That word ''integrity'' is used repeatedly in the publication entitled ''Tributes to Dr. Floyd M. Riddick'' upon the occasion of his retirement and designation as parliamentarian emeritus, which was ordered by the Senate to be printed on December 19, 1974. Senator after Senator, in speaking of the services of Floyd Riddick upon his retirement, used that word ''integrity.''

He was a Parliamentarian who would not be swayed by anybody in the Senate. He called the shots exactly as he saw them. He didn't lean toward the Republicans; he didn't lean toward the Democrats. He called the questions as he saw them, and based them on the Senate rules and upon the precedents. When we received advice from Dr. Riddick while he was Parliamentarian, we knew that was the way it was. We knew he wasn't bending the rules to favor any of us or to favor either political party.

So the word ''integrity'' was an extremely well-fitting word for Floyd Riddick.

There are some individuals who come up from their origins with a closeness to earth and a nearness to growing things—growing things, the lilac bush, the rosebush, the tomato plant, the ordinary weed, a blade of grass—these individuals have integrity. There is a sort of elemental trueness about them which even the foibles and the follies and the bright lights of Washington politics cannot shake from their being.

As Popeye says, ''I am what I am and that is all I am.'' And these people are just what they are and that is all they are. That was Dr. Riddick. Even the foibles and follies of politics in Washington could not shake his being.

So it is not surprising to learn that Floyd Riddick enjoyed being on a farm. He used to give some of us here a few of his tomatoes. He grew those large, beefsteak tomatoes, and he would bring them in from the farm. He would give me some in the summer. And there were others who were fortunate enough to be the recipients of Floyd Riddick's tomatoes. And later in life, Dr. Riddick routinely escaped to his farm in Rappahannock County, VA, as if for renewal and refreshment.

Rappahannock County, VA—my distant forbear, whose name was William Sale, came from England in 1657 and settled on the Rappahannock River in Virginia. He worked 7 years as an indentured servant to pay for his trip across the Atlantic—7 years. Then he received 160 acres of land. So it was in Rappahannock County that Dr. Riddick had a farm. He loved that farm.

Emerson said, ''The true test of civilization is not in the census, nor the size of cities, nor the crops. No. But the kind of man the country turns out.''

This was the kind of man we could emulate. He was a noble soul, Floyd Riddick. He was the kind of man we could proudly call a friend or associate.

Emerson also said: ''It is easy in the world to live after the world's opinion.'' That is easy. ''It is easy in solitude to live after our own.'' That is easy. ''But the great man is he who, in the midst of the crowd, keeps with perfect sweetness the independence of solitude.''

Floyd Riddick never seemed frazzled, never seemed exasperated by the pressure cooker atmosphere that can and does develop here on the Senate floor.

Even though Dr. Riddick's tenure as Senate Parliamentarian coincided with some of the most difficult and passionate issues ever encountered by the Senate, such as Vietnam and civil rights, he was ever the calm professional, always willing and ready to lift a hand, always desirous of helping especially the new Members who were sworn into this body, always there, too, at the beck and call of the Members who had been here a long time.

Such a common, friendly, warm, congenial, accommodating, decent individual! Around him there seemed to be always an aura of peace and control. He kept his mind on his responsibilities, and he never ever forgot that, as Parliamentarian—in effect, the silent referee of Senate debate and procedure—he had to maintain complete and total objectivity. No partisanship—complete and total objectivity.

Senators on both sides of the aisle knew it. They knew when they went to him, they would get the straight answer and it would not be colored or tinctured by partisanship. Doc Riddick was in every sense of the word a scholar. He was quiet, soft spoken, unassuming, and absolutely rock solid. That was Floyd Riddick!

I leaned upon him heavily in my earlier years in the Senate. He was a delight to work with, and I enjoyed his company. He was one of those completely dedicated selfless people who labored for the good of the institution. He loved the institution. He labored for the good of the Senate and for the good of his country.

Robert E. Lee said that the word ''duty'' was the sublimest word in the English language. Dr. Riddick understood what that meant, and, to him, duty was sublime. He was above politics, as I have repeatedly said, he was honorable, and he was entirely above reproach.

Floyd Riddick did not need praise, although he certainly deserved it. He did not covet recognition, although the recognition of his scholarly expertise was widespread. For him, the glory of the work, the glory of serving the Senate, the glory of serving Senators, and through Senators the glory of serving the American people, was enough.

We will long remember Dr. Riddick, those of us who served with him. Whence cometh such another?

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent the Senator from Virginia may proceed as in morning business for such time as I may require.

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

THE SITUATION IN BOSNIA AND KOSOVO

Mr. WARNER. Mr. President, I rise today to address my colleagues on both sides of the aisle with regard to the deepening and very grave concerns I have in my heart about the situation in both Bosnia and Kosovo. I, as many colleagues, travel with some regularity to that region of the world, the Balkans. Just 3 weeks ago, I completed my most recent trip. I had the distinct privilege of being accompanied on that trip by the Supreme Allied Commander of Europe, General Clark, Commander in Chief of NATO Forces, in my travels through Kosovo, and then later the next day with his deputy, Admiral Abbott, as I went into Bosnia.

I have been to this region many times, although I am not suggesting I am any more of an expert than my colleagues. I first went in 1990 with then-leader Robert Dole. We went to Pristina, in Kosovo. I remember our delegation of Senators queried Senator Dole: Why here? Bob Dole instinctively knew that Kosovo could become a battleground. I remember Stephen Ambrose, the historian, was alleged to have quoted Eisenhower when Eisenhower was asked, 10 years after D-day: General, tell us about the next war. And Ike very wisely did not opine, except to say: That war could come as a surprise and may well come from a direction that none of us could anticipate.

In our visit to Kosovo, I and that tried and tested and courageous Bob Dole, a soldier of World War II, were confronted with a totally unpredicted situation while in Pristina. Thousands and thousands of people heard about Members of the U.S. Congress coming to this remote region, and they converged on the hotel. There was panic in the streets and a great deal of disorder. People were being trampled in the crowds, and Senator Dole had to make a wise decision, and a quick one, that we had to exit because we could be responsible for injuries to people, people who wanted to come to see us, people who wanted to tell us about the hardships that were then being inflicted by Milosevic. Indeed, we made a hasty retreat.

But as we went back to our plane, we passed that historic piece of ground, whose origin goes way back, in my recollection, to the 1300s, that field of battle which actually the persons who preceded the governing structure today lost. They lost the war, yet they still consider that hallowed ground. But I remember as we passed that battlefield, Bob Dole said: Tragedy and fighting will visit this land someday.

And that it did. Our Nation's men and women of the Armed Forces, primarily the Air Force, fought a courageous battle: 78 days of combat, tens of thousands of missions together with other nations—seven other nations were flying missions with our Air Force—and eventually the major nations of the world came to an understanding as to how that fighting should stop. It was causing tremendous damage, but there was no other recourse by which we could get the attention of Milosevic.

There are those who say today, in hindsight, perhaps we should not have done this, perhaps we should not have blown up that bridge. When I visited Pristina several weeks ago, someone said: We haven't got power because the power lines were blown out. It was a tough war, and our military commanders made tough decisions; 19 nations got together to make those decisions—a historic first combat by NATO. They made it work. Now they have basically stopped any major fighting and we are down to incidents —fortunately few incidents, but nevertheless dangerous ones.

When I looked into the faces of the young men and women of our Armed Forces, and indeed other armed forces, and actually walked the streets with a patrol, it was clear they were performing duties for which they were never trained in their military careers. Historically, our troops have not in any great measure performed the type of mission they are doing in that region. But they are doing it and doing it very well. They are accepting the risks of getting caught in the crossfire that still erupts as a consequence of the cultural differences, the ethnic hatreds. Indeed, much of the fighting today in Kosovo is Albanian upon Albanian. It is retribution against fellow Albanians because they at one time or another did something to further the Serb interest.

Our troops are there. When you ask those in charge, whether it is the NATO commanders, the U.N. representative, the E.U. representative, or anyone else, no one can give you any time estimate within which our forces can be withdrawn. The infrastructure that was to move in behind in Kosovo, the commitments that were made by a number of nations to provide police, to provide money to pay salaries for the judicial element, to help rebuild the power lines—it is not flowing. It is caught up in bureaucracies, international bureaucracies. It is all but stagnant—all but stagnant.

I met with the commander of all troops, a very competent professional German officer. I met Ambassador Kouchner, who has been designated to pull together the various elements to make this work. We were in a room in the military headquarters. There was no running water. The water pipes were shut off, partially due to freezing and partially due to lack of power. The light bulbs flickered. Ambassador Kouchner pointed out we do not have enough power to keep the homes warm. There was a certain feeling we won the war but we could lose the peace, because the war goes on amongst the bureaucracies, no matter what the good intentions may be to bring forth and reestablish in that war-torn region of Serbia—Kosovo is a part of Serbia—the

infrastructure needed to bring back just a modicum of a normal life.

Foremost in my heart is my deep concern for the men and women of the armed services undertaking missions for which they were not trained. Missions which take them away not only from their families, but take them away from other potential deployments of our U.S. military, a military that is stretched far too thin already.

These men and women of our military need to have some definitization of how much longer we are going to keep significant numbers deployed to Kosovo. That timing is directly tied to the ability and the willingness of other nations and organizations to come in and consolidate the military gains, reestablish an infrastructure—be it judicial, be it police, be it rebuilding, be it a form of government, be it elections—so that the troops can return—ours and others—to their assignments and their bases elsewhere.

A similar situation still exists in Bosnia after these many years. However, let me draw a distinction. After the fighting stopped in Bosnia, the military decided they would locate the troops in heavily protected compounds. They would go out on daily patrols to prevent the eruption of further fighting. So far, that has worked.

Clearly, without any question, the military operations in Bosnia and Kosovo are a great credit to the men and women who fought them, the men and women who planned them, and the men and women who are still there today. That job was done and done well.

In Kosovo, they decided not to concentrate the military, either the U.S. military, or the other militaries. Rather, they were dispersed in the various regions. The U.S. region is the same as the one controlled by the British and the French. They dispersed them right out into the small communities so that men and women of the U.S. Armed Forces, four and five of them at a time, are living in some war-torn house or in a small churchyard where I saw them. Some are just guarding churches because of the incredible desire to destroy churches. That is a whole chapter of this tragedy which someone has to examine. The Albanian forces practically destroyed every church the Serbian people ever used.

Quite different is the military deployment in Kosovo from that in Bosnia, but both have worked. Both were carefully planned, both have a credible measure of success.

In Bosnia, the Dayton accords laid the blueprint. One can argue we should have done this and we should have done that in Dayton. Yes, we knew it could have been better, but we had to get an agreement, and we got the best we could at that time.

One of my concerns is we should go back—not reconvene everybody who was at Dayton—but go back and examine what was right and what proved not to be successful at Dayton and correct it.

The fighting has stopped, and the military provides a security blanket within which the various factions can begin to reestablish that country. Some progress is being made, but by any timetable, that progress is way behind the expectations, given the fighting has been over for several years. It is way behind, again, because of the difficulty of the bureaucracies working to bring in adequate police, and not just the police who perform duties on the streets, but in the case of Bosnia, we need an international police force to investigate and fight the rampant crime.

Beneath the security blanket provided by the men and women of the Armed Forces, organized crime is rampant. It has been said the only thing really organized in Bosnia is organized crime. The various ethnic factions get along very well in the criminal underworld. They have charted their ground.

Yes, things are slowly improving in Bosnia but ever so slowly. There we have independent entities. The U.N. has one area of responsibility, primarily the police; the E.U. another area of responsibility; the OSCE responsibility with regards to elections. However, they each report to different capitals.

I had the Deputy Secretary General of the United Nations in my office yesterday. He is in charge of peacekeeping all over the world. He made clear how the four basic entities in charge of bringing about the restoration of Bosnia all have different reporting channels. There is no central authority that works today for the greater betterment of that region.

What has happened? You still cannot get a definitive date from anybody as to when the American troops and other troops can be withdrawn.

I say it is time the Congress of the United States should step up. We are a coequal branch of our Government. This body has time and time been called upon to vote for funds, for resolutions, and other legislative initiatives with regard to the Balkan situation. Now it is time for us to take a look at the constant flow of the American taxpayers' money and say: Is America going to keep its spigot flowing when, at the same time, other nations are not meeting their financial commitments or obligations?

If I can digress for a moment, I have studied this situation, I have talked with innumerable people, I have traveled to this region. The Balkan situation is the most difficult problem and a matrix of diversified responsibility and commitment I have ever tried to get my arms around. As soon as I feel I have one body of fact on which I can rely and reach a decision, another person will come along and say: No, it's different than that.

I have tried in this set of remarks to outline how I understand the situation to be in Bosnia and Kosovo. But I rise today to say to the Senate that it is my intention, when the piece of legislation we anticipate will be coming through soon, the supplemental—the supplemental has $2 billion—can I repeat that?—$2 billion associated with our obligations, military and otherwise, in just Kosovo. I think it is time we stated our intention as the Congress of the United States to allow the first part of those funds to flow—I will refine the language eventually—but to have a stopping point when we take a pause and we say to our President respectfully: Mr. President, no further funds of the $2 billion will flow until you can come back and give us some type of assurance, certification, or otherwise, that the other nations are living up to their commitments. That should get the attention of the other nations. I say most respectfully, that should give our President some leverage to deal with these other nations.

I am not alone on this. I have talked to a number of colleagues. As I say, my language is not refined at this point. I welcome suggestions. I welcome those who can contribute facts where I may be in error with regard to some of the statements I make today. In good conscience, I tried to check out everything. But, as I say, getting your arms around this problem is not easy. Getting the body of facts is difficult. Indeed, others have worked as hard as I have.

Collectively, let us bring together our judgments as to how best and by what mechanism we can assert our responsibility under the Constitution—as the coequal branch, as those who control the purse strings of the U.S. Government—to string this purse of $2 billion such that our President can expend what has to be expended in the next 90 days, following adoption by the Congress, but that there comes a time when accountability steps in.

Our President has to explain to the Congress what he has done, what remains to be done, and hopefully some prospects of when these situations in both Bosnia and Kosovo can be brought to a state of affairs where the infrastructure allows the significant withdrawal of our troops and, indeed, troops of other nations.

It may well be that the United States—we took a major role in the war in Kosovo, a major role in the war in Bosnia—could turn over such balance of troop responsibilities as may remain in, say, a year, 18 months, to the Europeans. They are quite anxious, under NATO, to establish their own organization militarily to do certain things in the event NATO, for one reason or another, decides not to do them. This might be their first challenge.

I see on the floor the distinguished leader of our NATO group in the Senate, the Senator from Delaware. We just met with the British Foreign Secretary on this very question. This might be an opportunity to test that new military structure. I have concerns about that and how it might have long-term effects on the weakening of

NATO, but for the moment I give those who propose it the benefit of the doubt. It has not been completely refined yet, this concept, nor implemented. So that is another question for another day.

The reason for my addressing the Senate today is my deep concern for the welfare of the men and women of the Armed Forces of the United States who are going through a winter far more severe than anything we have experienced here, certainly in the area of the Nation's Capital. And every day they could be subject to someone looking down a gun barrel, perhaps not firing in anger at them or the troops of other nations but firing in anger at someone else because of the persistent ethnic hatred that remains.

I say most respectfully, we have a duty in this institution to assert ourselves as to the timetable committed to by other nations with regard to their support in both Bosnia and Kosovo which, up to this point, has not been met. We should do everything within our power, and working with our President, to see that that is done.

Mr. President, simply put, the United Nations, the European Union, and the OSCE are not doing the job they committed to do—in a timely manner—in Bosnia or Kosovo. The successful NATO-led military operations in Bosnia and Kosovo were undertaken—at personal risk to our troops, and those of other nations, and with billions of dollars in cost to the American taxpayer—with the express understanding here in America that the UN and others would promptly move in behind and consolidate the gains. Now, as a result of little consolidation, U.S. troops—and troops from over 30 other nations—remain in Bosnia over four years after the end of that war, and are facing indefinite deployments to both Bosnia and Kosovo.

Personal bravery and international bonds of commitment won the wars in the Balkans; but, will the slow pace of follow-on actions result in a loss of peace?

During a Senate Armed Services Committee hearing on February 2, when NATO commander General Clark was the witness, I first signaled my intention to take legislative action, in connection with the upcoming Kosovo Supplemental to be proposed by President Clinton, to revitalize the near stagnant situations in both Bosnia and Kosovo. I addressed this subject again this past Tuesday, during the Committee's annual hearing with the Secretary of Defense and the Chairman of the Joint Chiefs on the budget request.

I am considering a variety of options, including tying U.S. military funding for these operations to demonstrable progress by the UN, the EU, and the OSCE in fulfilling their commitments to rebuild the civil society in Bosnia and Kosovo; or requiring the withdrawal of U.S. troops by a time certain—perhaps in 18 months—and leaving the military occupation in Bosnia and Kosovo to European leadership. In the coming days, I intend to continue to consult with my colleagues in the Senate, and others in the Administration and outside of government, on this initiative. From my initial discussion with my colleagues I have to say, support is growing for my concept.

Congress has a co-equal responsibility with the Administration, and we now must exercise leadership, hopefully with concurrence by the Administration. This situation just cannot continue. Other nations and organizations will have to follow through on their commitments, the parties in the region will have to start cooperating with international authorities and taking on more responsibility for the fate of their region and their people.

The U.S. military will not stay there forever. The United States has far too many commitments around the world, our military is stretched too thin as it is; we cannot have a decades-long military deployment to the Balkans.

We, together with other nations, went into Bosnia and Kosovo with the best of intentions—to stop the slaughter of tens of thousands of innocent people, to restore peace and stability to the region, and to help the people of the Balkans rebuild lives shattered by war and ethnic cleansing. But what has the coalition achieved? Our military forces have done their job. We have stopped the fighting, but precious little other progress has taken place. As one official said to me in Bosnia, ''We have stopped the fighting, but the war goes on.'' Four years after the Dayton Accords ended the war in Bosnia, little progress has been made in rebuilding that country. The economy is stagnant, police forces are inadequate and ineffective even to deal with routine criminal activity—much less the growing problems of organized crime, the judicial system is far from ready, only crime and corruption are growing. In fact, I was told by a senior UN official in Bosnia that the only truly organized, multi-ethnic institution in Bosnia is organized crime. Regrettably, a similar situation is rapidly developing in Kosovo.

At this point, I would like to mention a positive event that has occurred in the region, the recent elections in Croatia. However, at this point, it remains to be seen if those elections will translate into similar positive events in Bosnia and Kosovo.

Since the timing of the departure of U.S. and allied troops from both Bosnia and Kosovo is directly linked to the progress—or lack of progress—that the UN and others make in achieving their goals, I am gravely concerned with the current situation. Clearly, the military has fulfilled its mission—namely, to provide a secure situation in Bosnia and Kosovo. In sharp contrast, the UN, the EU, the OSCE and others are not living up—in a timely manner—to the commitments they made to consolidate the gains made by the military.

Even though I have had a long association with the situation in the Balkans—having traveled regularly to the region since first visiting Kosovo in September 1990 with then-Senate Majority Leaders Bob Dole and others, and being the first U.S. Senator to go to Sarajevo during the war, in September 1992—I was, quite frankly, distressed by what I saw during my last visit in January.

Let me be clear—our troops, along with the troops from over 30 other nations that have joined the NATO-led operations in Bosnia and Kosovo, performed magnificently in their military missions. They are, today, conducting a wide variety of assignments, and doing an outstanding job. The U.S. troops I met in Bosnia and Kosovo are among the finest I have encountered in my 30-plus years of public service in working with military organizations throughout the world. They are well-trained, motivated and enthusiastic about what they are doing to help the people of Bosnia and Kosovo. Simply put—they have achieved their mission. To the extent possible, given the continued ethnic animosities, the military has stopped the large-scale fighting and has created a safe and secure environment, from a military perspective, in both Bosnia and Kosovo. However, unacceptable, dangerous levels of criminal activity continue, and put our troops at constant risk.

So, why are our troops still in Bosnia over four years after they were first deployed? Why is there no end in sight in Kosovo? The reason is that the United Nations, the EU and other international organizations charged with the responsibility of rebuilding the civilian structures in Bosnia and Kosovo are simply not doing their job. This situation has to change.

Yesterday, I had the opportunity to communicate this message directly to Bernard Miyet, the Under Secretary General for Peacekeeping Operations at the United Nations. We had a lengthy discussion regarding Bosnia and Kosovo and I conveyed to him my extreme concern with the situation there, in particular the slow pace with which the United Nations, European Union and other international organizations are fulfilling their promised assistance to the region.

Foreign donors must deliver, immediately, on their promises of international police so that NATO soldiers can get out of the business of policing. Our troops are not trained to perform these tasks, and it should not be part of their mission. The United States has made a major contribution of 450 police for Kosovo and is about to increase its commitment. Others, particularly the Europeans, have to do their share by providing the necessary police forces.

Secretary Cohen delivered that message to our European allies this past weekend, at the annual Wehrkunde Conference. According to Secretary Cohen,

> To date there has been a clear failure by participating nations to provide the UN with

sufficient numbers of police for public security duties in Kosovo, with a significant disparity in the amount of support provided by different Alliance members. Indeed, the number of police deployed is roughly half of what was planned. As a result, KFOR soldiers, who are trained to fight wars, are working as policemen, a job for which they have not been trained and should not be asked to perform indefinitely.

I agree.

We must be mindful of the fact that the United Nations and other international organizations can only succeed if the nations comprising these organizations contribute the needed resources.

In Kosovo, the UN needs the money to do the job. Only a small portion of the money pledged at last November's donors conference for Kosovo's budget has actually been delivered. This is the money that pays the salaries for teachers, judges, and street sweepers—the people who make Kosovo work and whose loyalty the United Nations Mission in Kosovo (UNMIK) needs if it is to succeed. The Europeans and others have to carry their weight and deliver on their commitments.

I am particularly concerned with the performance thus far of the European Union. The EU has taken on the primary responsibility for the reconstruction of Kosovo. This is a job to which the EU committed—in recognition of the fact that the United States bore the lion's share of the cost of the war. Unfortunately, it is not quite working out as planned.

Last fall, the EU committed almost $500 million for reconstruction. Recently, the European Parliament reduced that commitment to less than $200 million, questioning Kosovo's ''absorption capacity.'' It now appears that there is a serious chance that even this reduced EU commitment will not arrive in time to make a difference.

I would like to quote from the excellent statement made by the Ranking Member of the Armed Services Committee, Senator LEVIN, during last week's Committee hearing with General Clark:

It is vitally important for the international community and particularly the nations of Europe to provide the funding and the civilian police that are so necessary if these missions (in Bosnia and Kosovo) are to be successful . . . The European Union can talk about a goal of greater Euoprean military strength—a stronger European pillar within NATO. But the first test is whether it will meet the responsibilities they have already accepted of providing $36 million and civilian police for Kosovo. On my scorecard, they are flunking the test.

The distinguished Ranking Member and I agree.

And again, during last Tuesday's hearing, Senator LEVIN reiterated and strengthen his message from last week by saying, ''There is a requirement (in Kosovo) for 6,000 civilian police, but less than 2,000 have been provided. We have provided our share but others have failed, and that failure endangers our troops and the success of our mission. Civil implementation of the cease fire is in real jeopardy and will fail unless a sufficient number of international civil police are put on the ground promptly by the Europeans. The European Union can talk all it wants to about its plans to provide a militarily strong European pillar within NATO under the European Security and Defense Identity. But that is just rhetoric. The reality is their failure to meet their current commitments in Kosovo.''

Since NATO troops were first deployed to Bosnia in December of 1995, the United States has spent almost $10 billion dollars to support our military commitment of troops to that nation. We have spent an additional $5 billion in Kosovo for the air campaign and the deployment of U.S. KFOR troops. The annual price-tag for these military commitments is $1.5 billion for Bosnia and $2 billion projected for Kosovo. This is an obligation for the American taxpayer.

In addition to these significant sums of money, I am concerned about the safety and welfare of the men and women of our Armed Forces, and the Armed Forces of the other nations, who every day patrol the towns and villages of Bosnia and Kosovo, subjecting themselves to substantial personal risk while performing duties traditionally not performed by military personnel.

As I said earlier, our troops have performed their mission—they have created a safe and secure environment, as I previously indicated. But the UN and other elements of the international community have not filled in behind our troops to perform their mission. The results is that our troops are forced to fill the vacuum, preforming missions for which they were not trained—acting as mayors, policemen, arbiters of disputes, large and small. I was told of U.S. troops who were guarding two old Serb women who did not want to leave their home, which happened to be in an Albanian village. I saw three U.S. soldiers guarding a Serb church in an Albanian section of Kosovo. We must ask ourselves, are these jobs our troops should be performing today, tomorrow or for an indefinite period, as is now projected? These are commendable, humanitarian objectives which should be assumed by entities other than the Armed Forces.

In Kosovo—as is the case in Bosnia—there is a level of hatred—personal, ethnic and religious—that is simply beyond our comprehension. When I was in Kosovo in January, I was told that most of the violence in Kosovo is now Albanian on Albanian violence. I find this troubling. The United States and our NATO allies went into this region for the purpose of stopping and reversing the ethnic cleansing of Albanians by Serbs. But what has been a consequence of our involvement? While hundreds of thousands of Albanians have returned to their homes, tens of thousands of Serbs have been driven from Kosovo—the result of attacks by returning Albanians. Now that the Serb population of Kosovo—such as it is—has been isolated in small pockets of the province, we are seeing growing violence by Albanians against fellow Albanians, simply for their past or present association with Serbs. In the town of Vitina, I was shown a store, owned by an Albanian, which had been bombed 2 days before our arrival. Why? The Albanian shopkeeper had purchased property from a Serb—he was a ''collaborator'' in the minds of hardline Albanians.

Is it realistic for us to think that these people can ever live together peacefully? Or are we wasting our time and money—and needlessly risking the lives of our people—trying to achieve the goal of a multiethnic society for Bosnia and Kosovo?

I believe that we have reached that point in time when it is the responsibility of the Congress to take action—to reexamine the goals, their achievability, and what appears to be our open-ended involvement in Bosnia and Kosovo for an undetermined period of time.

The PRESIDING OFFICER: The Senator from Delaware.

(The remarks of Mr. ROTH pertaining to the submission of S. Con. Res. 81 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.)

The PRESIDING OFFICER. The Senator from New York.

BLOCK GRANTS IN EDUCATION

Mr. SCHUMER. Mr. President, I rise to express my strong opposition to the use of block grants in education spending.

First, education is clearly the No. 1 issue this body, our Government, and our country will face in the next decade. We have huge educational problems. We are now an ideas economy. Alan Greenspan put it best. He said: High value is no longer added by moving things but by thinking things, that it is an idea that produces value.

In that kind of time and place, what could be more important than education? In an ideas economy, for America to have a mediocre educational system, which is what we have now, is a very real crisis. If we continue to be rated 15th, 16th, 17th among the educational systems of the OECD Western countries, the 22 countries in North America, Asia, and Europe, we are not going to stay the greatest country in the world by the time 2025 or 2050 rolls around. Fortunately, because of our democratic system and our free enterprise system, because of the great entrepreneurial nature of America, because we accept ambitious and intelligent people from all over the world to come here and grow and prosper, we have a little lead time but not much.

Our educational system is at a critical point. Over the next decade, for instance, high school enrollment will increase by 11 percent. Schools will need

to hire 2.2 million public schoolteachers. Over 50 percent of the teachers are over 50 years old. Every day more than 14 million children will attend schools in need of extensive repair and replacement, and 12 percent of all newly hired teachers who enter the workforce will enter without any training at all. That will be even higher in math and science, computer science, engineering, and languages, the kinds of things for which we need people.

So with the crisis upon us, all of a sudden we have a new proposal: a block grant. A block grant is exactly what we don't need to improve the educational system. A block grant is something that gives the school districts more money and doesn't direct them on how to spend it.

I find there is a contradiction among so many of my friends who are strong advocates of block grants. They say the educational system is poor. I agree in many instances. They say we spend too much money and waste too much money on education. Then they say: Give those same localities, without any direction, more money.

They can't have it both ways. Either the localities are doing a good job and need more money, which they are not professing because they really don't think they need more money, or the localities are doing a bad job and to give them more money makes very little sense at all.

The notion that we should take Federal dollars, which have been used to raise academic standards, reduce class size, recruit new teachers, hold schools accountable, and send them in an unmarked paper bag to the Governors breaks our commitment to help communities and parents across the country. Block grants are a blank check from the Federal Government. They fundamentally make no sense. They are bad government policy.

I am sure many of my colleagues on the other side of the aisle would agree with me that to separate the taxing authority and the spending authority makes no sense. The spending authority for that spending, if they don't have to raise the taxes, painful as that is, is not going to spend it as wisely as somebody who knows how important those dollars are.

Sometimes I think we would be a lot better off eliminating the block grant program and giving the money back to the taxpayers rather than the Federal Government taxing and then giving this blank check to the locality and letting them spend it.

A block grant is poor government policy to begin with because it separates the spending power from the taxing power. In education, it is even worse. We hear clamor in the land that the local school districts are not doing a good job. I have sympathy for those local school districts. First, they are so busy minute to minute and day to day trying to run a school system. They are up to their necks. Second, their only spending power is from the property tax—justifiably the most hated tax in America—so they can't raise new dollars.

I have sympathy for those local school districts, but we all agree they are not doing as good a job as they might. The irony is that my colleagues from the other side of the aisle would probably say it is not more money. It is wasted money. Yet here we are, giving them more money.

In today's global ideas-based economy, we cannot afford to have an atomized educational system. Instead, the trend must be for local, State, and Federal governments to work together with families and communities. What is very interesting about any public good is that there is no capitalism. Good ideas don't spread on their own. If someone invented a new heart valve in San Diego, it would spread to Boston in an hour. Why? Someone would sell it. That is what America is all about. But when a new educational innovation develops in one school district, it doesn't spread, frankly, because there is no capitalism.

The appropriate role of the Federal Government in education is to find what works and, on a matching grant basis, say to the locality, this is a program that works. We will pay half or three-quarters of the cost because we know you are strapped based on these high property taxes. You pay some and use it. We are not requiring you to use it. I don't like mandates. We are giving you the opportunity to use it because we have seen it works in some areas.

When I was working on the crime bill, this is what we did. We found there were, again, programs that worked.

Community policing: Wichita, KS, had developed community policing and done it well. But it hadn't spread to Topeka. So I put in a bill when I was chairman of the Crime Subcommittee in the other body and I said let's give the localities money to do community policing on a matching grant basis. The President came in, and in his usual intelligent and astute way on these matters, said let's call it ''100,000 cops on the beat.'' So we did and it has worked. It changed policing in America.

Without that program, we would not have had community policing. But the Federal Government played the appropriate role—finding a good idea, giving money as an incentive to help spread the idea—not 100 percent; that is a bad idea, not even 90 percent. Then it is like a block grant with no strings attached and money gets wasted. And then they let it happen. It is not bureaucracy that is the problem in Federal aid to education, as some who support the block grant would say. Only one-half of 1 percent of Federal aid to schools is spent on administration. The States use an additional 4 percent. All the rest, 95½ percent, goes to local school districts. It is not bureaucracy at all. In fact, the claims of those who spin stories of a grand Federal education bureaucracy ring hollow. In a letter written to the President by the House Committee on Education in the Workforce in 1997, the committee majority listed 760 so-called educational programs. They said we have too many. Combine them.

Look at the programs they call ''educational'' programs: Boating safety financial assistance, Air Force defense research sciences, biological response to environmental health hazards, financial assistance for the Nuclear Regulatory Commission.

Those are not educational programs. In truth, the Federal Government provides, on average, only 7 percent of all K-through-12 educational funding. It is the State and local communities that should and do maintain control over educational priorities. But what Washington can do is help communities meet certain reform priorities when their budgets are stretched too thin. Again, if the system isn't working, why give more money with no strings attached to the very localities that we think can do better? Why not do it in a way that directs them? Sure, the local school board wants free money. Fine. Let them raise taxes and do it for themselves. Don't let us put more burden on the Federal taxpayers to do it.

Proponents of the block grants argue strenuously that control should be returned to the localities. But the irony here is the block grants would not return power to the communities; rather, it shifts control of the Federal funding away from parents and communities and gives it to politicians—Governors and the State legislature. This is the antithesis of local control.

What I would like to do before I conclude is look at a couple of examples of block grant proposals. The Straight A's Act gives the States and the Governors the authority to combine into a block grant Federal funds from 10 educational programs. More than 80 percent of all Federal support to elementary and secondary education will be included in the block grant. This sounds to me like LEA. I remember Law Enforcement Assistance—a block grant to law enforcement. That is the area in which I have the most expertise. Do you know what they did when no strings were attached? One police department bought a tank; another police department bought an airplane to take the police officers back and forth to Washington—I think it was a jet—all with block grant money. If we do this Straight A's Program, we will be back on the floor of the Senate a year or two later pointing out horror stories of how the taxpayers' money was wasted.

Under Straight A's, parents, teachers, principals, and school boards would no longer have a say in how the Federal dollars are spent. Schools would no longer be accountable for results and national priorities, such as funding for the neediest students and better teachers. New school buildings could be put aside for more salaries for administrators. If this program gets straight

A's, I would like to see what the curve is in that classroom.

The Senate Health Committee intends to mark up a reauthorization of the Elementary and Secondary Education Act in the next few weeks. I am concerned to learn that the bill currently includes a block grant for teacher quality and professional development, programs to reduce class size and Goals 2000. Yes, we need qualified teachers and smaller classes. They produce the best results for children. But with the committee bill, there is no guarantee that class size reduction or teacher development will be done well, or even done at all.

I ask my colleagues to look at the proposal that Senator KENNEDY is putting together. His leadership on this issue has been extraordinary. His proposal does not intend to dictate to localities what they must do or impose new mandates on localities. Rather, it says, here are our Federal priorities; do you want to be part of them? They include smaller class size and new school construction. Fine. You are going to match our dollars. If you don't want to be part of them, keep doing the same old thing, but not with Federal dollars, Federal taxpayer money, which gives you a free ride.

I hope my colleagues will look at Senator KENNEDY's proposal and will examine the folly of block grants. I look forward to the debate that may come on education in the near future.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for 3 minutes, and in the normal routine to return to Senator MURKOWSKI from Alaska.

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

NUCLEAR WASTE POLICY AMENDMENTS ACT

Mr. DOMENICI. Mr. President, yesterday, I commented on the Nuclear Waste Policy Act amendments. I thought then, and I think today, there are a few remarks that I probably ought to make aside from complimenting the distinguished Senator for his untiring efforts to address nuclear waste in a logical and sensible way.

Mr. President, I rise to compliment Senator MURKOWSKI's leadership on the Nuclear Waste Policy Amendments Act. I appreciate his efforts to enable progress on the nation's need for concrete action on spent nuclear fuel.

I find it amazing how fear of anything in this country with ''nuclear'' in its title, like ''nuclear waste'', seems to paralyze our ability to act decisively. Nuclear issues are immediately faced with immense political challenges.

There are many great examples of how nuclear technologies impact our daily lives. Yet few of our citizens know enough about the benefits we've gained from harnessing the nucleus to support actions focused on reducing the remaining risks.

Just one example that should be better understood and appreciated involves our nuclear navy. Their experience has important lessons for better understanding of these technologies.

The *Nautilus*, our first nuclear powered submarine, was launched in 1954. Since then, the Navy has launched over 200 nuclear powered ships, and about 85 are currently in operation. Recently, the Navy was operating slightly over 100 reactors, about the same number as those operating in civilian power stations across the country.

The Navy's safety record is exemplary. Our nuclear ships are welcomed into over 150 ports in over 50 countries. A 1999 review of their safety record was conducted by the General Accounting Office. That report stated: ''No significant accident—one resulting in fuel degradation—has ever occurred.'' For an Office like GAO, that identifies and publicizes problems with government programs, that's a pretty impressive statement.

Our nuclear powered ships have traveled over 117 million miles without serious incidents. Further, the Navy has commissioned 33 new reactors in the 1990s, that puts them ahead of civilian power by a score of 33 to zero. And Navy reactors have more than twice the operational hours of our civilian systems.

The nuclear navy story is a great American success story, one that is completely enabled by appropriate and careful use of nuclear power. It's contributed to the freedoms we so cherish.

Nuclear energy is another great American success story. It now supplies about 20 percent of our nation's electricity, it is not a supply that we can afford to lose. It's done it without release of greenhouse gases, with a superlative safety record over the last decade. The efficiency of nuclear plants has risen consistently and their operating costs are among the lowest of all energy sources.

I've repeatedly emphasized that the United States must maintain nuclear energy as a viable option for future energy requirements. And without some near-term waste solution, like interim storage or an early receipt facility, we are killing this option. We may be depriving future generations of a reliable power source that they may desperately need.

There is no excuse for the years that the issue of nuclear waste has been with us. Near-term credible solutions are not technically difficult. We absolutely must progress towards early receipt of spent fuel at a central location, at least faster than the 2010 estimates for opening Yucca Mountain that we now face or risk losing nuclear power in this country.

Senator MURKOWSKI's bill is a significant step toward breaking the deadlock which countries to threaten the future of nuclear energy in the U.S. I appreciate that he made some very tough decisions in crafting this bill that blends ideas from many sources to seek compromise in this difficult area.

One concession involves tying the issuance of a license for the ''early receipt facility'' to construction authorization for the permanent repository. I'd much prefer that we simply moved ahead with interim storage. An interim storage facility can proceed on its own merits, quite independent of decisions surrounding a permanent repository. Such an interim storage facility could be operational well before the ''early receipt facility'' authorized in this Act.

There are absolutely no technical issues associated with interim storage in dry casks, other countries certainly use it. Nevertheless, in the interests of seeking a compromise on this issue, I will support this Act's approach with the early receipt facility.

I appreciate that Senator MURKOWSKI has included Title III in the new bill with my proposal to create a new DOE Office of Spent Nuclear Fuel Research. This new Office would organize a research program to explore new, improved national strategies for spent nuclear fuel.

Spent fuel has immense energy potential—that we are simply tossing away with our focus only on a permanent repository. We could be recycling that spent fuel back into civilian fuel and extracting additional energy. We could follow the examples of France, the U.K., and Japan in reprocessing the fuel to not only extract more energy, but also to reduce the volume and toxicity of the final waste forms.

Now, I'm well aware that reprocessing is not viewed as economically desirable now, because of today's very low uranium prices. Furthermore, it must only be done with careful attention to proliferation issues. But I submit that the U.S. should be prepared for a future evaluation that may determine that we are too hasty today to treat this spent fuel as waste, and that instead we should have been viewing it as an energy resource for future generations.

We do not have the knowledge today to make that decision. Title III establishes a research program to evaluate options to provide real data for such a future decision.

This research program would have other benefits. We may want to reduce the toxicity of materials in any repository to address public concerns. Or we may find we need another repository in the future, and want to incorporate advanced technologies into the final waste products at that time. We could, for example, decide that we want to maximize the storage potential of a future repository, and that would require some treatment of the spent fuel before final disposition.

Title III requires that a range of advanced approaches for spent fuel be studied with the new Office of Spent Nuclear Fuel Research. As we do this,

I'll encourage the Department to seek international cooperation. I know, based on personal contacts, that France, Russia, and Japan are eager to join with us in an international study of spent fuel options.

Title III requires that we focus on research programs that minimize proliferation and health risks from the spent fuel. And it requires that we study the economic implications of each technology.

With Title III, the United States will be prepared, some years in the future, to make the most intelligent decision regarding the future of nuclear energy as one of our major power sources. Maybe at that time, we'll have other better energy alternatives and decide that we can move away from nuclear power. Or we may find that we need nuclear energy to continue and even expand its current contribution to our nation's power grid. In any case, this research will provide the framework to guide Congress in these future decisions.

Mr. President, I want to specifically discuss one of the compromises that Senator MURKOWSKI has developed in his manager's amendment. In my view, his largest compromise involves the choice between the Environmental Protection Agency or the Nuclear Regulatory Commission to set the radiation-protection standards for Yucca Mountain and for the ''early release facility.''

The NRC has the technical expertise to set these standards. Furthermore, the NRC is a non-political organization, in sharp contrast to the political nature of the EPA. We need unbiased technical knowledge in setting these standards, there should be no place for politics at all. The EPA has proposed a draft standard already, that has been widely criticized for its inconsistency and lack of scientific rigor—events that do not enhance their credibility for this role.

I appreciate, however, the care that Senator MURKOWSKI has demonstrated in providing the ultimate authority to the EPA. His new language requires both the NRC and the National Academy of Sciences to comment on the EPA's draft standard. And he provides a period of time, until mid-2001, for the EPA to assess concerns with their standard and issue a valid standard.

These additions have the effect of providing a strong role for both the NRC and NAS to share their scientific knowledge with the EPA and help guide the EPA toward a credible standard.

The NRC should be complimented for their courageous stand against the EPA in this issue. Their issuance of a scientifically appropriate standard stands in stark contrast to the first effort from the EPA. Thanks to the actions of the NRC, the EPA can be guided toward reasonable standards.

Certainly, my preference is to have the NRC issue the final standard. But I appreciate the effort that Senator MURKOWSKI has expended in seeking compromise in this difficult area.

By following the procedures in the manager's amendment, we can allow the EPA to set the final standard, guided by the inputs from the NRC and NAS. Thus, I will support the manager's amendment.

Mr. President, I want to thank Senator MURSKOWSKI for his superb leadership in preparing this new act. We need to pass this manager's amendment with a veto-proof majority, to ensure that we finally attain some movement in the nation's ability to deal with high level nuclear waste.

We hear so much in the United States about how dangerous nuclear power is, how dangerous these fuel rods are that come out of the reactors, how dangerous nuclear reactors are, and I thought I might share with whomever is interested a bit of information about how safe nuclear powerplants are.

In this country, when we talk about moving some of the nuclear waste from one State to another, people get up in arms and they want to march down the streets because they are frightened to death that something is going to happen if this nuclear waste moves down the streets, the roads, the highways, or whatever. I thought I might share a series of facts with you that might make you think a little bit.

First, the U.S. Navy launched the first nuclear-powered submarine in 1954. We put a nuclear reactor in a submarine and we sent the submarine all over the oceans of the world, and nothing ever happened to anyone. Since then, the Navy has launched 200 nuclear-powered ships, and about 85 are currently in operation. In other words, 85 of the U.S. Navy's best and biggest warships are on the high seas with a nuclear reactor—in some cases two reactors—on board. Were something to happen, it would permeate and go right through the water. But guess what. Nothing has ever happened to anyone. Guess what else. Every major port in the world accepts America's Navy ships with nuclear reactors on board generating power to run that ship. Nobody seeks to say: You better keep these away from our port because there are a lot of other ships around here.

Why is that, I wonder? Why are we on the floor of the Senate almost whipped up to a lather of fear about moving high-level waste from some State in middle America to some State in western America and we have 85 nuclear-powered U.S. Navy ships, from battleships on down, moving around the high seas and docking at various ports everywhere? Nobody has a sign up. Nobody is frightened. Nothing has ever happened. And guess what. Because it was too good to be true, somebody said to go out and find out something about them; they must be hurting people with all these nuclear reactors.

So the GAO went out and did an extensive and exemplary study about what they had done and not done. Guess what they found. This is a 1999 review. ''No significant accidents. One resulting in fuel degradation has ever occurred.'' For an office such as the GAO that identifies public problems with Government programs, that is a pretty impressive statement.

Our nuclear-powered ships, I say to Senator MURKOWSKI, have traveled over 117 million miles on the high seas of the world. Nobody has said we don't want them on the high seas because they have a nuclear powerplant in them because they are safe as safe can be. Yet when it comes to us here in America we wonder whether we can transport some nuclear waste 200 miles. If we aren't technically sound enough, if we are not smart enough, if we are not engineered and qualified to be able to move something such as this 200 or 300 miles when the Navy has been moving reactors on the high seas 117 million miles—they have commissioned 33 new reactors in the 1990s. Just think of that. That puts them ahead of the civilian power by a score of 33 to 0. Because we have frightened ourselves to death, we will not even license a new nuclear powerplant in the United States.

We surely are proud as proud can be when we see a great big American battleship or aircraft carrier floating on those high seas with all those Navy guys on board. What do they have? Some of them have two nuclear powerplants in the hull loaded with the same kind of waste product about which we are so worried. The distinguished Senator from Alaska is saying: Why don't we just move that and put it in a place where it can be stored? No one else in the world who is involved in nuclear power has tied the future of nuclear power and nuclear use to the ultimate disposition of the high-level waste residue in a permanent underground facility from whence it can never be extracted and for which the technical requirements are so severe in terms of making sure it lasts for 100,000 years—or whatever the number is—that we are never going to get it done. It is amazing. It is just amazing.

The country of France gets 87 percent of its electricity from nuclear power. They still do not have a plan to put the nuclear waste away permanently because they are not frightened about it. They trust their intelligent, enlightened leaders, who currently have it in gymnasiums about the size of high schools. That is where it is stored. You can walk on top of it where it is stored and nobody is worried about anything. Here we are debating whether we could have a temporary storage facility—as the country that invented it, as the country that engineered it, as the country whose great nuclear physicists invented the notion and came up with the idea of how to power-generate it, and we sit, except for the U.S. Navy, letting the rest of the world just pass us by.

The Senator from Alaska will never get the credit he deserves for trying to

get this little site, this temporary facility. He will never get the credit. People are thinking we are trying to pull something over on them; we might be hurting people; we are just trying to get it out of one site and hide it someplace else.

There are 85 U.S. Navy ships, I remind everybody one more time, of all sizes, including battleships, aircraft carriers, and some with two nuclear powerplants on them. As we stand right here, they are floating around on the high seas where the water is all fissionable. If you are in this part of the Atlantic, the water will eventually end up over here miles away, and nobody is lodging serious complaints. They may say we don't want the U.S. Navy around for some other reason. And thank God we have them. But they are in ports everywhere. They don't take the nuclear powerplant out before they come into a port. Right? They don't have three kinds of motors around. They may have a couple of auxiliary motors. But the nuclear powerplants are right there on board.

I thought I would just state that part of my statement which I put in the RECORD yesterday because it is so obvious to me that we are being so foolish in tying the ultimate disposition of the high-level waste generated by 20 percent of our electrical powerplants, which are nuclear, to a policy that says unless and until we find a place to put that underground at Yucca—wherever it is in Nevada—forever we will not continue with nuclear power.

I believe it is so shortsighted and based on such an insignificant set of scientific facts that it is almost as if America just wouldn't do something such as that. But we are doing it. There were letters circulating yesterday that the proposal of the Senator from Alaska would not be helpful; in fact, it would hurt people. I don't think I have to repeat. I think I have made the case.

What would the world be doing if in fact nuclear reactors were that unsafe and U.S. Navy ships want to dock to let their Navy men go on shore for a while and then get on with something else? I do not believe they would be saying: Have we found a place to put the nuclear waste that is coming in on that new battleship that you are generating? Have you found a place to put it away forever? I think they would say: Gee, there is no risk at all involved. It is a pretty good venture. We are glad to have you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, let me thank my good friend from New Mexico, the chairman of the Budget Committee. We had a chart that we used in the debate. That chart showed the 40 States that had the accumulated waste—80 sites in 40 States. I wish I would have added the 85 nuclear ships that are traversing the ocean because the Senator from New Mexico is quite correct. That is something we don't talk much about. It works. The Navy, obviously, has the expertise that has been developed over a long period of time. When those submarines or surface ships are taken out of active duty, reactors are removed. That waste is taken and stored at various areas in the country. Chicken Little was suggested around here today; the world is coming down. It doesn't have to come down. It is the emotional arguments that prevail without any sound science.

I appreciate the input of my good friend and his commitment to the obligation that remains unresolved.

HEATING OIL PRICES

Mr. MURKOWSKI. Mr. President, I would like to address very briefly a couple of issues. One is the issue of the high cost of heating oil, particularly in the Northeast corridor at this time. I know my colleagues from the Northeast are looking for relief. Perhaps I could enlighten them to some extent on the reasons behind why prices are high and why stocks are low.

I think it is important to recognize a couple of basic facts that underline the whole question; that is, understanding the crude oil and heating oil relationship.

There are some who suggest we have a shortage of crude. That is the reason we have higher prices for heating oil. Factually, however there is no refinery in this country that has been short of a supply of crude oil during this crisis. The problem is the refineries have been cutting a different mix of product. They cut heating oil. They cut gasoline. They cut diesel fuel as well as other hydrocarbons. They have begun to cut other mixes instead of heating oil. So if they change the mix and reduce gasoline for heating oil, that could give some relief, but it may ultimately result in a shortage of gasoline during peak usage in the coming months.

The basic difficulty is coupled with the fact that the inventories were low. That is perhaps the fault of the industry. But while the inventories were low, the crucial problem is the storage areas for these stocks were reduced dramatically. What do I mean by that? I mean the tanks around the metropolitan areas that are conventionally used to store the heating oils, the gasolines, and so forth.

In the case of New York, petroleum bulk storage capacity has declined 15 percent over the past 5 years. Why? According to testimony the other day from New York State officials on heating oils, this is a consequence of tighter environmental controls that suggest these old storage areas are inadequate or a danger to the environment. That may well be the case. However, the reality is we reduced our storage and as a consequence we don't have the inventory of heating oils that we would have had if we had the storage available.

I am not suggesting that people from New York or anywhere else don't need strong environmental regulations. They do. But we have to understand how we got into this predicament. That is the reason why the inventories are down.

Some say the answer is to open up SPR, a strategic petroleum reserve in Louisiana. We need to recognize we don't have a shortage of crude oil at the refineries, and if we further understand that in SPR there is no heating oil—it is not refined oil, it is crude oil; therefore, by taking oil out of SPR and take it to the refinery, we will displace what the refinery is already refining to accommodate SPR. So we don't have any net gain.

Most people cannot quite understand that. They think SPR is for heating oil that can be taken out of SPR and distributed, thereby easing the shortage. We cannot do that.

I understand the Secretary of Energy will make an announcement today or very shortly about the administration's efforts regarding high oil prices. Let's look at this because it is important. They will do something more for the Low-Income Housing Energy Assistance Program, which provides money for the low-income areas. That is commendable. However, that does not solve the underlying problem. They will ''jawbone'' more with the OPEC countries to release more oil. They can release more oil, but will they reduce the price? That is crude oil that had to be refined. They will encourage refiners to make more heating fuels—they might be able to persuade them to do that but it will change the mix and might result in a gasoline shortage this summer.

The interesting thing about the administration's response is, nowhere is there a commitment that we increase our domestic petroleum production to make us less dependent on OPEC pricing policies. That would be contrary to the environmental community who objects to the production domestically of oil and gas. Let me go a step forward. The Vice President said: If I'm elected I will cancel all the OCS leases, oil and gas.

What does he propose we will do? We cannot address what we will do with our nuclear waste. As far as I'm concerned the administration can choke on that waste. That seems to be their only solution.

We have an administration that proposes more new taxes on our domestic oil and gas industry. Think about that. We have a heating oil crisis, we have high prices, there are barges in transit and ships coming over from Europe with heating oil. That may help. We cannot move the crude oil out of SPR fast enough. We cannot get it to refineries that have any unused capacity. And we don't have adequate storage to store the reserves.

If you want to debate that issue, as chairman of the Energy and Natural Resources Committee I will try to work with Members. But let's be realistic and try to understand what the problem is and not fool the public.

If anyone saw the Coast Guard cutter grinding through the ice on the Hudson River to try and clear the waterways for the heating supplies to be delivered, they would have a better understanding and appreciation of some of the real problems.

I want to work with my colleagues to try and address this but let's make sure we understand the realities associated with that. I have a problem with our continued dependence on jawboning the Middle East countries. Our friend Saddam Hussein is now producing nearly 2 million barrels a day. The consequences of that, in view of the fact we fought a war not so long ago, suggests that our energy policies are inconsistent, to say the least.

We talked about the administration's ''cure'' to encourage more production. The President has proposed $50 million in new and expanded user fees over 5 years on our domestic oil companies drilling in offshore waters. Is that going to continue to drive production in the United States? It will continue to drive it overseas and increase our reliance on imported oil from foreign shores—and we are 56 percent dependent now. The user fees are included in the administration's fiscal year 2001 budget. According to reports, the fees would raise $10 million in each of the next 5 years by increasing rental rates on oil leases, among other fees.

In addition, we understand the budget recommends reinstating the oil spill liability trust fund to add 5 cents a barrel excise on both domestic and imported oil. This equals $350 million per year from all sources.

Once again, instead of encouraging our domestic oil industry, this administration seeks to discourage it wherever possible. The result is that we are 56 percent dependent on foreign oil; and the Mideast, where that oil comes from, where there is a huge abundance of oil, is sitting back nodding their head and smiling as they continue to control the discipline within their cartel not to allow overproduction and a decline in price.

The national energy security of this Nation is at risk as we become more and more dependent on imported oil. We have tremendous domestic reserves in this country if we can only open them. My State of Alaska has produced 20 percent of the crude oil produced in the United States for the last 20 years. If allowed on land in Alaska to use the technology that we have, we can continue not only to produce 20 percent but probably increase that to 30 percent or maybe 40 percent. The alternative is to increase our dependence on imported oil.

Senator LANDRIEU and I have a bill, Senate bill 25, that will try and address a fair return to the coastal impact areas offshore and onshore relative to a reasonable revenue stream that ought to come back to these areas as a consequence of oil and gas development on the outer continental shelf. This is legislation that all coastal States would share in, whether they have any oil and gas activities. This legislation would benefit the environment but it would put control of how that money is spent—not with a central Federal Government dictate, but with the participation of the States and the local communities. That is the way it has to be.

DISTRIBUTING NEW MONEY FAIRLY

Mr. MURKOWSKI. Mr. President, as a former banker, I must draw attention to what I consider an extraordinary movement by this administration, the Department of Treasury's decision to distribute the U.S. $1 coin to America's largest retailer, Wal-Mart, in Arkansas.

Isn't that extraordinary? The banks have always been the agency for distributing new money and the agency for bringing in mutilated money. But for the first time the Department of Treasury has gone to a retailer, Wal-Mart, headquartered in President Clinton's home State, I might add, and I am told that as a promotion they have cut a deal with General Mills, where there are a few of them in boxes of Cheerios.

The banks are the backbone of our financial system. I cannot understand the logic or the fairness where if you are a banking customer, and your customers want coins, you have to run down to Wal-Mart. A private citizen who orders those new coins from the U.S. Mint I am told can expect a 6 to 8 week delivery time.

I would like to ask the following questions. Who made the decision to give these companies, Wal-Mart particularly, the ability to distribute coins before the banks? I would like to know the name of the person who made that judgment; and what part of Arkansas he was from? Was it a procedure similar to awarding Federal contracts used in choosing Wal-Mart and General Mills? I have sent that letter to Lawrence Summers, and I hope we can get a response very soon.

I yield the floor and encourage everybody who has a box of Cheerios to be sure and shake it because there might be a new dollar in it. Don't go to your bank because they will not have it.

I ask unanimous consent that my letter, and an article that appeared in the Wall Street Journal, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. LAWRENCE SUMMERS,
Secretary, Department of the Treasury, Washington, DC.

DEAR SECRETARY SUMMERS: I am surprised and very concerned about the method the Department of the Treasury has chosen to distribute the U.S. Mint's new one dollar coin. America's largest retailer, Wal-Mart, headquartered in President Clinton's home state, has been given priority over our nation's banks to distribute these coins. I find it hard to believe that any federal agency would deliberately give such a marketing advantage to a private retailer, let alone the largest retailer in America. Select boxes of General Mills' Cheerios contain the new dollar coins.

According to an article in today's Wall Street Journal, banks, which are the backbone of our financial system do not have this type of ready access to these new coins. Some bankers were quoted as saying they are referring people who want the new coins to Wal-Mart. Moreover, a private citizen who orders these new coins from the U.S. Mint can expect a 6-8 week delivery time.

I would like you to answer the following questions. Who made the decision to give these companies the ability to distribute the coins before banks? Was a procedure similar to the awarding of federal contracts used in choosing Wal-Mart and General Mills?

I look forward to your prompt response.

Sincerely,

FRANK H. MURKOWSKI,
U.S. Senate.

BANKERS ASSAIL MINT FOR DEAL WITH WAL-MART

(By Julia Angwin)

Bank tellers at First State Bank in Middlebury, Ind., have recently been going to unusual lengths to fill their coin drawers. While on lunch break, they would sprint to the local Wal-Mart store to buy the government's newly minted $1 coin.

''We thought if we could get 50 or 100 coins, then maybe we could give them to our customers,'' says Sara Baker, the bank officer that organized the tellers.

When a bank goes to Wal-Mart to get its money, something odd is going on. In this case, it's a new strategy the U.S. Mint adopted when it issued the new golden-colored dollar, featuring the image of Native American heroine Sacagawea, at the end of January. Prompted by the flop of the Susan B. Anthony coin 20 years ago, the Mint crafted an agreement with Wal-Mart, the nation's largest retailer, allowing it to essentially have first dibs over most banks on the new coin.

The U.S. Mint says it shipped the coins to 3,000 Wal-Mart and Sam's Club stores and the 12 regional Federal Reserve Banks on the same day, Jan. 27. But it mailed the coins to Wal-Mart, while it sent the coins to the Fed branches by truck. Many community banks are reporting a five-week wait for the coins that they have ordered from the Federal Reserve.

The delay has caused a furor among some bankers, who are embarrassed that they have to send coin-seeking customers to Wal-Mart, and among some business owners, who complain they can't get the coins from banks.

''Wal-Mart doesn't need any more advantages over a little business like mine,'' said Bill Taylor, owner of Boiling Springs Hardware & Rental in South Carolina, who tried unsuccessfully to get some dollar coins from his local banks.

* * * off an angry letter to the U.S. Mint on behalf of its members, protesting the agreement with Wal-Mart and asking the Mint to speed delivery to community banks of the golden coins. Dubbed the Golden Dollar by the Mint, the new coin is actually made of an alloy of manganese, brass and copper.

''The U.S. Mint has done an end run around the whole banking system,'' says Ann McKenna, vice president for finance at Tioga State Bank in Spencer, N.Y. ''It's very disappointing.''

In fact, the Mint planned the Wal-Mart agreement as a way of encouraging U.S. banks to order the new golden dollar coin in larger numbers than their orders for the Susan B. Anthony. And it has worked. The

demand for the new coin has reached 200 million in the first month. It took the Susan B. Anthony four years to reach that level.

U.S. Mint Director Philip Diehl says he doesn't mind the controversy as long as the coin is a success. ''I'd rather have a noisy success than a quiet failure,'' he says.

Mr. Diehl says the U.S. Mint got a lukewarm response from most banks when it first approached them about potential demand for the coin last summer. In response, he says, the Mint decided to talk to some retailers about putting the coin into circulation. Only two retailers showed interest: Wal-Mart Stores Inc., of Bentonville, Ark., and 7-Eleven Inc., of Dallas. At the same time, the Mint also crafted an agreement with General Mills Inc. to distribute the coin in selected Cheerios boxes—11 million in all—beginning last month.

Because of the logistical difficulties of distributing coins to its stores, 7-Eleven dropped out of the agreement, says Dana Manley, marketing communications manager for the convenience-store chain. However, Wal-Mart was willing to buy 100 million coins and promote them nationally in its stores.

Wal-Mart spokeswoman Laura Pope says the company was excited to work with the Mint. ''Our goal is to offer customers something unique that they can only find at Wal-Mart and Sam's Club stores,'' she says. Wal-Mart promoted the new coin in a mailing distributed to 90 million customers at the end of January.

The Mint's Wal-Mart strategy seems to have worked, helped by the coin's golden color, to make the new dollar more popular than its Anthony predecessor. Most banks in search of the coin have started referring their customers to Wal-Mart. Even Ms. Baker eventually gave up on her quest to buy coins from the local Wal-Mart for her bank branch.

After two days of buying a few coins at a time (each Wal-Mart has its own policy of how many coins it will give out at one time), her tellers rebelled. ''Some employees went out and said, 'I could only get three coins and I'm keeping them,'' she says. ''Frankly, now we're telling customers to go to Wal-Mart.''

CHANGING OUR TAX CODE

Mr. MURKOWSKI. Mr. President, we talk a lot here about tax cuts. We talk about tax increases. But we do not often talk about changing our Tax Code. The President's proposal makes 192 separate changes to the Tax Code. The IRS book is about 5 pounds. The code itself is already 3,400 pages of text. That is 1,600 pages longer than the King James version of the Bible, and at least the Bible is large type, but you need a magnifying glass to read the IRS code. There are more than 2000 separate sections of the Code, tens of thousands of subsections, tens of thousands of pages of regulations and interpretive rulings. Now the President wants to add another 192 sections to the code which will surely make up several hundred additional pages of mindless complexity.

As I indicated, the President is proposing more than $95 billion of new taxes on a wide variety of industries. There are new taxes that are being proposed at a time when the Government is already taking in more than it spends. I wonder if there is any end to Washington's appetite for more money from the American people.

Regarding especially the President's proposal to impose $1 billion in new taxes on our mining industry, I guess he is trying to drive it offshore. The President has submitted this proposal every year for at least the past 4 years and I say this proposal is going to meet the same fate it has met every time it has been sent to the hill. It will be killed, and I can promise you that. I can assure you, the same tired, worn-out proposals to add $13 billion of new taxes to the insurance industry will never again see the light of day. I notice there are other proposals the President has proposed, but I am sure most of my colleagues share my sentiment that we do not need to raise taxes by $95 billion at this time, when most of what is contained in the tax code should be summarily rejected.

I conclude by saying what we need is tax reform. As a consequence, the President's proposal to add 192 separate sections to the Tax Code hardly is reform.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent my friend, the distinguished Senator from South Carolina, be recognized after I complete my remarks.

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

NOMINATION OF BRADLEY SMITH TO THE FEC

Mr. FEINGOLD. Mr. President, the President sent a nomination to the Senate that anyone who cares about the campaign finance laws in this country will find very troubling. I speak of the nomination of Bradley Smith to a 6-year term on the Federal Election Commission. Mr. Smith's views on the federal election laws, as expressed in law review articles, interviews, op-eds, speeches over the past half decade are disturbing, to say the least. He should not be on the regulatory body charged with enforcing and interpreting those very laws.

Today I am placing a very public hold on this nomination. I will object to its consideration on the floor and I ask all of my colleagues who support campaign finance reform to oppose this nomination.

In a 1997 opinion piece in the Wall Street Journal, Mr. Smith wrote the following:

> When a law is in need of continual revision to close a series of ever-changing ''loopholes,'' it is probably the law, and not the people, that is in error. The most sensible reform is a simple one: repeal of the Federal Election Campaign Act.

That's right, the man who the President has just nominated to serve on the Federal Election Commission believes the Federal campaign laws should be repealed. Thomas Jefferson said we should have a revolution in this country every 20 years. He believed that laws should constantly be revised and revisited to make sure they were responsive to the needs of society at any given time. Yet, Mr. Smith sees the need for loophole closing in the federal election laws as evidence that the whole system should be scrapped.

In a policy paper published by the Cato Institute, for whom Mr. Smith has written extensively in recent years, he says the following:

> FECA [the Federal Election Campaign Act] and its various state counterparts are profoundly undemocratic and profoundly at odds with the First Amendment.

I wonder how Mr. Smith will reconcile those views with his new position as one of six individuals responsible for enforcing and implementing the statute and any future reforms that the Congress might pass. He has shown such extreme disdain in his writings and public statements for the very law he would be charged to enforce that I simply do not think he should be entrusted with this important responsibility.

It is especially ironic and disheartening that this nomination has been made at a time when the prospects for reform and the legal landscape for those reforms have never looked better. We are all aware that certain Presidential candidates have highlighted campaign finance issues with great success. The public is more aware than ever of the critical need for reform. Campaign finance reform is and will be a major issue in the 2000 Presidential race.

In addition, just a few weeks ago, the Supreme Court issued a ringing reaffirmation of the core holding of the Buckley decision that forms the basis for the reform effort. The Court once again held that Congress has the constitutional power to limit contributions to political campaigns in order to protect the integrity of the political process from corruption or the appearance of corruption. In upholding contribution limits imposed by the Missouri legislature, Justice Souter wrote for the Court:

> [T]here is little reason to doubt that sometimes large contributions will work actual corruption of our political system, and no reason to question the existence of a corresponding suspicion among voters.

In my view, the Supreme Court's ruling in the Shrink Missouri case removes all doubt as to whether the Court would uphold the constitutionality of a ban on soft money, which is the centerpiece of the reform bill that has passed the House and is now awaiting Senate action. One hundred twenty-seven legal scholars have written to us that a soft money ban is constitutional, and their analysis is strongly supported by this very recent decision of the Supreme Court.

Mr. Smith has a wholly different view of the core holding of Buckley, on which the arguments supporting the

constitutionality of banning soft money relies. He wrote the following in a 1997 law review article:

Whatever the particulars of reform proposals, it is increasingly clear that reformers have overstated the government interest in the anticorruption rationale. Money's alleged corrupting influence are far from proven. . . . . [T]hat portion of Buckley that relies on the anticorruption rationale is itself the weakest portion of the Buckley opinion—both in its doctrinal foundations and in its empirical ramifications.

In another article, Mr. Smith writes: ''I do think that Buckley is probably wrong in allowing contribution limits.''

Mr. Smith's view, as quoted by the Columbus Dispatch, is that ''people should be allowed to spend whatever they want on politics.'' In an interview on MSNBC, he said, ''I think we should deregulate and just let it go. That's how our politics was run for over 100 years.''

He is right about that. Mr. Smith would have us go back to the late 19th century, before Theodore Roosevelt pushed through the 1907 Tillman Act, which prohibited corporate contributions to federal elections. Mr. Smith has expressed the view that a soft money ban would be unconstitutional. He wrote the following in a paper for the Notre Dame Law School Journal of Legislation:

[R]egardless of what one thinks about soft money, or what one thinks about the applicable Supreme Court precedents, a blanket ban on soft money would be, under clear, well-established First Amendment doctrine, constitutionally infirm.

A majority of this Senate has voted repeatedly in favor of a soft money ban. I cannot imagine that that same majority will vote to confirm a nominee who believes such a ban is unconstitutional. We need an FEC that will vote to enforce the law and to interpret it in a way that is consistent with congressional intent. I simply have no confidence—I do not know how I can get confidence—that Mr. Smith will be able do that—how can he? It would be completely at odds with his own loudly professed principles.

This is not a matter of personality. I have never met Mr. Smith. I am sure he is a good person. I do not question his right to criticize the laws from his outside perch as a law professor and commentator. But his views on the very laws he will be called upon to enforce give rise to grave doubt as to whether he can faithfully execute the duties of a Commissioner on the FEC. It is simply not possible for him to distance himself from views he has repeatedly and stridently expressed now that he is nominated. We would not accept such disclaimers from individuals nominated to head other agencies of Government.

The campaign finance laws are not undemocratic. They are not unconstitutional. They are essential to the functioning of our democratic process and to the faith of the people in their government. As the Supreme Court said in the Shrink Missouri case:

Leave the perception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance. Democracy works only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of ''malfeasance and corruption.''

In the wake of that clear declaration by the Court, how can Bradley Smith continue to rationalize the gutting of the Federal Election Campaign Act? And how can we allow him the chance to carry it out as a member of the FEC?

We need FEC Commissioners who understand and accept the simple and basic precepts about the influence of money on our political system that the Court reemphasized in the Shrink Missouri case. We need FEC Commissioners who believe in the laws they are sworn to uphold. We do not need FEC Commissioners who have an ideological agenda contrary to the core rationale of the laws they must administer.

The public is entitled to FEC Commissioners who they can be confident will not work to gut the efforts of Congress to provide fair and democratic rules to govern our political systems. I will oppose this nomination and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from South Carolina.

FRAUD

Mr. HOLLINGS. Mr. President, if people back home only knew. This whole town is engaged in the biggest fraud. Tom Brokaw has written that the greatest generation suffered the Depression, won the war, and then came back to lead. They not only won the war but were conscientious about paying for that war and Korea and Vietnam. Lyndon Johnson balanced the budget in 1969.

I ask unanimous consent to print in the RECORD the record of all the Presidents, since President Truman down through President Clinton, of the deficit and debt, the national debt, and interest costs.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOLLING'S BUDGET REALITIES

President and year	U.S. budget (outlays) (In billions)	Borrowed trust funds (billions)	Unified deficit with trust funds (billions)	Actual deficit without trust funds (billions)	National debt (billions)	Annual increases in spending for interest (billions)
Truman:						
1946	55.2	−5.0	−15.9	−10.9	271.0	
1947	34.5	−9.9	4.0	+13.9	257.1	
1948	29.8	6.7	11.8	+5.1	252.0	
1949	38.8	1.2	0.6	−0.6	252.6	
1950	42.6	1.2	−3.1	−4.3	256.9	
1951	45.5	4.5	6.1	+1.6	255.3	
1952	67.7	2.3	−1.5	−3.8	259.1	
1953	76.1	0.4	−6.5	−6.9	266.0	
1954	70.9	3.6	−1.2	−4.8	270.8	
Eisenhower:						
1955	68.4	0.6	−3.0	−3.6	274.4	
1956	70.6	2.2	3.9	+1.7	272.7	
1957	76.6	3.0	3.4	+0.4	272.3	
1958	82.4	4.6	−2.8	−7.4	279.7	
1959	92.1	−5.0	−12.8	−7.8	287.5	
1960	92.2	3.3	0.3	−3.0	290.5	
1961	97.7	−1.2	−3.3	−2.1	292.6	
1962	106.8	3.2	−7.1	−10.3	302.9	9.1
Kennedy:						
1963	111.3	2.6	−4.8	−7.4	310.3	9.9
1964	118.5	−0.1	−5.9	−5.8	316.1	10.7
Johnson:						
1965	118.2	4.8	−1.4	−6.2	322.3	11.3
1966	134.5	2.5	−3.7	−6.2	328.5	12.0
1967	157.5	3.3	−8.6	−11.9	340.4	13.4
1968	178.1	3.1	−25.2	−28.3	368.7	14.6
1969	183.6	0.3	3.2	+2.9	365.8	16.6
1970	195.6	12.3	−2.8	−15.1	380.9	19.3
Nixon:						
1971	210.2	4.3	−23.0	−27.3	408.2	21.0
1972	230.7	4.3	−23.4	−27.7	435.9	21.8
1973	245.7	15.5	−14.9	−30.4	466.3	24.2
1974	269.4	11.5	−6.1	−17.6	483.9	29.3
1975	332.3	4.8	−53.2	−58.0	541.9	32.7
Ford:						
1976	371.8	13.4	−73.7	−87.1	629.0	37.1

HOLLING'S BUDGET REALITIES—Continued

President and year	U.S. budget (outlays) (In billions)	Borrowed trust funds (billions)	Unified deficit with trust funds (billions)	Actual deficit without trust funds (billions)	National debt (billions)	Annual increases in spending for interest (billions)
1977	409.2	23.7	−53.7	−77.4	706.4	41.9
Carter:						
1978	458.7	11.0	−59.2	−70.2	776.6	48.7
1979	503.5	12.2	−40.7	−52.9	829.5	59.9
1980	590.9	5.8	−73.8	−79.6	909.1	74.8
1981	678.2	6.7	−79.0	−85.7	994.8	95.5
Reagan:						
1982	745.8	14.5	−128.0	−142.5	1,137.3	117.2
1983	808.4	26.6	−207.8	−234.4	1,371.7	128.7
1984	851.8	7.6	−185.4	−193.0	1,564.7	153.9
1985	946.4	40.5	−212.3	−252.8	1,817.5	178.9
1986	990.3	81.9	−221.2	−303.1	2,120.6	190.3
1987	1,003.9	75.7	−149.8	−225.5	2,346.1	195.3
1988	1,064.1	100.0	−155.2	−255.2	2,601.3	214.1
1989	1,143.2	114.2	−152.5	−266.7	2,868.3	240.9
Bush:						
1990	1,252.7	117.4	−221.2	−338.6	3,206.6	264.7
1991	1,323.8	122.5	−269.4	−391.9	3,598.5	285.5
1992	1,380.9	113.2	−290.4	−403.6	4,002.1	292.3
1993	1,408.2	94.3	−255.0	−349.3	4,351.4	292.5
Clinton:						
1994	1,460.6	89.2	−203.1	−292.3	4,643.7	296.3
1995	1,514.6	113.4	−163.9	−277.3	4,921.0	332.4
1996	1,453.1	153.5	−107.4	−260.9	5,181.9	344.0
1997	1,601.2	165.9	−21.9	−187.8	5,369.7	355.8
1998	1,651.4	179.0	70.0	−109.0	5,478.7	363.8
1999	1,704.5	250.5	122.7	−127.8	5,606.5	353.5
2000	1,769.0	234.5	176.0	−58.5	5,665.0	362.0
2001	1,839.0	262.0	177.0	−85.0	5,750.0	371.0

*Histocial Tables, Budget of the US Government FY 1998; Beginning in 1962 CBO'S 2001 Economic and Budget Outlook.

Mr. HOLLINGS. Mr. President, Lyndon Johnson balanced the budget in 1969. At that time, the national debt was $365 billion with an interest cost of only $16 billion. Now, under a new generation without the cost of a war, the debt has soared to $5.6 trillion with annual interest costs of $365 billion. That is right. We spend $1 billion a day for nothing. It does not buy any defense, any education, any health care, or highways. Astoundingly, since President Johnson balanced the budget, we have increased spending $349 billion for nothing.

Early each morning, the Federal Government goes down to the bank and borrows $1 billion and adds it to the national debt. We have not had a surplus for 30 years. Senator TRENT LOTT, commenting on President Clinton's State of the Union Address, said the talk cost $1 billion a minute. For an hour-and-a-half talk, that would be $90 billion a year. Governor George W. Bush's tax cut costs $90 billion a year. Together, that is $180 billion. Just think, we can pay for both the Democratic and Republican programs with the money we are spending on interest and still have $185 billion to pay down the national debt. Instead, the debt increases, interest costs increase, while all in town, all in the Congress, shout: Surplus, surplus, surplus.

Understand the game. Ever since President Johnson's balanced budget, the Government has spent more each year than it has taken in—a deficit. The average deficit for the past 30 years was $175 billion a year. This is with both Democratic and Republican Presidents and Democratic and Republican Congresses. Somebody wants to know why the economy is good? If you infuse $175 billion a year for some 30 years and do not pay for it, it ought to be good.

The trick to calling a deficit a surplus is to have the Government borrow from itself. The Federal Government, like an insurance company, has various funds held in reserve to pay benefits of the program—Social Security, Medicare, military retirement, civilian retirement, unemployment compensation, highway funds, airport funds, railroad retirement funds.

Mr. President, I ask unanimous consent to print in the RECORD a list of trust funds looted to balance this budget.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

	1998	1999	2000
Social Security	730	855	1,009
Medicare:			
HI	118	154	176
SMI	40	27	34
Military Retirement	134	141	149
Civilian Retirement	461	492	522
Unemployment	71	77	85
Highway	18	28	31
Airport	9	12	13
Railroad Retirement	22	24	25
Other	53	59	62
Total	1,656	1,869	2,106

Mr. HOLLINGS. Mr. President, these funds are held in trust for the specific purpose for which the taxes are collected.

Under corporate law, it is a felony to pay off the company debt with the pension fund. But in Washington we pay down the public debt with trust funds, call it a surplus, and they give us the ''Good Government'' award.

To make it sound correct, we divide the debt in two: The public debt and the private debt. Of course, our Government is public, and the law treats the debt as public without separation. The separation allows Washington politicians to say: We have paid down the public debt and have a surplus. There is no mention, of course, that the Government debt is increased by the same amount that the public debt is decreased. It is like paying off your MasterCard with your Visa card and saying you do not owe anything. Dr. Dan Crippen, the Director of the Congressional Budget Office, describes this as ''taking from one pocket and putting it in the other.''

For years we have been using the trust funds to report a unified budget and a unified deficit. This has led people to believe the Government was reporting net figures. It sounded authentic. But as the unified deficit appeared less and less, the national debt continued to increase. While the unified deficit in 1997 was $21.9 billion, the actual deficit was $187.8 billion. In 1998 the unified budget reported a surplus of $70 billion, but actually there was a deficit of $109 billion. In 1999 the ''unified surplus'' was $124 billion, but the actual deficit was $127.8 billion.

Now comes the Presidential campaign. Social Security is a hot topic. Both parties are shouting: Save Social Security. Social Security lockbox. The economy is humming, booming. With high employment, the Social Security revenues have increased. It appears that, separate from Social Security, there will be enough trust fund money to compute a surplus. We have reached the millennium—Utopia—enough money to report a surplus without spending Social Security.

Washington jargon now changes. Instead of a ''unified budget,'' the Government now reports an ''on-budget'' and an ''off-budget.'' This is so we can all call it an on-budget surplus, meaning without Social Security. But to call it an on-budget surplus, the Government spends $96 billion from the other trust funds.

We ended last year with a deficit of $128 billion—not a surplus. The President's budget just submitted shows an actual deficit each year for the next 5 years. Instead of paying down the debt, the President shows, on page 420 of his budget, the debt increasing from the

year 2000 to the year 2013—$5.686 trillion to $6.815 trillion, an increase of $1.129 trillion.

They are all talking about paying off the debt by 2013, and the actual document they submit shows the debt increasing each year, and over that period an increase of over $1 trillion.

Each year, Congress spends more than the President's budgets. There is no chance of a surplus with both sides proposing to reduce revenues with a tax cut. But we have a sweetheart deal: The Republicans will call a deficit a surplus, so they can buy the vote with tax cuts; the Democrats will call the deficit a surplus, so they can buy the vote with increased spending. The worst abuse of campaign finance is using the Federal budget to buy votes.

Alan Greenspan could stop this. He could call a deficit a deficit. Instead, appearing before Congress in his confirmation hearing, Greenspan, talking of the Federal budget, stated: ''I would fear very much that these huge surpluses . . .'' and on and on. We are in real trouble when Greenspan calls huge deficits ''huge surpluses.'' Greenspan thinks his sole role is to protect the financial markets. He does not want the U.S. Government coming into the market borrowing billions to pay its deficit, crowding out private capital, and running up interest costs.

But Congress' job is to not only protect the financial markets but the overall economy. Our job, as the board of directors for the Federal Government, is to make sure the Government pays its bills. In short, our responsibility is to eliminate waste.

The biggest waste of all is to continue to run up the debt with devastating interest costs for nothing. In good times, the least we can do is put this Government on a pay-as-you-go basis. Greenspan's limp admonition to ''pay down the debt'' is just to cover his backside. He knows better. He should issue a clarion call to stop increasing the debt. While he is raising interest rates to cool the economy, he should categorically oppose tax cuts to stimulate it.

Our only hope is the free press. In the earliest days, Thomas Jefferson observed, given a choice between a free government and a free press, he would choose the latter. Jefferson believed strongly that with the press reporting the truth to the American people, the Government would stay free.

Our problem is that the press and media have joined the conspiracy to defraud. They complain lamely that the Federal budget process is too complicated, so they report ''surplus.'' Complicated it is. But as to being a deficit or a surplus is clear cut; it is not complicated at all. All you need to do is go to the Department of the Treasury's report on public debt. They report the growth in the national debt every day, every minute, on the Internet at ''www.publicdebt.treas.gov.''

In fact, there is a big illuminated billboard on Sixth Avenue in New York that reports the increase in the debt by the minute. At present, it shows that we are increasing the debt every minute by $894,000. Think of that—$894,000 a minute. Of course, increase the debt, and interest costs rise. Already, interest costs exceed the defense budget. Interest costs, like taxes, must be paid. Worse, while regular taxes support defense, and other programs, interest taxes support waste. Running a deficit of over $100 billion today, any tax cut amounts to an interest tax increase—an increase in waste.

If the American people realized what was going on, they would run us all out of town.

Mr. President, I thank the distinguished Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

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

UNIVERSAL ACCESS TO TECHNOLOGY

Mr. BAUCUS. Mr. President, I wish to spend a few minutes addressing a matter that is very important to the people of my home State of Montana but also to about 50 million other Americans. Universal access to technology and services all across our country is a very important principle in American history. From the Postal Service to electricity to phone service, we have all made sure, as a national policy, that all Americans have access to the basic services they need.

Now we need to make sure all Americans also receive universal access to another major service; that is, TV service, weather reports, emergency broadcasts, local news. All Americans should be able to get local news on their television set, to get information about their local communities. That is not available today for about 50 million Americans. In my State alone, 120,000 people, about 35 percent of the homes in Montana, receive video programming via satellite because there is simply no way else to get it. That is the highest per capita rate in the Nation.

We have more satellite dishes per capita than any other State in the Nation. We jokingly call the satellite dish our new State flower. It used to be the bitterroot; now it is the satellite dish.

The problem is, we in Montana have to watch the news from New York City or Denver or Seattle. We can't get local news from our local stations from our satellites. The technology isn't there. The satellite companies don't provide the service. Montana is not alone. In nine other States, at least 20 percent of the households depend on satellite broadcasts for TV reception. They can't get it with an antenna. They can't get it from cable. They have to get it off the satellite. And in places such as Montana, with mountains, buttes, ravines, and gullies, all the different geographic conditions that occur in our State, there are many people who live on the outskirts of major towns who can't get local television signals with antenna, no matter how hard they try. They can't get any television. There are many communities and homes that are much too remote to receive news or TV coverage by cable. They are just too remote.

Why is it so many people can't get TV coverage that is important for ties to local communities? The major satellite companies have told us that the free market simply doesn't pay. It doesn't pay for the satellite companies to provide the signal to smaller communities. It does pay for the larger communities but not for the small. The satellite companies have told us they can only afford to market in the high-density urban areas. I understand that. All companies want to make as much money as they can. That is the American way. That is wonderful. But the difficulty is, as a consequence, there are many areas of our country that can't get TV coverage—that is, coverage at all—or cannot get local television, local news.

We can't rely solely on the profit motive. That drives America; it is wonderful. That is why American prosperity is doing so well and for so long. But we also have to be sure that it is not the only condition because otherwise we would still be cooking supper by candlelight in rural America. We would have to go down to the local telegraph office to communicate with friends. That is because without rural electric service or rural co-op service, that would be the case.

This map is very interesting, the one behind me to my immediate right. Under the most optimistic local-to-local plans—that is, where a satellite signal is sent down to communities so the communities can, from their satellite, get local television—only about 67 out of a total of 210 TV markets in the United States will get access to local channels via the satellite. The more realistic answer is probably about 40 markets will be served by satellite; that is, either by DirecTV or Echostar. Millions of households will get it in communities such as New York City and Los Angeles.

The red dots on the map are cities served, as of the end of last year, by satellite; that is, local service, local TV coverage, local news coverage served by satellite. As we can see, there are a lot of places in America without red dots. If you are in a city with a red dot, you can get local news by satellite. But if you live someplace else and not one of these red dots occurs, then you cannot get local news by

satellite. The orange-yellow dots are announced probable sites in the future. As I said, the most optimistic estimate is 67 markets served out of the 210; the most probable is about 40 markets served out of 210.

Let me tell my colleagues where my State ranks in terms of the probability of getting served with local coverage by satellite. I can assure you, we are not in the top 67. Our largest city in Montana is Billings. Billings ranks about 169 in the Nation out of 210. Butte, MT, is about 192. Glendive is up in the northeastern part of the market. That TV market is number 210; that is, out of 210 TV markets in the country, we are 210. So we have a ways to go if we are going to get satellite local news coverage.

This isn't a problem only in Montana. It is a problem in 16 States. Sixteen States have no single city among the top 70 markets, not one. They include half of the Nation's State capitals. A dozen cities with nearly 500,000 people each won't get service. From the Great Plains to Alaska and Maine to Mississippi, much of America is being left behind.

Why is this so important? Why is local-to-local broadcasting so important? Essentially because this is the heart of the community. One of the fibers that holds a community together is the ability to communicate within that community. The community is able to tune into a TV to hear about the local high school football team: how did they do? Did they win or lose? And local news, all the things that go on in a local community: what is happening in the neighborhood? Maybe there is a sale going on at a local store. There is a TV advertisement. You know what is going on in the community. There is a charity fundraiser.

Then look at some of the more dramatic reasons for local news accessibility: winter storm warnings, hurricanes, school closures, emergencies of one kind or another, floods, tornadoes.

There are a lot of reasons why we in all our communities want to know what is happening locally. As I said at the outset, there are about 15 million Americans who are not able to tune into their local TV stations, and we should find some way to solve that.

Last month, I heard from a good, solid Montanan, Gary Ardesson of Frenchtown, MT, which is about 20 miles outside of Missoula. Gary can't get any local channels—none whatsoever—either by antenna, or by cable, or by satellite. He wants to pay for it, but it isn't available. He just can't get it. So Gary asked why in the world should he be in this situation. What would Gary do if he wanted to get the latest storm warning? All he can do is stick his head out the window and put his finger up in the wind to find out what the weather is going to be. There is no other way except by radio.

He commented on the legislation we passed in the last session. He said: What is the point of legislation if they only implement it in the areas that can already receive local channels? That is what we did last session, but we didn't provide full coverage.

This is a problem not only for viewers; it is a problem for local TV broadcasters. Local broadcasters are vital to local economies. They provide jobs and an avenue for local businesses to grow. How? Through advertising. It is very important that we can keep our local broadcasters thriving. I think there are four main issues we have to address to solve this problem.

First, we have to assure that every household in America has access to their local television station. That is a given. Every household in America must have access to their local television station.

This can be achieved, I submit, through a loan guarantee program that encourages investment in infrastructure, whether it be satellite, cable, or some other new emergency technology. Loan guarantees are going to be necessary for those less densely populated parts of our country that need assistance, such as REA, the rural electric co-ops of not too many years ago, and such as telephone co-ops. It is a guaranteed service to all Americans.

Look at this chart. This shows where the Rural Utilities Service—the organization in the USDA that administers the utility service programs in our country, whether it be electric power, telecommunications, or whatnot—currently provides service. All 50 States currently have service under the Rural Utilities Service. The yellow dots are water and wastewater guarantee programs, loan guarantee programs. The other is electrical distribution. That is the red. The dark blue is electrical generation and transmission. Look at the green; it is telecommunications. That is what we are talking about—administering a loan guarantee telecommunications program. The Rural Utility Service isn't doing that. Those are the green dots. If you stand close, you can see the green dots—mostly in the East, where you would expect, and also you will find a few in other parts of the country. We have to make sure the program is properly administered, once we guarantee access. Certainly, the Rural Utility Service is currently providing service in all 50 States and are more than qualified to provide that service.

The RUS currently manages a $42 billion loan portfolio for rural America—$42 billion—including investments in approximately 7,600 small community and rural water and wastewater systems, and about 1,500 electric and telecommunications systems servicing about 84 percent of America's counties. They have been very successful.

This map shows the vast area that is covered. RUS's success in developing infrastructure in rural America has led to the infusion of private capital in rural infrastructure. For every $1 of capital that RUS provides to rural America, that leverages to $2 or $3 of outside investment. The Rural Utility Service is the logical team to make sure this program is properly administered.

Perhaps the RUS could consult with other agencies—the National Telecommunications and Information Association, perhaps—and that makes sense. But I think the core of the administration should be in the RUS. Some colleagues have suggested maybe new legislation for a new oversight board, a new bureaucracy, similar to what was provided for in the Emergency Steel Loan Guarantee Act of 1999.

I have some concerns about that. My real question is, how can an agency successfully administer the loans when the guarantee decision is made independent of that agency? A critical step in implementing the loan is a clear understanding of the funded project. That is best achieved during the review of the applications, including the financial and technical feasibility analysis.

That brings the third issue. We must construct this program in a fiscally responsible manner, minimizing the cost and risk to the taxpayer. I think this goal can be achieved by utilizing an existing agency—one with a good track record.

RUS has done a good job. In 50 years, RUS has experienced not one loan loss in its telecommunications program. That is, to me, a very good record.

Finally, I think we need to make sure the guarantee program is utilized to provide local-to-local service to all of America. I have heard from colleagues that Congress should require some level of private capital investment in conjunction with the loan guarantee. Some have even suggested that the loan guarantee should be perhaps as low as 50 percent. That gives me some pause because I don't want to have something set up with too many hurdles and redtape, which has the effect of increasing interest rates necessarily and therefore diminishing the likelihood that all of America will be served.

In summary, these are my four main criteria: One, every household must be served; two, the program must be administered by an agency with the necessary expertise, somebody with a track record that knows what is going on; three, the program must be cost effective and low risk to taxpayers; four, the program should not be structured in a manner that is so cost prohibitive to the private sector that it sits on the shelf unused.

So I say, let's move ahead and let's also keep this nonpartisan. There are some in the Senate who have suggested that maybe this issue is driven by partisan politics. Mr. President, I totally reject that notion; indeed, I find it offensive.

This issue doesn't belong to one Senator or to one party. This issue belongs to the American people—people who need service, people who are demanding that we act to provide them with

comprehensive satellite coverage. That is all this is. I call on the Senate to do that. That is what the people want.

The loan guarantee program that I am talking about was regrettably stripped from the Satellite Home Viewer Act in the eleventh hour of the last session. I say, let's put it back in in a nonpartisan way. I say that because all Americans who do not get local service would be very grateful. Let's do this not only for Gary Ardesson in Frenchtown, MT. Let's do it for all of the Americans in rural America who deserve the same service that people in the big cities are getting.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

EUROPEAN UNION ANTITRUST INVESTIGATION

Mr. GORTON. Mr. President, it was just last week that I came to the floor of the Senate to share a legal brief outlining the weakness of the Department of Justice's case against Microsoft. But I repeated at that time a thought I have expressed several times on the floor of the Senate that perhaps the most long-lasting effect of this ill-begotten lawsuit would be on the U.S. international competitiveness and our place in the world that is changing so rapidly due to the development of both software and hardware in the computer industry and in the related high-tech fields. Yesterday, the other shoe dropped. The European Union announced an antitrust investigation against Microsoft, something, as I say, that I have been predicting for more than a year.

When the Department of Justice was asked about it, it said this action took them by surprise. I don't know why we should be surprised that the European Union is very much interested in restricting access of U.S. goods and services in Europe, whether they are software, airplanes, bananas, or a wide range of other goods and services, or why the Department of Justice should be surprised that the European Union investigates and reflects its own actions in a matter of this sort. In fact, the report of this lawsuit points out that it is easier to bring an antitrust case in Europe than it is in the United States.

We have simply opened up to European competitors the opportunity to cripple or destroy one of the most innovative and progressive of all U.S. corporations, one that bears a very significant share of the credit for the magnificent performance of our economy and for the changes in our lives.

Again, as is the case with the Microsoft action by the U.S. Department of Justice, this European investigation seems to have been sparked by an American competitor, even more perhaps than the European authorities themselves. But nothing but ill can come from investigations or actions of this sort.

This industry and our economy has grown because it is highly innovative, highly competitive, and very rapidly changing. Neither our antitrust laws nor European antitrust laws fit that very well—the Europeans probably less than our own, as they represent views in an economy that has been for generations far more stagnant than our own.

In any event, Mr. President, I regret to have to bring this matter to your attention and to the attention of my colleagues. But I have feared exactly this for more than a year. I fear that it will breed other copycat actions in other parts of the world that would also like to grab for free the innovations and progress that have meant so much to the United States and that are so important in reducing what is now the largest bilateral trade deficit in our history or in the world. This is bad news. But it is bad news that is brought upon us largely by the ill-advised and ill-founded actions against Microsoft by our own U.S. Department of Justice.

EDUCATION IN AMERICA

Mr. GORTON. Mr. President, I was sitting in the seat the Presiding Officer is occupying about an hour ago when the junior Senator from New York regaled the Senate with his views on education in the Elementary and Secondary Education Act.

He did me a great honor to denounce my proposal, Straight A's, rather specifically. But it did seem to me to be a strange and inverted world in which Straight A's, a proposal designed to empower education authorities such as parents, teachers, and superintendents—the very people who know our students by their first names—to say, somehow or another, this was an attack on local authority but that the issuance of thousands of pages of regulations, on hundreds of different individual categorical aid programs, at the Department of Education in Washington, DC, was somehow liberating.

The Senator from New York criticized our present education system as a failure, a statement with which I do not agree. I believe there are many improvements necessary, but my own experience, in literally dozens of schools over the last 2 or 3 years, has shown a tremendous dedication to better teaching methods, to the education of our children, to innovation, changes that I want to encourage.

In fact, if we look for something to criticize as a failure, we need look no further than the present Federal education system itself. Title I has now been in effect for 35 years. The difference in achievement between the kids it is designed to help and the less underprivileged children is as great as it was when the program began. Yet what we have from the Senator from New York and the Senator from Massachusetts is to have more of exactly what has failed and that perhaps what is really lacking is sufficient direction from Washington, DC.

I do not claim to be an expert on what is needed for a higher and better education in the city of New York or in any other New York school district. However, I don't think the Senator from New York knows more about what the schools in my State need—I won't even say that I do—than the superintendents, principals, teachers, and parents of students in my own State.

What we seek—and this will be the great debate that will take place in this body in less than a month—will be: Do we trust the people who have dedicated their lives and careers to educating our children, to make the fundamental decisions about what they need in 17,000 school districts across the country and hundreds of thousands of individual schools or do we believe they need total supervision and control in Washington, DC, in the bureaucracy in the U.S. Department of Education?

We have increasingly followed that lateral line now for 35 years. It is a dead-end street. That is what has failed to work in connection with our education system.

For the first time, with the minor exception of the Ed-Flex bill we passed last year, we seek to restore some of that authority to our local school districts, to our teachers, and to our parents. That is what Straight A's is all about.

I suppose I should be honored to have my own program attacked specifically and by name because I think that means it is making very real progress. I know it is at home, whenever I go to a school or to a school administration building and discuss its ideas. Our teachers and our educators want more authority to make up their minds as to what their children need. Those needs are not the same in every school district. Not every school district has as its highest priority more teachers. Not every school district has as its highest priority more bricks and mortar. Not every school district has as its highest priority teacher education. Not every school district has as its highest priority more computers. But many school districts have any one of those as a highest priority, and many have some other. Each of them ought to be permitted, each of them ought to be encouraged, to make those decisions for the students.

A final point. The Senator from New York attacked this proposal as lacking accountability. We certainly have accountability now. The way our schools account for the spending of money under hundreds of present school programs is by filling out forms and by

being visited by auditors who make a precise determination as to whether $10 for one purpose has been used for some other purpose or not. It is a form of accountability that has required our school districts to spend more and more money on administrators and on filling out forms and less and less money on educating the students themselves.

We substitute for that one ultimate form of accountability, accountability measured by whether or not our students are doing better, by whether or not our kids are getting a better education. No State may gain the benefit from the provisions of Straight A's unless that State agrees to a form of testing, of actual achievement of the students, and promising if it is given this flexibility, those student achievement standards will rise, scores will rise in the period under which they are working with Straight A's.

It is neither more complicated nor more simple than that. The goal of educating our children is to see to it that they are prepared for the world in which they will live. We are now able more and more to measure how those goals are met. Do our students read better? Do they write better? Do they compute better? The accountability in Straight A's is measured by those standards, not by how well their administrators and teachers fill out forms and not how well they come out in an after-the-fact audit.

I have every confidence that as a part of the very important debate over education and the renewal of the Elementary and Secondary Education Act, we will debate Straight A's. I am convinced as this body finishes its work it will be a part of the most constructive and most successful renewal of our activity in the field of education that this Congress has accomplished in generations.

MORNING BUSINESS

Mr. GORTON. Mr. President, I now ask consent there be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

RETIREMENT OF JACK E. HARPER, JR., CHANCERY CLERK OF SUNFLOWER COUNTY, MISSISSIPPI

Mr. LOTT. Mr. President, I rise today to recognize Jack E. Harper, Jr., of Sunflower County, Mississippi. Mr. Harper recently retired as the Chancery Clerk of Sunflower County after serving tirelessly in this position for 44 years. This is an exemplary record of public service, and it is a privilege to honor this outstanding Mississippian for his unselfish dedication to Sunflower County government for so many years.

In addition to Mr. Harper's lengthy service as Chancery Clerk, I also commend him for his involvement in numerous civic activities and for his military service. Mr. Harper is a veteran of the United States Marines, having served 31 months in the Pacific Theater during World War II. In 1951, while he was a member of the Mississippi National Guard, he was ordered to active military duty for 2 years and served 1 year in Korea during 1951–1952. In conjunction with his military service, Mr. Harper is a member and past Commander of the Indianola American Legion and VFW posts. Additionally, Mr. Harper has been active in his community, as demonstrated by the fact that he served as President of the Indianola Lions Club and as the District Governor of the Mississippi Lions.

Jack Harper has always shown a commitment to education. He earned degrees from Indianola High School, Mississippi Delta Community College, and both Bachelor of Laws and Juris Doctor degrees from the University of Mississippi School of Law, my alma mater. Additionally, he has served as a member of the Board of Trustees of Mississippi Delta Community College since January, 1961, and has served as Board Chairman since 1968. He is a past President of the Mississippi Junior College Inter-Alumni Association, and he is a member of the State Association of Community and Junior College Trustees. He currently serves as the Co-Chairman of the Education Committee for the Indianola Chamber of Commerce.

Although Jack Harper is retiring from official public office, I know that he will continue to serve his community and the State of Mississippi in the same devoted manner that he has for his entire life. I am envious of the time that he will now have to spend with his family, particularly his grandchildren. Once again, I congratulate and thank Mr. Harper for his service to Sunflower County and Mississippi.

GUN ENFORCEMENT

Mr. LEVIN. Mr. President, earlier this week, President Clinton sent to Congress his budget proposal for the 2001 fiscal year.

Among his initiatives is a proposal to improve the enforcement of federal firearm laws. Specifically, the President requests more than $280 million to provide law enforcement agencies with tools they need to reduce gun crime. The proposal includes funds to: improve the speed and accuracy of Brady background checks by upgrading State and local criminal history records; hire 500 new Bureau of Alcohol, Tobacco, and Firearms (ATF) agents and inspectors; provide grants to hire 1,000 new federal, state and local gun prosecutors; implement a comprehensive crime gun tracing program; and support local anti-gun violence media campaigns.

I believe this is an important initiative in the fight against gun violence, and I applaud the President's commitment to this issue. I hope that during this Session, Congress will support full funding for this aggressive gun enforcement initiative, and will act to close loopholes in our federal firearm laws that give young people and felons easy access to guns.

BLACK HISTORY MONTH

Mr. SARBANES. Mr. President, I am most pleased to join millions of Americans in commemorating African-American History Month and particularly this year's theme ''Heritage and Horizons: The African Legacy and the Challenges of the 21st Century.'' This theme as announced by the Association for the Study of Afro-American Life and History (ASALH) is most appropriate and timely as we enter a new millennium and hopefully a new and even brighter era of African-American progress.

Since 1926, Americans have observed a time during the month of February to recognize the vast history and legacy that African-Americans have contributed to the founding and building of this great nation. It was the vision of the noted author and scholar, Dr. Carter G. Woodson, that led to this celebration. As we review the last 100 years, it is important to remember that there have been many challenges and changes in the 1900's for African-Americans.

During the early 1900's, discrimination against African-Americans was very wide spread. By 1907, every Southern state required racial segregation on trains and in churches, schools, hotels, restaurants, theaters, and in other public places. New leaders for the African-American race emerged such as W.E.B. DuBois and Booker T. Washington, whose intellectual thoughts on the progress and direction of African-Americans are still very much discussed in the community.

There was also the Northern migration of hundreds of thousands of Southern African-Americans during World War I to seek jobs in defense plants and other factories. Many African-Americans served our country admirably during this war and in World War II. Like World War I, this war led to the expansion of defense-related industries and opportunities in the North for employment. During the 1940's, about a million Southern African-Americans moved North. Discrimination played a large role in the labor industry which led A. Philip Randolph of the Brotherhood of Sleeping Car Porters to threaten a march on Washington, D.C. President Roosevelt then issued an executive order forbidding racial discrimination in defense industries.

Following World War II, three major factors encouraged the beginning of a new movement for civil rights. First, many African-Americans served with honor in the war, as they had in many of the wars since the American Revolution. However, in this instance, African-American leaders pointed to the records of these veterans to show the

injustice of racial discrimination against patriots. Second, more and more African-Americans in the North had made economic gains, increased their education, and registered to vote. Third, the NAACP had attracted many new members and received increased financial support from blacks and whites. Additionally, a young group of energetic lawyers, including Thurgood Marshall, of Baltimore, Maryland, used the legal system to bring about important changes in the lives of African-Americans, while Dr. Martin Luther King Jr. appealed to the conscience of all Americans.

Congress had an important role in passing the Civil Rights Act of 1964 and the Voting Rights Act of 1965. I am pleased to note that Clarence Mitchell Jr. of Maryland played a critical part in steering this legislation through Congress. African-Americans also began to assume more influential roles in the national government, a development which has benefitted the entire Nation.

Gains in education for the African-American community have been significant. From 1970 to 1980, college enrollment among African-Americans rose from about 600,000 to about 1.3 million. This gain resulted in part from affirmative action programs by predominantly white colleges and universities. By the early 1990's about 11 percent of all African-Americans 25 years of age or older had completed college. About two-thirds of that group had finished high school. There have also been many more advances and accomplishments during that time, but this is just a brief overview of what has been a tremendous and rich history and heritage for African-American people in our Nation for the last 100 years.

As we look forward to a new century, we anticipate that African-Americans will continue to prosper in American society and throughout the world. Their success is our success. As we look towards the horizon, we see record breaking events for African-Americans.

The unemployment rate for African-Americans has fallen from 14.2 percent in 1992 to 8.3 percent in 1999—the lowest annual level on record. The median household income of African-Americans is up 15.1 percent since 1993, from $22,034 in 1993 to $25,351 in 1998. The real wages of African-Americans have risen rapidly in the past two years, up about 5.8 percent for African-American men and 6.2 percent for African-American women since 1996.

The African-American poverty rate has dropped from 33.1 percent in 1993 to 26.1 percent in 1998—the lowest level ever recorded and the largest five-year drop in more than twenty-five years. Since 1993, the child poverty rate among African-Americans has dropped from 46.1 percent to 36.7 percent in 1998—the biggest five-year drop on record. While the African-American child poverty rate is still too high, it is the lowest level on record. As the African-American population continues to expand, we continue to strive to make laws that improve the lives of all Americans so that many more record breaking accomplishments occur.

As we begin the first Census count of the 21st century, we are working to ensure that Census 2000 is the most accurate census possible using the best, most up-to-date methods to make sure every person is counted. According to the Census Bureau, the 1990 Census missed 8.4 million people and double-counted 4.4 million others. Nationally, 4.4 percent of African-Americans were not counted in the 1990 census. While missing or miscounting so many people is a problem, the fact that certain groups—such as children, the poor, people of color, and city dwellers—were missed more often than others made the undercount even more inaccurate. A fair and accurate Census is a fundamental part of a representative democracy and is the basis for providing equality under the law. Therefore, I encourage everyone to make sure your neighbor is counted.

I would also like to observe that the State of Maryland is currently benefitting from a continued growth in our African-American population. Between 1990 and 1997, when the last set of complete figures were available from the Census Bureau, the number of African-Americans calling Maryland ''home'' grew to 1.4 million—an increase of 200,609 people. This makes Maryland the state with the eighth largest African-American population in the United States. Nearby Prince George's County was second in the Nation in terms of growth during this seven-year period with 68,325 new African-American residents. I am confident that an accurate Census 2000 count will show increases in these figures across the state.

I am also most gratified to note that finally, a memorial to honor Dr. Martin Luther King Jr. has been approved and a site near the tidal basin in Washington D.C. was chosen. The sacrifice that Dr. King made for civil rights has touched every element of American society. I am particularly pleased to be involved in this effort to mark the contributions of this great leader. This memorial will join the monuments to Washington, Jefferson, and Lincoln in some of the most hallowed ground in our Nation.

Mr. President, as we look towards the future for African-Americans during this new century, it is my hope that the King Memorial will serve both as a monument to past achievements and our heritage, and also as an inspiration for our Nation to continue the struggle for an equality that includes all Americans.

Mrs. LINCOLN. Mr. President, I rise today to bring your attention to an issue of great concern to many people in my home state of Arkansas.

This week, I introduced a bill, S. 2041, to continue to promote the use of best management practices in the forestry industry by relieving this nation's private timberland owners of an impending unnecessary regulatory burden.

My bill would permanently prohibit the Environmental Protection Agency from requiring water pollution control permits under the National Pollutant Discharge Elimination System for the forestry activities of site preparation, reforestation, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, road construction and maintenance, and nursery operations.

Recently in El Dorado and Texarkana, Arkansas, literally thousands of private timberland owners came together to discuss and express their concerns about this new extension of EPA regulations and to learn of the potential impact they may have on their private property and private forests.

Simply put, my legislation will statutorily ensure that all forestry activities will remain as non-point sources in the eyes of the EPA. Under the Clean Water Act, the EPA has jurisdiction to protect the water quality of the United States by regulating point sources of water pollution.

Let me define what I mean when I speak of ''point'' and ''non-point'' sources of pollution. A point source of pollution is pollution from a single point such as an industrial plant's wastewater pipe or a wastewater drainage ditch. Non-point sources of pollution like rainfall runoff from a field or a forest cannot be defined as a set point. What is important here is that Congress, upon passage of the Clean Water Act in 1972, very clearly did not give the EPA authority to regulate non-point sources of pollution.

The EPA's proposed revisions to the Total Maximum Daily Load requirements of the National Pollutant Discharge Elimination System, issued in September of last year, seeks to change this authority. This proposed regulation would enhance clean water by extending the NPDES point source TMDL water pollution rules to forestry activities. This would be accomplished by reclassifying forestry non-point sources of pollution as point sources of pollution.

The forestry activities included in my legislation have always been considered as non-point sources of water pollution and therefore not subject to EPA regulations. The EPA's new regulation change would require point source water pollution permits for all of these activities. In other words, these new regulations would require permits on the very things we want to promote in forestry—responsible harvesting and thinning operations, best management practices, and reforestation.

I agree with the EPA's objective of cleaning up our nation's impaired rivers, lakes and streams, but firmly believe that its proposed revisions are not the best solution to the problem of clean water. Placing another unnecessary layer of regulation upon our nation's local foresters will only slow down the process of responsible forestry and the implementation of forestry Best Management Practices.

In Arkansas, we have a very successful Best Management Practices program for all forestry activities. In fact, over 85% of Arkansas' private timberland owners voluntarily adhere to these Best Management Practices to reduce water pollution from all forestry activities.

Let me restate that over 85% of Arkansas' private timberland owners voluntarily adhere to these Best Management Practices to reduce water pollution from all forestry activities. This is a wonderful example of where everyone works together to take care of their own environment and have been successful in their efforts!

The EPA's background for the new regulation states that these new requirements of obtaining water permits for forestry activities would take effect only if the state did not develop a satisfactory system of its own, or if a specific water body needed the regulation to remain clean. It also states that only 3 to 9 percent of all non-point source pollution comes from forestry-related activities.

Mr. President, let's talk through each of these forestry-related activities to find out just exactly what each includes as well as what a good Best Management Practices program does to combat potential pollution from each of these.

Site preparation. Generally, site preparation includes removing unwanted vegetation and other material when necessary and before any harvesting of timber can take place. Best Management Practices provide guidelines to minimize the use of equipment and disturbances near streams or other bodies of water, keep equipment out of streamside management zones, and minimize the movement and disturbance of soil.

Reforestation. Reforestation is simply the process of planting trees. Reforestation is the single process that prevents any further erosion of exposed soil. I can't see why we would want to slow down the reforestation process by implementing a permitting process.

Prescribed burning. Prescribed burning is done almost exclusively to prevent potential forest fires. In many of our nation's old growth forests, prescribed burning has prevented what would have been certain destruction of thousands of acres of beautiful forestland. We want to prevent forest fires for the loss of timber as well as for the potential loss of property and life. Best Management Practices provide guidelines for conducting prescribed burning operations and ensuring a minimal potential for erosion and forest fire.

Pest and fire control. If someone is trying to control a forest fire, why do we want to hinder their efforts? For the same reason, we don't want our Nation's forests eaten up by bugs.

Harvesting operations including thinning and, when necessary, clear-cutting. This is the crux of the issue. Timber harvesting is the timber industry. Following Best Management Practices ensures that during any harvesting operation, extreme care is taken to prevent unnecessary water pollution. Best Management Practices encourage thinning of existing forests as opposed to clear-cutting of our Nation's forests. Thinning is going into a forest and removing only a small portion of the timber.

Surface drainage. Surface drainage through a forest is a naturally slow. And, following Arkansas' Best Management Practices, a buffer of trees must be left around all streams and rivers.

Road Maintenance and Construction. It is necessary to have forest roads to reach the available timber. Best Management Practices require the minimization of stream crossings, designing the road to be no wider than necessary, and building roads to minimize the adverse impacts of heavy rain.

Nursery Operations. To conduct any reforestation activities, you must have seedlings to plant. Best Management Practices for nurseries include minimizing soil disturbance, runoff, and chemical application.

Mr. President, the voluntary use of these and many, many other Best Management Practices in Arkansas have successfully reduced and prevented water pollution from all forestry activities. Our nation's private timberland owners should not be burdened with more unnecessary regulations when they are already voluntarily complying with Best Management Practices to effectively reduce water pollution.

Reasonable minds should prevail and agree on a common sense solution to promoting Best Management Practices in the forestry industry without unnecessary regulation and allow states like Arkansas to continue voluntarily implementing our successful best management practices.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, February 9, 2000, the Federal debt stood at $5,690,617,208,881.34 (Five trillion, six hundred ninety billion, six hundred seventeen million, two hundred eight thousand, eight hundred eighty-one dollars and thirty-four cents).

One year ago, February 9, 1999, the Federal debt stood at $5,585,068,000,000 (Five trillion, five hundred eighty-five billion, sixty-eight million).

Five years ago, February 9, 1995, the Federal debt stood at $4,803,443,000,000 (Four trillion, eight hundred three billion, four hundred forty-three million).

Ten years ago, February 9, 1990, the Federal debt stood at $2,980,491,000,000 (Two trillion, nine hundred eighty billion, four hundred ninety-one million) which reflects a doubling of the debt—an increase of almost $3 trillion—$2,710,126,208,881.34 (Two trillion, seven hundred ten billion, one hundred twenty-six million, two hundred eight thousand, eight hundred eighty-one dollars and thirty-four cents) during the past 10 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 and a treaty which were referred to the Committee on Foreign Relations.

(The nominations received today are printed at the end of the Senate proceedings.)

2000 ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT—PM 87

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Joint Economic Committee.

To the Congress of the United States:

Today, the American economy is stronger than ever. We are on the brink of marking the longest economic expansion in our Nation's history. More than 20 million new jobs have been created since Vice President Gore and I took office in January 1993. We now have the lowest unemployment rate in 30 years—even as core inflation has reached its lowest level since 1965.

This expansion has been both deep and broad, reaching Americans of all races, ethnicities, and income levels. African American unemployment and poverty are at their lowest levels on record. Hispanic unemployment is likewise the lowest on record, and poverty among Hispanics is at its lowest level since 1979. A long-running trend of rising income inequality has been halted in the last 7 years. From 1993 to 1998, families at the bottom of the income distribution have enjoyed the same strong income growth as workers at the top.

In 1999 we had the largest dollar surplus in the Federal budget on record and the largest in proportion to our economy since 1951. We are on course to achieve more budget surpluses for many years to come. We have used this unique opportunity to make the right choices for the future over the past 2 years, America has paid down $140 billion in debt held by the public. With my plan to continue to pay down the debt, we are now on track to eliminate the Nation's publicly held debt by 2013. Our fiscal discipline has paid off in lower interest rates, higher private investment, and stronger productivity growth.

These economic successes have not been achieved by accident. They rest on the three pillars of the economic

strategy that the Vice President and I laid out when we took office: fiscal discipline to help reduce interest rates and spur business investment; investing in education, health care, and science and technology to meet the challenges of the 21st century; and opening foreign markets so that American workers have a fair chance to compete abroad. As a result, the American economy is not only strong today; it is well positioned to continue to expand and to widen the circle of opportunity for more Americans.

THE ADMINISTRATION'S ECONOMIC STRATEGY

Our economic strategy was based on a commitment, first, to fiscal discipline. When the Vice President and I took office, the U.S. Government had a budget deficit of $290 billion. Today we have a surplus of $124 billion. This fiscal discipline has helped us launch a virtuous circle of strong investment, increasing productivity, low inflation, and low unemployment.

Second, we have remained true to our commitment to invest in our people. Because success in the global economy depends more than ever on highly skilled workers, we have taken concerned steps to make sure all Americans have the education, skills, and opportunities they need to succeed. That is why, even as we maintained fiscal responsibility, we expanded our investments in education, technology, and training. We have opened the doors of college to all Americans, with tax credits, more affordable student loans, education IRAs, and the HOPE Scholarship tax credits. So that working families will have the means to support themselves, we have increased the minimum wage, expanded the Earned Income Tax Credit (EITC), provided access to health insurance for people with disabilities, and invested in making health insurance coverage available to millions of children.

Third, we have continued to pursue a policy of opening markets. We have achieved historic trade pacts such as the North American Free Trade Agreement and the Uruguay Round agreements, which led to the creation of the World Trade Organization. Negotiations in the wake of the Uruguay Round have yielded market access commitments covering information technology, basic telecommunications, and financial services. We have engaged in bilateral initiatives with Japan and in regional initiatives in Europe, Africa, Asia, the Western Hemisphere, and the Middle East. We have also actively protected our rights under existing trade agreements through the World Trade Organization and helped maintain the Internet as a tax-free zone.

MEETING THE CHALLENGES OF THE FUTURE

Despite the economy's extraordinary performance, we must continue working to meet the challenges of the future. Those challenges include educating our children, improving the health and well-being of all our citizens, providing for our senior citizens, and extending the benefits of the economic expansion to all communities and all parts of this Nation.

We must help our children prepare for life in a global, information-driven economy. Success in this new environment requires that children have a high-quality education. That means safe, modern schools. It means making sure our children have well-trained teachers who demand high standards. It means making sure all schools are equipped with the best new technologies, so that children can harness the tools of the 21st century.

First and foremost, our children cannot continue trying to learn in schools that are so old they are falling apart. One-third of all public schools need extensive repair or replacement. By 2003 we will need an additional 2,400 schools nationwide to accommodate these rising enrollments. That is why, in my State of the Union address, I proposed $24.8 billion in tax credit bonds over 2 years to modernize up to 6,000 schools, and a $1.3 billion school emergency loan and grant proposal to help renovate schools in high-poverty, high-need school districts.

Second, if our children are to succeed in the new digital economy, they must know how to use the tools of the 21st century. That is why the Vice President and I have fought for initiatives like the E-rate, which is providing $2 billion a year to help schools afford to network their classrooms and connect to the Internet. The E-rate and our other initiatives in education technology have gone a long way toward giving all children access to technology in their schools. But there is still a great ''digital divide'' when children go home. Children from wealthy families are far more likely to have access to a computer at home than children from poor or minority families. That is why, in my budget, I propose a new Digital Divide initiative that will expand support for community technology centers in low-income communities; a pilot project to expand home access to computers and the Internet for low-income families; and grants and loan guarantees to accelerate the deployment of high-speed networks in underserved rural and urban communities.

Third, we must continue to make college affordable and accessible for all Americans. I have proposed a college opportunity tax cut, which would invest $30 billion over 10 years in helping millions of families who now struggle to afford college for their children. When fully phased in, this initiative would give families the option to claim a tax deduction or a tax credit on up to $10,000 of tuition and fees for any post-secondary education in which their members enroll, whether college, graduate study, or training courses. I have proposed increases in Pell grants, Supplemental Educational Opportunity Grants, and Work Study. I have also proposed creating new College Completion Challenge Grants to encourage students to stay in college.

We have seen dramatic advances in health care over the course of the 20th century, which have led to an increase in life expectancy of almost 30 years. But much remains to be done to ensure that all have and maintain access to quality medical care. That is why my budget expands health care coverage, calls for passing a strong and enforceable Patients' Bill of Rights, strengthens and modernizes Medicare, addresses long-term care, and continues to promote life-saving research.

My budget invests over $110 billion over 10 years to improve the affordability, accessibility, and quality of health insurance. It will provide a new, affordable health insurance option for uninsured parents as well as accelerate enrollment of uninsured children who are eligible for Medicaid and the State Children's Health Insurance Program. The initiative will expand health insurance options for Americans facing unique barriers to coverage. For example, it will allow certain people aged 55–65 to buy into Medicare, and it will give tax credits to workers who cannot afford the full costs of COBRA coverage after leaving a job. Finally, my initiative will provide funds to strengthen the public hospitals and clinics that provide health care directly to the uninsured. If enacted, this would be the largest investment in health coverage since Medicare was created in 1965, and one of the most significant steps we can take to help working families.

As our Nation ages and we live longer, we face new challenges in Medicare and long-term care. Despite improvements in Medicare in the past 7 years, the program begins this century with the disadvantages of insufficient funding, inadequate benefits, and outdated payment systems. To strengthen and modernize the program, I have proposed a comprehensive reform plan that would make Medicare more competitive and efficient and invest $400 billion over the next 10 years in extending solvency through 2025 and adding a long-overdue, voluntary prescription drug benefit.

The aging of America also underscores the need to build systems to provide long-term care. More than 5 million Americans require long-term care because of significant limitations due to illness or disability. About two-thirds of them are older Americans. That is why I have proposed a $27 billion investment over 10 years in long-term care. Its centerpiece is a $3,000 tax credit to defray the cost of long-term care. In addition, I propose to expand access to home-based care, to establish new support networks for caregivers, and to promote quality private long-term care insurance by offering it to Federal employees at group rates.

We must continue to make this economic expansion reach out to every corner of our country, leaving no town, city, or Native American reservation behind, That is why I am asking the Congress to authorize two additional

components of our New Markets agenda. The first is the New Markets Venture Capital Firms program, geared toward helping small and first-time businesses. The second is America's Private Investment Companies, modeled on the Overseas Private Investment Corporation, to help larger businesses expand or relocate to distressed inner-city and rural areas. Overall the New Markets initiative could spur $22 billion of new equity investment in our underserved communities.

I am also proposing a new initiative called First Accounts, to expand access to financial services for low- and moderate-income Americans. We will work with private financial institutions to encourage the creation of low-cost bank accounts for low-income families. We will help bring more automated teller machines to safe places in low-income communities, such as the post office. And we will educate Americans about managing household finances and building assets over time.

To further increase opportunities for working families, I am proposing another expansion of the EITC to provide tax relief for 6.4 million hard-pressed families—with additional benefits for families with three or more children. We have seen the dramatic effects that our 1993 expansion of the EITC had in reducing poverty and encouraging work: 4.3 million people were directly lifted out of poverty by the EITC in 1998 alone. More single mothers are working than ever before, and the child poverty rate is at its lowest since 1980.

Our initiatives to open overseas markets will continue. We have successfully concluded bilateral negotiations on China's accession to the World Trade Organization and now seek congressional action to provide China with permanent normal trade relations. The United States will also work to give the least developed countries greater access to global markets. We will participate in the scheduled multilateral talks to liberalize trade in services and agriculture and will continue to press our trading partners to launch a new round of negotiations within the World Trade Organization.

We have a historic opportunity to answer the challenges ahead: to increase economic opportunity for all American families; to provide quality, affordable child care, health care, and long-term care; and to give our children the best education in the world. Working together, we can meet these great challenges and make this new millennium one of ever-increasing promise, hope, and opportunity for all Americans.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 2000.*

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–7496. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–100, –200, and –300 Series Airplanes; Request for Comments; Docket No. 2000–NM–08 (2–1/2–3)'' (RIN2120–AA64) (2000–0052), received February 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7497. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes; Docket No. 99–NM–34 (2–7/2–7)'' (RIN2120–AA64) (2000–0065), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7498. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Beech Models 65–90, 65–A90, B90, and C–90; Request for Comments; Docket No. 99–CE–92 (2–1/2–1)'' (RIN2120–AA64) (2000–0053), received February 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7499. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Model Hawker 800 and 1000 Airplanes and Model DH.125, HS.125, BH.125, and BAe.125 Series Airplanes; Docket No. 99–NM–160 (2–7/2–7)'' (RIN2120–AA64) (2000–0056), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7500. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Model MU–2B Series Airplanes; Docket No. 99–CE–38 (2–7/2–4)'' (RIN2120–AA64) (2000–0073), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7501. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Harbin Aircraft Manufacturing Corporation Model Y12IV Airplanes; Docket No. 99–CE–41 (2–4/2–7)'' (RIN2120–AA64) (2000–0074), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7502. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SOCATA-Groupe AEROSPATRIALE Model TBM 700 Airplanes; Docket No. 99–CE–50 (2–4/2–7)'' (RIN2120–AA64) (2000–0071), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7503. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes; Docket No. 99–CE–64 (2–4/2–7)'' (RIN2120–AA64) (2000–0072), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7504. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Twin Commander Aircraft Corporation 600 Series Airplanes; Docket No. 99–CE–51 (2–4/2–7)'' (RIN2120–AA64) (2000–0070), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7505. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Model 4101 Airplanes; Docket No. 99–NM–309 (2–3/2–3)'' (RIN2120–AA64) (2000–0064), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7506. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aero-Space Technologies of Australia Pty. Ltd. Models N22B and N24A Airplanes; Docket No. 99–CE–47 (2–4/2–7)'' (RIN2120–AA64) (2000–0076), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7507. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empressa Brasileira de Aeronautica S.A. Models EMB–110P1 and EMPB–110P2 Airplanes; Docket No. 99–CE–42 (2–4/2–7)'' (RIN2120–AA64) (2000–0075), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7508. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Short Brothers and Harland Ltd. Models SC–7 and 2 and SC–7 Series 3 Airplanes; Docket No. 97–CE–99 (2–1/2–3)'' (RIN2120–AA64) (2000–0054), received February 3, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7509. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Model MU–2B Series Airplanes; Docket No. 99–CE–38 (2–7/2–4)'' (RIN2120–AA64) (2000–0073), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7510. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Model SA.315B Helicopters; Docket No. 98–SW–63 (2–7/2–7)'' (RIN2120–AA64) (2000–0077), received February 7, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7511. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to written certificates OMB received from agencies that have assessed the impact of their policies and regulations on the family; to the Committee on Appropriations.

EC–7512. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a quarterly report on the denial of safeguards information; to the Committee on Environment and Public Works.

EC–7513. A communication from the Assistant Comptroller General, transmitting a report entitled ''Funding Trends and Opportunities to Improve Investment Decisions''; to the Committee on Governmental Affairs.

EC–7514. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Executive Agency Ethics Training

Programs Regulation Amendments'' (RIN3209–AA07), received February 9, 2000; to the Committee on Governmental Affairs.

EC–7515. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Timelines Under the Head Start Appeals Process'' (RIN0970–AB87), received February 9, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–7516. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Gastroenterology-Urology Devices: Reclassification of the Penile Rigidity Implant'' (Docket No. 97N–0481), received February 9, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–7517. A communication from the Deputy General Counsel, Small Business Administration transmitting, pursuant to law, the report of a rule entitled ''Small Business Investment Companies'' (RIN3245–AE08), received February 9, 2000; to the Committee on Small Business.

EC–7518. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Information Collection Approval; Technical Amendment to Affordable Housing Program Rule'' (RIN3069–AA93), received February 9, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–7519. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Information Collection Approval; Technical Amendment to Community Support Requirements Rule'' (RIN3069–AA95), received February 9, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–7520. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to the percentage of funds that were expended during the preceding two fiscal years for performance of depot-level maintenance and repair workloads by the public and private sectors; to the Committee on Armed Services.

EC–7521. A communication from the Director, Office of Federal Procurement Policy, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to Cost Accounting Standards; to the Committee on Armed Services.

EC–7522. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Mentor-Protege Program Improvements'' (DFARS Case 99-D307), received February 9, 2000; to the Committee on Armed Services.

EC–7523. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Delegation of Class Deviation Authority'' (DFARS Case 99–D027), received February 9, 2000; to the Committee on Armed Services.

EC–7524. A communication from the Acting Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''People's Republic of China'' (DFARS Case 98–D305), received February 9, 2000; to the Committee on Armed Services.

EC–7525. A communication from the Acting Director, Defense Procurement, Department of Defense transmitting, pursuant to law, the report of a rule entitled ''OMB Circular A–119'' (DFARS Case 99–D024), received February 9, 2000; to the Committee on Armed Services.

EC–7526. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report of its 2000 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7527. A communication from the Acting Administrator, Agricultural Research Service, Department of Agriculture transmitting, pursuant to law, the report of a rule entitled ''Amendment of Fee Schedule, National Agricultural Library'' (RIN0518–AA01), received February 9, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7528. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration transmitting, pursuant to law, the report of a rule entitled ''Standard Clause for Export Controlled Technology,'' received February 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7530. A communication from the Acting Director, 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; Atka Mackerel in the Eastern Aleutian District and Bering Sea subarea of the Bering Sea and Aleutian Islands,'' received January 28, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7531. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Middlebury, Berlin and Hardwick, VT'' (MM Docket No. 98–72, RM–9265, RM–9368), received February 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7532. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Alberton and Big Sky, MT, Albany and Seymour, TX and Inglis, FL'' (MM Dockets No. 99–304. 99–307, 99–286, 99–303, and 99–306), received February 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7533. A communication from the Acting Director, 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; Fishing Vessels Greater than 99 feet LOA Catching Pollock for Processing by the Inshore Component Independently of a Cooperative in the Bering Sea,'' received February 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC–7534. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report of foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Commerce, Science, and Transportation.

EC–7535. A communication from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report on actions taken in respect to the New England fishing capacity reduction initiative; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–403. A joint resolution adopted by the Legislature of the Commonwealth of Massachusetts relative to the Highland Links Golf Course in the Town of Truro, MA; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, the town of Truro was incorporated as a town of this commonwealth in 1709; and

Whereas, the Highlands Links is a 107 year-old golf course located in Truro within the boundaries of the mational seashore; and

Whereas, the town of Truro has operated and managed the Highland Links Golf Course for over 10 years in a professional and efficient manner; and

Whereas, the town of Truro is the only known municipality in the United States operating a concession for the National Park Service; and

Whereas, the proposed interpretation of title IV of the National Parks Omnibus Management Act of 1998, and the proposed National Park Service rules, 36 CFR part 51, interpret new concession contract procedures in a manner requiring the National Park Service to solicit public bids to operate the Highland Links Golf Course; and

Whereas, such a public bid for these services would not be in the public interest and would disturb a long-standing and historically significant contractual arrangement benefiting the town and its residents; and

Whereas, private operation would harm the public interest and destroy a piece of the unique character of Cape Cod; now therefore be it

Resolved, That the Massachusetts general court strongly favors a change to the Code of Federal Regulations allowing a contract for concessions to be awarded to a governmental unit operating a concession in the public interest, without public solicitation and respectfully requests the National Park Service to accommodate the will of the town of Truro to continue the unique arrangement for operation of the Highland Links Golf Course as it has for 30 years; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the National Park Service.

POM–404. A resolution adopted by the House of the General Assembly of the State of Rhode Island relative to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on Foreign Relations

HOUSE RESOLUTION

Whereas, A twenty-year study by the United Nations reported that women face discrimination in every region on earth; and

Whereas, In 1979, the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women, and President Carter sent the convention to the Senate Foreign Relations Committee for ratification where it has remained; and

Whereas, Currently, one hundred sixty-five (165) nations, including all of the industrialized world, except South Africa and the United States, have agreed to be bound by the convention's provisions; and

Whereas, The spirit of the convention is rooted in the goals of the United Nations to affirm faith in fundamental human rights, in the dignity and worth of the human person,

and in the equal rights of men and women; and

Whereas, The convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based on sex, and the nations in support of the present convention have agreed to follow convention prescriptions; and

Whereas, Women constitute at least forty-one percent of the work force worldwide yet are far behind men in pay, power, and responsibility; and

Whereas, Nearly seventy percent of the world's poor are women; and

Whereas, On average, women around the world earn thirty to forty percent less than men for work of comparable value; and

Whereas, Twelve countries have laws that do not allow women to seek employment, open a bank account, or apply for a loan without the husband's authorization; and

Whereas, Thirty-three and six-tenths percent of the adult female population is illiterate versus 19.4 percent of the adult male population; and

Whereas, Young women face discrimination in the classroom which undermines their self-esteem and jeopardizes their future performance; and

Whereas, Over sixty percent of the women and girls in the world live under conditions which threaten their health; and

Whereas, Eleven percent of the women in industrialized countries suffer from nutritional anemia, and up to two-thirds of pregnant women in Africa and much of Asia are anemic; and

Whereas, In Austria, violence against wives was cited as a contributing factor in 59 percent of 1,500 divorce cases that were reviewed; and

Whereas, In the United States six million women are beaten by their husbands or boyfriends each year, and 1,500 of them will die; and

Whereas, Battering is the major cause of injury to women in the United States; and

Whereas, In India, registered cases of women being killed in disputes over their dowries soared from 999 in 1985 to 1,786 in 1987; and

Whereas, Kuwait is the only country in the world that extends voting privileges to certain citizens, but prohibits all women from voting; and

Whereas, Although women have made major gains in the struggle for equality in social, business, political, legal, educational, and other fields in this century, there is much yet to be accomplished, and through its support and leadership, the United States can help create a world where women are no longer discriminated against and can achieve one of the most fundamental of human rights, equality; now, therefore, be it

Resolved, That his House of Representatives of the State of Rhode Island and Providence Plantations hereby respectfully urges President William J. Clinton and Secretary of State Madeleine Albright to place the United Nations Convention on the Elimination of All Forms of Discrimination Against Women in the highest category of priority in order to accelerate the treaty's passage through the Senate Foreign Relations Committee; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the President of the United States, the Secretary of State of the United States, the President of the United States Senate, the Chair of the Senate Foreign Relations Committee, and to the members of the Rhode Island Delegation to the Congress of the United States.

POM–405. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to the Low Income Home Energy Assistance Program, the United States strategic petroleum reserves and to negotiate with OPEC or non-OPEC countries for additional oil reserves or supplies; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION

Whereas, Fuel, in particular diesel fuel, and home heating oil prices have skyrocketed to record highs in the first weeks of 2000, threatening this Commonwealth's citizens' well-being and safety to crisis proportions; and

Whereas, Retail prices of home heating fuel and diesel fuel in some areas of this Commonwealth have reached $2 per gallon, and level rack prices of diesel fuel are 106% higher than they were in the first week of February 1999; and

Whereas, The impact of escalating oil prices on an industry that is operating on narrow profit margins is being compounded by driver shortages and other increased costs; and

Whereas, These increases dramatically affect prices for essential utility and municipal services, and increases in transportation costs threaten jobs and could cause major disruption of vital supplies and other goods and services; and

Whereas, Home heating oil supplies are extremely tight, particularly in the Mid-Atlantic and the Northeast, and weather forecasts call for continued below-normal temperatures; and

Whereas, Refineries in Pennsylvania and other states must produce more home heating fuel, which may cause shortages of other oil products such as gasoline, kerosene and undyed diesel fuel, thereby driving up prices accordingly; and

Whereas, The Organization of the Petroleum Exporting Countries (OPEC) has indicated its desire to extend existing output cuts amounting to over 4 million barrels per day, resulting in nearly triple prices in less than one year, devastation to world economic growth and inflation; and

Whereas, According to the International Energy Agency, global oil supplies could be as much as 3 million barrels per day below demand in the first quarter of 2000, and as much as 1.5 million barrels per day below requirements in the second quarter; and

Whereas, A mid-January snowstorm, which occurred in the northeast region of the United States, triggered even faster price increases in Pennsylvania, resulting in United States light crude oil selling just 4¢ below the $30 per barrel mark; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President of the United States and the Secretary of Energy to take immediate action to release emergency funding to the State for the Low Income Home Energy Assistance Program (LIHEAP) and to release the United States strategic petroleum reserves, negotiate release of additional oil reserves from non-OPEC countries or negotiate with OPEC on additional supplies; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of Energy, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 251. A resolution designating March 25, 2000, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 671. A bill to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 1638. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Sylvia V. Baca, of New Mexico, to be an Assistant Secretary of the Interior.

(The above nomination was reported with the recommendation that she be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 2051. A bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CAMPBELL:

S. 2052. A bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities; to the Committee on Indian Affairs.

By Mr. JEFFORDS:

S. 2053. A bill to amend the Internal Revenue Code of 1986 to provide marriage tax penalty relief for earned income credit; to the Committee on Finance.

By Mr. MACK:

S. 2054. A bill for the relief of Sandra J. Pilot; to the Committee on the Judiciary.

By Mr. WELLSTONE:

S. 2055. A bill to establish the Katie Poirier Abduction Emergency Fund, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself and Mr. CRAIG):

S. 2056. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MURKOWSKI:

S. 2057. A bill to amend the Communications Act of 1934 to prohibit the use of electronic measurement units (EMUs); to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM (for himself, Mr. MACK, Mr. KENNEDY, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2058. A bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals; to the Committee on the Judiciary.

By Mr. SARBANES:

S. 2059. A bill to modify land conveyance authority relating to the former Naval Training Center, Bainbridge, Cecil County, Maryland, and for other purposes; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mrs. BOXER, Mr. BAUCUS, and Mr. HELMS):

S. 2060. A bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BIDEN (for himself and Mr. SPECTER):

S. 2061. A bill to establish a crime prevention and computer education initiative; to the Committee on the Judiciary.

By Mr. DEWINE (for himself, Mr. DURBIN, Mr. ABRAHAM, Mr. BAUCUS, Mr. CLELAND, Mr. DODD, Mr. LEVIN, and Mr. SESSIONS):

S. 2062. A bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

By Mr. TORRICELLI (for himself and Mr. FEINGOLD):

S. 2063. A bill to amend title 18, United States code, to provide for the applicability to operators of Internet Web sites of restrictions on the disclosure or records and other information relating to the use of such sites, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS (for himself and Mr. BIDEN):

S. 2064. A bill to amend the Missing Children's Assistance Act, to expand the purpose of the National Center for Missing and Exploited Children to cover individuals who are at least 18 but have not yet attained the age of 22; to the Committee on the Judiciary.

By Mr. EDWARDS:

S. 2065. A bill to authorize the Attorney General to provide grants for organizations to find missing adults; to the Committee on the Judiciary.

By Mr. CLELAND:

S. 2066. A bill to amend the Internal Revenue Code of 1986 to exclude United States savings bond income from gross income if used to pay long-term care expenses; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ABRAHAM):

S. 2067. A bill to provide education and training for the information age; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GREGG:

S. 2068. A bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations; to the Committee on Commerce, Science, and Transportation.

By Mr. ENZI:

S. 2069. A bill to permit the conveyance of certain land in Powell, Wyoming; to the Committee on Energy and Natural Resources.

By Mr. FITZGERALD (for himself and Mrs. LINCOLN):

S. 2070. A bill to improve safety standards for child restraints in motor vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. GORTON:

S. 2071. A bill to benefit electricity consumers by promoting the reliability of the bulk-power system; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. LAUTNEBERG, Mr. LIEBERMAN, and Mr. JEFFORDS):

S. 2072. A bill to require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. LEVIN, Mr. FEINGOLD, Mr. MOYNIHAN, and Mr. AKAKA):

S. 2073. A bill to reduce the risk that innocent people may be executed, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mrs. BOXER, Mr. BREAUX, Mr. CHAFEE, Mrs. LINCOLN, Mr. CLELAND, Ms. COLLINS, Mr. CONRAD, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. HATCH, Mr. HELMS, Mr. INOUYE, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LUGAR, Mr. MACK, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SCHUMER, Mr. SHELBY, Mr. SMITH of Oregon, Mr. THURMOND, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Ms. SNOWE, Mr. JEFFORDS, Mr. JOHNSON, Mr. SESSIONS, Mr. STEVENS, and Mr. LIEBERMAN):

S. Res. 256. A resolution designating the week of February 14–18, 2000, as ''National Heart Failure Awareness Week''; considered and agreed to.

By Mr. CRAIG (for himself, Mr. INHOFE, Mrs. HUTCHISON, and Mr. CRAPO):

S. Res. 257. A resolution expressing the sense of the Senate regarding the responsibility of the United States to ensure that the Panama Canal will remain open and secure to vessels of all nations; to the Committee on Foreign Relations.

By Mr. CRAIG (for himself, Mr. AKAKA, Mr. ALLARD, Mr. CLELAND, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mrs. FEINSTEIN, Mr. GORTON, Mr. GRAMS, Mrs. HUTCHISON, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Mr. MCCONNELL, Mrs. MURRAY Mr. SMITH of Oregon, and Mr. SPECTER):

S. Res. 258. A resolution designating the week beginning March 12, 2000 as ''National Safe Place Week''; to the Committee on the Judiciary.

By Mr. LOTT:

S. Con. Res. 80. A concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. ROTH (for himself, Mrs. MURRAY, Mr. BINGAMAN, Mr. EDWARDS, Mr. CRAPO, Mr. DODD, Mr. THOMAS, and Mrs. FEINSTEIN):

S. Con. Res. 81. A concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 2051. A bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

THE GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2000

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this legislation to permit the National Park Service to expand the boundaries of the Golden Gate National Recreation Area (GGNRA) by acquiring critical natural landscapes and scenic vistas. This includes land in San Mateo County, as well as land in San Francisco and Marin County.

A key component of this legislation is that about half of the total cost of purchasing these lands will be donated by the local community. This legislation specifically provides that all land transactions involve a willing seller and willing buyer.

In introducing this bill, I am joined by my esteemed colleague from California, Senator BARBARA BOXER. This bill also has the bipartisan support of the entire Bay Area Congressional Delegation including original co-sponsors in the House, Representatives TOM LANTOS, NANCY PELOSI, and LYNN WOOLSEY.

Furthermore, this bill also has the strong support of local environmental and advocacy and preservation groups, the Point Reyes National Seashore Advisory Commission, and the National Park Service. I know of no opposition to this bill.

The three Marin County properties lie in the Marin headlands. Preservation of these lands will protect habitat, ridge-top trails and scenic views of San Francisco Bay and the Pacific Ocean.

The San Francisco land along the pacific coastline, the city of San Francisco would like to donate to the federal government and has authorized $100,000 for the restoration of this site.

The legislation also proposes to include land near Labos Creek, adjacent to the Presido-West Gate, which was damaged during a severe storm in 1997. The American Land Conservancy intends to acquire this land and donate it to the National Park Service. Lobos Creek is the key source of the Presidio's water supply and a unique ecological resource.

Together, these parcels offer beautiful vistas, sweeping coastal views and spectacular headland scenery and the preservation of unique bayland ecosystems with added public access. Much of this land also protects the

habitat of several species of rare or endangered plants and animals. Several of the vegetation communities is home to at least 18 endangered or threatened species including the winter-run chinook salmon, American peregrine falcon, the mission blue butterfly and the southwestern pond turtle.

I urge my colleagues to support passage of the Golden Gate National Recreation Area Boundary Adjustment Act.

By Mr. CAMPBELL:

S. 2052. A bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities; to the Committee on Indian Affairs.

INDIAN TRIBAL DEVELOPMENT CONSOLIDATED FUNDING ACT OF 2000

Mr. CAMPBELL. Mr. President, though there are glimmers of hope in Native communities, most Native Americans remain racked by unemployment, mired in poverty, and rank at or near the bottom of nearly every social and economic indicator in the nation.

For years the Committee on Indian Affairs, which I chair, has made strengthening Indian economies a top priority. Healthy tribal economies and lower unemployment rates are imperative if tribes are to achieve the goals of self-sufficiency and true self-determination.

Although federal economic development assistance has been available for years, poverty, ill health, and unemployment remain rampant.

One of the reasons for the lack of success despite spending billions of dollars, is the lack of a consistent or consolidated federal policy to target development resources. Indian business, economic and community development programs span the entire federal government and for any given project undertaken by a tribe, there may be 6 to 8 or more agencies involved. This fragmentation and lack of coordination is not producing the kind of progress Indian country so badly needs.

To begin to remedy this problem, today I am pleased to introduce legislation that builds on the most successful federal Indian policy to date: Indian self-determination.

The Indian Self-Determination and Education Assistance Act, which was enacted in 1975, authorizes Indian tribes and tribal consortia to ''step into the shoes'' of the federal government to administer programs and services historically provided by the United States.

This Act has worked as it was intended and has resulted in improved efficiency of program delivery and service quality; better managed tribal institutions; stronger tribal economies; and a general shift away from federal control over Indian lives to more local, tribal authority.

What began as a Demonstration Project in 1975 has blossomed as more and more tribal governments realize the benefits of self governance.

As of 1999, nearly 48% of all Bureau of Indian Affairs (BIA) and 50% of all Indian Health Service (IHS) programs and services have been assumed by tribes under the Indian Self-Determination Act.

The legislation I introduce today will begin the second phase of the Self-Determination experiment by assistant Indian tribes in their use and maximization of existing federal resources for purposes of economic development.

By authorizing tribes and tribal consortia to consolidate and target existing federal funds for development purposes, this bill will promote a more efficient use of federal resources. Perhaps more importantly, the legislation will lay the foundation for a development strategy that looks to employment creation, investment and improved standards of living in Indian country as the real measure of a successful development policy.

One of the key goals of this bill is to eliminate inconsistencies and duplication in federal policies that continue to be a barrier to Indian development through the issuance of uniform regulations and policies governing the use of funds across federal agencies.

By authorizing federal-tribal arrangements to combine and coordinate federal resources, this bill will make the best use of existing federal programs to assist tribes in attracting private investment and capital onto Indian reservations.

Already in this session we have addressed other building blocks to Indian development such as financing housing construction and physical infrastructure, the need for good governance practices at the federal and tribal levels, ensuring adequate capital for entrepreneurs, and encouraging private sector investment into Native communities.

I am hopeful that the legislation I introduce today will signal a new day for how the federal government assists Native communities in creating jobs and building a better future for their members.

I ask unanimous consent that a copy 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. 2052

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

SECTION 1. TITLE.

The Act may be cited as the ''Indian Tribal Development Consolidated Funding Act of 2000''.

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) A unique legal and political relationship exists between the United States and Indian tribes that is reflected in article I, clause 3 of the Constitution of the United States, various treaties, Federal statutes, Supreme Court decisions, executive agreements, and course of dealing.

(2) Despite the infusion of substantial Federal dollars into Native American communities over several decades, the majority of Native Americans remain mired in poverty, unemployment, and despair.

(3) The efforts of the United States to foster community, economic, and business development in Native American communities have been hampered by fragmentation of authority, responsibility and performance and by lack of timeliness and coordination in resources and decision-making.

(4) The effectiveness of Federal and tribal efforts to generate employment opportunities and bring value-added activities and economic growth to Native American communities depends on cooperative arrangements among the various Federal agencies and Indian tribes.

(b) PURPOSES.—It is the purpose of this Act to—

(1) enable Indian tribes and tribal organizations to use available Federal assistance more effectively and efficiently;

(2) adapt and target such assistance more readily to particular needs through wider use of projects that are supported by more than 1 executive agency, assistance program, or appropriation of the Federal Government;

(3) encourage Federal-tribal arrangements under which Indian tribes and tribal organizations may more effectively and efficiently combine Federal and tribal resources to support economic development projects;

(4) promote the coordination of Native American economic programs to maximize the benefits of these programs to encourage a more consolidated, national policy for economic development; and

(5) establish a demonstration project to aid Indian tribes in obtaining Federal resources and in more efficiently administering these resources for the furtherance of tribal self-governance and self-determination.

SEC. 3. DEFINITIONS.

In this title:

(1) APPLICANT.—The term ''applicant'' means an Indian tribe or tribal organization applying for assistance for a community, economic, or business development project, including facilities to improve the environment, housing, roads, community facilities, business and industrial facilities, transportation, roads and highway, and community facilities.

(2) ASSISTANCE.—The term ''assistance'' means the transfer of anything of value for a public purpose or support or stimulation that is—

(A) authorized by a law of the United States; and

(B) provided by the Federal Government through grant or contractual arrangements, including technical assistance programs providing assistance by loan, loan guarantee, or insurance.

(3) ASSISTANCE PROGRAM.—The term ''assistance program'' means any program of the Federal Government that provides assistance for which Indian tribes or tribal organizations are eligible.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(5) PROJECT.—The term ''project'' means an undertaking that includes components that contribute materially to carrying out 1 purpose or closely-related purposes that are proposed or approved for assistance under more than 1 Federal Government program.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given such term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

SEC. 4. LEAD AGENCY.

The lead agency for purposes of carrying out this Act shall be the Department of the Interior.

SEC. 5. SELECTION OF PARTICIPATING TRIBES.

(a) PARTICIPANTS.—

(1) IN GENERAL.—The Secretary may select not to exceed 24 Indian tribes in each fiscal year from the applicant pool described in subsection (b) to participate in the projects carried out under this Act.

(2) CONSORTIA.—Two or more Indian tribes that are otherwise eligible to participate in a program or activity to which this Act applies may form a consortium to participate as a single Indian tribe under paragraph (1).

(b) APPLICANT POOL.—The applicant pool described in this subsection shall consist of each Indian tribe that—

(1) successfully completes the planning phase described in subsection (c);

(2) has requested participation in a project under this Act through a resolution or other official action of the tribal governing body; and

(3) has demonstrated, for the 3 fiscal years immediately preceding the fiscal year for which the requested participation is being made, financial stability and financial management capability as demonstrated by the Indian tribe having no material audit exceptions in the required annual audit of the self-determination contracts of the tribe.

(c) PLANNING PHASE.—Each Indian tribe seeking to participate in a project under this Act shall complete a planning phase that shall include legal and budgetary research and internal tribal government and organizational preparation. The tribe shall be eligible for a grant under this section to plan and negotiate participation in a project under this Act.

SEC. 6. AUTHORITY OF HEADS OF EXECUTIVE AGENCIES.

(a) IN GENERAL.—The President, acting through the heads of the appropriate executive agencies, shall promulgate regulations necessary to carry out this Act and to ensure that this Act is applied and implemented by all executive agencies.

(b) SCOPE OF COVERAGE.—The executive agencies that are included within the scope of this Act shall include—

(1) the Department of Agriculture;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Education;

(5) the Department of Health and Human Services;

(6) the Department of Housing and Urban Development;

(7) the Department of the Interior;

(8) the Department of Labor; and

(9) the Environmental Protection Agency.

(c) ACTIVITIES.—Notwithstanding any other provision of law, the head of each executive agency, acting alone or jointly through an agreement with another executive agency, may—

(1) identify related Federal programs that are likely to be particularly suitable in providing for the joint financing of specific kinds of projects;

(2) assist in planning and developing projects to be financed through different Federal programs;

(3) with respect to Federal programs or projects that are identified or developed under paragraphs (1) or (2), develop and prescribe—

(A) guidelines;

(B) model or illustrative projects;

(C) joint or common application forms; and

(D) other materials or guidance;

(4) review administrative program requirements to identify those requirements that may impede the joint financing of projects and modify such requirement when appropriate;

(5) establish common technical and administrative regulations for related Federal programs to assist in providing joint financing to support a specific project or class of projects; and

(6) establish joint or common application processing and project supervision procedures, including procedures for designating—

(A) a lead agency responsible for processing applications; and

(B) a managing agency responsible for project supervision.

(d) REQUIREMENTS.—In carrying out this Act, the head of each executive agency shall—

(1) take all appropriate actions to carry out this Act when administering a Federal assistance program; and

(2) consult and cooperate with the heads of other executive agencies to carry out this Act in assisting in the administration of Federal assistance programs of other executive agencies that may be used to jointly finance projects undertaken by Indian tribes or tribal organizations.

SEC. 7. PROCEDURES FOR PROCESSING REQUESTS FOR JOINT FINANCING.

In processing an application or request for assistance for a project to be financed in accordance with this Act by at least 2 assistance programs, the head of an executive agency shall take all appropriate actions to ensure that—

(1) required reviews and approvals are handled expeditiously;

(2) complete account is taken of special considerations of timing that are made known to the head of the agency involved by the applicant that would affect the feasibility of a jointly financed project;

(3) an applicant is required to deal with a minimum number of representatives of the Federal Government;

(4) an applicant is promptly informed of a decision or special problem that could affect the feasibility of providing joint assistance under the application; and

(5) an applicant is not required to get information or assurances from 1 executive agency for a requesting executive agency when the requesting agency makes the information or assurances directly.

SEC. 8. UNIFORM ADMINISTRATIVE PROCEDURES.

(a) IN GENERAL.—To make participation in a project simpler than would otherwise be possible because of the application of varying or conflicting technical or administrative regulations or procedures that are not specifically required by the statute that authorizes the Federal program under which such project is funded, the head of an executive agency may promulgate uniform regulations concerning inconsistent or conflicting requirements with respect to—

(1) the financial administration of the project including accounting, reporting and auditing, and maintaining a separate bank account, to the extent consistent with this Act;

(2) the timing of payments by the Federal Government for the project when 1 payment schedule or a combined payment schedule is to be established for the project;

(3) the provision of assistance by grant rather than procurement contract; and

(4) the accountability for, or the disposition of, records, property, or structures acquired or constructed with assistance from the Federal Government under the project.

(b) REVIEW.—In making the processing of applications for assistance under a project simpler under this Act, the head of an executive agency may provide for review of proposals for a project by a single panel, board, or committee where reviews by separate panels, boards, or committees are not specifically required by the statute that authorizes the Federal program under which such project is funded.

SEC. 9. DELEGATION OF SUPERVISION OF ASSISTANCE.

Pursuant to regulations established to implement this Act, the head of an executive agency may delegate or otherwise enter into an arrangement to have another executive agency carry out or supervise a project or class or projects jointly financed in accordance with this Act. Such a delegation—

(1) shall be made under conditions ensuring that the duties and powers delegated are exercised consistent with Federal law; and

(2) may not be made in a manner that relieves the head of an executive agency of responsibility for the proper and efficient management of a project for which the agency provides assistance.

SEC. 10. JOINT ASSISTANCE FUNDS AND PROJECT FACILITATION.

(a) JOINT ASSISTANCE FUND.—In providing support for a project in accordance with this Act, the head of an executive agency may provide for the establishment by the applicant of a joint assistance fund to ensure that amounts received from more than 1 Federal assistance program or appropriation are more effectively administered.

(b) AGREEMENT.—A joint assistance fund may only be established under subsection (a) in accordance with an agreement by the executive agencies involved concerning the responsibilities of each such agency. Such an agreement shall—

(1) ensure the availability of necessary information to the executive agencies and Congress;

(2) provide that the agency administering the fund is responsible and accountable by program and appropriation for the amounts provided for the purposes of each account in the fund; and

(3) include procedures for returning an excess amount in the fund to participating executive agencies under the applicable appropriation (an excess amount of an expired appropriation lapses from the fund).

SEC. 11. FINANCIAL MANAGEMENT, ACCOUNTABILITY AND AUDITS.

(a) SINGLE AUDIT ACT.—Recipients of funding provided in accordance with this Act shall be subject to the provisions of chapter 75 of title 31, United States Code.

(b) RECORDS.—With respect to each project financed through an account in a joint management fund established under section 10, the recipient of amounts from the fund shall maintain records as required by the head of the executive agencies responsible for administering the fund. Such records shall include—

(1) the amount and disposition by the recipient of assistance received under each Federal assistance program and appropriation;

(2) the total cost of the project for which such assistance was given or used;

(3) that part of the cost of the project provided from other sources; and

(4) other records that will make it easier to conduct an audit of the project.

(c) AVAILABILITY.—Records of a recipient related to an amount received from a joint management fund under this Act shall be made available to the head of the executive agency responsible for administering the fund and the Comptroller General for inspection and audit.

SEC. 12. TECHNICAL ASSISTANCE AND PERSONNEL TRAINING.

Amounts available for technical assistance and personnel training under any Federal assistance program shall be available for technical assistance and training under a project

approved for joint financing under this Act where a portion of such financing involves such Federal assistance program and another assistance program.

SEC. 13. JOINT FINANCING FOR FEDERAL-TRIBAL ASSISTED PROJECTS.

Under regulations promulgated under this Act, the head of an executive agency may enter into an agreement with a State to extend the benefits of this Act to a project that involves assistance from at least 1 executive agency and at least 1 tribal agency or instrumentality. The agreement may include arrangements to process requests or administer assistance on a joint basis.

SEC. 14. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the President shall prepare and submit to Congress a report concerning the actions taken under this Act together with recommendations for the continuation of this Act or proposed amendments thereto. Such report shall include a detailed evaluation of the operation of this Act, including information on the benefits and costs of jointly financed projects that accrue to participating Indian tribes and tribal organizations.

By Mr. JEFFORDS:

S. 2053. A bill to amend the Internal Revenue Code of 1986 to provide marriage tax penalty relief for earned income credit; to the Committee on Finance.

MARRIAGE TAX PENALTY RELIEF

Mr. JEFFORDS. Mr. President, today I am introducing a bill to reduce the marriage penalty built into the Earned Income Tax Credit—the EITC. It appears that Congress may well act to address the marriage penalty this year. Eliminating the marriage penalty is a worthwhile goal. A marriage license shouldn't come with a higher tax bill from Uncle Sam. As we consider this issue, however, I want to make sure that low-income taxpayers are not left out of the debate. In terms of dollars, the EITC marriage penalty may be relatively small, but for workers trying to raise children on low wages it represents a significant loss of income, and it may well deter couples from marrying.

Though our nation's economy continues to thrive, many Americans still struggle to make ends meet. Working families across the nation hover above the poverty level, striving to stay off welfare and yearning to provide a decent life for their children. We can and must do more to help these families. And we can do it through the tax code in a manner that is proven and fair, using the earned income tax credit. The EITC is a refundable tax credit specifically targeted to help low-income workers and their families. In my state of Vermont, with soaring housing costs and spiking fuel costs, the EITC has proven effective in supplementing the income of working families.

By some estimates, the EITC has moved more than two million children out of poverty. One recent report calls it the most effective safety net program for children in working poor families. In 1999, the EITC provided low-income working families with two children a subsidy of roughly 40 cents for every dollar of income. But after income reaches a certain point, the EITC is gradually phased out.

Unfortunately, a marriage penalty is built into the EITC. This marriage penalty exists because a married couple's combined earnings put them at a higher point in the EITC phase-out range than where one or both of them would have been if they had remained single. If, for example, one minimum wage earner marries another minimum wage earner with two children, the couple's EITC would be over $1,300 less than the combined EITC they would have received if they hadn't gotten married. For working families that subsist on the minimum wage, this is a significant loss—more than half of their combined wages for a month.

To reduce the EITC marriage penalty, the bill I'm introducing will extend the point at which the EITC begins to phase out. This is the approach I advocated, and which was subsequently adopted in last year's tax bill. It is also the approach adopted in the bill passed by the Ways and Means Committee. The difference between my bill and these other bills is the amount by which the beginning point of the phase-out range would be extended. The other bills proposed to extend it by $2,000. I propose to extend it by $3,500; this would provide significantly more marriage penalty relief. My back-of-the-envelope calculations indicate that my bill would eliminate about half of the marriage penalties built into the EITC.

I do not have a cost estimate for this bill. For the Ways and Means marriage penalty bill, the Joint Committee on Taxation estimated that a $2,000 extension of the beginning point of the EITC phase-out would cost $11 billion over 10 years. This is a relatively small part of a bill whose overall 10-year cost is $182 billion.

Last year, the conferees on the tax bill initially chose not to include help for EITC taxpayers in the marriage penalty provisions. I threatened to vote against the bill, probably depriving it of a majority in the Senate. The conference was reopened, and relief of the EITC marriage penalty was included in the final bill. I think that shows how strongly I feel about this issue. I'm glad that the House has looked out for low-income taxpayers in its marriage penalty bill. Still, I think we can do better.

By Mr. WELLSTONE:

S. 2055. A bill to establish the Katie Poirier Abduction Emergency Fund, and for other purposes; to the Committee on the Judiciary.

KATIE'S LAW

Mr. WELLSTONE. Mr. President, I rise to introduce a piece of legislation that I hope will be called Katie's Law. This past year, colleagues, in Carlton County, we lost a young, beautiful woman who worked at a convenience store. She was abducted. Everybody in the community helped the family. Tragically, later her body was recovered. A suspect has been arrested for her murder.

I have, along with Sheila, stayed in close touch with Katie's family. We have talked quite often with her mother Pam, her dad Steve, and her brother Patrick.

When I went to the service, I couldn't even stand it, just to see the pain. This never should have happened.

I thought about what I could do as a Senator to make a difference. I, therefore, started talking to a lot of our rural law enforcement people. They told me that whatever we could do in Congress, the key would be to enhance their ability to respond quickly and aggressively to such crimes, that that would make a difference.

So there are two pieces to this piece of legislation. I hope I will get tremendous bipartisan support.

The first is an abduction emergency fund called the Katie Poirier Abduction Emergency Fund. Basically, what I am saying, colleagues, is that for rural law enforcement, especially in the critical first 72 hours, they should never have to worry about whether they will have the resources and what the cost will be. This will be an emergency fund they can draw upon from the Attorney General, to State agencies, down to the local level. For our rural law enforcement community, this is critically important.

Then the second piece is to provide local law enforcement officers with resources to use the latest identification systems to solve and prevent crime. In our metropolitan areas we have the technology, but in our rural communities quite often our local law enforcement communities do not have the capacity to link up with systems such as the FBI's very sophisticated fingerprint identification system. This can be the difference between 2 hours and 2 months. There will be money that will go to local law enforcement, rural law enforcement so they can be able to take advantage of this technology.

Altogether, with the abduction emergency fund, we are talking about $10 million over 3 years, for $30 million; and on the technology upgrade for rural law enforcement, we are talking about $20 million over 3 years, for $60 million—total cost for 3 years, $90 million.

This is incredibly important to rural America. It is an investment we should make. While I know no piece of legislation can ever provide 100 percent safety for our children, I do know this piece of legislation will make a difference for rural law enforcement and will provide some protection for our children and will provide some protection for our rural citizens.

I have never been more determined to pass any piece of legislation than this small step. It is something I think I should do as a Senator. I think as Senators talk to their rural communities from around the country, they will find this does meet a very critical need.

By Mr. JOHNSON (for himself and Mr. CRAIG):

S. 2056. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Agriculture, Nutrition, and Forestry.

EMERGENCY COMMODITY DISTRIBUTION ACT

Mr. CRAIG. Mr. President, I rise today to join my colleague Senator JOHNSON in introducing the Emergency Commodity Distribution Act of 2000.

Children are our future. I strongly believe each child deserves at least one warm, nutritious meal every day. I stand before you today with a new bill that will restore $500 million to the School Lunch Program. The positive impacts of this program are endless. Children should not have to pay the price of not having enough money for food.

Originally enacted in 1946, the school lunch program set goals to improve children's nutrition, increase low-income children's access to nutritious meals, and to help support the agricultural industry. A family of four has to have an income at or below 130 percent of the federal poverty level to qualify for a free lunch. The income for these families is tragically low. Congress has a role in providing these children with assistance their families cannot provide.

Last year, Congress enacted the Ticket to Work and Work Incentives Improvement Act. This legislation amended the School Lunch Act to require the United States Department of Agriculture to count the value of bonus commodities when it determines the total amount of commodity assistance provided to schools. This change will result in a $500 million budget cut for the school lunch program over a nine-year period.

In FY1998, the school lunch program comprised over 90 percent of schools, with some 90,000 schools enrolling 46.5 million children. Children receiving free lunches averaged 13 million a day, and those receiving reduced price lunches averaged 2.2 million a day. Each state and millions of children are affected. This program provides a basic requirement of food for needy children.

No child should be without food. The Emergency Commodity Distribution Act of 2000 would ensure that schools receive the full value of entitlement commodity assistance, and allow the School Lunch Program to continue to meet its dual purpose of supporting American agriculture while providing nutritious food to schools across the country. I urge members to support this bill, support children, and support our future.

By Mr. MURKOWSKI:

S. 2057. A bill to amend the Communications Act of 1934 to prohibit the use of electronic measurement units (EMUs); to the Committee on Commerce, Science, and Transportation.

THE MOTORISTS PRIVACY ACT OF 2000

Mr. MURKOWSKI. Mr. President, I rise today to introduce the Motorists Privacy Act of 2000. This legislation has become necessary because technological advancements threaten to allow government and private enterprise to develop a vast database of information about the comings and goings of ordinary Americans.

Recently, I learned of a device known as an electronic measurement unit (EMU). EMUs are placed on billboards along highways and at the entrances to stadiums and concert locations in Atlanta, Indianapolis, Los Angeles, Phoenix, Boston, and a variety of other cities throughout the nation. These shoebox size devices instantly determine what radio station a car radio is tuned to by detecting electronic signals emitted from the oscillators in every car radio.

These devices are capable of measuring tens of thousands of radios in passing cars every day. And they provide nearly instantaneous information on the number of people listening to a radio station at any given time. This valuable data can then be sold to radio owners, who can then adjust their advertising rates based on listenership.

Mr. President, there is nothing wrong with surveying radio usage so long as a citizen voluntarily chooses to participate in such a survey. However, when private enterprise or the government begin to monitor radio or television usage, without the knowledge of the citizen, then a line is crossed that can only lead down the path to Big Brother. And as far as this Senator is concerned, that is not going to happen so long as I am a Member of the Senate.

When a citizen is sitting inside of his or her car, there is a 100 percent expectation of privacy that what is said and listened to is private. Motorists, rightfully, should have no suspicion that they are being monitored by the government or by private enterprise. However, in the case of EMUs, few motorists are aware that these devices even exist and in most cases, no attempt is made to inform motorists when they enter an area in which EMUs are utilized.

Mr. President, what right does a company or government have to snoop on what people are listening to in their automobiles? It is not a very great leap to imagine a world where EMUs track not only what you listen to in the car, but combined with remote television cameras, track your driving patterns. And surely, such devices could be installed in neighborhoods in order to monitor what families watch on television in their homes. Surely such invasions of privacy cannot be tolerated.

Therefore, I am today introducing the Motorists Privacy Act which outlaws the use of electronic measurement units to scan car radios. Regardless of whether or not these scans are anonymous, motorists deserve the same expectation of privacy within their cars as does a homeowner. 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. 2057

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 ''Motorists Privacy Act of 2000''.

SEC. 2. PROHIBITION ON USE OF ELECTRONIC MEASUREMENT UNITS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

''SEC. 338. PROHIBITION ON USE OF ELECTRONIC MEASUREMENT UNITS.

''(a) PROHIBITION.—No person may install, post, operate, or otherwise use an electronic measurement unit (EMU).

''(b) ELECTRONIC MEASUREMENT UNIT DEFINED.—In subsection (a), the term 'electronic measurement unit (EMU)' means a device that determines the frequency of the radio broadcast being received by a radio receiver located within a vehicle passing through the operating range of the device.''.

By Mr. GRAHAM (for himself, Mr. MACK, Mr. KENNEDY, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2058. A bill to extend filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals; to the Committee on the Judiciary.

LEGISLATION TO EXTEND FILING DEADLINES FOR APPLICATIONS FOR ADJUSTMENT OF STATUS OF CERTAIN CUBAN, NICARAGUAN, AND HAITIAN NATIONALS

Mr. GRAHAM. Mr. President, I come to the Senate floor this afternoon to introduce legislation which has as its objective to assure a greater measure of fairness to a particularly vulnerable group of Central American and Caribbean nationals who, in many cases, for many years have resided in the United States.

I appreciate the support of my colleagues: Senators MACK, KENNEDY, DURBIN, and FEINSTEIN, who join in this effort as cosponsors.

For some background: In 1997, and again in 1998, Congress passed legislation to protect, first, a group of Central American and Cuban nationals and then a similar group of Haitian nationals who were refugees and were threatened with deportation.

Action was needed in those 2 years because of passage of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, which changed immigration rules and did so, in many instances, retroactively. The history of this group of people started during the Presidency of Ronald Reagan. The United States offered protection and legal status to many Central American nationals who were fighting for democracy in their home country or fleeing the war that had ensued. Similarly, during the Presidency of George Bush, Haitian nationals were forced to flee after the overthrow of the elected President, Jean-Bertrand Aristide, in

1994. They were offered protection and legal status in the United States.

In 1996, these Central American and Haitian nationals had been living in our country for years; in the cases of the Central Americans, often longer than a decade. They established businesses. They formed and raised families. They bought homes. They strengthened the communities in which they lived. Then in 1996, with the passage of the Illegal Immigration Reform and Immigrant Responsibility Act, these Central American and Haitian individuals and families were made retroactively deportable. These deportations would have occurred years and years after these nationals had established their lives in the United States.

Congress moved quickly to protect their legal status here by passing the Nicaraguan Adjustment and Central American Relief Act in November of 1997, and then the Haitian Refugee Immigration Fairness Act in October of 1998. These two bills made certain sections of the 1996 immigration law nonretroactive. We mandated in those two pieces of legislation that to apply for relief from deportation under this measure, applications had to be made by a date certain: March 31, 2000.

The sad fact is, in 3 years after one of these pieces of legislation was passed and more than 2 years after another, we are still waiting for the final regulations to be issued for both of these pieces of legislation. The final rules that would help families apply for relief have not yet been issued. Interim regulations were issued for both bills in 1998 and 1999, but in neither case have the regulations become final. There is the very real possibility that the application deadline, March 31, 2000, could come and go before the final regulations, which establish the rules and procedures by which applications will be submitted and evaluated, have even been issued.

Both for reasons of fairness and to promote good Government, we should extend the application deadline for relief. Under this legislation, the new deadline for relief will be 1 year after the date the regulations become final.

I point out to my colleagues that this legislation will not cover any additional individuals who will have the right to apply for the right to live in the United States. No additional persons will be granted eligibility as a result of this legislation beyond those who were made eligible in 1997 and again in 1998. What this legislation does is create a more realistic and fair deadline for individuals Congress has already passed legislation to protect.

This action should be taken because it is fair. First, it is fair to the immigrants. We shouldn't expect them to go through the arduous and very costly application process without the certainty that the regulations which will govern their applications are final.

It is easy to put a human face on this issue. There are scores, hundreds, thousands of examples. Let me just cite one which was brought to my attention by a prominent immigration attorney in Florida. I will call this young woman, in order to protect her privacy, Frances. She is a real human being. Frances is 22 years old. Her parents fled Haiti in the 1980s, when she was a child. Her family settled in Florida. She now has three U.S. citizen brothers and sisters. Tragedy has struck her family on several occasions. Her father died when she was just 7 years old. Her mother died when she was still in her early teens. She finished high school and is now raising her younger brothers and sisters while working. She is an orphan. She would be in the class of persons protected by the 1998 legislation. She is trying now to put together the documents necessary to apply to stay in the United States and not be separated from her U.S. citizen brothers and sisters, the only family she has left.

The 1-year extension and the ability to apply for relief once regulations are final will make a huge difference in the life of this woman, will make a huge difference in her ability to comply with procedures which are probably the most significant in her life.

Today, I am introducing this in an effort to secure as rapid a resolution of these concerns as possible. I am not unmindful of the magnitude of the task Congress has asked the Immigration and Naturalization Service to perform. I don't want to imply that the INS and other Federal agencies should rush through these technical pieces of legislation. However, in situations such as this, where a longer time than expected was needed to develop the regulations, it is only fair to allow a longer time for those who are going to be affected by the law.

I understand the INS has been very thorough and understanding. It has met with individual groups on all sides of this issue. Many of them have been my constituents in Florida. I commend the INS for its willingness to hear all points of view and be thorough in their review before issuing final regulations. However, having said that, I believe nearly 3 years is a reasonable amount of time to have finalized these regulations.

The Nicaraguan Adjustment and Central American Relief Act took only nine pages of text in Public Law 105–100 when it was passed. Similarly, the Haitian Refugee Immigration Fairness Act took less than two pages to print in the CONGRESSIONAL RECORD. These were concise, targeted pieces of legislation. They were not lengthy, complex overhauls of major components of the immigration law. It is plain unfair to give someone a deadline and charge them a substantial fee to file and then to be uncertain as to what the rules will be that will govern those applications. With this legislation, I seek the flexibility to allow more time to apply for relief in a situation where more time than expected was necessary by the agency, the INS, to issue the regulations.

I send to the desk a few of the letters I have received from individuals and advocacy groups and religious leaders calling for this deadline extension, and I ask unanimous consent that these letters from the American Immigration Lawyers Association of South Florida, the Haitian American Foundation, the Haiti Advocacy Agency, all be printed in the RECORD.

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

(See Exhibit 1.)

Mr. GRAHAM. Mr. President, I send the legislation to the desk, which has been cosponsored by Senators MACK, KENNEDY, DURBIN, and FEINSTEIN. I ask my colleagues for their understanding and their support for this legislation—legislation that will ensure the most basic elements of fairness in our democratic system, which will allow people who have fled war and persecution to come to the freedom of the United States and to be treated fairly by our laws.

EXHIBIT NO. 1

AMERICAN IMMIGRATION LAWYERS ASSOCIATION,
SOUTH FLORIDA CHAPTER,
January 24, 2000.

Senator BOB GRAHAM,
U.S. Senate,

Re: Letter of support for your effort to extend application period for HRIFA & NACARA.

DEAR SENATOR GRAHAM: On behalf of the South Florida Chapter of the American Immigration Lawyers Association (AILA) I write this letter of support to encourage you in your effort to introduce legislation to extend the application period for HRIFA & NACARA beneficiaries.

My organization has long-supported both bills and is appreciative of your great efforts in support of these efforts. Please let us know if there is anything we can do to help.

Thank you, Senator GRAHAM.

Sincerely,

MICHAEL D. RAY,
President, AILA South Florida Chapter.

HAITIAN AMERICAN FOUNDATION, INC.,
January 24, 2000.

Hon. BOB GRAHAM,
U.S. Senate, Senate Office Bldg.
Washington, DC.

DEAR SIR: Thank you for introducing legislation to extend the filing period under which HRIFA and NACARA can be filed.

Haitians have had an extraordinarily short period of time to apply—a mere nine months. Due to this narrow time period, many eligible poor people have not been able to apply because of the uncapped INS fee structure and the reluctance of the few pro bono attorneys serving them to submit fee waiver requests for fear that INS might deem the application untimely. As you know, as of December 31, 1999 only 18,000 individuals had applied (of 50,000 INS estimates are eligible).

This low number of applicants is due to the high costs involved. Most families must pay between $1,000 to $2,000 in INS fees alone. Supplement fees—such as the requisite medical exams—are additional financial burdens for applicants.

Extension of the HRIFA and NACARA filing deadline is essential if Congress hopes to help Haitian refugees. Some 30,000 Haitians in South Florida are expected to benefit from such extension.

Your legislation is indispensable and crucial. I applaud your leadership in introducing the legislation and thereby serving as a champion to your constituents.

Sincerely,

LEONIE M. HERMANTIN,
Executive Director.

HAITI ADVOCACY, INC.,
1309 INDEPENDENCE AVENUE SE
Washington, DC, January 31, 2000.

Office of the Hon. BOB GRAHAM,
524 Hart Senate Office Building, Washington, DC.

Re: Extension of HRIFA/NACARA Filing Deadlines.

DEAR SENATOR GRAHAM: We are greatly encouraged that you are introducing legislation to extend the deadlines for applications under the Nicaraguan Adjustment and Central American Relief Act (NACARA) and the Haitian Refugee Immigration Fairness Act (HRIFA).

As you know, more than 2 years has passed since the passage of NACARA and more than one since the passage of HRIFA and the INS has yet to issue final regulations implementing these laws. The statutory deadline for applications under both laws, April 1, 2000, is fast approaching.

Interim regulations contained unreasonably burdensome documentary requirements, excessive fees and lack of appropriate consideration for special groups such as abandoned children and refugees who were compelled to use false documents in order to flee. These and other deficiencies have, to date, prevented all but a minority of those eligible from filing applications.

Hundreds of comments were filed critiquing these and other restrictions as inconsistent with the remedial intent of Congress. We certainly hope that the INS will give full and fair consideration to these comments and ameliorate the shortcomings in the final version. Nevertheless, it is now apparent that any such improvements will be largely, if not completely, negated by the short time remaining before the deadline.

Accordingly, it is fitting and proper to extend the deadlines to one year following the promulgation of such final regulations so that the intended beneficiaries of this important legislation receive the full measure of justice provided under law.

Thank you for your support and kind consideration of our views.

Respectfully,

Merrill Smith, Director; And: Linda Wood Ballard; Maurice Belanger, Senior Policy Associate; National Immigration Forum; 220 I Street NE, Suite 220; Washington DC 20002; Phillip J. Brutus, Esq.; 645 NE 127 Street; North Miami FL 33161; Alison Laird Craig, Member Haitian Studies Association; Ralston H. Deffenbaugh, Jr., President; Lutheran Immigration and Refugee Service; Geary Farrell; 0–261 Luce SW; Grand Rapids, MI 49544; Michael A. Foulkes, Attorney At-Law; 4770 Biscayne Boulevard, Suite 570; Miami FL 33137; Muriel Heiberger, Executive Director Massachusetts Immigrant and Refugee Advocacy; Trevor Jackson, Senior Programmer Analyst; Connecticut Community Colleges—Board of Trustees; Maureen T. Kelleher, Florida Immigrant Advocacy Center; Guy H. Larreur, President, Konbit, L.L.C.; Haitian Immigration Support & Advocate Center; P.O. Box 6736; St. Thomas, VI 00804; John B. Percy; 35 Parsons Road; Enfield CT 06082; Edwige Romulus, Chair; Haitian-American Support Group of Central Florida; William Sage, Interim Director; Church World Service Immigration and Refugee Program; Daniel M. Schweissing; The Center for Haitian Ministries; William Shagan, Supervising Attorney; Lutheran Family and Community Services, Inc.; Althea Stahl, Assistant Professor; Earlham College, Languages and Literatures; Rick Swartz, President, Swartz & Associates; Michele Wucker, Author. Why the Cocks Fight: Dominicans, Haitians, and the Struggle for Hispaniola; 245 West 107th Street, Apt. 9D; New York NYC 10025

By Mr. SARBANES:

S. 2059. A bill to modify land conveyance authority relating to the former Naval Training Center, Bainbridge, Cecil County, Maryland, and for other purposes; to the Committee on Armed Services.

BAINBRIDGE NAVAL TRAINING CENTER LAND CONVEYANCE

Mr. SARBANES. Mr. President, today I am introducing legislation that would alleviate the $500,000 cost associated with the transfer of the former Bainbridge Naval Training Center in Cecil County, Maryland. It is my hope that this bill will help expedite the development of this property by the Bainbridge Development Corporation and the State of Maryland, and allow this site to realize its tremendous potential as soon as possible. Moreover, the money that the BDC will save through this waiver will be put towards salvaging several of the historic buildings on the site, namely, the historic Tome School.

Next week, I will participate in the transfer ceremony for this base, which now represents 1200 acres of pristine and strategically located land. The transfer follows decades of negotiations and cleanup, and I, along with the Navy, my constituents in Cecil County, and the other members of the Maryland State congressional delegation hope to see development of this site begin promptly.

In my view, the transfer of the Bainbridge site is a shining example of what can be accomplished through partnerships between Federal, State, and local governments. I introduce this bill to sustain our momentum and move this property into productive use as expeditiously as possible. Mr. President, I have spoken with the appropriate Navy officials regarding this matter and they have raised no concerns about this waiver. Indeed, this is truly a noncontroversial measure with a very modest cost and I urge my colleagues to support its swift passage.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, Mrs. BOXER, Mr. BAUCUS, and Mr. HELMS):

S. 2060. A bill to authorize the President to award a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contributions to the Nation and the world, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

LEGISLATION TO AWARD CHARLES SCHULTZ THE CONGRESSIONAL GOLD MEDAL

Mrs. FEINSTEIN. Mr. President, on January 3rd, 2000, Charles Schulz published his last daily ''Peanuts'' comic strip ending a remarkable fifty year run. To commemorate Charles Schulz's extraordinary career, I urge my colleagues to join me in awarding him a Congressional Medal of Honor.

Charles Schulz's body of work in the ''Peanuts'' strip deserves recognition as a national treasure. For half a century, his cartoon illustrations have inspired millions of Americans with its wry humor and endearing cast of characters. Who has not been touched by the trials and tribulations of Charlie Brown, Snoopy, Linus, Lucy, and the rest of the ''Peanuts'' family?

At its peak, Peanuts appeared in close to 3,000 newspapers in 75 countries and was published in over 20 different languages to more than 355 million daily readers. Charles Schulz's television special, ''A Charlie Brown Christmas,'' has run for 34 consecutive years. In all, more that 60 animated specials have been created based on ''Peanuts'' characters. Four feature films, 1,400 books, and a hit Broadway musical about the ''Peanuts'' characters also have been produced.

Charles Schulz's achievements are all the more remarkable because, throughout his career, he has worked without any artistic assistants, unlike most syndicated cartoonists. Schulz has painstakingly drawn every line and frame in his comic strip for 50 years, an unparalleled commitment to his art and profession.

In 1994, while speaking before the National Cartoonists Society, Charles Schulz said of his comic strip, ''There's still a market for things that are clean and decent.'' Charles Schulz has given generations of children a cast of colorful characters to grow up with and to teach the small and large lessons of life.

Seventeen Americans from the arts and entertainment world have been awarded the Congressional Gold Medal for their achievements in the enrichment of American culture. I urge that Charles Schulz become the eighteenth individual so honored. Please join me in recognizing the lifetime contributions of Charles Schulz by awarding him the Congressional Gold Medal.

By Mr. BIDEN (for himself and Mr. SPECTER):

S. 2061. A bill to establish a crime prevention and computer education initiative; to the Committee on the Judiciary.

THE KIDS 2000 ACT

Mr. BIDEN. Mr. President, there has been incredible prosperity that the vast majority of our country is benefiting from—and that prosperity was built on a combination of communication and computers. This technology has opened a whole new world for America. This new technology has driven our economic growth. And, the future lies with those who can master the tools of this new economic age.

It wasn't too long ago that it looked like our time in the sun was behind us.

Behind us was the idea of prosperity in our country. But times have changed over the past few years. And we stand here today with the prospect of a new era of prosperity.

With flexible financial markets, a historic wave of entrepreneurial activity, and the convergence of new technologies from the personal computer to the Internet, we are transforming ourselves into what is now called the ''new economy.''

Look at the numbers: In recent years, Information Technology industries contributed 35% to Gross Domestic Product growth. The Information Technology sector is growing at twice the rate of the rest of the economy. And by 2006, more than half of the U.S. workforce will be employed by industries that are either major producers, or intensive users, of Information Technology.

A lot of what we do—manufacturing, shipping, marketing, are basically the same old functions. But we do virtually all of them in new and better ways thanks to the explosion of information technology. This has increased our productivity in ways that the best economists still don't completely understand.

But, there is one thing that we do understand: those who can master technology will be able to benefit from this great expansion—and that is why we are here today. So no one is left behind.

That is why today I am proud to be introducing legislation, aptly titled Kids 2000, that will be one step in our mission to provide all children with access to technology.

It is my hope, that through a public/private partnership, led by members of Congress and Steve and Jean Case, state-of-the-art computer centers will be placed in Boys & Girls Clubs nationwide. Located in largely under-served communities, Club computer centers will reach precisely the kids who need these resources the most. And none of these kids will be left behind.

One goal of Kids 2000 is to help close the digital divide by providing kids with computers, internet access, and fully comprehensive technical training. As the wonders of computers become increasingly evident and celebrated, certain segments of society still lack access to these resources. Some segments are not participating in this technological revolution that is sweeping across our country.

And the disparities are alarming. Look at the figures: Of households making over $75,000, 80% own computers and 60% use the Internet. Yet, for households making between $10,000–$15,000, only 16% own a computer and only 7% use the Internet.

And it's not just income levels. There are disparities amongst races, education levels and geography. In addition, at all income levels, households with two parents are far more likely than one-parent households to own computers and have Internet access.

The digital divide is also significant because the new digital economy can't run on computers alone. Businesses need workers with computer know-how and Internet literacy. Those who are not competent with the tools of technology will be left behind. Some of them are our kids. They are our responsibility and we cannot let this happen.

And we know what happens to our kids when they are left behind. Their opportunities are vastly reduced, there is despair, and even criminal behavior. But there is something that we can do. And we are here today to begin a significant effort to do just that—to close the digital divide.

Addressing the problems associated with the digital divide is not all this initiative seeks to do. Another goal is to reduce juvenile crime by providing kids with substantive after-school programs.

Everyone has heard me say this time and time again, but let me say this one more time—prevention works.

While kids are learning in these computer centers, they will be off the street and out of harm's way. They will be occupied with constructive activities. School dropout rates will be reduced because kids will realize that they have great potential. Kids 2000 is the ultimate after-school program.

That is precisely why I have asked the Boys and Girls Clubs to host my computer initiative. For decades, the Boys & Girls Clubs of America have provided young people all across the United States with the support and inspiration they need to make it in a world full of peer pressure and crime.

Kids 2000 also makes sense economically. It is estimated that allowing a single youth to drop out of high school and enter a life of drug abuse and crime costs society between $1.7 and $2.3 million. In comparison, Kids 2000 will cost the government a mere $40 per child.

Because I believe that there is a role for the private sector, I have asked my good friends Jean and Steve Case and PowerUp to be an integral part of this initiative. That means computers, America On-Line accounts, educational curriculum, and fully comprehensive technical training in Boys and Girls Clubs nationwide.

And PowerUp is not alone. 3-Com has committed to donating $1 million in networking equipment, MCI Worldcom will be donating educational software and training, American Airlines has agreed to donate free airline travel to train teachers, Ripple Effects Software will donate educational software, and Sabre Inc. will be donating computers.

I want to thank all the corporations that have stepped forward and I hope that there will be many more in the coming months. We can't do this project without the private sector's help.

I want to say thanks to Steve and Jean Case who have been in the forefront of this issue since the beginning and who are participating in this initiative in a very significant way. You know we could not do this without you and I appreciate your generosity and commitment to the cause.

This initiative has brought together so many integral sectors of society. Business, government, the non-profit world. Together, we can make this program a success. Together we can make a difference in the lives of kids and provide our children with the tools they need to live and learn in a world that has become so dependent on technology.

Mr. President, I ask unanimous consent that a copy of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2061

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 ''Kids 2000 Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) There is an increasing epidemic of juvenile crime throughout the United States.

(2) It is well documented that the majority of juvenile crimes take place during after-school hours.

(3) Knowledge of technology is becoming increasingly necessary for children in school and out of school.

(4) The Boys and Girls Clubs of America have 2,300 clubs throughout all 50 States, serving over 3,000,000 boys and girls primarily from at-risk communities.

(5) The Boys and Girls Clubs of America have the physical structures in place for immediate implementation of an after-school technology program.

(6) Building technology centers and providing integrated content and full-time staffing at those centers in the Boys and Girls Clubs of America nationwide will help foster education, job training, and an alternative to crime for at-risk youth.

(7) Partnerships between the public sector and the private sector are an effective way of providing after-school technology programs in the Boys and Girls Clubs of America.

(8) PowerUp: Bridging the Digital Divide is an entity comprised of more than a dozen nonprofit organizations, major corporations, and Federal agencies that have joined together to launch a major new initiative to help ensure that America's underserved young people acquire the skills, experiences, and resources they need to succeed in the digital age.

(9) Bringing PowerUp into the Boys and Girls Clubs of America will be an effective way to ensure that our youth have a safe, crime-free environment in which to learn the technological skills they need to close the divide between young people who have access to computer-based information and technology-related skills and those who do not.

SEC. 3. AFTER-SCHOOL TECHNOLOGY GRANTS TO THE BOYS AND GIRLS CLUBS OF AMERICA.

(a) PURPOSES.—The Attorney General shall make grants to the Boys and Girls Clubs of America for the purpose of funding effective after-school technology programs, such as PowerUp, in order to provide—

(1) constructive technology-focussed activities that are part of a comprehensive program to provide access to technology and technology training to youth during after-

school hours, weekends, and school vacations;

(2) supervised activities in safe environments for youth; and

(3) full-time staffing with teachers, tutors, and other qualified personnel.

(b) SUBAWARDS.—The Boys and Girls Clubs of America shall make subawards to local boys and girls clubs authorizing expenditures associated with providing technology programs such as PowerUp, including the hiring of teachers and other personnel, procurement of goods and services, including computer equipment, or such other purposes as are approved by the Attorney General.

SEC. 4. APPLICATIONS.

(a) ELIGIBILITY.—In order to be eligible to receive a grant under this Act, an applicant for a subaward (specified in section 3(b)) shall submit an application to the Boys and Girls Clubs of America, in such form and containing such information as the Attorney General may reasonably require.

(b) APPLICATION REQUIREMENTS.—Each application submitted in accordance with subsection (a) shall include—

(1) a request for a subgrant to be used for the purposes of this Act;

(2) a description of the communities to be served by the grant, including the nature of juvenile crime, violence, and drug use in the communities;

(3) written assurances that Federal funds received under this Act will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this Act;

(4) written assurances that all activities funded under this Act will be supervised by qualified adults;

(5) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs;

(6) a plan outlining the utilization of content-based programs such as PowerUp, and the provision of trained adult personnel to supervise the after-school technology training; and

(7) any additional statistical or financial information that the Boys and Girls Clubs of America may reasonably require.

SEC. 5. GRANT AWARDS.

In awarding subgrants under this Act, the Boys and Girls Clubs of America shall consider—

(1) the ability of the applicant to provide the intended services;

(2) the history and establishment of the applicant in providing youth activities; and

(3) the extent to which services will be provided in crime-prone areas and technologically underserved populations, and efforts to achieve an equitable geographic distribution of the grant awards.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $20,000,000 for each of the fiscal years 2001 through 2006 to carry out this Act.

(b) SOURCE OF FUNDS.—Funds to carry out this Act may be derived from the Violent Crime Reduction Trust Fund.

(c) CONTINUED AVAILABILITY.—Amounts made available under this section shall remain available until expended.

By Mr. DEWINE (for himself, Mr. DURBIN, Mr. ABRAHAM, Mr. BAUCUS, Mr. CLELAND, Mr. DODD, Mr. LEVIN, and Mr. SESSIONS):

S. 2062. A bill to amend chapter 4 of title 39, United States Code, to allow postal patrons to contribute to funding for organ and tissue donation awareness through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

ORGAN AND TISSUE DONATION AWARENESS ''SEMI-POSTAL'' STAMP

Mr. DEWINE. Mr. President, I am pleased to be here today with my friend and colleague from Illinois, Senator DURBIN, to introduce legislation that would authorize the issuance of the organ and tissue donation awareness ''semi-postal'' stamp. With 67,000 people on the organ donation waiting list, we have no time to lose in educating the public about the importance of life-giving organ and tissue donations.

In August 1998, as a result of strong public and congressional interest, the U.S. Postal Service issued a 32-cent organ and tissue donation commemorative stamp. But, just five months later, the postal rate increased to 33-cents. To use the stamp, that meant purchasers would have to buy an additional one-cent stamp to make up the postage difference. Yet, despite this hassle, more than 47 million of the 50 million stamps originally printed have been purchased, demonstrating the strong demand for an organ and tissue donation awareness postage stamp.

Since the U.S. Postal Service does not re-issue commemorative stamps, we are seeking authorization for a ''semi-postal'' stamp. This stamp would sell for up to 25 percent above the value of a first-class stamp, regardless of the price of the first-class stamp, itself. The surplus revenues would be directed to programs that increase organ and tissue donation awareness. The decision to donate an organ or tissue is a life-saving one. However, it is frequently one that family members and loved ones fail to communicate to one another. Every effort we make to remind people that this is a decision that should be communicated before a tragedy strikes is an effort toward saving lives. Whether it is an organ and tissue donation postage stamp or a box that drivers can mark as they renew their drivers' licenses, they are steps that raise awareness of the importance of communicating to family and friends the decision to become an organ or tissue donor.

I would like to thank my colleague, Senator DURBIN, for joining me in introducing this legislation, and Senators ABRAHAM, BAUCUS, CLELAND, DODD, and LEVIN for their co-sponsorship. I have appreciated their support for this bill and for their tremendous work on behalf of organ and tissue donation awareness. I would also like to thank a number of organ and tissue donation groups who support this legislation—the Minority Organ Tissue Transplant Education Program (MOTTEP); the National Kidney Foundation (NKF); the United Network for Organ Sharing (UNOS); Transplant Recipients International Organization, Inc. (TRIO); the Coalition on Donation; Hadassah; the Eye Bank Association of America; the American Society of Transplantation; the American Society of Transplant Surgeons; LifeBanc; and the Association of Organ Procurement Organizations.

I urge my colleagues to join us in supporting this important legislation. Time is of the essence. The waiting list for organs includes 67,000 people, with a new name added to that list every 16 minutes. Moreover, ten to twelve people die every day waiting for an organ to become available. There is simply no time to lose. Every effort we make to increase, and in this case help generate, funds for organ and tissue donation awareness will help to save someone's life.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2062

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

SECTION 1. SPECIAL POSTAGE STAMPS TO BENEFIT ORGAN AND TISSUE DONATION AWARENESS.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by inserting after section 414 the following:

''§ 414a. Special postage stamps for organ and tissue donation awareness

''(a) In order to afford the public a convenient way to contribute to funding for organ and tissue donation awareness, the Postal Service shall establish a special rate of postage for first-class mail under this section.

''(b) The rate of postage established under this section—

''(1) shall be equal to the regular first-class rate of postage, plus a differential of not to exceed 25 percent;

''(2) shall be set by the Governors in accordance with such procedures as the Governors shall by regulation prescribe (in lieu of the procedures under chapter 36); and

''(3) shall be offered as an alternative to the regular first-class rate of postage.

''(c) The use of the special rate of postage established under this section shall be voluntary on the part of postal patrons.

''(d)(1) The Postal Service shall pay the amounts becoming available for organ and tissue donation awareness under this section to the Department of Health and Human Services for organ and tissue donation awareness programs. Payments under this paragraph to the Department of Health and Human Services shall be made under such arrangements as the Postal Service shall by mutual agreement with the Department establish in order to carry out the purposes of this section, except that, under those arrangements, payments to the Department shall be made at least twice a year. In consultation with donor organizations and other members of the transplant community, the Department of Health and Human Services may make any funds paid to the Department under this section available to donor organizations and other members of the transplant community for donor awareness programs.

''(2) For purposes of this section, the term 'amounts becoming available for organ and tissue donation awareness under this section' means—

''(A) the total amounts received by the Postal Service that it would not have received but for the enactment of this section, reduced by

''(B) an amount sufficient to cover reasonable costs incurred by the Postal Service in

carrying out this section, including those attributable to the printing, sale, and distribution of stamps under this section,

as determined by the Postal Service under regulations that the Postal Service shall prescribe.

''(e) It is the sense of Congress that nothing in this section should—

''(1) directly or indirectly cause a net decrease in total funds received by the Department of Health and Human Services or any other agency of the Government (or any component or program thereof) below the level that would otherwise have been received but for the enactment of this section; or

''(2) affect regular first-class rates of postage or any other regular rates of postage.

''(f) Special postage stamps under this section shall be made available to the public beginning on such date as the Postal Service shall by regulation prescribe, but in no event later than 12 months after the date of the enactment of this section.

''(g) The Postmaster General shall include in each report rendered under section 2402 with respect to any period during any portion of which this section is in effect information concerning the operation of this section, except that, at a minimum, each shall include—

''(1) the total amount described in subsection (d)(2)(A) which was received by the Postal Service during the period covered by such report; and

''(2) of the amount under paragraph (1), how much (in the aggregate and by category) was required for the purposes described in subsection (d)(2)(B).

''(h) This section shall cease to be effective at the end of the 2-year period beginning on the date on which special postage stamps under this section are first made available to the public.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 4 of title 39, United States Code, is amended by striking the item relating to section 414 and inserting the following:

''414. Special postage stamps to benefit breast cancer research.

''414a. Special postage stamps to benefit organ and tissue donation awareness.''.

(2) SECTION HEADING.—The heading for section 414 of title 39, United States Code, is amended to read as follows:

''§ 414. Special postage stamps to benefit breast cancer research''.

By Mr. EDWARDS (for himself and Mr. BIDEN):

S. 2064. A bill to amend the Missing Children's Assistance Act, to expand the purpose of the National Center for Missing and Exploited Children to cover individuals who are at least 18 but have not yet attained the age of 22; to the Committee on the Judiciary.

ABDUCTED YOUNG ADULTS ACT

By Mr. EDWARDS:

S. 2065. A bill to authorize the Attorney General to provide grants for organizations to find missing adults; to the Committee on the Judiciary.

KRISTEN'S LAW

● Mr. EDWARDS. Mr. President, today I introduce two bills that are very important crime fighting measures. My legislation will help provide law enforcement with additional assistance in locating missing people. One bill, the ''Abducted Young Adults Act,'' will give the National Center for Missing and Exploited Children the legal authority to assist law enforcement officers in locating abducted young adults aged 18 through 21. The second bill, ''Kristen's Law,'' authorizes the Attorney General to provide grants to public agencies and nonprofit private organizations that help find missing adults.

Mr. President, let me tell you a story about a girl from my State of North Carolina. Her name is Kristen Modafferi. Kristen was a bright, hard-working student at North Carolina State University. After finishing up her freshman year of college, she traveled to San Francisco to spend the summer taking a photography class at Berkeley. Once Kristen arrived in San Francisco, she started her class and got a couple of jobs to help pay for her expenses. She was settling in and making friends.

On Monday, June 23, 1997, Kristen left work to visit a local beach. She has not been seen since. Kristen was three weeks over the age of 18 when she disappeared.

Law enforcement devoted a great deal of time to finding Kristen and should be commended for their efforts. Despite a number of leads, Kristen has never been found.

For 15 years, since the creation of the National Center for Missing and Exploited Children, our Nation has recognized the vulnerability of young children to abductions and exploitation. We have provided the funding and support vital to ensuring rapid and multi jurisdictional responses to these cases. But in Kristen's case we could not—and all because she was 3 weeks past her 18th birthday. The charter for the National Center for Missing and Exploited Children only allows the Center to help law enforcement search for missing children aged 0 to 18.

When a person involuntarily disappears, time is of the essence. Search efforts must begin quickly, and they must reach across jurisdictions. Abducted youngsters are often taken across state lines. In order to effectively coordinate a search, the groups conducting the search must have an easy way to share information with each other, no matter how far away from one another they may be. The greater the number of agencies helping in the search, the more likely it is that the person will be found. But there is no central, federally-established organization that exists to aid law enforcement in their efforts to locate missing 18–21 year-olds. Unfortunately, Kristen's tragic story illustrates the need for such an organization. And what better way to fill this need than to build upon a reputable, federally-partnered organization—the National Center for Missing and Exploited Children—that already exists to search for missing individuals under 18?

The National Center for Missing and Exploited Children serves as the national clearinghouse for information on missing children and the prevention of child victimization. The Center works in partnership with the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice, and its mission is codified in federal law.

Because the Center was established for the purpose of assisting with cases that involve missing children under the age of 18, the Center does not typically assist with cases involving involuntarily missing college students and other people who happen to be 18 through 21 years old. The sad fact is that had Kristen been just a few weeks younger when she disappeared, the Center would have immediately mobilized to start a search.

One of the measures I introduce today, The Abducted Young Adults Act, would expand the Center's charter to allow it to use its expertise and resources to help find involuntarily missing young adults in the 18 through 21 year-old age group.

Mr. President, some people might inquire why I chose to limit expansion of the Center's mission by only covering individuals under age 22. For example, my bill would not affect the Center's ability to help police search for Kristen's sister Allison and other individuals who are 22 and over. The second bill I am introducing today, Kristen's Act, will help fill this gap. I will discuss that bill in a moment. However, the reason for my decision to limit the expansion of the Center's mission is twofold.

First, although a person is considered a legal adult when they attain the age of 18, I think most people would agree that college-aged kids are just that—kids. Members of this age group are particularly vulnerable to criminals and are frequently victims of crime. They are away from home for the first time in their lives, in an unfamiliar area, without the presence of their parents. I believe that most people would agree that this age group needs special protection.

Statistics demonstrate the need to address the issue of missing young adults and to find a way to provide some additional resources for this group. In fact, according to data from the Charlotte-Mecklenburg Sheriff's office in my state of North Carolina, in 1999, they received reports of 132 missing persons aged 18–21. That's the number for just one city, in just one state in the country. If we were to amass similar statistics for every jurisdiction across the country, I believe we would be astounded at the high rate of disappearances for this age group. For example, in February, 1999, the FBI reported 1,896 new cases of missing 18 through 21-year-olds—1,896 new cases in just one month. This is a frighteningly large number. And I believe that the Abducted Young Adults Act is a necessary protective measure. It will provide some comfort to the millions of parents who send their children to

college every year and worry about their safety: If anything does happen, a national effort will be mobilized to help.

The second reason that the legislation would apply to a limited age group is that I believe the National Center for Missing and Exploited Children should stay focused on its central mission—to help search for missing children.

Since its founding, the Center has helped recover nearly 48,000 children. Imagine the benefit to families and law enforcement if the Center were to help search for abducted young adults. Surely the number of active missing young adult cases would decline if the Center helped with the search efforts. I believe my legislation is a logical extension of the Center's current mission.

My bill would authorize appropriations of $2.5 million per year through 2003 so that the Center does not have to divert any of the funding it needs to effectively search for children. I have worked closely with the Center's staff to ensure that my bill will enhance not harm the Center's current mission. As a result, the Abducted Young Adults Act is fully supported by the Center.

The Fraternal Order of Police (FOP) also strongly supports my legislation. Gilbert Gallegos, National President of the FOP, is a member of the Board of Directors for the Center. As he so aptly states in his letter of support for the bill, ''Just because you turn eighteen is no guarantee that you will not be the victim of a crime.''

Mr. President, I believe that it is important to mention that it is true that some individuals aged 18 through 21 may disappear because they want to. Some of these individuals may live in abusive households. Others may want to start a new life. And because they are considered legal adults, they have the choice to remain missing. In these cases, it may not make sense for law enforcement, the Center, or anyone else to launch a search.

My legislation ensures that the National Center for Missing and Exploited Children will use its public resources to search for only those missing young adults aged 18–21 that law enforcement has first determined to be missing involuntarily.

Specifically, my bill says that in order for an individual to be defined as an involuntarily missing young adult, the following criteria must be met: (1) their whereabouts must be unknown to their parent or guardian; (2) law enforcement must have entered a missing persons report on the individual into the National Crime Information Center; and (3) there must be a reasonable indication or suspicion that the individual has been abducted or is missing under circumstances suggesting foul play or a threat to life; or (4) the individual is known to be suicidal or has a severe medical condition that poses a threat to his or her life.

I believe that the Abducted Young Adults Act is a common-sense way to help prevent further incidences like the one involving Kristen Modafferi. For every child the Center assists in locating, there are a handful of individuals that it cannot help find. If my bill enables the Center to help find just one more missing youngster, then I believe the bill will have succeeded in its goal.

I am pleased that the Abducted Young Adults Act is co-sponsored by Senator BIDEN. Senator BIDEN was instrumental to the establishment of the National Center for Missing and Exploited Children, and I thank him for his leadership and support.

Mr. President, the Abducted Young Adults Act is only one part of the solution. The other part of the solution is to provide the organizations that are devoted to searching for missing adults with the resources they need to be more effective in their efforts to search for all adults, regardless of age.

That is why I am also introducing Kristen's Law, named after Kristen Modafferi. This bill has been introduced in the House of Representatives by Representative SUE MYRICK, and I thank her for her involvement in this issue.

As I mentioned, Kristen's Law would allow the Attorney General to make grants to public agencies or nonprofit private organizations to assist law enforcement and families in locating missing adults. Grants could also be used by these agencies and organizations for a number of other reasons. For example, funds could be used to maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance. And the grants could be used to help establish a national clearinghouse for missing adults and to assist with victim advocacy related to missing adults.

Generally, the greater the number of people conducting a search, the greater the chance is of locating missing individuals. The combination of the Abducted Young Adults Act and Kristen's Law sends a message to families that they deserve all of the help necessary to locate endangered and involuntarily missing loved ones. Together, these bills will help ensure that all endangered and involuntarily missing adults—regardless of age—will receive not only the benefit of search efforts by law enforcement, but also by experienced, specialized organizations.

I request that the text of the two bills be printed in the RECORD.

The material follows:

S. 2064

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 ''Abducted Young Adults Act''.

SEC. 2. FINDINGS IN REGARD TO VULNERABLE INVOLUNTARILY MISSING YOUNG ADULTS.

(a) CONFORMING AMENDMENTS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (2), by inserting after ''these children'' the following: ''and involuntarily missing young adults'';

(2) in paragraph (3), by inserting after ''these children'' the following: ''and involuntarily missing young adults'';

(3) in paragraph (4), by inserting after ''many missing children'' the following: ''and involuntarily missing young adults'';

(4) in paragraph (6), by inserting after ''abducted children'' the following: ''and involuntarily missing young adults''; and

(5) in paragraph (7)—

(A) by inserting after ''leads in missing children'' the following: ''and involuntarily missing young adults''; and

(B) by inserting after ''where the child'' the following: ''or involuntarily missing young adult''.

(b) ADDITIONAL FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended by—

(1) redesignating paragraphs (2) through (21) as paragraphs (3) through (22), respectively; and

(2) inserting after paragraph (1) the following:

''(2) each year many young adults are abducted or are involuntarily missing under circumstances which immediately place them in grave danger;''.

SEC. 3. EXPANSION OF PURPOSE OF NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(2) by adding after paragraph (1) the following:

''(2) the term 'involuntarily missing young adult' means any individual who is at least 18 but has not attained the age of 22 whose whereabouts are unknown to such individual's parent or guardian if law enforcement determines—

''(A) there is a reasonable indication or suspicion that the individual has been abducted or is missing under circumstances suggesting foul play or a threat to life; or

''(B) the individual is known to be suicidal or has a severe medical condition that poses a threat to his or her life;

''(3) the term 'young adult' means any individual who is at least 18 but has not attained the age of 22;''.

SEC. 4. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR IN REGARD TO INVOLUNTARILY MISSING YOUNG ADULTS.

Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(B) in paragraph (5)(A), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(C) in paragraph (5)(B), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(D) in paragraph (5)(C), by—

(i) inserting after ''missing children'' the following: ''or involuntarily missing young adults''; and

(ii) inserting after ''or to children'' the following: ''or involuntarily missing young adults''; and

(E) in paragraph (5)(I)(iv), by inserting after ''missing children'' the following: ''and involuntarily missing young adults'';

(2) in subsection (b)(1)—

(A) in subparagraph (A)(i), by—

(i) inserting after ''regarding the location of any'' the following: ''involuntarily missing young adult or''; and

(ii) inserting after ''reunite such child with such child's legal custodian'' the following:

''; or request information pertaining to procedures necessary to notify law enforcement about such involuntarily missing young adult'';

(B) in subparagraph (C)(i), by inserting after ''children and their families'' the following: ''and involuntarily missing young adults and their families'';

(C) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively;

(D) by inserting after subparagraph (D) the following:

''(E) to coordinate public and private programs which locate or recover involuntarily missing young adults;'';

(E) in subparagraph (F), as redesignated, by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults;'';

(F) in subparagraph (G), as redesignated by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults''; and

(G) in subparagraph (H), as redesignated, by inserting after ''missing and exploited children'' the following: ''and involuntarily missing young adults,''; and

(3) in subsection (c)—

(A) paragraph (1), by inserting after ''number of children'' each place it appears (except after ''who are victims of parental kidnapings'') the following: ''and involuntarily missing young adults''; and

(B) in paragraph (2), by inserting after ''missing children'' the following: ''and involuntarily missing young adults''.

SEC. 5. AUTHORITY OF ADMINISTRATOR TO MAKE GRANTS AND ENTER IN CONTRACTS RELATING TO INVOLUNTARILY MISSING YOUNG ADULTS.

Section 405 of the Missing Children's Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''children,'' the first place it appears the following: ''young adults,'';

(ii) by inserting after ''children'' the second place it appears the following: ''or involuntarily missing young adults'';

(B) in paragraph (2), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(C) in paragraph (3), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(D) in paragraph (4)—

(i) in the matter before subparagraph (A), by inserting after ''children'' the following: ''or involuntarily missing young adults'';

(ii) in subparagraph (A), by inserting after ''child'' each place it appears the following: ''or involuntarily missing young adult''; and

(iii) in subparagraph (B), by inserting after ''child'' the following: ''or involuntarily missing young adult'';

(E) in paragraph (5), by inserting after ''missing children's'' the following: ''or involuntarily missing young adults' '';

(F) in paragraph (6), by inserting after ''children'' the each place it appears the following: ''or involuntarily missing young adults'';

(G) in paragraph (7), by inserting after ''children'' each place it appears the following: ''or involuntarily missing young adults''; and

(H) in paragraph (9), by inserting after ''children'' the following: ''or involuntarily missing young adults''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by inserting after ''children'' the first place it appears the following: ''or involuntarily missing young adults'';

(B) in subparagraph (B), by inserting after ''services to'' the following: ''involuntarily missing young adults,''; and

(C) in subparagraph (C), by inserting after ''children'' the following: ''or involuntarily missing young adults''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 408(a) of the Missing Children's Assistance Act (42 U.S.C. 5777(a)) is amended by adding at the end the following: ''In addition, there is authorized to be appropriated $2,500,000 for fiscal years 2001 through 2003 to carry out the provisions of the amendments made to this Act by the Abducted Young Adults Act.''.

SEC. 7. SPECIAL STUDY AND REPORT.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Office of Juvenile Justice and Delinquency Prevention shall begin to conduct a study to determine the obstacles that prevent or impede law enforcement from recovering involuntarily missing young adults.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Office of Juvenile Justice and Delinquency Prevention shall submit a report to the chairman of the Committee on the Judiciary of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results, of the study conducted under subsection (a).

SEC. 8. REPORTING REQUIREMENT.

Section 3701(a) of the Crime Control Act of 1990 (42 U.S.C. 5779) is amended by adding at the end the following: ''Each Federal, State, and local law enforcement agency may report each case of an involuntarily missing young adult reported to such agency to the National Crime Information Center of the Department of Justice.''.

SEC. 9. STATE REQUIREMENTS.

Section 3702 of the Crime Control Act of 1990 (42 U.S.C. 5780) is amended by—

(1) redesignating paragraph (3) as paragraph (4);

(2) inserting after paragraph (2) the following:

''(3) provide that each involuntarily missing young adult report and all necessary and available information with respect to such report, shall include—

''(A) the name, date of birth, sex, race, height, weight, and eye and hair color of the involuntarily missing young adult;

''(B) the date and location of the last known contact with the involuntarily missing young adult; and

''(C) once the State agency receiving the case has made a determination to enter such report into the State law enforcement system and the National Crime Information Center computer networks, and make such report available to the Missing and Exploited Children Information Clearinghouse within the State or other agency designated within the State to receive such reports, shall immediately enter such report and all necessary and available information described in subparagraphs (A) and (B);'';

(3) in paragraph (4), as redesignated, by striking ''paragraph (2)'' and inserting the following: ''paragraphs (2) and (3)''; and

(4) in paragraph (4)(C), as redesignated, by inserting after ''missing children'' the following: ''and involuntarily missing young adults''.

S. 2065

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 ''Kristen's Law''.

SEC. 2. GRANTS FOR THE ASSISTANCE OF ORGANIZATIONS TO FIND MISSING ADULTS.

(a) IN GENERAL.—The Attorney General may make grants to public agencies or nonprofit private organizations, or combinations thereof, for programs—

(1) to assist law enforcement and families in locating missing adults;

(2) to maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance, when foul play is suspected or circumstances are unknown;

(3) to maintain statistical information of adults reported as missing;

(4) to provide informational resources and referrals to families of missing adults;

(5) to assist in public notification and victim advocacy related to missing adults; and

(6) to establish and maintain a national clearinghouse for missing adults.

(b) REGULATIONS.—The Attorney General may make such rules and regulations as may be necessary to carry out this Act.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act $1,000,000 each year for fiscal years 2001 through 2004.●

By Mr. CLELAND:

S. 2066. A bill to amend the Internal Revenue Code of 1986 to exclude United States savings bond income from gross income if used to pay long-term care expenses; to the Committee on Finance.

TAX-EXEMPTION SAVINGS BOND LEGISLATION

● Mr. CLELAND. Mr. President, to support Americans faced with long-term care needs I am proposing a savings bond tax credit. Many people are struggling to pay for the assistive care needs associated with conditions such as Alzheimer's and Parkinson's diseases. An estimated 5.8 million Americans aged 65 or older need long-term care. Nursing home care is only one component of long-term care services that includes assisted living, adult day and home care. Medicare and health insurance do not cover long-term care. In 1995, federal and state spending for nursing home care was approximately $34 billion and an additional $21 billion was used for home care. It is projected that half of all women and a third of men in this country who are now age 65 are likely to spend some time in their later years in a nursing home at a cost from $40,000 to $90,000 per person. About 40% of all nursing home expenses are paid for out-of-pocket by patients and/or family members. Liquidating family assets is often the only way for many to fund the high costs for care. These staggering statistics and the pleas for help from Americans in such situations reinforce the critical need for long-term care assistance.

To qualify for this proposed tax credit, the person receiving care must have at least two limitations in activities of daily living or a comparable cognitive impairment. Activities of daily living, like eating, bathing, and toileting, are basic care needs that must be met. Families that claim parents or parents-in law as dependents on their tax returns can qualify for this tax credit if

savings bonds are used to pay for long-term care services. ''Sandwich generation'' families paying for both college education for their children and long-term care services for their parents can use this tax credit for either program or a combined credit up to the maximum.

Mr. President, I ask that this proposed measure to provide long-term care cost relief be printed in the RECORD.

The bill follows:

S. 2066

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

SECTION 1. EXCLUSION OF UNITED STATES SAVINGS BOND INCOME FROM GROSS INCOME IF USED TO PAY LONG-TERM CARE EXPENSES.

(a) IN GENERAL.—Subsection (a) of section 135 of the Internal Revenue Code of 1986 (relating to income from United States savings bonds used to pay higher education tuition and fees) is amended to read as follows:

''(a) EXCLUSION.—

''(1) GENERAL RULE.—In the case of an individual who pays qualified expenses during the taxable year, no amount shall be includible in gross income by reason of the redemption during such year of any qualified United States savings bond.

''(2) QUALIFIED EXPENSES.—For purposes of this section, the term 'qualified expenses' means—

''(A) qualified higher education expenses, and

''(B) eligible long-term care expenses.''.

(b) LIMITATION WHERE REDEMPTION PROCEEDS EXCEED QUALIFIED EXPENSES.—Section 135(b)(1) of the Internal Revenue Code of 1986 (relating to limitation where redemption proceeds exceed higher education expenses) is amended—

(1) by striking ''higher education'' in subparagraph (A)(ii), and

(2) by striking ''HIGHER EDUCATION'' in the heading thereof.

(c) ELIGIBLE LONG-TERM CARE EXPENSES.—Section 135(c) of the Internal Revenue Code of 1986 (relating to definitions) is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) ELIGIBLE LONG-TERM CARE EXPENSES.—The term 'eligible long-term care expenses' means qualified long-term care expenses (as defined in section 7702B(c)) and eligible long-term care premiums (as defined in section 213(d)(10)) of—

''(A) the taxpayer,

''(B) the taxpayer's spouse, or

''(C) any dependent of the taxpayer with respect to whom the taxpayer is allowed a deduction under section 151.''.

(d) ADJUSTMENTS.—Section 135(d) of the Internal Revenue Code of 1986 (relating to special rules) is amended by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) ELIGIBLE LONG-TERM CARE EXPENSE ADJUSTMENTS.—The amount of eligible long-term care expenses otherwise taken into account under subsection (a) with respect to an individual shall be reduced (before the application of subsection (b)) by the sum of—

''(A) any amount paid for qualified long-term care services (as defined in section 7702B(c)) provided to such individual and described in section 213(d)(11), plus

''(B) any amount received by the taxpayer or the taxpayer's spouse or dependents for the payment of eligible long-term care expenses which is excludable from gross income.''.

(e) COORDINATION WITH DEDUCTIONS.—

(1) Section 213 of the Internal Revenue Code of 1986 (relating to medical, dental, etc., expenses) is amended by adding at the end the following new subsection:

''(f) COORDINATION WITH SAVINGS BOND INCOME USED FOR EXPENSES.—Any expense taken into account in determining the exclusion under section 135 shall not be treated as an expense paid for medical care.''.

(2) Section 162(l) of such Code (relating to special rules for health insurance costs of self-employed individuals) is amended by adding at the end the following new paragraph:

''(6) COORDINATION WITH SAVINGS BOND INCOME USED FOR EXPENSES.—Any expense taken into account in determining the exclusion under section 135 shall not be treated as an expense paid for medical care.''.

(f) CLERICAL AMENDMENTS.—

(1) The heading for section 135 of the Internal Revenue Code of 1986 is amended by inserting ''**AND LONG-TERM CARE EXPENSEST1" after "FEES**''.

(2) The item relating to section 135 in the table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting ''and long-term care expenses'' after ''fees''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.●

By Mr. FRIST (for himself and Mr. ABRAHAM):

S. 2067. A bill to provide education and training for the information age; to the Committee on Health, Education, Labor, and Pensions.

AMERICA'S MATH AND SCIENCE EXCELLENCE ACT

Mr. FRIST. Mr. President, I am proud to introduce America's Math and Science Excellence Act that will keep the United States on the cutting edge of the Information Technology (IT) revolution. If we are to prepare our children to meet the demands of our future workforce, we must dedicate ourselves to strengthening math and science literacy. America's Math and Science Excellence Act would authorize funding for math and science education and training through a series of grants awarded by the National Science Foundation and the National Institute of Standards and Technology. This bill would create a long-term strategy to ensure that the IT industry is employing American students who are prepared to enter the workforce with sufficient math and science skills necessary to compete both domestically and internationally.

The Third International Math and Science Study, the most comprehensive and rigorous comparison of quantitative skills across nations, reveals that the longer our students stay in the elementary and public school system, the worse they perform on standardized tests. Their average tests scores continue to drop from the fourth to the twelfth grade. The rapidly changing technology revolution demands skills and proficiency in mathematics, science, and technology. IT, perhaps the fastest growing sector of our economy, relies on more than basic high school literacy in mathematics and science.

This bipartisan legislation targets three specific goals: establishing teacher training and development outreach, providing internship opportunities for students in secondary and higher education, and assisting graduate math, science, and engineering students. America's Math and Science Excellence Act gives priority to applicants who obtain private sector or state matching funds. We must encourage private industry to not only get involved in the education of the future workforce, but also to help direct and guide it.

According to a study by the CEO Forum on Education and Technology, our schools spend an average of $88 per student on computers and only $6 on teacher training. And while the nation's 87,000 schools have approximately six million computers and about 80 percent of the schools have Internet access, the report stated that few teachers are ready to use the technology in their lessons. This is a national tragedy. During the past ten years, we have seen a transformation in classrooms throughout the country. Computers have replaced blackboards and students now depend on the Internet for basic knowledge. Yet teachers are not equipped to incorporate technological tools into their curricula.

The ''IT Teacher Training Grants'' created by this legislation support professional advancement in the related fields of IT for teachers who instruct elementary, secondary, or charter school students. These grants may be used for teacher salaries, fees for attending special conferences, workshops, or training sessions. They may also be used for the development of a compensation system that rewards excellence in math and science related areas. In administering these grants, the National Science Foundation shall give priority consideration to schools that score in the 25th percentile or below for academic performance according to their respective state standards, and programs that provide matching funds from the private sector.

The ''Twenty-First Century Workforce Internship Grants'' will consist of awards to students in secondary schools, as well as students from institutions of higher learning to explore internships in IT. The goal of this program is to transition students' math and science skills into the new digital workforce. By providing them with opportunities to explore the private sector, these grants will enable the next generation of labor to experience the IT professional domain, while maintaining their knowledge and proficiency in basic math, science, and engineering skills.

The national demand for computer scientists, computer engineers, and systems analysts by 2006 is projected to be more than double our current capacity. In addition, the supply of new graduates qualified for these positions is expected to fall significantly short of the number needed. This deficiency of qualified workers in the United States

is due in part to a lack of students pursuing advanced degrees in mathematics, science, and engineering technology. The number of degrees in technical science and engineering fields awarded by American institutions of higher learning has declined dramatically since 1990. Foreign national students in the United States were awarded 47 percent of Doctorate degrees in engineering, 38 percent of Master's degrees, and 46 percent of Doctorate degrees in computer science in 1996. The ''IT State Scholarship Program,'' established in this legislation, targets individual states to provide them with supplementary scholarships for students who want to pursue graduate and doctoral degrees in math, science, engineering, or related fields. Two-thirds of these funds shall be awarded to students from low-income families. Furthermore, the director of the National Science Foundation shall award these grants to states who provide at least one half of the cost of grant.

Finally, this act will reauthorize the National Institutes of Standards and Technology (NIST) to develop a Twenty-First Century Teacher Enhancement Program. This initiative was originally written into statute as part of the ''Technology Administration Authorization Act for Fiscal Year 1999.'' However, we have yet to see the implementation of this program. So I will again request through legislation that NIST establish summer program to provide professional development for elementary and secondary math and science teachers. I continue to believe that offering teachers opportunities to participate in ''hands-on'' experiences at NIST laboratories would be invaluable to their understanding of math and science. Not only would this program develop and improve their teaching strategies and self-confidence in instructing math and science, but it would also demonstrate their impact on commerce.

We cannot continue to marvel at our robust economy without also looking toward the next century and developing a plan to sustain it. The reality is simple: we must prepare our students to enter the workforce and to prosper in the new digital economy. It is not enough to put computers in every classroom if our nation's teachers cannot implement them effectively into their daily lesson plans. Educating our children and the teachers who instruct them is essential to our economic future.

Mr. President, I strongly believe that each of the programs within America's Math and Science Excellence Act will encourage state and local educators, as well as private industry, to engage themselves in the fight to increase basic math and science literacy. These grants target specific long-term deficiencies in the IT workforce shortage and will help create innovative solutions to our current national dilemma. I encourage my colleagues to join me in support of this critical piece of legislation.

By Mr. GREGG:

S. 2068. A bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations; to the Committee on Commerce, Science, and Transportation.

THE RADIO BROADCASTING PRESENTATION ACT OF 2000

● Mr. GREGG. Mr. President, I rise today to introduce the Radio Broadcasting Preservation Act of 2000. On January 20, 2000, the FCC approved a new non-commercial low-power FM (LPFM) radio service. In order for LPFM stations to fit in the FM band, the FCC will have to significantly weaken the existing interference protections it developed and has subscribed to for decades. The public commentary and technical analysis shows that LPFM will cause interference with current FM stations, and thus result in a loss of service to listeners. It is imperative that the integrity of the spectrum is protected and that all individuals have access to local news, weather and emergency information free from interference. Both public and commercial radio stations are opposed to the FCC's proposal in its current form.

These new FCC rules are inconsistent with sound spectrum management. I believe that this issue requires further study, as well as Congressional hearings, to fully examine the impact that LPFM would have on existing FM radio service. Therefore, I am introducing the Radio Broadcasting Preservation Act. This legislation would repeal any prescribed rules authorizing LPFM and revoke LPFM licenses that may be issued prior to the date of enactment of this bill.

While the desire to provide a forum for community groups to have a greater voice is laudable, a multitude of alternatives already exist. Currently, groups may obtain commercial or non-commercial radio licenses, use public access cable, publish newsletters, and utilize Internet web sites and e-mail. It is important that our efforts to create more opportunities for those who support LPFM do not lead to the denial of access for others who depend on FM radio for safety, news, and entertainment. For instance, inexpensive and older radios, particularly vulnerable to interference and most commonly used by low-income and elderly listeners, will sustain the greatest negative impact caused by LPFM.

Furthermore, it is not clear whether the relaxation of first, second, or third adjacent channel protection standards will have an adverse effect on the transition to digital radio. Unlike television broadcasters, who are being given additional free spectrum to broadcast in digital format, radio broadcasters must use the current spectrum allocations to transmit both digital and analog signals, making adjacent channel safeguards all the more important. At a minimum, adding a large number of LPFMs to the already congested FM band will make the transition to digital radio increasingly difficult and problematic.

Finally, the new low-power proposal makes formerly unlicensed, pirate radio operators eligible for LPFM licenses. This ruling re-enforces their unlawful behavior and encourages future illegal activity by opening the door to new unauthorized broadcasters. The introduction of thousands of LPFM stations not only rewards illegal activity, but is certain to undermine the integrity of the radio spectrum, interfering with current FM service and penalizing the listening public. The radio programming supplied to listeners by existing radio stations provides crucial news, weather, and emergency information, as well as cultural entertainment, which must be preserved.

I ask that the text of the bill be printed in the RECORD. The bill follows:

S. 2068

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 ''Radio Broadcasting Preservation Act of 2000''.

SEC. 2. PROHIBITION.

(a) RULES PROHIBITED.—Notwithstanding section 303 of the Communications Act of 1934 (47 U.S.C. 303), the Federal Communications Commission shall not prescribe rules authorizing the operation of new, low power FM radio stations, or establishing a low power radio service, as proposed in MM Docket No. 99–25.

(b) TERMINATION OF PREVIOUSLY PRESCRIBED RULES.—Any rules prescribed by the Federal Communications Commission before the date of the enactment of this Act that would be in violation of the prohibition in subsection (a) if prescribed after such date shall cease to be effective on such date. Any low power radio licenses issued pursuant to such rules before such date shall be void.●

By Mr. FITZGERALD (for himself and Mrs. LINCOLN):

S. 2070. A bill to improve safety standards for child restraints in motor vehicles; to the Committee on Commerce, Science, and Transportation.

THE CHILD PASSENGER SAFETY ACT OF 2000

Mr. FITZGERALD. Mr. President, today, I am introducing legislation that will help us fight one of the leading killers of America's children—the automobile collision. Car crashes account for 1 of every 3 deaths among children.

In the United States we lose an average of 7 of our children every day to car collisions. According to the Insurance Institute for Highway Safety, crash injuries are the leading cause of death for the 5 to 12 year old age group. Regrettably, up to half of the deaths involve children who already are buckled up or restrained in car seats and booster seats.

That is why I am introducing legislation to substantially improve the child safety seats that we buy to protect our children. My bill, ''The Child Passenger

Safety Act of 2000,'' would direct the National Highway Traffic Safety Administration to improve the safety features of car seats, to upgrade the way we test and certify car seats, to consider adopting measures to better protect older children, and to give parents the information they need to shop for, and install, safe car seats for their children.

Over the years, NHTSA has implemented many measures to improve child passenger safety. I applaud, in particular, the NHTSA Administrator's recent efforts to implement a new tether requirement for child seat makers and automobile manufacturers.

But we cannot allow these past successes to obscure a fundamental fact: too many of our children are killed or injured in car crashes every day. We should not wait to begin upgrading the safety of child car seats and booster seats.

The first thing this bill seeks to do is to improve the testing of car seats and booster seats. It calls for the government to consider using more dummies that simulate children of many different ages in these tests. A six-month old has a very different build than an eighteen-month-old, and an eighteen-month-old is very different from a six-year old. In Europe, they use as many as six different child dummies in testing their car seats and booster seats, ranging in age from newborn to ten years. In this country, we do not crash test child safety seats with dummies that represent a premature infant, an eighteen-month-old or a ten-year-old.

Currently, we test car seats on a sled. My bill directs NHTSA to put car seats in some of the actual cars that already are being tested under an existing program. Under this program, called the ''New Car Assessment Program,'' the government buys 40 or so vehicles and crash tests them to see how each would perform in a collision in the real world. Why, Mr. President, could we not put at least one car seat or booster seat in each of these cars? Doing it would help us better understand how these safety seats perform in the real world.

In addition, my bill calls for the government to study ways to update the seat bench that is used in tests of child safety seats to better reflect the design of modern vehicles. The seat bench from a 1975 Chevy Impala with lap belts is what we now use to test car seats.

I am also asking the government to focus attention on how car seats and booster seats perform in rollover, rear-impact, and side-impact crashes, as they do in Europe. These types of crashes are not as common as frontal collisions, but they result in a number of injuries and deaths. Finally, my proposal calls upon NHTSA to increase the funds they spend on testing car seats each year to at least $750,000, from the current $500,000.

Second, we must deal with the problem of head injuries in side-impact crashes and rollovers. Children's heads and necks are even more vulnerable than those of adults, because children's heads are larger in proportion to the rest of their bodies. In Europe, car seats have side impact padding to better protect children's heads in these types of crashes. My bill would require car seat manufacturers in the U.S. to provide the same type of protection.

Third, we must focus more attention on an issue that auto safety advocates have dubbed ''the forgotten child'' problem. The ''forgotten children'' (ages 8–12) have outgrown their car seats but do not fit properly in adult seat belts. In crashes, they are at greater risk than other passengers. My bill calls for NHTSA to close this child safety seat gap, but it leaves it up to NHTSA to decide when and how to do that. The agency could, for example, encourage the states to pass more laws requiring the use of booster seats for older children. They could do it by mounting a public information campaign about the importance of booster seats. Or they could amend our safety standards for seat belts.

Fourth and finally, we must get more information to parents about the safety of various car seats on the market today, as well, Mr. President, as on the correct means of installing car seats. My bill directs NHTSA to institute a new crash test results information system that will help equip parents with the safety information and knowledge they need to make rational choices when they are buying and installing car seats for their children. My bill also requires that the warning labels on child seats be straightforward and written in plain English.

Next week is National Child Passenger Safety Week. What better time than now to make these efforts to protect our children? I urge my colleagues to support this vitally important legislation.

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. 2070

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 ''Child Passenger Protection Act of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) each day, an average of 7 children are killed and 866 injured in motor vehicle crashes;

(2) certain standards and testing procedures for child restraints in the United States are not as rigorous as those in some other countries;

(3) although the Federal Government establishes safety standards for child restraints, the Federal Government—

(A) permits companies that manufacture child restraints to conduct their own tests for compliance with the safety standards and interpret the results of those tests, but does not require that the manufacturers make the results of the tests public;

(B) has not updated test standards for child restraints—

(i) to reflect the modern designs of motor vehicles in use as of the date of enactment of this Act;

(ii) to take into account the effects of a side-impact crash, a rear-impact crash, or a rollover crash; and

(iii) to require the use of anthropomorphic devices that accurately reflect the heights and masses of children at ages other than newborn, 9 months, 3 years, and 6 years; and

(C) has not issued motor vehicle safety standards that adequately protect children up to the age of 12 who weigh more than 50 pounds; and

(4) the Federal Government should update the test standards for child restraints to reduce the number of children killed or injured in automobile accidents in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHILD RESTRAINT.—The term ''child restraint'' has the meaning given the term ''child restraint system'' in section 571.213 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 4. TESTING OF CHILD RESTRAINTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update and improve crash test standards and conditions for child restraints.

(b) ELEMENTS FOR CONSIDERATION.—In carrying out subsection (a), the Secretary shall consider—

(1) whether to conduct more comprehensive and dynamic testing of child restraints than is typically conducted as of the date of enactment of this Act, including the use of test platforms designed—

(A) to simulate an array of accident conditions, such as side-impact crashes, rear-impact crashes, and rollover crashes; and

(B) to reflect the designs of passenger motor vehicles in use as of the date of enactment of this Act;

(2) whether to use an increased number of anthropomorphic devices in a greater variety of heights and masses; and

(3) whether to provide improved protection in motor vehicle accidents for children up to 59.2 inches tall who weigh more than 50 pounds.

(c) REQUIRED ELEMENTS.—In carrying out subsection (a), the Secretary shall—

(1) require that manufacturers design child restraints to minimize head injuries during side-impact and rollover crashes, including requiring that child restraints have side-impact protection;

(2) include a child restraint in each vehicle crash-tested under the New Car Assessment Program of the Department of Transportation; and

(3) prescribe readily understandable text for any labels that are required to be placed on child restraints.

(d) FUNDING.—For each fiscal year, of the funds made available to the Secretary for activities relating to safety, not less than $750,000 shall be made available to carry out crash testing of child restraints.

SEC. 5. CHILD RESTRAINT SAFETY RATING PROGRAM.

Not later than 2 years after the date of enactment of this Act, the Secretary shall develop and implement a safety rating program for child restraints to provide practicable, readily understandable, and timely information to parents and caretakers for use in making informed decisions in the purchase of child restraints.

By Mr. GORTON:

S. 2071. A bill to benefit electricity consumers by promoting the reliability

of the bulk-power system; to the Committee on Energy and Natural Resources.

ELECTRIC RELIABILITY 2000 ACT

● Mr. GORTON. Mr. President, today I introduce the Electric Reliability 2000 Act, a measure that deals with the somewhat mysterious world of the bulk electricity system. Although most Americans are not experts on the intricacies of interstate electric transmission grids, they need to have confidence that the system will work and their lights and heat will be there when they need them.

This nation's interstate electric transmission system is an extremely complex network that connects with Canada and Mexico. It has developed over decades with various voluntary agreements that allow areas to work together depending on changing power needs that vary from day to day and hour to hour and sometimes minute to minute. These voluntary agreements were developed after a disastrous event in 1965 led to a blackout in New York City and throughout other parts of the Northeast.

Yet a fundamental change has made this voluntary system unworkable for the future. With the expansion of competition in the wholesale electricity market—starting with the 1992 Energy Policy Act—the system of buying and selling wholesale power is now many times more complex than it was just a decade ago. With a stronger economy, electricity usage has increased while thousands of new electricity marketers and buyers have created new stresses on the system.

These stresses to the system have affected many parts of the country. In August 1996, a sagging power line in Oregon made contact with a tree, and combined with other factors led to a power outage that affected over 7 million consumers along the West Coast. Other outages have occurred in different parts of the country since that time.

To address this situation, more than a year ago a group of electricity industry officials began meeting to develop legislative language needed in this new era in electricity. They developed provisions that have been included as a small part of several bills, including the larger restructuring bills developed in the House and by the Clinton administration.

Events in recent months have lent urgency to this issue. I believe it is time to separate the issue of electricity reliability from the larger issue of restructuring. Our continued economic growth is fueled by electricity, and we need to assure the public that the power will be there for their homes and their jobs when they count on it.

The stresses in the system continue to mount. In the summer of 1999, Americans experienced a wide-range of severe electricity outages. The Department of Energy created a team of experts to investigate these outages, and it submitted its report last month. I quote from the report's summary:

In anticipation of competitive markets, some utilities have adopted a strategy of cost cutting that involves reduced spending on reliability. In addition, responsibility for reliability management has been disaggregated to multiple institutions, with utilities, independent system operators, independent power producers, customers, and markets all playing a role. The overall effect has been that the infrastructure for reliability assurance has been considerably eroded.

The report continues:

Moreover, historical levels of electric reliability may not be adequate for the future. The quality of electric power and the assurance that it will always be available are increasingly important in a society that is ever more dependent on electricity.

The report includes several findings that suggest a range of policy questions that need to be addressed in order to assure the reliability of the Nation's bulk power system.

The bill I introduce today includes what has been termed the ''consensus language'' that was developed over the past year by these experts who work on the reliability side of the electricity industry. This bill is not the complete solution to the reliability issue for this industry. It is a good starting point. It creates a process to develop enforceable rules for the bulk-power system, while giving various regions the ability to tailor these rules in ways that make sense for their individual systems and their specific geography.

In addition to setting up rules and a referee to enforce these rules, ''reliability'' also involves many other facets of the electricity industry that are not addressed in this bill: full and open access to transmission systems, effective conservation programs that can help reduce peak system demands, the ability to site electricity generation plants closer to the loads they serve, promoting small-scale distributed generation, such as fuel-cells, throughout the grid, and many other wide-ranging actions. Until we can gain a greater consensus of the need to address these issues, this bill provides the opportunity to begin these discussions.

Despite being described as a consensus bill, there may need to be changes to this legislative language so that it is effective. For example, there are ongoing discussions about the appropriate role for State regulators as their responsibilities relate to the interstate transmission system. Therefore I respectfully request Chairman MURKOWSKI to conduct hearings on this serious issue of the reliability of the bulk power system and also to hold hearings on this bill as the starting point for solving this problem.

Mr. President, I ask that a copy of the bill be printed in the RECORD.

The bill follows:

S. 2071

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 ''Electric Reliability 2000 Act''.

SEC. 2. ELECTRIC RELIABILITY ORGANIZATION.

(a) IN GENERAL.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

''SEC. 215. ELECTRIC RELIABILITY ORGANIZATION.

''(a) DEFINITIONS.—In this section:

''(1) AFFILIATED REGIONAL RELIABILITY ENTITY.—The term 'affiliated regional reliability entity' means an entity delegated authority under subsection (h).

''(2) BULK-POWER SYSTEM.—

''(A) IN GENERAL.—The term 'bulk-power system' means all facilities and control systems necessary for operating an interconnected electric power transmission grid or any portion of an interconnected transmission grid.

''(B) INCLUSIONS.—The term 'bulk-power system' includes—

''(i) high voltage transmission lines, substations, control centers, communications, data, and operations planning facilities necessary for the operation of all or any part of the interconnected transmission grid; and

''(ii) the output of generating units necessary to maintain the reliability of the transmission grid.

''(3) BULK-POWER SYSTEM USER.—The term 'bulk-power system user' means an entity that—

''(A) sells, purchases, or transmits electric energy over a bulk-power system; or

''(B) owns, operates, or maintains facilities or control systems that are part of a bulk-power system; or

''(C) is a system operator.

''(4) ELECTRIC RELIABILITY ORGANIZATION.—The term 'electric reliability organization' means the organization designated by the Commission under subsection (d).

''(5) ENTITY RULE.—The term 'entity rule' means a rule adopted by an affiliated regional reliability entity for a specific region and designed to implement or enforce 1 or more organization standards.

''(6) Independent director.—The term 'independent director' means a person that—

''(A) is not an officer or employee of an entity that would reasonably be perceived as having a direct financial interest in the outcome of a decision by the board of directors of the electric reliability organization; and

''(B) does not have a relationship that would interfere with the exercise of independent judgment in carrying out the responsibilities of a director of the electric reliability organization.

''(7) INDUSTRY SECTOR.—The term 'industry sector' means a group of bulk-power system users with substantially similar commercial interests, as determined by the board of directors of the electric reliability organization.

''(8) INTERCONNECTION.—The term 'interconnection' means a geographic area in which the operation of bulk-power system components is synchronized so that the failure of 1 or more of the components may adversely affect the ability of the operators of other components within the interconnection to maintain safe and reliable operation of the facilities within their control.

''(9) ORGANIZATION STANDARD.—

''(A) IN GENERAL.—The term 'organization standard' means a policy or standard adopted by the electric reliability organization to provide for the reliable operation of a bulk-power system.

''(B) INCLUSIONS.—The term 'organization standard' includes—

''(i) an entity rule approved by the electric reliability organization; and

''(ii) a variance approved by the electric reliability organization.

''(10) PUBLIC INTEREST GROUP.—

''(A) IN GENERAL.—The term 'public interest group' means a nonprofit private or public organization that has an interest in the activities of the electric reliability organization.

''(B) INCLUSIONS.—The term 'public interest group' includes—

''(i) a ratepayer advocate;

''(ii) an environmental group; and

''(iii) a State or local government organization that regulates participants in, and promulgates government policy with respect to, the market for electric energy.

''(11) SYSTEM OPERATOR.—

''(A) IN GENERAL.—The term 'system operator' means an entity that operates or is responsible for the operation of a bulk-power system.

''(B) INCLUSIONS.—The term 'system operator' includes—

''(i) a control area operator;

''(ii) an independent system operator;

''(iii) a transmission company;

''(iv) a transmission system operator; and

''(v) a regional security coordinator.

''(12) VARIANCE.—The term 'variance' means an exception from the requirements of an organization standard (including a proposal for an organization standard in a case in which there is no organization standard) that is adopted by an affiliated regional reliability entity and is applicable to all or a part of the region for which the affiliated regional reliability entity is responsible.

''(b) COMMISSION AUTHORITY.—

''(1) JURISDICTION.—Notwithstanding section 201(f), within the United States, the Commission shall have jurisdiction over the electric reliability organization, all affiliated regional reliability entities, all system operators, and all bulk-power system users, including entities described in section 201(f), for purposes of approving organization standards and enforcing compliance with this section.

''(2) DEFINITION OF TERMS.—The Commission may by regulation define any term used in this section consistent with the definitions in subsection (a) and the purpose and intent of this Act.

''(c) EXISTING RELIABILITY STANDARDS.—

''(1) SUBMISSION TO THE COMMISSION.—Before designation of an electric reliability organization under subsection (d), any person, including the North American Electric Reliability Council and its member Regional Reliability Councils, may submit to the Commission any reliability standard, guidance, practice, or amendment to a reliability standard, guidance, or practice that the person proposes to be made mandatory and enforceable.

''(2) REVIEW BY THE COMMISSION.—The Commission, after allowing interested persons an opportunity to submit comments, may approve a proposed mandatory standard, guidance, practice, or amendment submitted under paragraph (1) if the Commission finds that the standard, guidance, or practice is just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(3) EFFECT OF APPROVAL.—A standard, guidance, or practice shall be mandatory and applicable according to its terms following approval by the Commission and shall remain in effect until it is—

''(A) withdrawn, disapproved, or superseded by an organization standard that is issued or approved by the electric reliability organization and made effective by the Commission under section (e); or

''(B) disapproved by the Commission if, on complaint or upon motion by the Commission and after notice and an opportunity for comment, the Commission finds the standard, guidance, or practice to be unjust, unreasonable, unduly discriminatory or preferential, or not in the public interest.

''(4) ENFORCEABILITY.—A standard, guidance, or practice in effect under this subsection shall be enforceable by the Commission.

''(d) DESIGNATION OF ELECTRIC RELIABILITY ORGANIZATION.—

''(1) REGULATIONS.—

''(A) PROPOSED REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Commission shall propose regulations specifying procedures and requirements for an entity to apply for designation as the electric reliability organization.

''(B) NOTICE AND COMMENT.—The Commission shall provide notice and opportunity for comment on the proposed regulations.

''(C) FINAL REGULATION.—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate final regulations under this subsection.

''(2) APPLICATION.—

''(A) SUBMISSION.—Following the promulgation of final regulations under paragraph (1), an entity may submit an application to the Commission for designation as the electric reliability organization.

''(B) CONTENTS.—The applicant shall describe in the application—

''(i) the governance and procedures of the applicant; and

''(ii) the funding mechanism and initial funding requirements of the applicant.

''(3) NOTICE AND COMMENT.—The Commission shall—

''(A) provide public notice of the application; and

''(B) afford interested parties an opportunity to comment.

''(4) DESIGNATION OF ELECTRIC RELIABILITY ORGANIZATION.—The Commission shall designate the applicant as the electric reliability organization if the Commission determines that the applicant—

''(A) has the ability to develop, implement, and enforce standards that provide for an adequate level of reliability of bulk-power systems;

''(B) permits voluntary membership to any bulk-power system user or public interest group;

''(C) ensures fair representation of its members in the selection of its directors and fair management of its affairs, taking into account the need for efficiency and effectiveness in decisionmaking and operations and the requirements for technical competency in the development of organization standards and the exercise of oversight of bulk-power system reliability;

''(D) ensures that no 2 industry sectors have the ability to control, and no 1 industry sector has the ability to veto, the applicant's discharge of its responsibilities as the electric reliability organization (including actions by committees recommending standards for approval by the board or other board actions to implement and enforce standards);

''(E) provides for governance by a board wholly comprised of independent directors;

''(F) provides a funding mechanism and requirements that—

''(i) are just, reasonable, not unduly discriminatory or preferential and in the public interest; and

''(ii) satisfy the requirements of subsection (l);

''(G) has established procedures for development of organization standards that—

''(i) provide reasonable notice and opportunity for public comment, taking into account the need for efficiency and effectiveness in decisionmaking and operations and the requirements for technical competency in the development of organization standards;

''(ii) ensure openness, a balancing of interests, and due process; and

''(iii) includes alternative procedures to be followed in emergencies;

''(H) has established fair and impartial procedures for implementation and enforcement of organization standards, either directly or through delegation to an affiliated regional reliability entity, including the imposition of penalties, limitations on activities, functions, or operations, or other appropriate sanctions;

''(I) has established procedures for notice and opportunity for public observation of all meetings, except that the procedures for public observation may include alternative procedures for emergencies or for the discussion of information that the directors reasonably determine should take place in closed session, such as litigation, personnel actions, or commercially sensitive information;

''(J) provides for the consideration of recommendations of States and State commissions; and

''(K) addresses other matters that the Commission considers appropriate to ensure that the procedures, governance, and funding of the electric reliability organization are just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(5) EXCLUSIVE DESIGNATION.—

''(A) IN GENERAL.—The Commission shall designate only 1 electric reliability organization.

''(B) MULTIPLE APPLICATIONS.—If the Commission receives 2 or more timely applications that satisfy the requirements of this subsection, the Commission shall approve only the application that the Commission determines will best implement this section.

''(e) ORGANIZATION STANDARDS.—

''(1) SUBMISSION OF PROPOSALS TO COMMISSION.—

''(A) IN GENERAL.—The electric reliability organization shall submit to the Commission proposals for any new or modified organization standards.

''(B) CONTENTS.—A proposal submitted under subparagraph (A) shall include—

''(i) a concise statement of the purpose of the proposal; and

''(ii) a record of any proceedings conducted with respect to the proposal.

''(2) REVIEW BY THE COMMISSION.—

''(A) NOTICE AND COMMENT.—The Commission shall—

''(i) provide notice of a proposal under paragraph (1); and

''(ii) allow interested persons 30 days to submit comments on the proposal.

''(B) ACTION BY THE COMMISSION.—

''(i) IN GENERAL.—After taking into consideration any submitted comments, the Commission shall approve or disapprove a proposed organization standard not later than the end of the 60-day period beginning on the date of the deadline for the submission of comments, except that the Commission may extend the 60-day period for an additional 90 days for good cause.

''(ii) FAILURE TO ACT.—If the Commission does not approve or disapprove a proposal within the period specified in clause (i), the proposed organization standard shall go into effect subject to its terms, without prejudice to the authority of the Commission to modify the organization standard in accordance with the standards and requirements of this section.

''(C) EFFECTIVE DATE.—An organization standard approved by the Commission shall take effect not earlier than 30 days after the date of the Commission's order of approval.

''(D) STANDARDS FOR APPROVAL.—

''(i) IN GENERAL.—The Commission shall approve a proposed new or modified organization standard if the Commission determines the organization standard to be just,

reasonable, not unduly discriminatory or preferential, and in the public interest.

''(ii) CONSIDERATIONS.—In the exercise of its review responsibilities under this subsection, the Commission—

''(I) shall give due weight to the technical expertise of the electric reliability organization with respect to the content of a new or modified organization standard; but

''(II) shall not defer to the electric reliability organization with respect to the effect of the organization standard on competition.

''(E) REMAND.—A proposed organization standard that is disapproved in whole or in part by the Commission shall be remanded to the electric reliability organization for further consideration.

''(3) ORDERS TO DEVELOP OR MODIFY ORGANIZATION STANDARDS.—The Commission, on complaint or on motion of the Commission, may order the electric reliability organization to develop and submit to the Commission, by a date specified in the order, an organization standard or modification to an existing organization standard to address a specific matter if the Commission considers a new or modified organization standard appropriate to carry out this section, and the electric reliability organization shall develop and submit the organization standard or modification to the Commission in accordance with this subsection.

''(4) VARIANCES AND ENTITY RULES.—

''(A) PROPOSAL.—An affiliated regional reliability entity may propose a variance or entity rule to the electric reliability organization.

''(B) EXPEDITED CONSIDERATION.—If expedited consideration is necessary to provide for bulk-power system reliability, the affiliated regional reliability entity may—

''(i) request that the electric reliability organization expedite consideration of the proposal; and

''(ii) file a notice of the request with the Commission.

''(C) FAILURE TO ACT.—

''(i) IN GENERAL.—If the electric reliability organization fails to adopt the variance or entity rule, in whole or in part, the affiliated regional reliability entity may request that the Commission review the proposal.

''(ii) ACTION BY THE COMMISSION.—If the Commission determines, after a review of the request, that the action of the electric reliability organization did not conform to the applicable standards and procedures approved by the Commission, or if the Commission determines that the variance or entity rule is just, reasonable, not unduly discriminatory or preferential, and in the public interest and that the electric reliability organization has unreasonably rejected or failed to act on the proposal, the Commission may—

''(I) remand the proposal for further consideration by the electric reliability organization; or

''(II) order the electric reliability organization or the affiliated regional reliability entity to develop a variance or entity rule consistent with that requested by the affiliated regional reliability entity.

''(D) PROCEDURE.—A variance or entity rule proposed by an affiliated regional reliability entity shall be submitted to the electric reliability organization for review and submission to the Commission in accordance with the procedures specified in paragraph (2).

''(5) IMMEDIATE EFFECTIVENESS.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, a new or modified organization standard shall take effect immediately on submission to the Commission without notice or comment if the electric reliability organization—

''(i) determines that an emergency exists requiring that the new or modified organization standard take effect immediately without notice or comment;

''(ii) notifies the Commission as soon as practicable after making the determination;

''(iii) submits the new or modified organization standard to the Commission not later than 5 days after making the determination; and

''(iv) includes in the submission an explanation of the need for immediate effectiveness.

''(B) NOTICE AND COMMENT.—The Commission shall—

''(i) provide notice of the new or modified organization standard or amendment for comment; and

''(ii) follow the procedures set out in paragraphs (2) and (3) for review of the new or modified organization standard.

''(6) COMPLIANCE.—Each bulk power system user shall comply with an organization standard that takes effect under this section.

''(f) COORDINATION WITH CANADA AND MEXICO.—

''(1) RECOGNITION.—The electric reliability organization shall take all appropriate steps to gain recognition in Canada and Mexico.

''(2) INTERNATIONAL AGREEMENTS.—

''(A) IN GENERAL.—The President shall use best efforts to enter into international agreements with the appropriate governments of Canada and Mexico to provide for—

''(i) effective compliance with organization standards; and

''(ii) the effectiveness of the electric reliability organization in carrying out its mission and responsibilities.

''(B) COMPLIANCE.—All actions taken by the electric reliability organization, an affiliated regional reliability entity, and the Commission shall be consistent with any international agreement under subparagraph (A).

''(g) CHANGES IN PROCEDURE, GOVERNANCE, OR FUNDING.—

''(1) SUBMISSION TO THE COMMISSION.—The electric reliability organization shall submit to the Commission—

''(A) any proposed change in a procedure, governance, or funding provision; or

''(B) any change in an affiliated regional reliability entity's procedure, governance, or funding provision relating to delegated functions.

''(2) CONTENTS.—A submission under paragraph (1) shall include an explanation of the basis and purpose for the change.

''(3) EFFECTIVENESS.—

''(A) CHANGES IN PROCEDURE.—

''(i) CHANGES CONSTITUTING A STATEMENT OF POLICY, PRACTICE, OR INTERPRETATION.—A proposed change in procedure shall take effect 90 days after submission to the Commission if the change constitutes a statement of policy, practice, or interpretation with respect to the meaning or enforcement of the procedure.

''(ii) OTHER CHANGES.—A proposed change in procedure other than a change described in clause (i) shall take effect on a finding by the Commission, after notice and opportunity for comment, that the change—

''(I) is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(II) satisfies the requirements of subsection (d)(4).

''(B) CHANGES IN GOVERNANCE OR FUNDING.—A proposed change in governance or funding shall not take effect unless the Commission finds that the change—

''(i) is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) satisfies the requirements of subsection (d)(4).

''(4) ORDER TO AMEND.—

''(A) IN GENERAL.—The Commission, on complaint or on the motion of the Commission, may require the electric reliability organization to amend a procedural, governance, or funding provision if the Commission determines that the amendment is necessary to meet the requirements of this section.

''(B) FILING.—The electric reliability organization shall submit the amendment in accordance with paragraph (1).

''(h) DELEGATIONS OF AUTHORITY.—

''(1) IN GENERAL.—

''(A) IMPLEMENTATION AND ENFORCEMENT OF COMPLIANCE.—At the request of an entity, the electric reliability organization shall enter into an agreement with the entity for the delegation of authority to implement and enforce compliance with organization standards in a specified geographic area if the electric reliability organization finds that—

''(i) the entity satisfies the requirements of subparagraphs (A), (B), (C), (D), (F), (J), and (K) of subsection (d)(4); and

''(ii) the delegation would promote the effective and efficient implementation and administration of bulk-power system reliability.

''(B) OTHER AUTHORITY.—The electric reliability organization may enter into an agreement to delegate to an entity any other authority, except that the electric reliability organization shall reserve the right to set and approve standards for bulk-power system reliability.

''(2) APPROVAL BY THE COMMISSION.—

''(A) SUBMISSION TO THE COMMISSION.—The electric reliability organization shall submit to the Commission—

''(i) any agreement entered into under this subsection; and

''(ii) any information the Commission requires with respect to the affiliated regional reliability entity to which authority is delegated.

''(B) STANDARDS FOR APPROVAL.—The Commission shall approve the agreement, following public notice and an opportunity for comment, if the Commission finds that the agreement—

''(i) meets the requirements of paragraph (1); and

''(ii) is just, reasonable, not unduly discriminatory or preferential, and in the public interest.

''(C) REBUTTABLE PRESUMPTION.—A proposed delegation agreement with an affiliated regional reliability entity organized on an interconnection-wide basis shall be rebuttably presumed by the Commission to promote the effective and efficient implementation and administration of the reliability of the bulk-power system.

''(D) INVALIDITY ABSENT APPROVAL.—No delegation by the electric reliability organization shall be valid unless the delegation is approved by the Commission.

''(3) PROCEDURES FOR ENTITY RULES AND VARIANCES.—

''(A) IN GENERAL.—A delegation agreement under this subsection shall specify the procedures by which the affiliated regional reliability entity may propose entity rules or variances for review by the electric reliability organization.

''(B) INTERCONNECTION-WIDE ENTITY RULES AND VARIANCES.— In the case of a proposal for an entity rule or variance that would apply on an interconnection-wide basis, the electric reliability organization shall approve the entity rule or variance unless the electric reliability organization makes a written finding that the entity rule or variance—

''(i) was not developed in a fair and open process that provided an opportunity for all interested parties to participate;

''(ii) would have a significant adverse impact on reliability or commerce in other interconnections;

''(iii) fails to provide a level of reliability of the bulk-power system within the interconnection such that the entity rule or variance would be likely to cause a serious and substantial threat to public health, safety, welfare, or national security; or

''(iv) would create a serious and substantial burden on competitive markets within the interconnection that is not necessary for reliability.

''(C) NONINTERCONNECTION-WIDE ENTITY RULES AND VARIANCES.—In the case of a proposal for an entity rule or variance that would apply only to part of an interconnection, the electric reliability organization shall approve the entity rule or variance if the affiliated regional reliability entity demonstrates that the proposal—

''(i) was developed in a fair and open process that provided an opportunity for all interested parties to participate;

''(ii) would not have an adverse impact on commerce that is not necessary for reliability;

''(iii) provides a level of bulk-power system reliability that is adequate to protect public health, safety, welfare, and national security and would not have a significant adverse impact on reliability; and

''(iv) in the case of a variance, is based on a justifiable difference between regions or subregions within the affiliated regional reliability entity's geographic area.

''(D) ACTION BY THE ELECTRIC RELIABILITY ORGANIZATION.—

''(i) IN GENERAL.—The electric reliability organization shall approve or disapprove a proposal under subparagraph (A) within 120 days after the proposal is submitted.

''(ii) FAILURE TO ACT.—If the electric reliability organization fails to act within the time specified in clause (i), the proposal shall be deemed to have been approved.

''(iii) SUBMISSION TO THE COMMISSION.—After approving a proposal under subparagraph (A), the electric reliability organization shall submit the proposal to the Commission for approval under the procedures prescribed under subsection (e).

''(E) DIRECT SUBMISSIONS.—An affiliated regional reliability entity may not submit a proposal for approval directly to the Commission except as provided in subsection (e)(4).

''(4) FAILURE TO REACH DELEGATION AGREEMENT.—

''(A) IN GENERAL.—If an affiliated regional reliability entity requests, consistent with paragraph (1), that the electric reliability organization delegate authority to it, but is unable within 180 days to reach agreement with the electric reliability organization with respect to the requested delegation, the entity may seek relief from the Commission.

''(B) REVIEW BY THE COMMISSION.—The Commission shall order the electric reliability organization to enter into a delegation agreement under terms specified by the Commission if, after notice and opportunity for comment, the Commission determines that—

''(i) a delegation to the affiliated regional reliability entity would—

''(I) meet the requirements of paragraph (1); and

''(II) would be just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) the electric reliability organization unreasonably withheld the delegation.

''(5) ORDERS TO MODIFY DELEGATION AGREEMENTS.—

''(A) IN GENERAL.—On complaint, or on motion of the Commission, after notice to the appropriate affiliated regional reliability entity, the Commission may order the electric reliability organization to propose a modification to a delegation agreement under this subsection if the Commission determines that—

''(i) the affiliated regional reliability entity—

''(I) no longer has the capacity to carry out effectively or efficiently the implementation or enforcement responsibilities under the delegation agreement;

''(II) has failed to meet its obligations under the delegation agreement; or

''(III) has violated this section;

''(ii) the rules, practices, or procedures of the affiliated regional reliability entity no longer provide for fair and impartial discharge of the implementation or enforcement responsibilities under the delegation agreement;

''(iii) the geographic boundary of a transmission entity approved by the Commission is not wholly within the boundary of an affiliated regional reliability entity, and the difference in boundaries is inconsistent with the effective and efficient implementation and administration of bulk-power system reliability; or

''(iv) the agreement is inconsistent with a delegation ordered by the Commission under paragraph (4).

''(B) SUSPENSION.—

''(i) IN GENERAL.—Following an order to modify a delegation agreement under subparagraph (A), the Commission may suspend the delegation agreement if the electric reliability organization or the affiliated regional reliability entity does not propose an appropriate and timely modification.

''(ii) ASSUMPTION OF RESPONSIBILITIES.—If a delegation agreement is suspended, the electric reliability organization shall assume the responsibilities delegated under the delegation agreement.

''(i) ORGANIZATION MEMBERSHIP.—Each system operator shall be a member of—

''(1) the electric reliability organization; and

''(2) any affiliated regional reliability entity operating under an agreement effective under subsection (h) applicable to the region in which the system operator operates, or is responsible for the operation of, a transmission facility.

''(j) ENFORCEMENT.—

''(1) DISCIPLINARY ACTIONS.—

''(A) IN GENERAL.—Consistent with procedures approved by the Commission under subsection (d)(4)(H), the electric reliability organization may impose a penalty, limitation on activities, functions, or operations, or other disciplinary action that the electric reliability organization finds appropriate against a bulk-power system user if the electric reliability organization, after notice and an opportunity for interested parties to be heard, issues a finding in writing that the bulk-power system user has violated an organization standard.

''(B) NOTIFICATION.—The electric reliability organization shall immediately notify the Commission of any disciplinary action imposed with respect to an act or failure to act of a bulk-power system user that affected or threatened to affect bulk-power system facilities located in the United States.

''(C) RIGHT TO PETITION.—A bulk-power system user that is the subject of disciplinary action under paragraph (1) shall have the right to petition the Commission for a modification or rescission of the disciplinary action.

''(D) INJUNCTIONS.—If the electric reliability organization finds it necessary to prevent a serious threat to reliability, the electric reliability organization may seek injunctive relief in the United States district court for the district in which the affected facilities are located.

''(E) EFFECTIVE DATE.—

''(i) IN GENERAL.—Unless the Commission, on motion of the Commission or on application by the bulk-power system user that is the subject of the disciplinary action, suspends the effectiveness of a disciplinary action, the disciplinary action shall take effect on the 30th day after the date on which—

''(I) the electric reliability organization submits to the Commission—

''(aa) a written finding that the bulk-power system user violated an organization standard; and

''(bb) the record of proceedings before the electric reliability organization; and

''(II) the Commission posts the written finding on the Internet.

''(ii) DURATION.—A disciplinary action shall remain in effect or remain suspended unless the Commission, after notice and opportunity for hearing, affirms, sets aside, modifies, or reinstates the disciplinary action.

''(iii) EXPEDITED CONSIDERATION.—The Commission shall conduct the hearing under procedures established to ensure expedited consideration of the action taken.

''(2) COMPLIANCE ORDERS.— The Commission, on complaint by any person or on motion of the Commission, may order compliance with an organization standard and may impose a penalty, limitation on activities, functions, or operations, or take such other disciplinary action as the Commission finds appropriate, against a bulk-power system user with respect to actions affecting or threatening to affect bulk-power system facilities located in the United States if the Commission finds, after notice and opportunity for a hearing, that the bulk-power system user has violated or threatens to violate an organization standard.

''(3) OTHER ACTIONS.—The Commission may take such action as is necessary against the electric reliability organization or an affiliated regional reliability entity to ensure compliance with an organization standard, or any Commission order affecting electric reliability organization or affiliated regional reliability entity.

''(k) RELIABILITY REPORTS.—The electric reliability organization shall—

''(1) conduct periodic assessments of the reliability and adequacy of the interconnected bulk-power system in North America; and

''(2) report annually to the Secretary of Energy and the Commission its findings and recommendations for monitoring or improving system reliability and adequacy.

''(l) ASSESSMENT AND RECOVERY OF CERTAIN COSTS.—

''(1) IN GENERAL.—The reasonable costs of the electric reliability organization, and the reasonable costs of each affiliated regional reliability entity that are related to implementation or enforcement of organization standards or other requirements contained in a delegation agreement approved under subsection (h), shall be assessed by the electric reliability organization and each affiliated regional reliability entity, respectively, taking into account the relationship of costs to each region and based on an allocation that reflects an equitable sharing of the costs among all electric energy consumers.

''(2) RULES.—The Commission shall provide by rule for the review of costs and allocations under paragraph (1) in accordance with the standards in this subsection and subsection (d)(4)(F).

''(m) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the following activities are rebuttably presumed to be in compliance with the antitrust laws of the United States:

''(A) Activities undertaken by the electric reliability organization under this section or affiliated regional reliability entity operating under a delegation agreement under subsection (h).

''(B) Activities of a member of the electric reliability organization or affiliated regional reliability entity in pursuit of the objectives of the electric reliability organization or affiliated regional reliability entity under this section undertaken in good faith under the rules of the organization of the electric reliability organization or affiliated regional reliability entity.

''(2) AVAILABILITY OF DEFENSES.—In a civil action brought by any person or entity against the electric reliability organization or an affiliated regional reliability entity alleging a violation of an antitrust law based on an activity under this Act, the defenses of primary jurisdiction and immunity from suit and other affirmative defenses shall be available to the extent applicable.

''(n) REGIONAL ADVISORY ROLE.—

''(1) ESTABLISHMENT OF REGIONAL ADVISORY BODY.—The Commission shall establish a regional advisory body on the petition of the Governors of at least two-thirds of the States within a region that have more than one-half of their electrical loads served within the region.

''(2) MEMBERSHIP.—A regional advisory body—

''(A) shall be composed of 1 member from each State in the region, appointed by the Governor of the State; and

''(B) may include representatives of agencies, States, and Provinces outside the United States, on execution of an appropriate international agreement described in subsection (f).

''(3) FUNCTIONS.—A regional advisory body may provide advice to the electric reliability organization, an affiliated regional reliability entity, or the Commission regarding—

''(A) the governance of an affiliated regional reliability entity existing or proposed within a region;

''(B) whether a standard proposed to apply within the region is just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(C) whether fees proposed to be assessed within the region are—

''(i) just, reasonable, not unduly discriminatory or preferential, and in the public interest; and

''(ii) consistent with the requirements of subsection (l).

''(4) DEFERENCE.—In a case in which a regional advisory body encompasses an entire interconnection, the Commission may give deference to advice provided by the regional advisory body under paragraph (3).

''(o) APPLICABILITY OF SECTION.—This section does not apply outside the 48 contiguous States.

''(p) REHEARINGS; COURT REVIEW OF ORDERS.—Section 313 applies to an order of the Commission issued under this section.''.

(b) ENFORCEMENT.—

(1) GENERAL PENALTIES.—Section 316(c) of the Federal Power Act (16 U.S.C. 825o(c)) is amended—

(A) by striking ''subsection'' and inserting ''section''; and

(B) by striking ''or 214'' and inserting ''214 or 215''.

(2) CERTAIN PROVISIONS.—Section 316A of the Federal Power Act (16 U.S.C. 825o–1) is amended by striking ''or 214'' each place it appears and inserting ''214, or 215''.

(c) SAVINGS CLAUSE.—[RESERVED]●

By Mr. KERRY (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. JEFFORDS):

S. 2072. A bill to require the Secretary of Energy to report to Congress on the readiness of the heating oil and propane industries; to the Committee on Energy and Natural Resources.

THE HOME HEATING READINESS ACT

Mr. KERRY. Mr. President today I am introducing the Home Heating Readiness Act, which I offer with Senators LAUTENBERG, LIEBERMAN, and JEFFORDS. The goal of this legislation is to prevent sharp and sustained increases in the price of home heating fuel, like the kind of price spike we are experiencing right now in Massachusetts and other northeastern states.

Mr. President, at the end of December, the price of a gallon of home heating oil in Massachusetts average $1.78 across the state, and in some local areas consumers are complaining of prices as high as $2.00 per gallon. Only several weeks ago, when the weather was warmer, the price was far lower, about $.98, but as soon as the weather turned cold—as soon as families needed more oil to heat their homes—the price spiked. I want to be clear, on average, it appears that this winter will be warmer than most. Our problem is not the weather alone, something else in the supply chain of heating oil has failed. The Home Heating Readiness Act is an effort to learn, before it's too late, the steps we can take to correct deficiencies and prevent price spikes.

Already the Energy Information Administration examines the price of heating fuel each fall in a report called the Winter Fuels Outlook, and the Administration has done, overall, an excellent job of examining supply, demand and potential weather scenarios and estimating the price of heating oil and propane. This legislation would ask the Administration to go farther and examine the functional capability of the industries, to search out potential problems and help us prevent or mitigate them. It asks EIA to examine the global and regional crude oil and refined product supplies; the adequacy and utilization of refinery capability; the adequacy, utilization, and distribution of regional refined product storage capacity; weather conditions; refined product transportation system; market inefficiencies; and any other factor affecting the functional capability of the industry to provide affordable home heating oil and propane. In addition to identifying problems, EIA will make recommendations on how those problems can be corrected, and how price spikes can be avoided or at least mitigated.

Mr. President, with this legislation we are asking the EIA to do more and we should appropriate more funding to get the job done. For now, this legislation does not authorize a specific amount. It is my hope that the Clinton administration will work with us to determine an appropriate authorization level that we can add into this bill at an appropriate time. To help alleviate our current fuel crises the Clinton administration has released roughly $175 million to help low income families. I want to applaud that decision—those resources are urgently needed. However, I want to also point out that if we prevent these price spikes with better evaluation of the industry, we may have to spend less of those emergency funds in future winters. Finally, I want to work with Energy and Natural Resources Committee to get its input on how this proposal can be improved to meet our goals.

The old adage that an ounce of prevention is worth a pound of cure certainly holds true in this case, and I hope that we act to create the Home Heating Readiness Report.

I ask unanimous consent that a copy 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. 2072

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 ''Home Heating Readiness Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in the United States, more than 10,000,000 households burn heating oil and more than 5,000,000 burn propane to generate space heat;

(2) sharp and sustained increases in the price of heating oil and propane disproportionately harm poor and elderly people with low and fixed incomes, who may be forced to choose between heat and food, medicine, and other basic necessities;

(3) sharp and sustained increases in the price of heating oil and propane can negatively affect the national economy and regional economies, and such increases have occurred in the winters of 1983–84, 1988–89, 1996–97, and 1999–2000;

(4) sharp and sustained increases in the price of heating oil and propane can be caused by—

(A) deficiencies in global or regional crude oil or refined product supplies;

(B) inadequacy or underutilization of refinery capacity;

(C) inadequacy, underutilization, or disadvantageous distribution of regional refined product storage capacity;

(D) adverse weather conditions;

(E) impediments to efficient and timely transportation of refined product;

(F) market inefficiencies; and

(G) other factors affecting the functional capability of the energy industry;

(5) the Energy Information Administration is charged with analyzing the United States energy industry and markets and providing projections on the retail price of energy products, including heating oil and propane;

(6) future sharp and sustained increases in the national and regional price of heating oil and propane can be avoided or at least mitigated if—

(A) the Energy Information Administration identifies potential failures in the functional capability of the energy industry to provide affordable heating oil and propane to consumers in all regions of the United States; and

(B) those potential failures are remedied; and

(7) avoiding sharp and sustained increases in the national and regional price of heating oil and propane can reduce Federal, State, and local expenditures to assist low-income

and other households in need of financial assistance when prices increase.

SEC. 3. ANNUAL HOME HEATING READINESS REPORTS.

(a) IN GENERAL.—Part A of title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.) is amended by adding at the end the following:

"SEC. 108. ANNUAL HOME HEATING READINESS REPORTS.

''(a) IN GENERAL.—On or before September 1 of each year, Secretary, acting through the Administrator of the Energy Information Agency, shall submit to Congress a Home Heating Readiness Report on the readiness of the heating oil and propane industries to supply fuel under various weather conditions, including rapid decreases in temperature.

''(b) CONTENTS.—The Home Heating Readiness Report shall include—

''(1) estimates of the consumption, expenditures, and average price per gallon of heating oil and propane for the upcoming period of October through March for various weather conditions, with special attention to extreme weather, and various regions of the country;

''(2) an evaluation of—

''(A) global and regional crude oil and refined product supplies;

''(B) the adequacy and utilization of refinery capacity;

''(C) the adequacy, utilization, and distribution of regional refined product storage capacity;

''(D) weather conditions;

''(E) the refined product transportation system;

''(F) market inefficiencies; and

''(G) any other factor affecting the functional capability of the heating oil industry and propane industry that has the potential to affect national or regional supplies and prices;

''(3) recommendations on steps that the Federal, State, and local governments can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane; and

''(4) recommendations on steps that companies engaged in the production, refining, storage, transportation of heating oil or propane, or any other activity related to the heating oil industry or propane industry, can take to prevent or alleviate the impact of sharp and sustained increases in the price of heating oil and propane.

''(c) INFORMATION REQUESTS.—The Secretary may request information necessary to prepare the Home Heating Readiness Report from companies described in subsection (b)(4).''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The Energy Policy and Conservation Act is amended—

(1) in the table of contents in the first section (42 U.S.C. prec. 6201), by inserting after the item relating to section 106 the following:

''Sec. 107. Major fuel burning stationary source.

''Sec. 108. Annual home heating readiness reports.''; and

(2) in section 107 (42 U.S.C. 6215), by striking ''SEC. 107. (a) No Governor'' and inserting the following:

"SEC. 107. MAJOR FUEL BURNING STATIONARY SOURCE.

''(a) No Governor''.

Mr. LIEBERMAN. Mr. President, I rise to speak about an extremely serious problem plaguing the citizens of my state of Connecticut and those throughout the Northeast—the skyrocketing cost of home heating oil and the fear of higher gas prices that will follow.

This complaint may sound familiar to some of my colleagues, particularly those similarly-situated in cold-weather states. Senator DODD and I and several others have repeatedly voiced concerns about the volatility of the heating oil-gasoline marketplace over the last several years, about the sudden swings in prices we have experienced as a result of that volatility, and the threat it poses to the livelihood of our constituents and the stability of our regional economy. The situation now, though, is more dire than anything we have seen in recent years. While I do not want to be an alarmist, I think it is critical for my colleagues to understand the severity of the squeeze many families and businesses are feeling and the potential for economic havoc.

We are bordering on a real crisis. The average price of a gallon of heating oil in the Northeast has jumped more than 100 percent since mid-January. Many families are really struggling to pay their bills and keep their families warm. Dealers and distributors are reporting significant shortages throughout the region, which promises to send prices spiraling even higher in the near term. And if this vicious cycle of high demand and low supply continues to turn, and if the weather stays the way it has, many households may literally be left out in the cold, and their well-being put at risk.

It is not just consumers, though, who are being hit hard by this price spike. It is also hurting a number of small businesses that are not prepared to absorb this kind of sudden surge in costs. It sure is hurting many small companies in the heating oil industry, the independent distributors and retailers, who form the backbone of this market. I have already heard of one oil dealer in Connecticut who owns a family business and who needed to take out a second mortgage on his home to make it through this hardship. It may not be long before others join him. There is also the very real risk of some small dealers being forced out of business.

As a result of all this, a conspicuous current of fear and uncertainty is rippling throughout the Northeast. People are anxious for some answers just as they are desperate for some relief. Like many of my colleagues, my offices have been inundated with calls from around the state from outraged homeowners demanding to know why their heating bills are going through the roof and what we are doing to bring them down.

We know that supplies are low and demand is high, and that is the basic source of the problem. But it goes much deeper than that. The decision made by OPEC to limit the production and supply of crude oil on the international market has been a major factor. Our domestic supply has shrunk considerably. Another factor has been the temperature; the cold weather and strong winds have not only kept demand high, they have frozen rivers and made it difficult at times for oil barges to dock and unload their product. And some questions have to be raised about the choices made by the major oil companies, while the supply of crude oil may have been sufficient to meet demand, the refiners may have made matters worse by focusing on turning out more gasoline than heating oil in anticipation of a warmer winter. These questions deserve more attention, and I intend to press for more information about how these decisions are being made about utilization of capacity, which are critical to determining oil supplies and by extension oil prices.

But the complexity of this problem does not mean we are powerless to help. Along with Senator DODD and the rest of our state delegation, we have been doing all we can to provide some immediate relief from these spiraling prices and troubling shortages. One of our principal concerns is for the low-income families who are being asked to choose between putting food on the table and heating their homes. The price spike is hitting these families the hardest, and we are doing our best to help them make it through. A bipartisan coalition sent a letter to the President two weeks ago urging him to quickly release emergency funds from the Low-Income Home Energy Assistance Program, which is a critical first line of defense for our neighbors who are least able to cope with sudden price surges. The President thankfully responded by releasing $45 million for the disadvantaged families of New England, including $3.1 million for those in Connecticut. This was a significant gesture, but there are many families who won't benefit from it. That is why just two days ago our coalition sent the President another letter requesting that an additional $200 million in LIHEAP funding be released immediately. I hope the President again hears our concerns and heeds our call.

I am also concerned about the independent oil suppliers in the Northeast. Most home heating oil distributors are small businesses with few employees; these businesses are not always in the position to weather severe price fluctuations or shortages as we are seeing now. Part of the problem is that small oil dealers often must pay the high price of crude oil from large wholesalers before they are able to collect on oil sales to residential homes. This leaves them with few reserves to make due. To help relieve the burden on these businesses, I have asked the Small Business Administration to make available a package of short turnaround loans and technical assistance. The SBA has been highly sensitive to this problem, and they are moving quickly to spread the word around the region about these options.

Along with several of my colleagues on both sides of the aisle, I have supported and continue to support a drawdown of the Strategic Petroleum Reserve as a way to quickly boost stocks in the Northeast and thereby quickly reduce prices. Senator DODD and I and several of our colleagues from neighboring states have lobbied hard for the Administration to take that step. We have cosponsored legislation that explicitly authorizes the Secretary of Energy to tap the SPR in these circumstances. We wrote the President two weeks ago urging him to approve a drawdown as soon as possible. And shortly thereafter we met with Energy Secretary Bill Richardson to plead this case directly. The Secretary unfortunately has been reluctant to pursue this option, but we have not given up hope of changing his mind, and will continue to push our argument.

While we believe the SPR drawdown is critical to getting us through this short-term emergency, it is not a long-term solution. It will not and cannot defuse the volatility of the heating oil marketplace. But there are a number of steps we can take to prevent these disruptive price spikes from cycling in and out. First, it is important that we convince leaders of the oil-producing nations that colluding to hold down supply is not in their long-term interest. As we have seen, prices of oil have indeed gone up, but there is growing resentment of the policies of OPEC as our citizens feel a strengthening pinch. It is important that these countries understand that if they continue with this strategy, they may jeopardize good relations with the United States. Secretary Richardson will soon be meeting with OPEC's leaders, and we are pressing him to forcefully communicate this message to our allies and trading partners.

Second, we should take a hard look at the use of interruptible gas contracts by natural gas suppliers and the evidence that these contracts may be exacerbating the volatility of the heating oil market. These ''interruptible'' contracts can be obtained at a discount rate in exchange for giving the contractor the ability to suspend service when gas supply is low or demand is high. When these contracts are interrupted, many customers typically turn to heating oil as their preferred alternative, creating a sudden, secondary demand jolt to the oil market. I have heard from a number of leaders in the heating oil industry who fear that this is exactly what is happening now. We need to better understand the level of additional heating oil demand caused by these types of contracts and be able to anticipate demand fluctuations as accurately as possible so that we may avoid future situations where demand exceeds supply. For that reason, I recently asked Secretary Richardson to investigate the extent and impact of interruptible contracts, and to report back to us on his findings to determine what if anything we should do about this practice.

Our current situation points to the fundamental problem that we are far too dependent upon foreign oil for our energy needs. We need to employ long-term strategies to decrease our reliance upon foreign nations and bolster our own energy capacity. Many of us have cosponsored legislation in the past to increase research and development funding for renewable energy sources. We need to invest time, money, and an increased level of effort in the development of energy efficient power sources such as wind, solar, and natural gas. I will continue to work toward this goal and I strongly urge my colleagues to do so as well.

Mr. President, as I said, I rise to speak about a very serious problem plaguing the citizens of Connecticut and the Northeast; that is, the skyrocketing cost of home heating oil and the fear of higher gas prices that will come with the warmer weather. There is a very complicated situation as to why it exists.

It begins with the decision by the OPEC cartel to reduce the supply of oil. It goes to the decision of some oil companies not to refine adequate supplies of home heating oil. Whatever the complexity, it does not mean that we are powerless to help.

Senator DODD and I, and the rest of our delegation, on earlier occasions, with colleagues from throughout the Northeast from both parties, have appealed to the President to release Low Income Home Energy Assistance Program funding. He did that—$45 million worth.

We have another request in now for an additional $200 million. It is that bad in our State.

The real answer to this is to open up the Strategic Petroleum Reserve and effect the laws of supply and demand, 560 million barrels of oil that we, the taxpayers, U.S. Government own. This is the time to use it.

Up until now, Secretary Richardson and the administration have refused to do so. I appeal to them today on behalf of the people of Connecticut who are suffering under the shock of doubling and in some cases tripling of what they pay for home heating oil. Please open up the reserve. There is now a new idea of swaps, not selling the oil but allowing the oil companies to take it out of reserve, bring it into the market, increase supply, lower price, and then put oil back into the reserve, even a higher amount.

The short of it is, we are in crisis in the Northeast. It is a crisis that, if it is not stopped and is allowed to go on, with higher gasoline prices that will affect the rest of the country in spring time, it will begin to create the kind of inflation that will cut the economic growth we have enjoyed.

ADDITIONAL COSPONSORS

S. 92

At the request of Mr. DOMENICI, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 92, a bill to provide for biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 162

At the request of Mr. BREAUX, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 386

At the request of Mr. GORTON, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt bond financing of certain electric facilities.

S. 397

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 397, a bill to authorize the Secretary of Energy to establish a multiagency program in support of the Materials Corridor Partnership Initiative to promote energy efficient, environmentally sound economic development along the border with Mexico through the research, development, and use of new materials.

S. 486

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 486, a bill to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

S. 899

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 899, a bill to reduce crime and protect the public in the 21st Century by strengthening Federal assistance to State and local law enforcement, combating illegal drugs and preventing drug use, attacking the criminal use of guns, promoting accountability and rehabilitation of juvenile criminals, protecting the rights of victims in the criminal justice system, and improving criminal justice rules and procedures, and for other purposes.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1220

At the request of Mr. THOMAS, his name was added as a cosponsor of S.

1220, a bill to provide additional funding to combat methamphetamine production and abuse, and for other purposes.

S. 1272

At the request of Mr. NICKLES, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1428

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 1428, a bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act relating to the manufacture, traffick, import, and export of amphetamine and methamphetamine, and for other purposes.

S. 1638

At the request of Mr. ASHCROFT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1638, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

S. 1653

At the request of Mr. SMITH of New Hamphire, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1653, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 1776

At the request of Mr. CRAIG, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1776, a bill to amend the Energy Policy Act of 1992 to revise the energy policies of the United States in order to reduce greenhouse gas emissions, advance global climate science, promote technology development, and increase citizen awareness, and for other purposes.

S. 1777

At the request of Mr. CRAIG, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1777, a bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction of greenhouse gas emissions and to advance global climate science and technology development.

S. 1816

At the request of Mr. HAGEL, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1816, a bill to amend the Federal Election Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes.

S. 1898

At the request of Mr. DORGAN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 1898, a bill to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 1921

At the request of Mr. CAMPBELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

S. 1941

At the request of Mr. DODD, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1941, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize the Director of the Federal Emergency Management Agency to provide assistance to fire departments and fire prevention organizations for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards.

S. 1952

At the request of Mr. ABRAHAM, the names of the Senator from Colorado (Mr. ALLARD), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1952, a bill to amend the Internal Revenue Code of 1986 to provide a simplified method for determining a partner's share of items of a partnership which is a qualified investment club.

S. 1957

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1957, a bill to provide for the payment of compensation to the families of the Federal employees who were killed in the crash of a United States Air Force CT–43A aircraft on April 3, 1996, near Dubrovnik, Croatia, carrying Secretary of Commerce Ronald H. Brown and 34 others.

S. 1962

At the request of Mr. ASHCROFT, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1962, a bill to amend the Congressional Budget Act of 1974 to protect Social Security and Medicare surpluses through strengthened budgetary enforcement mechanisms.

S. 1983

At the request of Mrs. MURRAY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1983, a bill to amend the Agricultural Trade Act of 1978 to increase the amount of funds available for certain agricultural trade programs.

S. 1988

At the request of Mr. HATCH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1988, a bill to reform the State inspection of meat and poultry in the United States, and for other purposes.

S. 2003

At the request of Mr. JOHNSON, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2013

At the request of Mr. JEFFORDS, his name was added as a cosponsor of S. 2013, a bill to restore health care equity for medicare-eligible uniformed services retirees, and for other purposes.

S. 2021

At the request of Mr. BROWNBACK, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2021, a bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991.

At the request of Mr. REED, his name was added as a cosponsor of S. 2021, supra.

S. 2026

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2026, a bill to amend the Foreign Assistance Act of 1961 to authorize appropriations for HIV/AIDS efforts.

S. 2029

At the request of Mr. FRIST, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2029, a bill to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2035, a bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation incidents.

S. CON. RES. 60

At the request of Mr. FEINGOLD, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. Con. Res. 60, 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.J. RES. 39

At the request of Mr. CAMPBELL, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S.J. Res. 39, a joint resolution recognizing the 50th anniversary of the Korean War and the service by members of the Armed Forces during such war, and for other purposes.

S. RES. 60

At the request of Mr. MACK, the name of the Senator from Missouri (Mr.

ASHCROFT) was added as a cosponsor of S. Res. 60, a resolution recognizing the plight of the Tibetan people on the fortieth anniversary of Tibet's attempt to restore its independence and calling for serious negotiations between China and the Dalai Lama to achieve a peaceful solution to the situation in Tibet.

S. RES. 128

At the request of Mr. COCHRAN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. Res. 128, a resolution designating March 2000, as ''Arts Education Month.''

S. RES. 237

At the request of Mrs. BOXER, the names of the Senator from Minnesota (Mr. WELLSTONE), and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. Res. 237, a resolution expressing the sense of the Senate that the United States Senate Committee on Foreign Relations should hold hearings and the Senate should act on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

S. RES. 248

At the request of Mr. ROBB, the names of the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. CONRAD), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 248, a resolution to designate the week of May 7, 2000, as ''National Correctional Officers and Employees Week.''

S. RES. 251

At the request of Mr. SPECTER, the names of the Senator from Utah (Mr. BENNETT), and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of S. Res. 251, a resolution designating March 25, 2000, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy.''

AMENDMENT NO. 2771

At the request of Mr. THOMAS, his name was added as a cosponsor of amendment No. 2771 proposed to S. 625, a bill to amend title 11, United States Code, and for other purposes.

SENATE CONCURRENT RESOLUTION 80—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. LOTT submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 80.

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, February 10, 2000, or Friday, February 11, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, February 22, 2000, 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; and that when the House adjourns on the legislative day of Wednesday, February 16, 2000, Thursday, February 17, 2000, or Friday, February 18, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Tuesday, February 29, 2000, for morning-hour debate, 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 Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever in their opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 81—EXPRESSING THE SENSE OF THE CONGRESS THAT THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA SHOULD IMMEDIATELY RELEASE RABIYA KADEER, HER SECRETARY, AND HER SON, AND PERMIT THEM TO MOVE TO THE UNITED STATES IF THEY SO DESIRE

Mr. ROTH (for himself, Mrs. MURRAY, Mr. BINGAMAN, Mr. EDWARDS, Mr. CRAPO, Mr. DODD, Mr. THOMAS, and Mrs. FEINSTEIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 81

Whereas Rabiya Kadeer, a prominent ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR) of the People's Republic of China, her secretary, and her son were arrested on August 11, 1999, in the city of Urumqi;

Whereas Rabiya Kadeer's arrest occurred outside the Yindu Hotel in Urumqi as she was attempting to meet a group of congressional staff staying at the Yindu Hotel as part an official visit to China organized under the auspices of the Mutual Educational and Cultural Exchange Program of the United States Information Agency;

Whereas Rabiya Kadeer's husband Sidik Rouzi, who has lived in the United States since 1996 and works for Radio Free Asia, has been critical of the policies of the People's Republic of China toward Uighurs in Xinjiang;

Whereas according to an Amnesty International press release of August 16, 1999, ''It appears as though the accusations against Kadeer and her son Ablikim Abdyirim may relate to her attempts to meet a visiting delegation from the United States [Congress] and her communications with her husband Sidik Rouzi, . . .'';

Whereas reports indicate that Ablikim Abdyirim was sent to a labor camp on November 26 for 2 years without trial for ''supporting Uighur separatism,'' and Rabiya Kadeer's secretary was recently sentenced to 3 years in a labor camp;

Whereas Rabiya Kadeer has 5 children, 3 sisters, and a brother living in the United States, in addition to her husband, and Kadeer has expressed a desire to move to the United States;

Whereas the People's Republic of China stripped Rabiya Kadeer of her passport long before her arrest;

Whereas reports indicate that Kadeer's health may be at risk and that she may be sentenced to 10 or more years in prison;

Whereas repeated requests to the Government of the People's Republic of China by Members of Congress and congressional staff for an explanation of the nature of the charges against Rabiya Kadeer, her secretary, and her son, for an update on the state of Kadeer's health, and for details of any legal proceedings against those arrested, have gone unanswered since August 1999;

Whereas the People's Republic of China signed the International Covenant on Civil and Political Rights on October 5, 1998;

Whereas that Covenant requires signatory countries to guarantee their citizens the right to legal recourse when their rights have been violated, the right to liberty and freedom of movement, the right to presumption of innocence until guilt is proven, the right to appeal a conviction, freedom of thought, conscience, and religion, freedom of opinion and expression, and freedom of assembly and association;

Whereas that Covenant forbids torture, inhuman or degrading treatment, and arbitrary arrest and detention;

Whereas the first Optional Protocol to the International Covenant on Civil and Political Rights enables the Human Rights Committee, set up under that Covenant, to receive and consider communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant; and

Whereas in signing that Covenant on behalf of the People's Republic of China, Ambassador Qin Huasun, Permanent Representative of the People's Republic of China to the United Nations, said the following: ''To realize human rights is the aspiration of all humanity. It is also a goal that the Chinese Government has long been striving for. We believe that the universality of human rights should be respected . . . As a member state of the United Nations, China has always actively participated in the activities of the organization in the field of human rights. It attaches importance to its cooperation with agencies concerned in the U.N. system . . .'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress calls on the Government of the People's Republic of China—

(1) immediately to release Rabiya Kadeer, her secretary, and her son; and

(2) to permit Kadeer, her secretary, and her son to move to the United States, if they so desire.

Mr. ROTH. Mr. President, I rise today on behalf of myself and Senators MURRAY, BINGAMAN, EDWARDS, CRAPO, DODD, THOMAS, and FEINSTEIN to submit a concurrent resolution stating the sense of Congress that China immediately release Rabiya Kadeer, her secretary and her son. On August 11, 1999 Ms. Kadeer was arrested on her way to a meeting with a group of Congressional staff visiting China under the auspices of a U.S. Information Agency program. Later, two of the sons and her secretary were detained as well.

One son has since been sentenced to 2 years at hard labor and her secretary, 3 years. And we have received credible reports that in the aftermath of the

Chinese New Year's celebrations, she herself faces imminent trial and sentencing.

The crimes she is accused of committing remain unclear, despite letters from a number of us on Capitol Hill, and despite a series of requests to Chinese officials stretching back to August. Our attempts at quiet diplomacy, perhaps unsurprisingly, have failed. And so, with her trial and sentencing about to take place, it is vital that we try a different tack. That is why I am offering this resolution.

Ms. Kadeer is a prominent member of an ethnic minority group in China called Uighurs. These people are Turkic-speaking Moslems, and they form the largest ethnic group in China's northwestern-most province.

A few years back, Ms. Kadeer was lauded by the PRC for her promotion of business enterprises among women and for contributing to the economic and social development of her province. To honor her efforts, she was named by authorities to the China People's Political Consultative Congress and as a delegate to the United Nations World Conference on Women held in Beijing.

But Ms. Kadeer began to fall out of favor with officials in Beijing after her husband emigrated to the United States in 1997 and became a commentator for Voice of America. Soon thereafter, her passport was seized and the assets of an organization she founded to improve opportunities for Moslem businesswomen were frozen. Then, in 1998, Ms. Kadeer lost her position in the Consultative Congress.

Perhaps that is why five of Ms. Kadeer's children, three sisters and a brother are now living in the United States, in addition to her husband. And perhaps that is why Ms. Kadeer has expressed a desire to move to the United States herself.

That desire, for the moment, has been quashed. Last summer, as she was on her way to the hotel where the Congressional staff delegation was waiting to meet her, Kadeer was arrested. The arrest is troubling enough, but the fact that it took place as she was attempting to have a simple conversation with staffers who work for the United States Congress, I believe, requires that we take a firm stand.

Let's not forget that the PRC signed the International Covenant on Civil and Political Rights in 1998. Among other things, that Covenant requires signatories to guarantee their citizens the right to liberty and freedom of movement; the right to presumption of innocence until guilt is proven; freedom of thought, conscience, and religion; freedom of opinion and expression; and freedom of assembly and association. It also forbids torture, inhumane or degrading treatment, and arbitrary arrest and detention.

In signing that Covenant on behalf of the PRC, China's Permanent Representative to the United Nations said, and I quote, ''To realize human rights is the aspiration of all humanity. It is also a goal that the Chinese Government has long been striving for. We believe that the universality of human rights should be respected * * *.''

Well, I don't think China has respected the human rights of Rabiya Kadeer, her son or her secretary. That's why this resolution calls on China to release them and give them the chance to move to the United States, if they wish. Mr. President, I urge my colleagues to support this resolution and move for its earliest possible passage as Ms. Kadeer's fate will soon be determined by a country that offers her little or no chance of a fair trial.

SENATE RESOLUTION 256—DESIGNATING THE WEEK OF FEBRUARY 14–18, 2000, AS ''NATIONAL HEART FAILURE AWARENESS WEEK''

Mr. SPECTER (for himself, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mrs. BOXER, Mr. BREAUX, Mr. L. CHAFEE, Mr. CLELAND, Ms. COLLINS, Mr. CONRAD, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. HATCH, Mr. HELMS, Mr. INOUYE, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LUGAR, Mr. MACK, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SCHUMER, Mr. SHELBY, Mr. SMITH of Oregon, Mr. THURMOND, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Ms. SNOWE, Mr. JEFFORDS, Mr. JOHNSON, Mr. SESSIONS, Mr. STEVENS, and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 256

Whereas the primary goals of ''National Heart Failure Awareness Week'' are—

(1) to promote research related to all aspects of heart failure and provide a forum for presentation of that research;

(2) to educate heart failure caregivers and patients through programs, publications, and other media allowing for more effective treatment and diagnosis of heart failure; and

(3) to enhance the quality and duration of life for those with heart failure;

Whereas heart failure, a disease of the heart muscle, is of epidemic proportions in the United States;

Whereas as of January 1, 2000, approximately 4,600,000 Americans had been diagnosed with congestive heart failure, and an estimated 450,000 more cases will be diagnosed in the year 2000;

Whereas coronary artery disease is a cause in approximately 50 percent of the cases of patients with heart failure, and in such cases, patients often have heart attacks or require bypass surgery;

Whereas the incidence of heart failure increases with age and is the most frequent cause of hospitalization for individuals over the age of 65;

Whereas the prognosis for those diagnosed with heart failure is not promising, as less than 50 percent of patients live more than 5 years after their initial diagnosis; and

Whereas it is vital that the American public become aware of the enormous impact of heart failure, and be better educated regarding the signs and symptoms of the disease: Now, therefore, be it

Resolved, That the Senate—

(1) in recognition of all the individuals who have devoted time and energy toward increasing public awareness and education on heart failure, designates the week of February 14–18, 2000, as ''National Heart Failure Awareness Week''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

SENATE RESOLUTION 257—EXPRESSING THE SENSE OF THE SENATE REGARDING THE RESPONSIBILITY OF THE UNITED STATES TO ENSURE THAT THE PANAMA CANAL WILL REMAIN OPEN AND SECURE TO VESSELS OF ALL NATIONS

Mr. CRAIG (for himself, Mr. INHOFE, Mrs. HUTCHISON, and Mr. CRAPO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 257

Whereas the 1977 Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal provides that Panama and the United States have the joint responsibility to ensure that the Panama Canal will remain open and secure, and provides that each signatory, in accordance with its constitutional processes, shall defend the Canal against any threat to its neutrality and shall have the right to act against threats against the peaceful transit of vessels through the Canal;

Whereas the United States Armed Forces have depended upon the Panama Canal for rapid transit in times of global conflict, including during World War II, the Korean War, the Vietnam War, the Cuban Missile Crisis, and the Persian Gulf War;

Whereas the common interests of Panama and the United States have produced close relations between the two nations and a shared interest in protecting the Canal and its operations;

Whereas the passage of Panama Law Number 5 and the port facilities lease agreements have created concern about the future security of the Canal and its continued unfettered operations;

Whereas Panama does not have an army, navy, or air force, and the national police capabilities are inadequate to defend the Canal against terrorism from internal or external sources;

Whereas occupation, damage, or destruction of this crucial naval choke point would be catastrophic to the United States, its allies, and the world;

Whereas the Canal has influenced world trade patterns, spurred growth in developed countries, and has been a primary impetus for economic expansion in developing countries;

Whereas the Panama Canal remains a vital economic and strategic asset to the United States, its allies, and the world; and

Whereas 53 percent of Canal traffic originates or ends at United States port facilities: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) any attack on or against the Panama Canal by any country will be considered an act of war against the United States;

(2) the President should, prior to June 1, 2001, negotiate security arrangements with

2001, negotiate security arrangements with the Government of Panama that will protect the Canal and ensure that the Canal remains open, secure, and neutral, consistent with the Panama Canal Treaty, the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, and the resolutions of ratification thereto; and

(3) the President should consult with the leadership of both Houses of Congress and with the chairmen and ranking members of the appropriate congressional committees regarding the implementation of this resolution.

● Mr. CRAIG. Mr. President, today I rise to propose a resolution expressing the sense of the Congress regarding the responsibility of the United States in guaranteeing the security and passage of vessels through the Panama Canal.

The Panama Canal Treaty and the Treaty concerning the Permanent Neutrality and Operation of the Panama Canal were a battle fought and lost before my time in the Congress of the United States. However, we still have an obligation to the world, our allies, and the people of the United States to ensure that the Panama Canal will remain open, secure, and neutral in providing safe passage to vessels of all nations.

These treaties with Panama gave the United States the option of continuing our presence in Panama beyond 2000. This option must be exercised! The United States needs to retain a presence in Panama to ensure a measure of power projection capability in an area of vital national interest to our economy, our freedoms, and our way of life.

Mr. President, this extension of our presence in Panama is also consistent with the intent of Congress. The 1979 Panama Canal Act, which incorporated the treaty into United States law, included a sense of the Congress resolution that the ''best interests of the United States require that the President enter into negotiations with the Republic of Panama for the purpose of arranging for the stationing of United States military forces after the termination of the Panama Canal Treaty of 1977.''

Panama agreed to these terms in 1979. Since this time, both sides have been working on an agreement to define our future presence, but progress on this effort stalled in early 1998.

The current administration's policy in the region is a legacy of missed opportunities, including their failure to negotiate a continued United States presence in Panama. There exists a dire need for a stabilizing presence which the United States has brought to the region since World War II. Although the traditional threat of a foreign naval attack on the Canal has virtually disappeared, the United States still needs to be able to project military power in the region. The unprecedented upsurge in political instability and state-sponsored terrorism that the United States now faces makes it necessary to provide rapid troop and logistical transit through the Canal. The need to conduct surveillance or to pursue actual and potential adversaries also requires immediate access to the Canal. Such possibilities make it essential that the United States retain a measure of conventional military presence in the region.

There are many other reasons for the United States to retain a presence in Panama: First, the United States conducts a number of humanitarian and civil-military programs throughout the region. These missions have been greatly benefitted in the past with lower transportation costs and greater efficiency afforded by centralized logistics within the region. Second, as we all know, Panama is located in the center of a major drug transit corridor. Anti-drug operations will continue to be a critical feature of United States policy in the region. Third, with the issue of military readiness, the Jungle Operations Training Center at Fort Sherman provided unequaled facilities for training in low-intensity warfare. Former Assistant Secretary of Defense Frederick C. Smith stated that this and other sites ''will be difficult to replicate elsewhere.'' Last, 65 to 80 percent of the Panamanian people favor United States involvement in the region.

In conclusion, Mr. President, we need to send a decisive message to the current administration to renew negotiations for security arrangements and a continued United States presence in the region. And the United States Government should make it clear to the world that the Panama Canal will remain free, open, and neutral, and any indications to the contrary will be considered as an act of war against the people of the United States.●

SENATE RESOLUTION 258—DESIGNATING THE WEEK BEGINNING MARCH 12, 2000 AS ''NATIONAL SAFE PLACE WEEK''

Mr. CRAIG (for himself, Mr. AKAKA, Mr. ALLARD, Mr. CLELAND, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mrs. FEINSTEIN, Mr. GORTON, Mr. GRAMS, Mrs. HUTCHISON, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Mr. MCCONNELL, Mrs. MURRAY, Mr. SMITH, of Oregon, and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 258

Whereas today's youth are vital to the preservation of our country and will be the future bearers of the bright torch of democracy;

Whereas youth need a safe haven from various negative influences such as child abuse, substance abuse and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

Whereas the United States needs increased numbers of community volunteers acting as positive influences on the Nation's youth;

Whereas the Safe Place program is committed to protecting our Nation's most valuable asset, our youth, by offering short term ''safe places'' at neighborhood locations where trained volunteers are available to counsel and advise youth seeking assistance and guidance;

Whereas Safe Place combines the efforts of the private sector and non-profit organizations uniting to reach youth in the early stages of crisis;

Whereas Safe Place provides a direct means to assist programs in meeting performance standards relative to outreach/community relations, as set forth in the Federal Runaway and Homeless Youth Act guidelines;

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youth;

Whereas over 300 communities in 33 states and more than 6,800 business locations have established Safe Place programs;

Whereas over 35,000 young people have gone to Safe Place locations to get help when faced with crisis situations;

Whereas through the efforts of Safe Place coordinators across the country each year more than one-half million students learn that Safe Place is a resource if abusive or neglectful situations exist;

Whereas increased awareness of the program's existence will encourage communities to establish Safe Places for the Nation's youth throughout the country: Now, therefore be it

Resolved, That the Senate—

(1) proclaims the week of March 12 through March 18, 2000 as ''National Safe Place Week'' and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to promote awareness of and volunteer involvement in the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

Mr. CRAIG. Mr. President, I rise today to invite my colleagues to join me in sponsoring a resolution designating the week beginning March 12, 2000 as ''National Safe Place Week.'' This resolution supports the successful Project Safe Place program and encourages its growth. This resolution promotes a program that improves the quality of life for young people across the nation without depleting social service funds or instituting new government programs whose success is unsure. Project Safe Place makes use of programs already in place, seeks to bring families together by helping them resolve their conflicts. and does not reach into the taxpayer's pocket.

The National Network for Youth estimates that more than two million young people run away from home each year. Increasing numbers of teens and even children are also being turned away from their homes by disinterested or frustrated parents. On the street, these youth are likely to resort to using drugs, prostitution and other criminal behavior or survive. They are more vulnerable to physical or sexual violence, and they are more likely to commit suicide. Without help, their future is bleak and frightening.

Project Safe Place is designated to assist young people and families who face difficult situations. The problems vary from one individual to the other. Some young people ask Safe Place for assistance because they frequently find themselves in hour-long screaming matches with their parents. Others go because they are beaten and mentally

abused at home. Sometimes they have a parent who is addicted to drugs or alcohol. All the young people who find Safe Places have in common an overwhelming need to improve their home life.

The program works by creating a network of businesses and public locations that display the bright yellow, diamond-shaped Safe Place logo in their windows or on other highly visible places on the front of their buildings. Businesses and locations such as convenience stores, fire stations, libraries, and fast food restaurants are effective Safe Places because they are found throughout the community and they tend to be easily accessible. Also, young people are more likely to ask for help in familiar, non-threatening places. In most cases, it is easier for a young person to find a convenience store and walk into it than it is for him or her to track down a social services agency, travel to it and then brave the intimidation of walking through its doors.

The employees at Safe Places are trained to act as a link to help. At the Safe Place they make sure youth who ask for help are taken into the back of the store or restaurant, away from people who may know them and question them later. The employee immediately notifies a shelter. The shelter sends a volunteer counselor to talk to the youth, offer advice and evaluate the problem. The volunteer, who is the same gender as the young person, will transport the youth to the shelter if more counseling is necessary or if the young person would like a safe place to stay. If the youth decides to stay at the shelter, parents will be notified that the young person is all right.

Project Safe Place is a national program that operates locally. It is a unique collaborative effort between youth service agencies, a network of volunteers and local businesses to make help available to youth quickly and in their own neighborhood. Safe Place aims to return young people to a healthy emotional environment. That could mean seeing that the family receives counseling or that could mean finding a place outside the house for the youth to live.

In addition to enhancing outreach programs to area youth, the distinct Safe Place signs increase awareness of the plight of troubled youths. They remind adults of problems in the community and often inspire people to volunteer. They demonstrate to businesses that the private sector can play a positive role and usually lead to more Safe Place sites.

Since its beginning in Louisville, Kentucky in 1983, acknowledgment of Project Safe Place has been crucial to letting young people know that the service is available to them and inspiring others to create more Safe Places. In March 1998, many Senators helped pass Senate Resolution 96, making the third week to March 1998 ''National Safe Place Week.'' Since then, sites grew from 6,000 to 8,000. Today, more than 30,000 young people and their families have been helped. Even if your state is not one of the 34 that has at least one Safe Place, the program has probably still affected your state. It is likely that a runaway from your state has been returned to his or her family through this program. Counseling initiated by the program may have involved a parent who lives in your state.

My goal is to have at least one Safe Place in every state by the end of the decade. I urge all my colleagues to champion this plan and to begin by cosponsoring this resolution making the second week of March ''National Safe Place Week.'' The designation of time is a crucial step in promoting awareness of this effective program. Your support will help continue the valuable partnership between government and the private sector as we move toward a society with happier and safe young people.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to review the President's proposed Fiscal Year 2001 Budget for the operation of the National Park Service system.

The hearing will take place on Tuesday, February 29, 2000 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Thursday, February 10, 2000. The purpose of this meeting will be to discuss the findings of the President's working group's report on ''Over the Counter Derivatives Markets and the Commodity Exchange Act.''

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

COMMITTEE ON ARMED SERVICES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 10, 2000 at 9:30 a.m., in open session, to receive testimony on the defense authorization request for fiscal year 2001 and the future years defense plan.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, February 10, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:00 a.m. The purpose of this business meeting is to consider pending calendar business.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, February 10 at 10:00 a.m. to receive testimony on S. 1797, a bill to amend the Alaska Native Claims Settlement Act, to provide for a land conveyance to the city of Craig, Alaska and for other purposes; S. 1925, the Lake Tahoe Restoration Act; S. 1664, a bill to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah; S. 1665, a bill to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange; H.R. 2863, a bill to clarify the legal effect on the United States of the acquisitionn of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah; H.R. 2862, a bill to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange; and S. 1936, a bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

COMMITTEE ON FOREIGN RELATIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 10, 2000, at 10:30 a.m. and 2:30 p.m. to hold two hearings.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday,

February 10, 2000 at 10:00 a.m., for a hearing regarding the Rising Cost of College Tuition and the Effectiveness of Government Financial Aid.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, February 10, 2000, at 10:00 a.m., in SD226.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, February 10, 2000 at 2:00 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON EAST ASIA AND PACIFIC AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on East Asia and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 10, 2000, at 1:30 pm to hold a joint hearing with the House Subcommittee on Asia and the Pacific of the House International Relations

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

SUBCOMMITTEE ON IMMIGRATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Immigration be authorized to meet to conduct a hearing on Thursday, Febraury 10, 2000, at 2:00 p.m., in SD226.

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

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent during the introduction of my bill, that congressional fellow Terry Ceravolo and intern Ernest White be allowed privileges of the floor.

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

Mr. GRAHAM. Mr. President, I ask unanimous consent that an intern in my office, Mr. Chris Polaszek, be allowed floor privileges during the introduction of S. 2058.

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

ADDITIONAL STATEMENTS

THE 81ST ANNIVERSARY OF THE REPUBLIC OF LITHUANIA

● Mr. SARBANES. Mr. President, it is a privilege for me to rise today to join with nearly 1 million Lithuanian-Americans in commemorating the 81st anniversary of an independent Lithuania. On February 16, it is customary for those of Lithuanian heritage, and their friends and supporters to celebrate the proclamation of a progressive and independent Republic of Lithuania, which was reestablished after more than seven centuries of struggle. Lithuania's democratic hopes were realized once before this century, yet freedom was abruptly revoked in 1940, after 22 years of democratic governance. While February 16th reminds us of Lithuania's long and difficult period, it also affords us the opportunity to commend the determination and courage of the citizens of Lithuania and other Baltic nations. Their strong commitment to democratic values serves as an incentive for us all to rededicate ourselves to the principles for which this important day stands, liberty and freedom.

The history of this nation has been marked by constant struggle against aggressors. Through countless invasions, Lithuanian defenders have stood resolutely against their foes and have demonstrated their commitment to independence. After well over a century of domination, the people of Lithuania proclaimed their independence and reestablished their sovereignty as a nation on February 16, 1918. For more than two decades, this young nation prospered economically and lived at peace with its neighbors. The events of World War II brought this period to an end when, in 1940, Lithuania was occupied by Soviet Armed forces. Our thoughts must turn to those Lithuanians who suffered under the brutality of the Nazi and Soviet occupations. Many risked and lost their lives for the rights and freedoms that Lithuanians today are privileged to enjoy. Their steadfast determination and courage eventually prevailed, providing hope for all peoples who dreamt someday of being free.

In 1990, following the collapse of the Soviet Union, Lithuania rejoined the international community of democratic nations and embraced political and economic reforms. Lithuania experienced a peaceful transfer of civilian rule, despite a difficult period of transition, and has committed to pursuing economic reforms which offer the possibility of greater prosperity, a bright future and sustainable growth for years to come. To this end, Lithuania has chosen to engage with its neighbors and other democracies by joining The Baltic Economic Cooperation Agreement and the Council of Europe and through their desire to join the European Union.

The Lithuanian people have drawn their strength from a sense of nationhood. This has been most evident here in the United States, where we have witnessed the dedication of Lithuanian Americans to the freedom of their native land. Their perseverance has encouraged many of us to stand in this body over the last several decades and proclaim our support for a Lithuanian republic.

We in Maryland, and our Nation, are particularly fortunate to have such an active Lithuanian-American community. Longstanding traditions of self-help, volunteerism and the dedication to democratic ideals that have prevailed in the community have truly enriched the history of our country. In areas ranging from business, to academia, to the arts, Lithuanian-Americans consistently make significant contributions across the Nation.

Every year Lithuanians gather in their capital, Vilnius, to commemorate this anniversary. I am proud that we in the United States have continued to stand with them on this occasion, both in years when there was much to celebrate and in years when there were only dreams of a better future. I am confident that we will continue to celebrate this anniversary in the future with the same optimism that we do this year.●

ACKNOWLEDGING THE CONTRIBUTIONS OF THE 150TH FIGHTER WING

● Mr. DOMENICI. Mr. President I rise today to salute the 150th Security Forces Squadron and the 150th Civil Engineering Squadron of the New Mexico Air National Guard.

Federally recognized on July 7, 1947 as the 188th Fighter Bomber Squadron, the ''Tacos'' have contributed significantly to U.S. military operations in Korea, Vietnam, Bosnia, Iraq, and are scheduled to deploy to Turkey next January as part of Operation Northern Watch. During their 52-year history, the Tacos were the first Air National Guard unit to be converted to the F–100 aircraft in 1958 and the A–7D aircraft in 1973. Since 1970, when the 150th Fighter Wing evolved into a joint support force, the Tacos have been utilized by every branch of our Armed Forces except for the Coast Guard.

The Tacos are characteristic of the many exceptional units that comprise our Nation's Reserve and National Guard, and I have no doubt that they will continue to ensure the success of our military missions both domestically and abroad. I would ask that my colleagues join me in thanking them for their dedicated service.

I recently received a letter from General A.C. Zinni, the U.S. Marine Corps Commander in Chief commending the Tacos for their distinguished service and the substantial role they played in the success of Operation Southern Watch. I ask that General A.C. Zinni's letter be printed in the RECORD.

The letter follows:

U.S. CENTRAL COMMAND,
OFFICE OF THE COMMANDER IN CHIEF,
MacDill Air Force Base, FL, January 20, 2000.

Hon. PETE V. DOMENICI,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR DOMENICI: I would like to take this opportunity to highlight the deployment this past year by members of the 150th Security Forces Squadron and the 150th Civil Engineering Squadron, New Mexico Air National Guard, to the U.S. Central Command area of responsibility. These units are but two of many outstanding Reserve

and National Guard units to deploy to Central Command's area of responsibility and contribute to the success of Operation SOUTHERN WATCH.

The capability and enthusiasm demonstrated by the members of the 150th Security Forces Squadron and the 150th Civil Engineering Squadron reflected great credit on themselves and the professionalism of Reserve and National Guard units throughout the nation. The participation of units like these significantly contributes to our overall effort in support of Operation SOUTHERN WATCH and allows the services to ensure a more responsible and efficient utilization of the total force.

Please convey my sincere appreciation and thanks to the airmen of these great organizations and their employers for their outstanding support and patriotism to the nation in this vital part of the world.

Respectfully,

A. C. ZINNI,
General, U.S. Marine Corps, Commander in Chief.●

TRIBUTE TO DR. MARTIN LUTHER KING, JR.

● Mr. ROBB. Mr. President, on January 17, 2000, I attended the dedication of a memorial monument to Dr. Martin Luther King, Jr., in Norfolk, Virginia. I want to read into the CONGRESSIONAL RECORD the remarks offered at the dedication by Rabbi Israel Zoberman, spiritual leader of Congregation Beth Chaverim in Virginia Beach, Virginia, and Chairman, Community Relations Council, United Jewish Federation of Tidewater:

Our God of Blessings, My Cherished African American Sisters and Brothers, Dear Dignitaries and Friends,

Indeed, ''This is the day the Lord has provided for us, let us rejoice in it.'' We have come together one family to give thanks for the life of a great son of America and humanity, the Reverend Dr. Martin Luther King, Jr., and for his legacy that will never die. With joy and pride we dedicate this towering monument to the lasting spirit it represents—to bring shalom's gift to the world through the non-violent means of hope, healing and harmony. On the threshold of a new decade, century and millennium, it is an essential guiding beacon of light and enlightenment, soothing pain and discovering promise.

Standing on the giant shoulders of our martyr for peace, we gratefully acknowledge the Biblical fountain of living truth spoken by Israel's prophets that nourished, sustained and inspired the prophetic conscience of Dr. King, a Nobel Prize laureate, teaching that human dignity is one and indivisible. No one is to pass by this sacred site untouched by it, for it is symbol of our collective mandate to transform the world—transcending limitations and breaking barriers that still divide us, keeping all children of Moses' God of Freedom from rightfully fulfilling their potential to be a blessing.

We are deeply moved by the extensive labor of love and faith finally giving birth to this grand accomplishment, now and forever gracing our beloved City of Norfolk and the Hampton Roads community. May the entire nation hearken anew to the compelling message of the Book of Deuteronomy, ''Tzedek tzedek tirdof lemann tichye'' (Justice, justice shall you pursue that you may live).

Dr. King, we pledge to you and one another to continue your most noble historical mission, rising to meet your high stature. We can do no less. We shall never give up marching to the Promised Land you so abundantly and sacrificially dreamed of, leaving behind slavery in all its manifestations. Together we shall yet overcome, O God Almighty, we shall yet overcome. Amen.●

NATIONAL POTATO LOVERS MONTH

● Mr. CRAIG. Mr. President, I rise to make a few remarks concerning National Potato Lovers Month.

It is whispered that February is the month for lovers. Well, Idahoans know that better than most Americans. You see, February is National Potato Lovers Month. That means that the ''eyes'' of the nation are upon the great state of Idaho.

Our spuds come in all shapes, sizes, and varieties, but they all have homegrown a-peel: Hot taters, big taters, little taters—even tater tots. Spuds all over the state of Idaho chip-in to put our best side up during National Potato Lovers Month.

Potatoes are truly an ''all-American'' food. In fact, instead of apple pie, it would be more accurate to say something is as ''American'' as the potato. Potatoes were first pulled from the ground in the New World, whereas apple pie originated in Europe. As early as 200 B.C., Inca Indians used potatoes to prevent indigestion and rheumatism, and used their growing cycles to measure time. During the 19th century, the American food was planted in Ireland, where its popularity surged. In fact, the Irish soon learned they couldn't live without potatoes. When Irish potato crops failed for three years, eight million people died.

Later in the 19th century, Irish immigrants popularized potatoes in America. They eventually discovered the promised land for potatoes—Idaho. Our state has the cool and moist climate that grows perfect spuds.

The only hiccup in America's steady consumption of potatoes came in the 1950's. First, instant convenience foods hit the market, and then a fad diet mistakenly identified potatoes as fattening. But when the tuber's true traits were told, potatoes joined the ranks of other processed foods.

Spuds have a long and cultivated history that includes the political stage. Politics and the potato met long ago, when Thomas Jefferson served spuds at White House dinners to special guests. And politics and the potato met again when Dan Quayle accidentally gave the country—and himself—a spelling lesson, making Dan Quayle a true ''hot potato.''

The potato continues its appetizing presence in the political arena. We here in the Senate might disagree, but we usually stop short of calling each other half-baked. And, because we know there is more than one way to skin a potato, we generally manage to unearth solutions.

To celebrate National Potato Lovers Month, I'll be sending each of my colleagues a sampling of the world's best spuds—Idaho potatoes.●

EXTRAORDINARY FAMILY OF VERMONTERS

● Mr. LEAHY. Mr. President, there was an article in one of our Vermont papers in the last few days about an extraordinary family of Vermonters. Marcelle and I have known Dick and Linda Butsch for many, many years and we have been especially pleased to watch their five children as they have grown. We have also watched Jen and Chris, and the triplets, Sarah, Patrick, and Gillian.

Sarah, Patrick, and Gillian were recently profiled because of their hockey activities. I will, at the end of my comments submit to the CONGRESSIONAL RECORD the entire story.

Dick and Linda are the best of Vermonters. Not only have they given a great deal of themselves to the community and to their families, but I have always remembered with fondness the many kindnesses they showed to my mother and father, while they were alive.

We are a small State, but it is people like the Butschs that make us a great State, and I congratulate all of them and continue to look with admiration as their children grow and develop.

Mr. President, I ask that the article entitled ''Family Values'' by Mike Donoghue be printed in the RECORD.

The article follows:

[From the Burlington Free Press, Feb. 4, 2000]

FAMILY VALUES

HOCKEY HAS BEEN A CONSTANT FOR THE BUTSCH CLAN, INCLUDING TRIPLETS SARAH, PATRICK AND GILLIAN

(By Mike Donoghue)

In Central Vermont hockey, it's not unusual to see the name Butsch for scoring a goal.

From time to time you might have read a scoring summary indicating ''Butsch goal with Butsch assist.''

On a few rare occasions it might have said, ''Butsch goal with Butsch and Butsch assists.''

For years the Butsch family has been synonymous with Central Vermont hockey, especially at U–32 High School in East Montpelier. Now the family is getting more and more attention in all four corners of the state—for both boys and girls teams—and even spreading into colleges in the Northeast.

The latest bunch of Butsch stars are triplets—Sarah, Patrick and Gillian—the children of Dr. David ''Dick'' and Linda Butsch. The three were born almost as fast as a wing taking three slap shots.

''They came less then a minute apart,'' said Linda Butsch with a laugh as she recalled the birthday in late February 1984.

The triplets have followed each other to the ice rink almost as fast as their births. They were skating by 4 and playing hockey by 6. They worked their way up through Mites, Squirts, Pee-wee, and Bantams.

They also are following in the ice skates of two older siblings, Chris, a sophomore at Skidmore, where he is president of the college's club hockey team; and Jen, a freshman for the Providence College women's hockey team.

All five made their way through the Central Vermont Skating Association before joining the U–32 varsity.

''They play hockey for all the right reasons,'' said Bill Driscoll, head of the North American Hockey Academy in Stowe.

''They show up. They love every minute of every game and practice. They have a super attitude.''

PLAYING THEIR GAME

Sarah and Patrick are stars with the U–32 boys hockey team, while Gillian, the youngest of the triplets, is the top scorer on the newly formed U–32 girls varsity hockey team.

Patrick led U–32 in scoring last year as a freshman with 24 goals and has tallied 23 this year.

Patrick admits that he winces a little when his sister, Sarah, who plays the wing, has to take a cheap shot from one of the boys on the opposing team. Otherwise, she holds her own.

''If it's a clean check, I know she can take it,'' said Patrick, who hopes to play hockey in college.

Patrick and Sarah normally play on different lines, but from time to time they are on the ice together.

''We don't play together that often. We've played more together in the past,'' Sarah said,

Patrick looks forward to those moments when he is skating alongside Sarah.

''It's fun when you are out there and know exactly where she is going to be,'' he said.

When U–32 voters approved funds for a girls varsity team this winter, Sarah had the chance to switch from the boys varsity. She declined. If she does switch, she will be locked into that decision.

''I wanted to stay with the boys just because of the level of play. I thought it would be more advantageous,'' said Sarah, who would like to play college hockey like her older sister.

Her coach, Jim Segar, agreed.

''It would hurt Sarah to go play with the girls because of her abilities,'' Segar said.

Her sister, Gillian Butsch, played in the CVSA's Bantam Division through last year, but jumped at the chance to be a member of the original girls varsity team.

''All the players and all the parents were in favor of a girls team so they could be equal with the boys,'' Sarah said.

Sarah, who is the leading scorer on the girls team, said the varsity team has improved substantially since the start of the season.

In order to better compete with the boys, Sarah works out with weights in some of her free time.

Segar and U–32 girls coach Mike Reardon said the Butsch children have been supportive of each other.

Reardon said when no scorekeeper was available for a recent girls varsity game, Patrick jumped in to run the scoreboard.

''Not everybody would do that,'' said Reardon.

Hockey isn't the only passion they share. The three sophomores also like to play soccer in the fall and lacrosse in the spring. They also have been known to pick up a tennis racket.

THE BIGGEST FANS

Dick and Linda Butsch have not only supported their children in their hockey exploits, but also in their day-to-day lives.

''The parents are really great people,'' Reardon said. ''They have instilled a lot of social values in their kids. They also have provided them with their same humility and sense of humor.''

Driscoll also has followed their careers.

''With five children, you would have thought their parents would have burned out on hockey by now. But they are at every game,'' he said.

Butsch's career included a stint on the junior varsity team at Princeton. ''It was all downhill after that,'' he said with a laugh.

Others would dispute that, including Segar and Reardon.

Butsch has been active with the new hockey rink in Montpelier, the Central Vermont Civic Center, and helped raise the $1.8 million for its construction, Segar said.

''Dick Butsch is making hockey happen in Central Vermont. Not only for U–32 and Montpelier, but the Harwood Association and others.'' He said even Spaulding High has used the Montpelier center when unable to use its home ice because of the farm show.

Butsch is trying to raise anothers $100,000 to put the final touches on the civic center, which opened in December 1998.

Butsch, a surgeon, has been known to show up in his hospital scrubs at civic center board meetings, Segar said.

Reardon said this winter he had a severe gash to his hand and Gillian pulled out a medical supply kit to help stop the bleeding and urged him to go see her father for stitches.

Reardon said a few days later, when it can time to removing the stitches, Butsch accommodated the coach at the rink by taking them out.

Linda Butsch admitted she is a limited skater. Her husband said she had a short hockey career.

''We got her to play goalie once. She never came back,'' he said.

THE FIRST WAVE

The Butsch triplets aren't the only family members making a name for themselves in the world of hockey.

Jen Butsch, a freshman on the Providence College woman's hockey team, had two goals and one assist last weekend, including the game-winning score against Cornell on Saturday.

Earlier this season, she had a game-winning goal with four seconds remaining in overtime at St. Cloud. The Friars (15–5–3 overall, 9–4–3 in ECAC play) are ranked eighth in the nation. Butsch has nine goals and seven assists, putting her third in points for Providence, which is undefeated in 13 of its last 14 games.

''She is quite a role model for her sisters,'' U–32 boys varsity coach Jim Segar said.

Chris Butsch is a sophomore at Skidmore, where he is president of the first-year club hockey team. He was a Division III all-state center at U–32, where he was the leading scorer and two-year captain. He keeps busy trying to line up games for the team and checking the Internet to see how his sister Jen is stacking up. When he gets home he tries to suit up for an occasional game with a local team, the Bolduc Crushers.●

RECOGNITION OF THE HARRIMAN ARTS PROGRAM OF WILLIAM JEWELL COLLEGE

● Mr. BOND. Mr. President, I rise today to recognize the achievements of Dr. Richard Harriman. Dr. Harriman has been an integral part of the Fine Arts program at William Jewell College and on February 25, 2000, the Fine Arts program will be named for him.

Among his many accomplishments, Dr. Harriman presented the world professional recital debut by the world renowned Luciano Pavarotti in 1973. Dr. Harriman has also presented other artists such as Isaac Stern, Itzhak Perlman and Yo-Yo Ma.

The Fine Arts program at William Jewell Incorporates an Education Series that offers free masters classes, workshops and discussions allowing Jewell students and community members to view artists in a less formal setting. Furthermore, the program was named in Peterson's Smart Parents Guide to College as an example of how small colleges can become centers of culture for an entire region.

Mr. President, Dr. Harriman has been a tremendous asset to William Jewell College and, indeed, the entire Kansas City area. I ask that my colleagues join me in congratulating him on this most distinguished honor.●

TRIBUTE TO LESTER S. JAYSON

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a dedicated public servant and friend of the Congress for many years, Lester S. Jayson, former director of the Congressional Research Service, who died on December 30, 1999, in Orlando, Florida.

Mr. Jayson joined the staff of what was then the Legislative Reference Service in October 1960 as Senior Specialist in American Public Law and Chief of the American Law Division. He was promoted to Deputy Director of the Service in May 1962, and served as Director from February 1966 through September 1975.

Mr. Jayson was influential in helping to develop the modern Congressional Research Service during his tenure as director of CRS between 1971 and 1975, the years in which the Service began implementation of the Legislative Reorganization Act of 1970. This Act changed the name of the Service and fundamentally enhanced its role by emphasizing the provision of policy analysis in all services to Members and committees of the Congress. The staff of the Service more than doubled during this time, and Mr. Jayson helped guide CRS to fulfill its congressional mandate and continue the tradition of responding to congressional requests for comprehensive and reliable information, research, and analysis to the Congress at all stages of the legislative process.

A graduate of New York City College in 1936 and Harvard Law School in 1939, Mr. Jayson was admitted to the bar of the State of New York and practiced law in New York City until 1942, when he was appointed Special Assistant to the U.S. Attorney General to handle trial and appellate proceedings in civil cases in the New York field office of the Department of Justice. In 1950, he joined the Appellate Section of the Civil Division of the Justice Department, and in 1957, he became Assistant Chief of the Torts Section, Civil Division, and then was promoted to Chief of that division. Mr. Jayson was also a member of the bar of the U.S. Supreme Court, the U.S. Court of Claims, the U.S. Court of Appeals for the District of Columbia Circuit, and various other Federal courts. He served as Chairman

and Vice Chairman of the Federal Tort Claims Committee of the Federal Bar Association.

His 1,200-page book, Federal Tort Claims: Administrative and Judicial Remedies, was considered by many to be the preeminent volume on federal tort law. He wrote the volume as an extracurricular activity in 1964 and continued to update it regularly until several years ago.

On behalf of the Members of Congress who knew and worked with Mr. Jayson, I would like to thank his family for sharing him with us during the years he served the Congress and hope they are comforted by his legacy. Our thoughts and prayers are with his wife, Evelyn, his daughters Jill and Diane, and his four grandchildren.●

TRIBUTE TO JIM FLANAGAN ON HIS RETIREMENT

● Mr. SMITH of New Hampshire. Mr. President, I rise today in recognition of a gentleman who is known to many of us here in the Senate and in the House of Representatives, Mr. Jim Flanagan, who is now retiring after more than 35 years of representing electric utility interests here in Washington.

A graduate of St. Michael's College in Vermont, and an Army veteran who served as a guided missile instructor, Jim Flanagan worked for many years as the Washington Representative of New England Electric System, and later for Yankee Atomic Electric Company. It is in that capacity that many of us came to know Jim as a wise counselor on the intricacies of electricity and tax legislation. Jim always had a firm grasp on the issues, he often had an innovative approach to solving a problem, and he was unfailingly respectful of the political process and the difficult decisions that elected representatives face when supporting or opposing legislation.

I came to know Jim personally under just such circumstances. He was an advocate for licensing the Seabrook nuclear plant in my state of New Hampshire, arguably the most controversial construction project ever undertaken in this country. Throughout good times and bad, through the many legislative attempts to derail the project, Jim Flanagan stood his ground, he argued with facts not rhetoric, and he represented his company's interests with integrity and passion. We eventually licensed that plant, something I am personally proud of, and today Seabrook is one of the safest, best-performing nuclear plants in the world. Without the efforts of Jim Flanagan, that would not have happened.

Jim had another, equally important, side to him. Beyond the issues of the day, Jim Flanagan was a loyal friend, a gentleman who looked out for others and who would take that extra step to do someone a favor. He was a believer in young people, and took it upon himself to be a mentor to many here in Washington, including members of my staff. Many of us who know Jim know that he has a bad knee, but few of us realize that he got that bad knee teaching Little Leaguers how to slide into second base more than 40 years ago. From his hometown of Waltham, Massachusetts, to here in the Nation's Capital, Jim Flanagan cared about people.

In an industry that has gone through several sea changes, and in a town where people and ideas come and go, Jim Flanagan was a constant—you could always count on him. Jim will be sorely missed—some say the Edison Electric Institute will not survive without him—but he will certainly not be forgotten. Jim's wife Beth, and his two grown children Billy and Lisa, should be very proud of him.●

RECOGNITION OF JASON LEE MIDDLE SCHOOL IN VANCOUVER, WA

● Mr. GORTON. Mr. President, as I have traveled throughout Washington State, meeting with parents and educators, I have learned about the unique needs that exist in each of our school districts. One of those challenges is teaching children who speak English as their second language. In Vancouver, Washington, Jason Lee Middle School has created a program called the Jason Lee English Transition System (JETS) that tackles this challenge head on and not only teaches English, but also identifies exceptional and special needs students and helps them to excel. I am proud to present my 32nd ''Innovation in Education'' award to the JETS program of Vancouver's Jason Lee Middle School.

Twenty-five percent of Jason Lee's students are English Language Learners [ELL] and speak 14 different languages. A majority of these students speak either Russian, Ukrainian, or Spanish, creating a diverse student body and enhancing every child's education. When a child begins to learn English at Jason Lee, they do not immediately enter mainstream classes and instead are taught in their native language to demonstrate their math and reading levels. Students must also go through an intensive instruction in English before they are brought into general education classes. This advance preparation means that ELL students are greeted with a more inclusive atmosphere and will have a greater understanding of their classes and coursework.

Another challenge that faces students new to the United States is understanding American culture while maintaining ties to their own native culture. The JETS program also recognizes this difficult adjustment by putting a great emphasis on encouraging both the celebration of the native culture and in actively encouraging parental involvement.

In addition, JETS has taken the further step of working to not only provide these students with a smooth transition into English, but it goes one step further and identifies gifted students and students with special needs. Too often, programs for non-English speaking students struggle to identify children needing special attention. Clearly, JETS has addressed that obstacle and serves as a model for school districts struggling with the same challenges.

The JETS program does not just teach students English, it identifies and addresses the many issues that a child new to this country must suddenly deal with and seeks an understanding of each student's learning level. I applaud the teachers and staff at Jason Lee Middle School for developing the JETS program which demonstrates the innovation and creativity that is happening in our schools today. I congratulate Jason Lee Middle School for its outstanding work in this field of education.●

BEULAH COOL'S 96TH BIRTHDAY

● Mr. ABRAHAM. Mr. President, I rise to recognize Beulah Cool and congratulate her on the celebration of her 96th birthday. Ms. Cool was born on June 20, 1903 in Elmdale, MI, and is currently a resident of Webberville County, MI.

Ms. Cool has lived a life dedicated to helping others, as evidenced by her commitment to education and community service. She graduated from Clarksville school in 1921, took a six-week course in teaching, and taught at a rural school that same year. Upon her marriage to Kenneth Cool in 1929, she put a hold on her teaching career and gave birth to two sons, William Kenneth (1940) and Robert Arthur (1943), staying at home until they were both in school. In 1950, Ms. Cool returned to teaching, instructing first grade for 21 years until her retirement in 1971.

After her retirement from teaching, Beulah commenced her ''second career'' as a volunteer, with organizations such as the Red Cross, CROP Walk and Sparrow Hospital. One of her specialities when working at Sparrow was knitting caps for premature babies. Ms. Cool is also a member of the Webberville United Methodist Church (where she has taught Sunday School), the Webberville Women's Advance Club, the Webberville Garden Club, and the Webberville Extension Club. In honor of her extensive community service, Beulah was named Webberville Citizen of the Year in 1990, ''Queen of Webberville'' by the Webberville Fireman's Organization in 1996, and has served as Grand Marshal in a Webberville parade.

The town of Webberville and the State of Michigan are lucky to have Beulah Cool to call their own. I applaud her on her more than 70 years of community service through education and volunteer work and I wish her a very happy 96th birthday.●

ST. CLAIR SHORES AMVETS POST 121 CELEBRATES 50TH ANNIVERSARY

● Mr. ABRAHAM. Mr. President, I rise to recognize the St. Clair Shores, Michigan, AMVETS Post 121 upon the celebration of its 50th anniversary taking place this February 24th.

For the past 50 years the post has strived to make a home for many American service men and women, while in service and after they received an honorable discharge. The post has been involved in the St. Clair Shores Memorial festivities, and has provided community service and child welfare for both veterans and non-veterans yearly by giving college scholarships, baskets of food during Christmas time, and food and clothing donations to local children's facilities.

I applaud AMVETS Post 121 for its committed remembrance of the men and women who have served our country in the Armed Forces. Their dedication and hard work for veterans and non-veterans alike should serve a model for other veteran organizations around the country. It is an honor today, on behalf of the U.S. Senate, to recognize AMVETS Post 121 on its 50th annviersary.●

TRIBUTE TO THE MICHIGAN ASSOCIATION OF CHIEFS OF POLICE

● Mr. ABRAHAM. Mr. President, I rise today to recognize the Michigan Association of Chiefs of Police (MACP) who are attending their Mid-Winter Training Conference this week. I want to commend Michigan's Chiefs of Police for their dedication to protecting Michigan's citizens—for their unwavering effort to keep our communities safe, even when that means putting themselves in harm's way.

The MACP training conference is evidence of their commitment to learning the most current state-of-the-art practices and systems used by law enforcement in order to keep Michiganians as safe as possible.

Mr. President, I have had the pleasure of working with some of these police chiefs on legislation. Through this work, I have only gained more respect and appreciation for their dedication and their expertise in law enforcement issues.

At a time when some politicians are supporting clemency for terrorists, and others are effectively pitting our law enforcement officers against the very people they are protecting, I think it is essential that we publicly recognize the exemplary role that our police chiefs and officers play.

I am proud to have this opportunity, on behalf of the U.S. Senate, to publicly express our gratitude to police chiefs and officers across the country who risk their lives to keep us safe—who work every day on the side of law-abiding citizens. I call on all elected representatives to join me in supporting the efforts of police chiefs to keep our communities safe.●

CENTER LINE HIGH NAMED A BLUE RIBBON SCHOOL BY DEPARTMENT OF EDUCATION

● Mr. ABRAHAM. Mr. President, I rise to offer my congratulations to Center Line High School in Center Line, Michigan, upon its recognition by the US Department of Education as a Blue Ribbon School. Fully accredited by the North Central Association and continuously endorsed since 1956, Center Line High School has demonstrated excellence in a variety of areas, including student focus and support, active teaching and learning, leadership, community partnerships, and educational vitality.

The Department of Education's Blue Ribbon Program promotes and supports the improvement of education in America by: identifying and recognizing schools that are models of excellence and equity, that demonstrate a strong commitment to educational excellence for all students; making research based, self-assessment criteria available to schools looking for a way to reflect on how they are doing; and encouraging schools, both within and among themselves, to share information about best practices which is based on a shared understanding of the standards which demonstrate educational success.

Center Line High School demonstrated its excellence to the Department of Education through a variety of innovative programs intended to prepare its students academically, physically, and socially to participate productively in this rapidly changing world. Center Line High is in its second year on an alternating A/B block schedule, which has allowed the school to implement 11 new courses this past year. Beyond its academic and curricular superiority, Center Line offers an array of student-run activities that integrate learning and service with community involvement. One such program allows students the opportunity to operate a branch of the Metro Credit Union (one of the first student-run credit unions in the county and state) while the student-initiated Community Outreach Program gives students the chance to engage in area service projects.

I applaud Center Line High School on its excellence in education and its commitment to the development of students and the community. I also with to congratulate the school once again upon its designation as a Blue Ribbon School by the Department of Education.●

THE RETIREMENT OF THE MOST REVEREND MOSES B. ANDERSON, S.S.E.; AUXILIARY BISHOP ARCHDIOCESE OF DETROIT

● Mr. ABRAHAM. Mr. President, I rise to make a few remarks concerning the retirement of the Most Reverend Moses B. Anderson, S.S.E. Auxiliary Bishop of Detroit. Bishop Anderson was the first African-American Catholic Bishop in the State of Michigan.

Bishop Anderson will be honored at a Gratitude Dinner at the Sacred Heart Major Seminary in the City of Detroit on February 17, 2000, at which time he will also be presented with the Mother Theresa Duchemin Maxis Award.

Bishop Anderson has served the Catholic Church since his ordination as a priest in 1958. He was appointed Auxiliary Bishop of Detroit in 1982, was consecrated in 1983 at the Blessed Sacrament Church, and was appointed Pastor of Precious Blood Parish in Detroit in 1992. While in service to the Catholic Church in Greater Detroit, Bishop Anderson has specialized in several areas, most notably those dealing with black theology, art, and evangelization.

Bishop Anderson's membership list includes: the National Catholic Conference of Bishops—United States Catholic Conference, the Society for the Study of Black Religion, the New Detroit Board of Trustees, Boysville of America, and the Ecumenical Forum. He has also given lectures or written papers on the following topics: Black Theology, Evangelization-Indigenization, the History of the Black Church in Louisiana, Racism—The Impoverishment of the Body and the Spirit, Black Awareness—The Harlem Renaissance and the Negritude Poets, and Black Spirituality.

Bishop Anderson's lengthy list of accomplishments also includes educational achievements, including the following degrees: Doctor of Humane Letters, St. Michael College; Honorary Degree in L.L.D. from Kansas Newman College; Honorary Doctor of Humanities Degree from Madonna College; and Honorary Doctor of Laws Degree from the University of Detroit Mercy.

I applaud the Most Reverend Moses B. Anderson for his contribution to the Catholic Church and the Greater Detroit area and wish to take this opportunity to personally thank him for his many years of selfless service to the City of Detroit and the State of Michigan.●

MICHIGAN STUDENTS HONORED AS EXEMPLARY YOUTH VOLUNTEERS BY THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS

● Mr. ABRAHAM. Mr. President, I rise to congratulate and honor two young Michigan students who have achieved national recognition for exemplary volunteer service in their communities. Jonathan Quarles of Flint and Gopalkrishna Trivedi of Grosse Pointe Park have just been named State Honorees in The 2000 Prudential Spirit of Community Awards program, an annual honor conferred on only one high school student and one middle-level student in each state, the District of Columbia and Puerto Rico.

Mr. Quarles, a high school senior at Flint Northern High School, founded Students Against Violence Everywhere

(S.A.V.E.), a group that helps discourage crime through creative presentations. Since the group was founded in 1997, they have worked in collaboration with many organizations, including leadership workshops. ''In the past year, not one teen was killed by violence in Flint,'' says Jonathan.

Mr. Trivedi, an eighth-grader at Pierce Middle School, repaired and upgraded 120 obsolete computers to help non-English speaking students learn and work in English. He encouraged two of his computer classmates to help with the project, and the three students proceeded to carry the outdated computers from the school basement to the computer lab. They then inspected each computer to diagnose problems, and replaced all defective parts. Once the computers were repaired, Gopal then formatted the hard drives, installed CD–ROM's, and loaded each with an operating system. Most of these modified computers were donated to students who had recently arrived from Albania with very few financial resources. Gopal donated the rest of the computers to the school's science lab and the computer keyboarding lab. ''It is a really good feeling when sacrifices are made for other people and those sacrifices actually change some lives for the better,'' said Gopal recently.

In light of numerous statistics that indicate Americans today are less involved in their communities than they once were, it's vital that we encourage and support the kind of selfless contributions these young people have made. People of all ages need to think more about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods. Young volunteers like Mr. Quarles and Mr. Trivedi are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow.

The program that brought these young role models to our attention—The Prudential Spirit of Community Awards—was created by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals in 1995 to impress upon youth volunteers that their contributions are critically important and highly valued, and to inspire other young people to follow their example. In only five years, the program has become the nation's largest youth recognition effort based solely on community service, with nearly 75,000 youngsters participating since its inception.

Mr. Quarles and Mr. Trivedi should be extremely proud to have been singled out from such a large group of dedicated volunteers. As part of their recognition, they will come to Washington in early May along with other year-2000 Spirit of Community honorees from across the country, for several days of special events, including a Congressional breakfast reception on Capitol Hill. While here in Washington, ten will be named America's top youth volunteers of the year by a distinguished national service selection committee chaired by Senators Byron Douglas of North Dakota and SUSAN COLLINS of Maine.

I heartily applaud Mr. Quarles and Mr. Trivedi for their initiative in seeking to make their communities better places to live, and for the positive impact they have had on the lives of others. I would also like to salute other young people in my state who were named Distinguished Finalists by The Prudential Spirit of Community Awards for their outstanding volunteer service. They are: Nupur Kanodia of Rochester Hills, Lauren Lubowicki of Fenton, David Sherman of Dearborn, Korina Smith of Douglas, Brooke Southgate of Unionville, and Perry Williams of Grand Rapids.

All of these young people have demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world. They deserve our sincere admiration and respect. Their actions show that young Americans can—and do—play important roles in their communities, and that America's community spirit continues to hold tremendous promise for the future.●

RICK JONES TO RECEIVE 1999 SERVICE TO CHILDREN AWARD

● Mr. ABRAHAM. Mr. President, I rise to congratulate Rick Jones, Captain of the Road Patrol for the Eaton County Sheriff Department, on his selection as the 1999 Service to Children Award winner. This award will be presented to Captain Jones by the Eaton County Child Abuse and Neglect Prevention Council.

Captain Jones was selected for his volunteer work benefitting youth activities throughout Eaton County. Captain Jones' involvement in youth activities in his area range from efforts to build both the Eaton Rapids Playground of Dreams and the Potterville Imagination Station Playground, to volunteer work with the ''Kids to the Rescue'' Earth Day activities, Grand Ledge Kid's Day, 4H programs, and the Special Olympics.

Captain Jones' efforts toward improving his community also reach beyond his work with area youth. He has participated in area programs including Meals on Wheels, 4-H, Eaton Shelter, and Eaton Community Hospice.

The newsletter of the Eaton County Child Abuse and Prevention Council said this about Captain Jones: ''Living a life of service is paramount to Rick Jones * * * As a young Sheriff's deputy, Jones learned that 'life could be pretty short.' After being shot at, Rick Jones found himself evaluating life's meaning and concluding that what is truly important are contributions to his community.''

Eaton County, and all of Michigan, are lucky to have Rick Jones to call their own. I am sure that his outlook on life and his volunteer work have made a positive difference in the lives of many in his community. It is an honor today, on behalf of the U.S. Senate, to congratulate Captain Jones on his receipt of the Service to Children Award.●

THE 75TH ANNIVERSARY OF THE VETERANS OF FOREIGN WARS NATIONAL HOME

● Mr. ABRAHAM. Mr. President, I rise to congratulate the Veterans of Foreign Wars National Home on their 75th anniversary. The VFW National Home—also known as the VFW National Home for children—located in Eaton Rapids, MI, celebrated this milestone birthday on the seventh of January, 2000.

The VFW National Home for Children has served more than 1,600 people across the country who have family ties to members of the VFW and Ladies Auxiliary. The 600 acre facility grew from a plot of land that was initially donated by a Jackson farmer in 1925. Originally created as an orphanage for children of dead or disabled veterans, the home now has professional case workers on staff, while offering full college funding for children, a program for single parents, and other social programs.

The house is home to 91 children and 27 single parents. In addition to social services, it offers a nursery, sports programs, and several extracurricular activities. And, as if this wasn't impressive enough, the VFW National Home is run totally on private donations.

Mr. President, Michiganians are privileged to have this important home in their state. It is an honor today, on behalf of the United States Senate, to offer congratulations on their anniversary and thanks to all of those who donate their time, their love, and their financial resources to the VFW National Home.●

WARREN YMCA CELEBRATES 20TH ANNIVERSARY OF ITS GOURMET DINNER

● Mr. ABRAHAM. Mr. President, I rise to recognize the Warren, Michigan, YMCA upon the 20th anniversary of its annual ''Gourmet Dinner.'' The Warren YMCA holds a unique dinner each year, raising money for summer camp and similar youth projects. The banquet is attended by area residents who are treated to food and drinks prepared by area restauranteurs and served by notable community members.

Part of the funds raised from the gathering will go toward camperships for needy children, while some of the monies will supplement the Friday night drop-in centers for youths currently held at various church and school buildings around the city. Gym time, craft projects, pool and ping-pong games, and dances are also part of the available activities.

The event, believed to be the first of its kind in the Warren area, has been

considered a perennial success by members of the YMCA's Executive Board as it merges community cooperation with youth development.

The fund raising dinner is a very special event in Metropolitan Detroit and has been a success since its inauguration 20 years ago. I applaud the Warren YMCA for its vision of service and the community for its continued involvement in this very worthy event.●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106–22

Mr. GORTON. Mr. President as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on February 10, 2000, by the President of the United States: Treaty with Russia on Mutual Legal Assistance in Criminal Matters (Treaty Document No. 106–22).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Russian Federation on Mutual Legal Assistance in Criminal Matters, signed at Moscow on June 17, 1999. I transmit also, for the information of the Senate, a related exchange of notes and the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes, including terrorism, moray laundering, orgnanized crime and drug-trafficking offenses. The treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty included obtaining the testimony or statements of persons; providing documents, records and other items; aserving documents; locating or identifying persons and items; executing requests for searches and seizures; transferring persons in custody for testimony or other purposes; locating and immobilization assets for purposes of forfeiture, restitution, or collection of fines and any other form of legal assistance not prohibited by the laws of the Requested Party.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 2000.*

MEASURES INDEFINITELY POSTPONED

Mr. GORTON. Mr. President, I ask unanimous consent that the following bills be indefinitely postponed: Calendar No. 10—S. 270, No. 11—S. 271, No. 12—S. 280, No. 22—S. 364, No. 34—S. 96, No. 54—S. 272, No. 55—S. 392, No. 104—H.R. 509, No. 105—H.R. 510, No. 112—S. 858, No. 129—S. 415, No. 132—S. 109, No. 133—S. 441, No. 156—S. 607, No. 171—S. 140, No. 176—S. 946, No. 177—S. 955, No. 207—S. 1248, No. 216—S. 1393, No. 225—S. 581, No. 239—S. 953, No. 248—H.R. 695, No. 307—S. 1377, and No. 429—S. 2006.

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

Mr. GORTON. Mr. President, we are going to have a lot shorter calendar when we come back in a couple of weeks.

DESIGNATING THE WEEK OF FEBRUARY 14–18, 2000, AS ''NATIONAL HEART FAILURE AWARENESS WEEK''

Mr. GORTON. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 256, submitted earlier by Senator SPECTER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 256) designating the week of February 14 to 18, 2000, as ''National Heart Failure Awareness Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GORTON. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and, finally, any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 256) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 256

Whereas the primary goals of ''National Heart Failure Awareness Week'' are—

(1) to promote research related to all aspects of heart failure and provide a forum for presentation of that research;

(2) to educate heart failure caregivers and patients through programs, publications, and other media allowing for more effective treatment and diagnosis of heart failure; and

(3) to enhance the quality and duration of life for those with heart failure;

Whereas heart failure, a disease of the heart muscle, is of epidemic proportions in the United States;

Whereas as of January 1, 2000, approximately 4,600,000 Americans had been diagnosed with congestive heart failure, and an estimated 450,000 more cases will be diagnosed in the year 2000;

Whereas coronary artery disease is a cause in approximately 50 percent of the cases of patients with heart failure, and in such cases, patients often have heart attacks or require bypass surgery;

Whereas the incidence of heart failure increases with age and is the most frequent cause of hospitalization for individuals over the age of 65;

Whereas the prognosis for those diagnosed with heart failure is not promising, as less than 50 percent of patients live more than 5 years after their initial diagnosis; and

Whereas it is vital that the American public become aware of the enormous impact of heart failure, and be better educated regarding the signs and symptoms of the disease: Now, therefore, be it

Resolved, That the Senate—

(1) in recognition of all the individuals who have devoted time and energy toward increasing public awareness and education on heart failure, designates the week of February 14–18, 2000, as ''National Heart Failure Awareness Week''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities.

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mr. GORTON. Mr. President, I ask unanimous consent the Rules Committee be discharged from further consideration of H. Con. Res. 244 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 (H. Con. Res. 244) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GORTON. Mr. President, I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, and, finally, any statements be printed in the RECORD.

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

The resolution (H. Con. Res. 244) was agreed to.

ORDERS FOR TUESDAY, FEBRUARY 22, 2000

Mr. GORTON. Mr. President, I ask unanimous consent when the Senate completes its business today it adjourn until 11 a.m. on Tuesday, February 22, under the provisions of S. Con. Res 80. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then recognize Senator MOYNIHAN to read Washington's Farewell Address as under the previous order.

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

Mr. GORTON. Mr. President, I ask unanimous consent that following the address the Senate begin a period of morning business until 12:30 p.m. with Senators permitted to speak for up to 5 minutes each with the following exceptions: Senator DURBIN or his designee in control of the first half of the time, to be followed by Senator THOMAS, or his designee, in control of the second half of the time.

I also ask unanimous consent the Senate stand in recess from the hours of 12:30 to 2:15 for the weekly policy conferences to meet.

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

PROGRAM

Mr. GORTON. For the information of all Senators, when the Senate reconvenes, Senator MOYNIHAN will be recognized to read Washington's Farewell Address in honor of the impending holiday. Following this annual Senate tradition, the Senate will be in a period of morning business until the Senate recesses at 12:30 p.m. for the weekly policy luncheons. When the Senate reconvenes at 2:15 p.m., it will begin consideration of any executive or legislative items cleared for action. However, the leader has announced there will be no votes prior to 2:15 p.m.

ADJOURNMENT UNTIL 11 A.M. TUESDAY, FEBRUARY 22, 2000

Mr. GORTON. Mr. President, if there be no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the provisions of S. Con. Res. 80.

There being no objection, the Senate, at 6:15 p.m., adjourned until Tuesday, February 22, 2000, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate February 10, 2000:

DEPARTMENT OF STATE

EDWARD WILLIAM GNEHM, JR., OF GEORGIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO AUSTRALIA.

RONALD D. GODARD, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO-OPERATIVE REPUBLIC OF GUYANA.

DANIEL A. JOHNSON, OF FLORIDA, CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

V. MANUEL ROCHA, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOLIVIA.

MICHAEL J. SENKO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KIRIBATI.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 10, 2000:

THE JUDICIARY

Thomas L. Ambro, of Delaware, to be United States Circuit Judge for the Third Circuit.

Joel A. Pisano, of New Jersey, to be United States District Judge for the District of New Jersey.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE RURAL LOCAL BROADCAST SIGNAL ACT OF 2000

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. GOODLATTE. Mr. Speaker, I rise today with my colleague from Virginia, Congressman RICK BOUCHER, to introduce crucial legislation that will have a significant impact on the lives of millions of Americans, especially those who live in smaller cities and towns, on farms and throughout rural areas. This legislation will ensure that community information such as local weather forecasts, natural disaster alerts, and local government announcements reach those who needed it most.

Our legislation, entitled the Rural Local Broadcast Signal Act, would accomplish these goals by authorizing the Rural Utilities Service, an agency of the U.S. Department of Agriculture, to provide loan guarantees to entities that can obtain the private funding to launch technologies that will provide local TV signals over satellite in the medium sized and smaller TV markets. Through these loan guarantees, the RUS will continue its mission of promoting economic development and improving the lives of rural Americans while fulfilling the original intention of legislation enacted last November—to enable all Americans to receive their local television signals over satellite.

I was proud to be a member of the conference committee on the recently enacted Intellectual Property and Communications Omnibus Reform Act of 1999, which included language to allow direct broadcast satellite providers to immediately begin retransmitting local television broadcast signals into the broadcast station's area, subject to a retransmission consent agreement negotiated with each station carried. This new law allows satellite providers to become more effective competitors to cable operators, who have been able to provide local over-the-air broadcast stations to their subscribers for years. It will also benefit American consumers in markets where local TV via satellite is made available by offering them full service digital television at an affordable price.

More importantly, these consumers will benefit from local news, weather reports, information such as natural disasters or community emergencies, local sports, politics, and election information, as well as other information that is vital to maintaining the integrity of communities across the country.

Local TV via satellite is already available to satellite subscribers in America's twenty largest television markets. In these markets DirecTV and Echostar, the existing satellite "platform providers," have begun retransmission of affiliates of the ABC, CBS, NBC, and FOX broadcast networks. DirecTV and Echostar have also announced their intention to begin retransmission of local TV stations in an additional twenty or thirty television markets over the next 24 months. Ultimately, the two existing satellite "platform providers" will provide local TV via satellite to households in most, if not all, of the 50 largest television markets in the United States.

However, there are 211 markets in the United States and in excess of 100 million U.S. TV households. There, if matters are left solely to the initiative of the existing satellite "platform providers," more than 50 percent of existing satellite subscribers (over 6 million households) will continue to be deprived of their local TV stations; more than 60 percent of existing commercial television stations (over 1,000) will NOT be available via satellite; and more than 30 million US TV households will remain beyond the reach of local TV via satellite.

Put another way, local TV via satellite will not be available in 27 states and in parts of nearly every state.

So while the law enacted last fall has eliminated the legal barriers to delivery of local TV via satellite, it alone will not assure delivery of local TV via satellite to the majority of local TV stations and satellite subscribers. For that reason, and because many folks in parts of my district and in the districts of most members on this Committee cannot receive their local signals any other way, I am joining with RICK BOUCHER, JOANN EMERSON, and over 100 Members of the House in supporting this legislation to assure that all Americans, not just those in profitable urban markets, can receive their local TV signals over satellite.

STRAIGHT SHOOTER: SHERIFF CHARLIE PLUMMER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. STARK. Mr. Speaker, for the past 13 years, California's Alameda County has been blessed to have a tough, hard-working, straight-talking sheriff named Charles Plummer.

The January 2, 2000 issue of The Argus carried an excellent profile of this outstanding public servant, that I would like to submit, in part, in the RECORD. It is a model for those interested in law enforcement and public service throughout the nation.

I would like to especially commend Sheriff Plummer for his stance on gun control and the need for reasonable regulation. I am proud to note that this has been an issue that has moved him from the Republican party to the Democratic party.

CONTROVERSIAL ALAMEDA COUNTY SHERIFF CHARLIE PLUMMER OFTEN TALKS TOUGH, BUT HE ALSO WALKS THE WALK

(By Josh Richman)

A framed photo on Alameda County Sheriff Charles Plummer's office wall depicts him shouting at someone behind a police crowd-control line. The caption: "'Cause I'm the sheriff, that's why. If you don't like it, get outta here!'"

That's Charles Clifford Plummer to a T. He'll hear your concerns, take suggestions and perhaps even follow them, but never forget he's the boss.

The affable-but-tough-talking lawman has carried a badge for 37 years and, at age 69, shows little sign of slowing down. His department's main duties include policing the county's unincorporated areas, running the county jails and coroner's bureau, and protecting county courts.

Plummer also is a sharp-dressed, number-crunching CEO who runs his 1,650-person-strong, $145.7 million agency like a business. He has a taste for pricey cigars, and he donned a tuxedo rather than a uniform for his swearing-in ceremony. He rules from a 12th-floor corner office choked with international police memorabilia and boasting panoramic vistas of Lake Merritt and the hills.

Some of his deputies accuse him of tyrannical bullying, but most officials and fellow lawmen praise his bluntness.

"He is old-school in the sense that when he gives his word, he keeps it," California Attorney General Bill Lockyer said, adding that Plummer's post as president of the California Sheriff's Association "is an indication of the high regard that other elected sheriffs have for his leadership and abilities."

VALUES AND WORK ETHIC

Plummer was born Aug. 17, 1930, in Fort Bragg. His parents separated when he was six and he grew up in his maternal grandmother's home, where he said he learned "values and a work ethic that have been with me forever."

He was on high school football, track and basketball teams, performed in the band and drama club, and was senior class president. He took a job as a water well-digger at age 10; while in school, and at Santa Rosa Junior College, he worked as a gardener, shingle mill worker, lumber, camp rigger, apple picker, construction worker, vacuum cleaner salesman and hospital attendant.

He planned to become a mortician, but a California Highway Patrol officer picked him up hitchhiking and talked him into using his gregarious nature and large size to advantage as an officer.

The Berkeley Police Department was "the best in the United States, and that's why I wanted to go there," Plummer said, adding that it seemed like "the West Point of all police work." He joined in 1952 and served there for 24 years, acting as field commander during some of the fiercest student demonstrations and riots of the 1960s and early 1970s. He reached the rank of captain in 1969 and was appointed acting chief in 1973.

He became chief of the Hayward Police Department in 1976. Ten years later he ran for sheriff, and his opponent's withdrawal from the race led to his uncontested election. He took the department's reins in January 1987, the first outsider to hold the job in more than 40 years.

CHANGING THE DEPARTMENT

Plummer promised to dismantle the department's "old boy network" by replacing favoritism with the work ethic, and by threatening dire consequences for deputies who lied, used racist or sexual slurs, accepted gratuities or took drugs.

He also set about having the department accredited by as many agencies as possible, believing it would bring increased efficiency, better eligibility for state and federal grants and more protection from civil lawsuits.

The Commission on Accreditation for Law Enforcement Agencies accredited his department. The American Correctional Association and the National Committee on Correctional Health Care accredited his jails. The American Society of Crime Laboratory Directors accredited his crime lab, and the U.S. Department of Justice accredited his bomb squad. The certificates hang in his office lobby, tokens of his proudest achievements.

Earning accreditation is like ridding a home of termites, he said—it's expensive up front, but you do it to save money later. Even so, he often has had to go toe-to-toe with other county agencies to vie for dollars.

Plummer has fought budget battles with the same intensity he brought to controlling riots on Berkeley's streets, He once threatened to close North County Jail rather than cut investigators, crime prevention and animal control. In 1996, asked to trim $6.9 million from his budget, he instead asked for $3 million more. ''I can't afford to cut one person, so why go through the charade?'' he asked at the time.

He doesn't always win. The 1992–93 budget required 300 layoffs, and Plummer had to pink-slip a whole academy class—his lowest moment, he said.

''That hurt me worse than the riots hurt me in Berkeley,'' he said. ''It just tore my heart out. We have warned them it could happen, but that doesn't make it any easier when you're having a graduation and you can't give them badges.''

After proclaiming it a ''chainsaw massacre,'' he mustered a crowd, hefted a chainsaw and marched around the courthouse to protest state funding cuts. A penciled caricature of Plummer revving a chainsaw near a courthouse hangs on his office wall.

The budget crunches spurred Plummer to view his department as a business. Assuming that a fully-staffed jail is an economically efficient jail, he sought more contracts to house other agencies' inmates in Alameda County. Plummer's jails have held San Francisco county inmates, state parole violators, federal prisoners from U.S. Marshals in California and Hawaii, and illegal immigrants from the federal Immigration and Naturalization Service.

He acknowledges that those and other contracts, such as providing security for county hospitals and other facilities or events, create a lot of overtime. But his budget always covers it, he noted: ''I've never brought in a budget in the red in my life.''

He has positions for 920 sworn deputies, 37 of which are now vacant. He hired San Leandro Police Chief Robert Maginnis as an assistant sheriff last August specifically to recruit. Some said Maginnis was being groomed as a likely successor, but Plummer said Undersheriff Curtis Watson already has earned that mantle by paying his dues within the department.

''Also, I would never support anyone who would not agree to give at least two terms,'' he said, because he believes a sheriff needs at least eight years to be an effective leader.

REPUBLICAN NO MORE

Plummer ended his lifelong GOP membership in June, reregistering with a ''no party'' designation. Why?

''Guns,'' he said.

As sheriff, he enacted new requirements for concealed firearm permits—a demonstrated need, a psychiatric exam, $1 million of liability insurance and qualification at the sheriff's shooting range. State Sen. Don Perata, D-Alameda, who earned a permit, wants to include such mandates in a plan for statewide licensing and registration for gun owners. Plummer approves, explaining, ''we're not really anti-gun, we're pro-gun-responsibility.''

But when he heard U.S. Rep. Bob Barr, R-Georgia, speak on the radio against gun control earlier this year, he had an epiphany.

''I thought, 'I don't want my name associated with that crap,' ''Plummer said.

He would rather associate with his wife of 51 years, Norma, their three children—two of whom followed him into law enforcement—and eight grandchildren. He also associates with the Boy Scouts, the Rotary and other groups, which he called ''great therapy for me''—talking to people outside his work helps him avoid ''burnout'' after so many years of policing, he said.

His current term will expire in three years, when he's 72; whether he runs again ''will depend on how I feel.'' He admits he'll be ''a little long in the tooth,'' but a recent physical found him fit, and close aides have agreed to tell him if they think he's slowing down.

''If I think I'm taking anything away from this organization, I'm outta here,'' he said.

HONORING THE DELRAN HIGH SCHOOL SWIM TEAM

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. SAXTON. Mr. Speaker, today I rise to congratulate the Delran High School swim team for winning its third straight South Jersey Championship and second straight state championship. The Delran swim team dynasty is an excellent example of high school athletes performing at their peak level.

Seldom does a team win a championship, even more rare are back to back championships. It takes extraordinary teamwork, dedication, and perseverance to become a championship team. I applaud the Delran High School swim team's efforts.

I would also like to recognize the following Delran swim team members: Mike Haigh, Steve Kroculick, Rachel Craft, Danielle Hoey, Jenny Kroculick, Karl Scheimreif, Gerall Tieman, Michelle Aleszczyk, Karlee Scheimreif, Jen Tregl, Lauren Schmidt, Danielle Kennedy, Brandon Peer, Craig Tieman, Anne Kennedy Caityln Hoey, Ryan Hannon, Pat Reynolds and Joey Iannuzzi.

Perhaps the most important role of any team is that of the one played by the coach. Delran's coach, Michael Kennedy, molded and trained this formidable championship swim squad. Coach Kennedy's efforts cannot be overlooked and should be commended.

Mr. Speaker, please join me in congratulating this special group of individuals. Their efforts have brought pride to their community, families and high school.

RE-REFERRAL OF S. 1809

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. GOODLING. Mr. Speaker, today S. 1809 was re-referred to the Committee on Commerce and in addition the Committee on Education and the Workforce. Titles I and III have been traditionally in the sole jurisdiction of the Committee on Commerce and Title II, Family Support, has been traditionally in the sole jurisdiction of the Committee on Education and the Workforce. Title II, Family Support, would authorize a program that was originally created in Section 315 of P.L. 103–382, Improving America's Schools Act of 1994, which created a new Part I in the Individuals with Disabilities Education Act. In 1997, Part I, Family Support of IDEA was repealed by Section 203(a), Repealers, of P.L. 105–17, the Individuals with Disabilities Education Act Amendments of 1997, See H.R. 5, the Individuals with Disabilities Education Act Amendments of 1997.

HONORING THE MEN AND WOMEN OF THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor the men and women of the Fairfax County Fire and Rescue Department who have gone above and beyond the call of duty to serve our community. The Fairfax Chamber of Commerce is hosting the 22nd Annual Valor Awards today, Friday, February 11, 2000. The Chamber will recognize law enforcement and emergency response personnel for their acts of bravery. A Valor Award is the highest honor Fairfax County bestows upon its public safety employees.

The Valor Award recipients are selected by a committee that designates honorees for a Lifesaving Award, a Certificate of Valor, or a Gold, Silver, or Bronze Medal of Valor. This year, it is expected that 37 agency personnel will be honored for acts of bravery that demonstrated extraordinary ingenuity, judgment, or zeal.

Mr. Speaker, I would be honored today to read the names of the 17 men and women of the Fairfax County Fire and Rescue Department who will receive the 1999 Valor Awards. Receiving the Lifesaving Award: Firefighter Barry J. Rathbone and Lieutenant Paul A. Masiello; Certificate of Valor: Lieutenant Robert E. Wheeler and Firefighter Joseph M. Laun. Bronze Medal of Valor; Technician William M. Best, Captain I Vincent R. McGregor, and Technician Kurt A. Hoffman; Silver Medal of Valor; Dr. Joseph Barbera, Captain Robert C. Dube, Master Technician Michael A. Istvan, Lieutenant Joseph E. Knerr, Technician Evan J. Lewis, Dr. Anthony Macintyre, Technician Glenn A. Mason, Technician Michael J. Stone, Technician Rex E. Strickland, and Master Technician Jack L. Walmer.

In 1989, the Fairfax County Chamber of Commerce established a special fund to award scholarships to the children of Valor Award medal winners who wish to pursue post-secondary education. Support of the Scholarship Fund demonstrates the sincere appreciation of our County's public safety officers. Over the past ten years, more than one hundred generous businesses and individuals have contributed to this worthy fund, and numerous scholarships have been awarded.

Mr. Speaker, in closing, I wish to thank all those who serve the Fairfax County Fire and Rescue Department. Since 1979, more than 250 members of the Fairfax County Police Department, Fire and Rescue Department and the Office of the Sheriff have received Gold, Silver or Bronze Medals of Valor. I recognize the professionalism of the men and women who are honored here today. I applaud the heroic efforts the members of the Fairfax Fire and Rescue make on our behalf as we extend our appreciation to these exceptional individuals today. I commend these individuals and their colleagues for their undaunted commitment to the citizenry.

INTRODUCTION OF LEGISLATION ENTITLED, ''FAMILY VALUES TAX RELIEF ACT OF 2000''

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I have introduced legislation, H.R. 3612 that will repeal certain hidden taxes imposed on our American families and values.

In his latest report to Congress, our country's National Taxpayer Advocate, W. Val Oveson, urges us to eliminate hidden taxes in the Internal Revenue Code. The National Taxpayer Advocate, unlike any top official at the IRS or Treasury, reports his findings and recommendations directly to Congress without review or revision within the agency or department. In one of our greatest legislative achievements, the ''IRS Restructuring and Reform Act of 1998,'' Congress strengthened the National Taxpayer Advocate's independence from the IRS in order to help address taxpayers' concerns.

The National Taxpayer Advocate can now recommend legislative changes to the tax code in cases where current law creates inequitable treatment or where change will alleviate barriers to compliance. For the second year in a row, Mr. Oveson has reported that tax code complexity tops the list of taxpayer concerns. Accordingly, the National Taxpayer Advocate has singled out two hidden taxes in the Internal Revenue Code that should be repealed.

The first of these hidden taxes is the ''phaseout of itemized deductions and personal exemptions.'' With regard to this hidden tax on our American families and values, our country's National Taxpayer Advocate states that ''[n]o other tax issues are taken so personally. As a result, the phaseouts of itemized deductions and the personal exemptions are often seen by taxpayers as being especially unfair, creating a certain amount of resentment and cynicism. ''[A]llowing all taxpayers to retain these deductions and exemptions would go a long way toward reducing burden, increasing fairness, and restoring faith in the tax system.''

The second of these hidden taxes is the ''Alternative Minimum Tax'' or AMT. With regard to this hidden tax on our American families and values, our country's National Taxpayer Advocate describes the AMT as ''unnecessarily complex and burdensome,'' effectively operating ''as a separate or 'parallel' tax system with many rules that differ from the regular tax system.'' Many taxpayers are required to make several computations just to see if they must figure out their tax under the AMT. Additionally, AMT presents significant compliance and administrative problems for the IRS. Finally, many taxpayers are subject to the AMT ''without being aware of its existence. Often, the way that many individuals first hear of the Alternative Minimum Tax is when they received a notice from the IRS. Outright elimination of the Alternative Minimum Tax would do a great deal for simplification and burden reduction of the tax system (emphasis added)''

I strongly support the work and conclusions of the National Taxpayer Advocate. My bill will repeal both of these hidden taxes on American families and values.

Additionally, my bill will go one step further and repeal another hidden tax—the phaseout of the Child Tax Credit. In 1997, Republicans in Congress enacted legislation to return $500 in tax credits for every child under the age of 17. Unfortunately, budget constraints and opponents of this pro-family idea forced us to phaseout the Child Tax Credit in a complicated and unfair manner. We should not penalize any family who chooses to have children. All children should be treated equally as they are in the eyes of their Maker. Consequently, my bill will repeal this arbitrary hidden tax on American families.

Finally, these three hidden taxes also worsen the marriage penalty. The American Institute of Certified Public Accounts (AICPA) has listed these three hidden taxes in its list of ''ways the tax code may drive up a tax bill when a married couple files together.'' It is just not right that our tax code forces married couple to pay more in taxes than two people living together.

I urge my colleagues to join me in repealing these hidden taxes and restore freedom to American families.

THE ONLINE PRIVACY PROTECTION ACT OF 2000

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to discuss a bill I introduced, H.R. 3560, the Online Privacy Protection Act of 2000. This bill would protect Internet consumers by ensuring they are informed when a website operator is collecting personal information about them, and further providing a process for consumers to ''opt out'' of allowing companies to use their personal information for marketing and other purposes.

We all know the Internet is one of the most exciting and explosive developments of our time. In fact, many people have called the advent of the Internet the second Industrial Revolution. With the explosion of E-commerce in America and around the world, people are buying everything from food to stocks over the Internet. To allow this exciting sector of our economy to reach its true potential, I believe we must ensure that consumers privacy is not neglected in the process.

There is absolutely no question that the Internet is one of the most valuable and fastest growing forces in our economy. Along with the Internet and so many other advances in technologies, it is easier than ever before to collect information and data and send it around the world with a simple click of a mouse.

As a result of the growth of the Internet and the ease with which website operators have the ability to collect information, it is important that all the players in the Internet industry take proactive steps to protect their consumers. If this is done effectively by the industry itself, perhaps legislation will not be needed.

While the Internet grows at a breathtaking pace, so do consumer concerns about their privacy online. I have heard from many of my constituents in writing, by e-mail, by telephone and at town hall meetings on this issue. Quite frankly, they are shocked by the reports about information being collected about them without their knowledge, let alone the frightening reports that much of the information that is collected is not secure. We do not want consumers to lose confidence in the Internet.

Consumers should have the opportunity to know what information is collected about them, how it is collected and for what purposes. Net surfers want and deserve assurance that personal information that is provided at a website is not misused. That is what H.R. 3560 would do without curtailing the exciting growth and potential of the Internet.

LEGISLATION MODIFYING THE SCHOOL LUNCH PROGRAM

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. GOODLING. Mr. Speaker, throughout my 25 plus years in Congress, I have been a very strong supporter of the school lunch program. It was one of the highlights of my career when we passed the William F. Goodling Child Nutrition Reauthorization Act of 1998 last Congress. To build upon all the great work we have done, today I am introducing legislation to modify the school lunch program to ensure that recent cuts made to the program are restored.

During its history, the National School Lunch Act has not only provided nutritious meals to our nation's children, it has assisted the agriculture community through commodity purchases.

The Secretary of Agriculture uses funds authorized by the School Lunch Act to purchase entitlement commodities, such as fruits and vegetables, which are needed by our nation's schools in order to provide balanced meals. In addition, schools receive bonus commodities that the Secretary purchases in order to reduce a surplus in the marketplace. Both the children and the agriculture community benefit from these purchases.

Since the 103rd Congress, 12 percent of the cost of school lunches was to be in the form of agricultural products purchased for schools. Last session, this law was modified at the suggestion of the Clinton Administration to allow the 12 percent commodity requirement to be met through a combination of entitlement and bonus commodities. The savings achieved as a result of this revision were used to help fund the Ticket to Work and Work Incentives Improvement Act of 1999. As a result, schools will be receiving fewer commodities because

bonus commodities will be counted as part of the 12 percent commodity requirement rather than as additional commodities over and above this requirement. At the same time, purchases of agriculture commodities will also be reduced.

Mr. Speaker, there are no winners here. Schools lose, kids lose, and farmers lose. The bill I am introducing today will restore the original 12 percent commodity requirements and clarify that the only commodities to be used to fulfill this requirement are those authorized under the School Lunch Act. The Ticket to Work and Work Incentives Improvement Act of 1999 should not have been funded at the expense of an important program like the School Lunch Act.

For our children, our schools and our farmers, I encourage my colleagues to support this legislation.

HONORING THE MEN AND WOMEN OF THE FAIRFAX COUNTY POLICE DEPARTMENT

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor those of the Fairfax County Police Department who have gone above and beyond the call of duty to serve our community. The Fairfax Chamber of Commerce is hosting the 22nd Annual Valor Awards today, Friday, February 11, 2000. The Chamber will recognize law enforcement and emergency response personnel for their acts of bravery. A Valor Award is the highest honor Fairfax County bestows upon its public safety employees.

The Valor Award recipients are selected by a committee that designates honorees for a Lifesaving Award, a Certificate of Valor, or a Gold, Silver, or Bronze Medal of Valor. This year, it is expected that 37 agency personnel will be honored for acts of bravery that demonstrated extraordinary ingenuity, judgement or zeal.

Mr. Speaker, I would be honored today to read the names of the 22 officers of the Fairfax County Police Department who will receive the 1999 Valor Awards. Receiving the Lifesaving Award: Police Officer First Class John E. Alford, Police Officer First Class Timothy C. Benedict, Second Lieutenant Michael E. Proffitt, Police Officer First Class Michael Twomey, Police Officer First Class Jeffrey L. Gossett, Sergeant Bruce K. Blechl, Police Officer First Class Scott C. Bates, Police Officer First Class Ronald H. Burke, and Police Officer First Class Aniello A. Desantis; Certificate of Valor: Police Officer First Class John R. Chadwick, Police Officer First Class Frank J. Stecco, Public Safety Communicator III Wrentree S. Kelly, Sergeant Mark S. Culin, and Police Officer First Class Christopher M. Kindelan; Bronze Medal of Valor: Auxiliary Police Officer Gary D. Treadway, Police Officer First Class Robert M. Cornell, Police Officer William A. Giger, Master Police Officer James D. Call, Lieutenant Scott C. Durham, Second Lieutenant Jack T. Hardin, and Police Officer First Class Donald E. McAuliffe; Silver Medal of Valor: Master Police Officer Robert Wahl.

In 1989, the Fairfax County Chamber of Commerce established a special fund to award scholarships to the children of Valor Award medal winners who wish to pursue post-secondary education. Support of the Scholarship Fund demonstrates the sincere appreciation of our County's public safety officers. Over the past ten years, more than one hundred generous businesses and individuals have contributed to this worthy fund, and numerous scholarships have been awarded.

Mr. Speaker, in closing, I wish to thank all those who serve the Fairfax County Police Department. Since 1979, more than 250 members of the Fairfax County Police Department, Fire and Rescue Department, and the Office of the Sheriff have received Gold, Silver or Bronze Medals of Valor. I recognize the professionalism of the men and women who are honored here today. I applaud the heroic efforts the members of the Fairfax Police Department make on our behalf as we extend our appreciation to these exceptional individuals today. I commend these individuals and their colleagues for their undaunted commitment to the citizenry.

TRIBUTE TO GENEVA BERRIEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor one of Brooklyn's finest entrepreneurs, Geneva Berrien.

A native of Texas, Mrs. Berrien migrated to Brooklyn, New York after spending several years in Chicago. She worked for Gimbel's Department Store before pursuing a career in hat design. She graduated from McDowell School of Design in 1948 after completing a course in millinery design. Geneva became one of Brooklyn's most popular and outstanding milliners known for her unique designs throughout New York State and the nation. It was not a ''Hat Show'' until ''Geneva's Originals'' were shown. ''Geneva's Millinery Shop'' was opened in 1950 and remained a lucrative business until 1968 when she decided to operate from her home on a part-time basis. Even today, her hats are still being worn and are just as stylish as when Geneva created them.

Geneva Berrien is also known for her long service as a member of Cornerstone Baptist Church which she joined in 1947. She was active in the Victory Club and the Business and Professional Women's Division of the Missionary Society. Additionally, she served as a teacher in the Cornerstone Vacation Bible School; she participated as a Board Member of the Isaiah Whitehurst School and the Cornerstone Day Care Center. Geneva also was a faithful member of the Senior Choir and Chairlady of Women's Day in 1964. As a member of the National Council of American Baptist Women, she received citations for outstanding Christian work in the church and the Standard Leadership and Curriculum Card for her involvement in Christian Education Week activities in 1970, 1972, and 1975.

Please join me in honoring one of Brooklyn's pioneering businesswomen, Geneva Berrien.

HONORING MARCUS HOUSTON OF DENVER

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Ms. DEGETTE. Mr. Speaker, I rise today to congratulate and honor Marcus Houston, a young student from Thomas Jefferson High School in Denver who has achieved national recognition for exemplary volunteer service to his community. Mr. Houston was named one of Colorado's top honorees in the 2000 Prudential Spirit of Community Awards Program, an annual honor conferred on the most impressive student volunteers in each state, the District of Columbia, and Puerto Rico.

Marcus developed the ''Just Say Know'' program that educates middle level students about what is necessary to succeed academically, socially, and athletically in high school. Noticing the numbers of fellow students who were ineligible for participation in athletics due to poor grades or conduct, Marcus developed a motivational presentation based on his own successes. The ''Just Say Know'' program demonstrates how a student's personal presentation can influence his or her performance both in school and on the field. In addition to his motivational speeches, Mr. Houston developed an essay contest, which he funds out of his own pocket, that encourages students to write about what success means to them and how they plan to personally succeed.

Mr. Houston should be extremely proud to have been selected from such a large group of volunteers. I heartily applaud him for his initiative in seeking to make his community a better place to live, and for the positive impact he has had on the lives of others. Marcus has demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world, and deserves our sincere admiration and respect. His actions show that young Americans can and do play important roles in our communities and provide us with tremendous promise for the future.

CONGRATULATIONS TO TATTNALL SQUARE ACADEMY ONE ACT PLAY, GISA STATE AAA CHAMPIONS

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. CHAMBLISS. Mr. Speaker, I want to congratulate the Tattnall Square Academy drama students and director Brent Young for recently winning the GISA State AAA title for their One Act Play production Children of Eden. This fine group of young people from Macon, Georgia, located in the 8th Congressional District, deserves great recognition for their hard work, artistic talents, and success.

Tattnall has won the GISA State AAA title for One Act Play for the last two years, in 1998 and 1999, and this marks the third consecutive year Tattnall has won the Region Title for One Act Play.

Drama Director Brent Young was awarded 1999 Best Director at the November competition. Over the past few years, under his direction and leadership, Tattnall's drama program

has grown to become one of the school's largest extracurricular activities with over 200 students involved.

One hundred twenty-five students performed in this year's production. In addition, I would like to recognize Molly Stevens, who was awarded the State Award for Best Performance. I had the opportunity to see Miss Stevens perform just a few short years ago in one of Macon's community theaters, and there was no doubt then she was a rising star.

Mr. Speaker, to be an actor or performer, one must connect with their audience, a talent that does not come easily to everyone. It takes dedication, concentration, focus, and a great deal of spirit and imagination. Obviously, these tasks were well-delivered by the young men and women from Tattnall Square Academy. I am sure each of them is blessed with a number of other talents as well. I look forward to many more winning performances in the future.

H. CON. RES. 247 IN SUPPORT OF NATIONAL DONOR DAY

HON. CHARLES T. CANADY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. CANADY of Florida. Mr. Speaker, I am pleased to support important legislation to encourage organ donation introduced by my friend and colleague from Florida, KAREN THURMAN. I've been pleased to work with Representative THURMAN not only on this bill but also on legislation to provide Medicare transplant recipients with coverage for the immunosuppressive drugs they need.

Each day more than 70,000 people await an organ transplant, and one more individual is added to their ranks every 16 minutes. Tragically, as a consequence of the shortage of donor organs, more than 10 people die every day. Despite recent advances in medicine, transplantation is still a crucial part of prolonging human life. Transplantation is not an experimental science; it is the standard method of treatment for many diseases, with success rates as high as 95 percent. Just one donor can help more than 50 people in need.

For the past two years, a coalition of health organizations have joined together to designate a National Donor Day to highlight the need for organ donation. I am encouraged by the success of these first two National Donor Days. A total of almost 17,000 units of blood was raised; the names of 2,400 potential donors were added to the National Marrow Donor Program Registry; and tens of thousands of organ and tissue pledge cards were distributed. It is my hope that the third National Donor Day on February 12 will bring help to even more people in need. Representative KAREN THURMAN has drafted legislation to lend the support of Congress to National Donor Day's goals. It is a straight-forward, non-controversial bill that can truly help educate the American people about this crucial issue.

I urge my colleagues to support this bill and encourage all Americans to learn about the importance of organ, tissue, bone marrow, and blood donation.

A TRIBUTE TO CARL R. CAMPBELL

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DOOLEY of California. Mr. Speaker, I rise today to pay tribute to the late Carl R. Campbell, who made significant contributions to his community in the field of education. As Superintendent of the Kings Canyon Unified School District in Reedley, California, he made great strides in improving reading instruction for students in order to meet the state's goal of every child becoming a successful reader by the third grade.

Mr. Campbell was born in Abilene, Texas on January 15, 1942. He received his undergraduate degree at California State University, Fresno majoring in Political Science. Upon graduation, he began teaching business and government classes at Clovis High School. He quickly took a leadership role at Clovis High, serving as advisor for the Student Council and coaching the junior varsity basketball team for several years. Realizing that he enjoyed being in a position of leadership, he earned a Masters of Education in Educational Administration and went on to become the principal of two elementary schools in Clovis.

After several years as principal, Mr. Campbell was ready for a new challenge. In 1987 he became the assistant superintendent of Kings Canyon Unified School District in Reedley, California. In 1995, he became the Superintendent of the district. As superintendent, Mr. Campbell had a vision to improve reading instruction for students in the district. His vision included Reading Recovery Training for teachers, private-public school partnerships, and a new teacher training facility.

On Friday, December 17, 1999, the Carl R. Campbell Education Center was dedicated in honor of his service to the district. The training facility will serve to provide literacy training for teachers, as well as in-classroom coaching experiences. A major role of the facility is to accelerate student learning.

Carl Campbell was diagnosed with cancer in August of 1999 and passed away this week, on February 7, 2000 at the age of 58. He is survived by his wife and best friend of 34 years, Jayne; daughter and son-in-law, Jill and Mike Murphy of Washington, DC; son and daughter-in-law, Bret and Tianna Campbell of Fresno; parents, Fred and Daphna Campbell of Fresno; and brother and sister-in-law, Hollis and Margie Campbell of Fresno.

Mr. Speaker, I ask my colleagues to join me today in recognizing Carl R. Campbell for his tremendous contributions to education in Fresno County. Carl's friendship and leadership qualities will be dearly missed by his family and his colleagues in education.

WADE THOMAS SR., TUSKEGEE AIRMAN

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. TAYLOR of North Carolina. Mr. Speaker, Western North Carolina and America lost a true hero last week when Wade Thomas Sr., a Former Tuskegee Airman, passed away.

WADE THOMAS SR.

ASHEVILLE—Wade Hamilton Thomas Sr., 77, of 2 Mardell Circle, died Sunday, Feb. 6, 2000, at Mountain Area Hospice.

A native of Jackson, Miss., he was a son of the late Harrison Spurgeon and Loalor Bandy Thomas. He was a graduate of Pearl Senior High School in Nashville, Tenn., and Tennessee State University, where he graduated with honors. He completed post-graduate study at Indiana Central University and the University of Tennessee.

Wade enlisted in the Army and was a member of the famed ''Tuskegee Airmen,'' an all Black fighter squadron. His professional career included employment with the State of Tennessee, U.S. Post Office and U.S. General Services Administration. He retired from USGSA as a buildings manager, Region IV, Atlanta. In Asheville, he worked as a management consultant, accountant and real estate broker for over 30 years.

He was active in many professional and civic organizations including the National Association of Public Accountants, N.C. Housing Commission, Asheville Board of Adjustments, Asheville Civil Service Board (vice chair), Daniel Boone Boy Scout Council, Asheville Board of Realtors (vice president), Asheville-Buncombe Human Relations Council, YMI cultural Center (treasurer) and Asheville Optimist Club. Wade was a member of the Basilica of St. Lawrence.

Wade was a proud member of several fraternal and masonic organizations including Venus Lodge No. 62 F&AM, Gizeh Shrine Temple No. 162, A.E.A.O.N.M.S., Asheville Consistory No. 253, Daughters of Esther No. 128 OES PHA and Omega Psi Phi Fraternity. He received numerous awards and certificates of service for his professional, civic and masonic service.

Surviving are his wife, Mary Katherine Scruggs Thomas, who worked very closely with him both as a realtor and an accountant; seven sons, Wade Jr. (Ora), Karl, Harrison, George, Kenneth, Rex and Axel, all of Nashville; three daughters, Korda (Don) Henry, Renae and Michelle Thomas, all of Nashville; 11 grandchildren; two great-grandchildren; a daughter-in-law, Stephanie S. Thomas; two cousins, Claudyne Jefferson and Carlotta (Joe) Morton; other relatives and many friends.

I know the Members of the House will join me in extending heartfelt condolences to his family and friends.

HONORING THE MEN AND WOMEN OF THE FAIRFAX COUNTY SHERIFF'S DEPARTMENT

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor those of the Fairfax County Sheriff's Department who have gone above and beyond the call of duty to serve our community. The Fairfax Chamber of Commerce is hosting the 22nd Annual Valor Awards today, Friday, February 11, 2000. The Chamber will recognize law enforcement and emergency response personnel for their acts of bravery. A Valor Award is the highest honor Fairfax County bestows upon its public safety employees.

The Valor Award recipients are selected by a committee that designates honorees for a

Lifesaving Award, a Certificate of Valor, or a Gold, Silver, or Bronze Medal of Valor. This year, it is expected that 37 agency personnel will be honored for acts of bravery that demonstrated extraordinary ingenuity, judgement or zeal.

Mr. Speaker, I would be honored today to read the names of the 3 officers of the Fairfax County Sheriff's Department who will receive the 1999 Valor Awards. Receiving the Lifesaving Award: Private First Class David L. Ross and Deputy Sheriff Charles E. Michael, Jr.; Bronze Medal of Valor: Deputy Sheriff Erin L. Cox.

In 1989, the Fairfax County Chamber of Commerce established a special fund to award scholarships to the children of Valor Award medal winners who wish to pursue post-secondary education. Support of the Scholarship Fund demonstrates the sincere appreciation of our County's public safety officers. Over the past ten years, more than one hundred generous businesses and individuals have contributed to this worthy fund, and numerous scholarships have been awarded.

Mr. Speaker, in closing, I wish to thank all those who serve the Fairfax County Sheriff's Department. Since 1979, more than 250 members of the Fairfax County Police Department, Fire and Rescue Department, and the Office of the Sheriff have received Gold, Silver or Bronze Medals of Valor. I recognize the professionalism of the men and women who are honored here today. I applaud the heroic efforts the members of the Fairfax Sheriff's Department make on our behalf as we extend our appreciation to these exceptional individuals today. I commend these individuals and their colleagues for their undaunted commitment to the citizenry.

CONGRATULATIONS TO THE CHARLTON COUNTY HIGH SCHOOL INDIANS, 1999 CLASS A STATE FOOTBALL CHAMPIONS

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. CHAMBLISS. Mr. Speaker, I want to congratulate the Charlton County High School football team in Folkston, Georgia, for recently capturing the Class A State Championship title. This fine group of young men and their coaches from Georgia's 8th Congressional District deserve great recognition for their hard work, dedication, and success.

This is not only a victory for these fine young men, but for their school, parents, and community as well, particularly all who played a role in supporting the team throughout a hard year of practices and games.

I want to congratulate CCHS head football coach Rich McWhorter and assistant coaches Bill Pitt, Mike Baxter, Mike McNeil, Russ Murray, Josh Howard, Dee Barronton, and Tim Cochran for their leadership and dedication to the team. Coaches spend every day of their lives building character, integrity, and determination in our young athletes, and I want to commend them for their commitment and service.

I also want to take this time to recognize the Charlton County Indians individually. The 1999 players are Steve Smiley, Kevin Davis, Marcus Cobb, Snapper Hobbs, Cortez Reed, Cecil Reed, Matt Albertie, Fielding Dean, Antwan Harvey, Bama Adams, Mark Smith, Walter Williams, Jamie Jackson, Muhammad Abdullah, Jerome Pollock, Frank Dasher, Anthony Haston, Antonio Harvey, Lamar Williams, Harold Hannans, Lanier Milton, Alex Zow, Dantonio Davis, Chip Jackson, Tim Todd, Pierre Sims, Nathaniel Davis, Jason Bridges, Vincent Green, Nahshon Nicks, Chris Davis, Brian Drury, Demario Austin, Ivory Smiley, Marquis Elmore, Brett Mitchell, Gene Wilson, Norris Woods, Cedric Mildton, Brian Lloyd, Justin Crumbley, J.D. Carter, Jason Wainwright, Spencer Crews, Tony Geoghagan, Ben Huling, Michael Spurlock, Brandon Drury, Dusty Phillips, Luke Gowen, Scott Woolard, Ben Brantley, Marcus Jackson, Kyle Cook, Sam Melton, Scott Davis, Dusty Thomas, Jarvis Blackshear, Justin Pollock, Jimmy Scipp, Matt Drury, and Michael Reed.

Mr. Speaker, victory cannot be achieved without the hard work, talent, and perseverance of every single athlete, the strong leadership and direction of the coaches, in addition to the strong support of parents, teachers, students, and the community. We from South Georgia know how important community support is. The Indians are truly a team to be proud of, and it is an honor for me to represent Charlton County, Georgia, in the U.S. House of Representatives. I look forward to many more victories from this outstanding team in the years to come.

TELECOMMUNICATIONS ACT OF 1996

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Ms. DEGETTE. Mr. Speaker, four years ago this week, the Congress approved the Telecommunications Act of 1996. While I was not a Member of Congress at that time, I was working on these issues while I was in the Colorado state legislature. on the anniversary of the Act, I would like to both herald the progress that has been made and comment on what challenges remain.

One of the main goals of the 1996 Act was to allow more competitors into local phone markets in order to spur competition and provide better opportunities for consumers. The introduction of competition into the local markets has been much slower than anticipated and, at this time, over 90% of Americans have very little choice of local telephone providers.

The ultimate goal of course is greater competition in all markets, which will result in more choices and better prices for consumers. Many new companies, many of which are located in my home state of Colorado, have sprung up in the past few years and have gained a significant foothold in the exploding business of e-commerce. Nearly a billion dollars are being invested by new entrant telecommunications companies in facilities and services every month.

Today, more than ninety-nine percent of Americans can reach an Internet Service Provider (ISP) with a local phone call. Forty-six states have 100 or more ISPs and more than half of the states have over 200 ISPs to choose from. These ISPs connect into backbone providers which have also grown from fourteen at that time the Act was passed, to forty-three today.

This growth has been remarkable and has benefited consumers enormously. It is important that the pro-competitive provisions of the 1996 Act are kept in place so that we can keep moving towards a fully integrated and competitive market.

I am strongly in favor of increased competition in all areas of telecommunications, which will mean better service and lower prices for customers. The sooner there is more competition in both local and long-distance telephone markets and the Internet industry, the better it will be for all consumers. I look forward to the day when my constituents have a multitude of choices in all areas of in telecommunications, whether it be voice or high-speed data services.

PHARMACEUTICAL ACT OF 2000

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. PAUL. Mr. Speaker, I rise to introduce the Pharmaceutical Freedom Act of 2000. This legislation ensures that millions of Americans, including seniors, have access to affordable pharmaceutical products. My bill makes pharmaceuticals more affordable to seniors by reducing their taxes. It also removes needless government barriers to importing pharmaceuticals and it protects Internet pharmacies, which are making affordable prescription drugs available to millions of Americans, from being strangled by federal regulation.

The first provision of my legislation provides seniors a tax credit equal to 80 percent of their prescription drug costs. As many of my colleagues have pointed out, our nation's seniors are struggling to afford the prescription drugs they need in order to maintain an active and healthy lifestyle. Yet, the Federal Government continues to impose taxes on Social Security benefits and limits senior citizens' ability to earn additional income by reducing Social Security benefits if a senior exceeds the ''earnings limitation.'' Meanwhile, Congress continually raids the Social Security trust fund to finance unconstitutional programs! It is long past time for Congress to choose between helping seniors afford medicine or using the Social Security trust fund as a slush fund for big government and pork-barrel spending.

Mr. Speaker, I do wish to clarify that this tax credit is intended to supplement the efforts to reform and strengthen the Medicare system to ensure seniors have the ability to use Medicare funds to purchase prescription drugs. I am a strong supporter of strengthening the Medicare system to allow for more choice and consumer control, including structural reforms that will allow seniors to use Medicare funds to cover the costs of prescription drugs.

In addition to making prescription medications more affordable for seniors, my bill lowers the price for prescription medicines by reducing barriers to the importation of FDA-approved pharmaceuticals. Under my bill, anyone wishing to import a drug simply submits an application to the FDA, which then must approve the drug unless the FDA finds the drug is either not approved for use in the U.S.

or is adulterated or misbranded. This process will make safe and affordable imported medicines affordable to millions of Americans. Mr. Speaker, letting the free market work is the best means of lowering the cost of prescription drugs.

The Pharmaceutical Freedom Act also protects consumers' access to affordable prescription drugs by forbidding the Federal Government from regulating any Internet sales of FDA-approved pharmaceuticals by state-licensed pharmacists. As I am sure my colleagues are aware, the Internet makes pharmaceuticals and other products more affordable and accessible for millions of Americans. However, the Federal Government has threatened to destroy this option by imposing unnecessary and unconstitutional regulations on web sites which sell pharmaceuticals. Any federal regulations would inevitably drive up prices of pharmaceuticals, thus depriving many consumers of access to affordable prescription medications.

In conclusion, Mr. Speaker, I urge my colleagues to make pharmaceuticals more affordable and accessible by lowering taxes on senior citizens, removing barriers to the importation of pharmaceuticals and protecting legitimate Internet pharmacies from needless regulation by cosponsoring the Pharmaceutical Freedom Act of 2000.

TRIBUTE TO LOS ROBLES BANK

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. SHERMAN. Mr. Speaker, I rise today to recognize Los Robles Bank headquartered in Thousand Oaks, California for its continued Superior Customer Service contributions and continued success as a financial institution during its 12 years of existence in the Conejo Valley.

Since Los Robles Bank's inception on July 2, 1987, its marketing plan has always been to provide superior service to the small-to-medium sized businesses in the Conejo Valley and contiguous communities.

Under the very capable leadership of its President and Chief Executive Officer, Robert B. Hamilton and Jerry H. Miller, Chairman of the Board of Directors, Los Robles Bank has grown to operate Branches in Thousand Oaks, Westlake Village, and Camarillo. The Bank has grown to assets of over $153,000,000 as of June 30, 1999.

Los Robles Bank was selected as the Outstanding Business of the Year for 1998 by the Thousand Oaks/Conejo Valley Chamber of Commerce and for two consecutive years received the Readers' choice award as ''Best Bank in Conejo Valley'' based upon votes cast by Daily News' readers.

Other Significant Corporate Citizenship includes roles in and contributions to Under One Roof, Rotary International, Optimist Clubs of Thousand Oaks, Pleasant Valley Lions Club, Thousand Oaks Police Department, Ventura County High Schools and College Scholarship Funds, Conejo Free Clinic, Year-Round Star Program and Youth employment and Training Programs, Junior charity League, American Cancer Society, American Heart Association, Hospice, United Way, many Mansions, Mana, Conejo-Las Virgenes Future Foundation, Park Oaks Elementary School Reading Program, Conejo Valley Days, and Special Kids Day.

In High School sports Los Robles Bank has continuously supported athletic programs at Thousand Oaks, Newbury Park, Westlake and Aldolfo Camarillo High Schools.

The Bank is an active sponsor for California Lutheran Universities Academic program through membership in the Community Leaders Club and the Matthews Business Management Forum.

Recently Credit Swisse Bank sent a top official to Los Robles Bank to learn about the Bank operations and approaches to banking in general. The Swisse Bank representative upon his departure stated that he was most impressed with Los Robles Bank's customer service and employee relations skills—something that is continually stressed by the Bank's Management.

Mr. Speaker, distinguished colleagues, please join me in recognizing Los Robles Bank for its accomplishments and successes in both the Banking and Civic communities over the past 12 years.

HONORABLE EVELYN DIXSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor one of Brooklyn's grand dames, Mrs. Evelyn Dixson.

Mrs. Dixson has provided a lifetime of public service to the people of Brooklyn. She was elected to eight consecutive two-year terms as a Democratic State Committeewoman for the 56th Assembly District. She is a past President of the Brooklyn Club of the National Association of Negro Business and Professional Women's Clubs, Inc. and is presently an advisor to the Club. She is also a former member of the Board of Directors of Elected Officials of New York State; a past President of the Bedford Stuyvesant Lioness Club; and a charter member of the Stuyvesant Heights Lions Club International. A long time member of Cornerstone Baptist Church, Mrs. Dixson is President of the Cornerstone Federal Credit Union and President of the Board of Directors for Cornerstone's Sandy F. Ray Elderly Housing.

As a result of her community activism, Evelyn Dixson has received numerous honors and awards including the Sojourner Truth Award, The Churchwoman of the Year Award from Key Women of America and the Melvin Jones Award from Lions International. She has also been honored by a number of elected officials like Brooklyn's Borough President, Howard Golden, and the New York State Association of Black and Puerto Rican Legislators, Inc. The Pratt Area Community Council also honored Ms. Dixson by naming one of its affordable housing projects in 1994, ''The Evelyn Dixson Houses''. The Dixson Houses are seven newly rehabilitated buildings in Brooklyn.

A former teacher, Mrs. Dixson was also Executive Administrative Assistant for the Taxi and Limousine Commission of New York City. She is an alumna of North Carolina State College. She also studied at Bank Street College and the New School for Social Research in New York City specializing in Early Childhood Education.

I am pleased to bring the achievements of one of Brooklyn's finest citizens, Mrs. Evelyn Dixson, to the attention of my colleagues.

IN SUPPORT OF HOUSE CONCURRENT RESOLUTION 247 HONORING NATIONAL DONOR DAY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. STARK. Mr. Speaker, today I join my colleague and good friend, Representative KAREN THURMAN, in support of House Concurrent Resolution 247, to honor National Donor Day and recognize the importance of organ, tissue, bone marrow & blood donation.

With more than ten people dying every day and approximately 70,000 Americans currently awaiting organs, it is clear that our nation is facing a crisis. This resolution will help raise awareness and increase donations nationwide—it is a meaningful step toward bringing an end to our nation's current predicament.

A number of businesses, foundations, health organizations, and the Department of Health and Human Services have previously designated February 12th as National Donor Day. The first two National Donor Days succeeded in raising a total of almost 17,000 units of blood, adding over 2,400 potential donors to the National Marrow Donor Program Registry, and included mass distribution of organ and tissue pledge cards. This Concurrent Resolution supports National Donor Day, encourages Americans to learn about and openly discuss donation, and calls on the President to issue a proclamation to demonstrate support for organ, tissue, blood and bone marrow donation.

Research points to a clear need for public education and incentive programs to increase organ donation. This Congress, I also introduced legislation, H.R. 941, the ''Gift of Life Congressional Medal Act of 1999,'' to create a commemorative medal that honors organ donors and their families. This Act is intended to draw attention to this life-saving issue and to send a clear message that donating one's organs is a selfless act worth the profound respect of our Nation. I hope Members would also consider this effort to increase donations.

This problem is clear—there are not enough organs to meet the needs of patients nationwide. Let's support initiatives such as H.R. 941, to create an organ donor medal, and H. Con. Res. 247, to honor National Donor Day and recognize the importance of organ, tissue, bone marrow & blood donation. Such initiatives will help raise awareness, increase donations nationwide, and both are meaningful steps toward bringing an end to the lack of available organs nationwide.

RECOGNIZING THE MILLENNIUM PLEDGE MADE BY STUDENTS AT SLEEPY HOLLOW ELEMENTARY, FAIRFAX COUNTY, VIRGINIA

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DAVIS of Virginia. Speaker, on Thursday, January 16, 2000, I joined students, teachers, and school officials at Sleepy Hollow Elementary School as the final student signatures were added to the school's ''Millennium Pledge.'' These students have decided to enter the new millennium as leaders dedicated to making their world more respectful and tolerant. In a campaign spearheaded by Sleep Hollow's student council, I praise the students for committing themselves to this endeavor. These students are taking an admirable and challenging step. The plan is simple, action oriented, and it allows each and every student to assume a leadership position that can truly make a difference in their everyday lives.

The pledge kicks off a year-long character education campaign at the school. After student council members added their signatures on January 16th, the pledges were hung outside classrooms to serve as a reminder of their resolution, which reads:

With my signature, I recognize that I possess the power to affect the world around me. It is my pledge to use this power to spread kindness and respect, to be accepting and tolerant, and to walk away from negative and aggressive situations. As a future leader of America it is my resolution to enter this new millennium as a nation that values life and respects our rights to live and learn in a safe society. I am the future of America. The future begins today, and it begins with me.

Mr. Speaker, in conclusion, I again would like to commend these fine young students at Sleepy Hollow Elementary for their courage and strength in accepting this challenge from their peers. These students have signed a pledge making ''kindness and respect'' their resolution for the new millennium. This is a pledge I would encourage all people, young and old, to take.

INTRODUCTION OF BROKEN PROMISES RETIREE HEALTH LEGISLATION

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. KLECZKA. Mr. Speaker, today I am introducing the Broken Promises Retiree Health Act. This legislation would help retirees obtain health insurance if their coverage is canceled and would ensure that retirees are given fair warning before their employers terminate their health coverage.

The need for this legislation is clear. Far too many companies are breaking their promises to retired workers by eliminating retiree health benefits. A recent report by Mercer/Foster-Higgins found that in 1999, only 35 percent of large employers offered health benefits to their early retirees. This is a decline of six percent in the past five years alone. As a result, thousands of retirees have been stranded without health care—health care they were promised, and health care they earned through their long years of service.

This national trend hit home in my district on August 5, 1996 when the Pabst Brewing Company announced that they were eliminating the health benefits plans for almost 750 retirees and their families.

Seniors in my district and throughout the country rely on their employers' commitment to provide health insurance in their golden years. When a company revokes that coverage, many older Americans are trapped in the limbo between employee health benefits and Medicare coverage. Retirees should not be faced with the vulnerability of being uninsured when irresponsible employers break their promise to provide retiree health coverage.

The legislation I am introducing today would establish a critical safety-net for these retirees. Through this bill, retirees who were over the age of 55 when their health benefits were terminated can choose between two new health coverage options. First, for a monthly premium of approximately $400 per month, retirees would be allowed to buy into the Medicare program. Or, if the employer is continuing to offer health benefits to its current employees, retirees could choose to buy the same health coverage for themselves and their families that the company offers current employees. Both options ensure that health coverage would be available to retirees until they turn 65 and become eligible for Medicare.

In addition, this legislation would require employers to give 6 months notice to retirees of any reduction in their health benefits and would also require the Labor Department to certify that these changes meet the requirements of the collective bargaining agreement.

Legislation cannot heal the pain of employer betrayal after a lifetime of service, but it can renew the promise of retiree health coverage.

Mr. Speaker, we must act now. I ask my colleagues to show their support for retired workers and their families by cosponsoring this bill.

HONORING THE HERSHEY KIXX SYNCHRONIZED SKATING TEAM UPON THEIR ACCOMPLISHMENT IN RECEIVING THE BRONZE MEDAL AT THE EASTERN DIVISION SYNCHRONIZED TEAM SKATING CHAMPIONSHIPS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. GEKAS. Mr. Speaker, I rise today to recognize the Hershey KIXX Synchronized Skating Team for receiving the Bronze Medal at the Eastern Synchronized Team Skating Championships in Lowell, Massachusetts.

The ''Synchro East 2000'' Competition included teams in the Eastern Division of the USFSA with the gold and silver medal winners in the qualifying division advancing to Nationals in Detroit in February 2000. With the coming Olympic games in 2002 in Salt Lake City, Utah, synchronized team skating will be added as a new Olympic sport. Synchronized skating is guided by the United States Figure Skating Association, which divides all competitors into fourteen individual brackets. Within each bracket, skaters are divided into groups depending on skill level, age and style. Each team usually contains between eight and twenty members. The teams skate in formations which are judged in a variety of categories which include artistry, speed, and difficulty, while onlookers are marveled, mystified, and enthused by a wide range of daring skating tricks, tremendous feats, and gallant efforts. In the United States there are only 325 synchronized skating teams, with the Hershey KIXX team being the only synchronized competitive team at the Junior Classic level in all of Pennsylvania.

The Hershey KIXX team was first created in 1996 and immediately began winning ribbons, gaining national recognition, and hosting a variety of honors In early 1999 they took first place in the junior classic division at the Colonial Classic in Lowell, Massachusetts, going on to win second place at the Garden State Classic in New Jersey later in the summer. They have performed at a variety of venues, including club Christmas shows, the Winterfest at Baltimore's Inner Harbor, summer camps in New England, as well as amaze the local crowds in frequent performances at Hershey Bears hockey games.

The team is now in its third year of competing and continues to gain in popularity with girls and young women from statewide elementary schools, high schools, and even colleges. The girls currently attend Cedar Cliff, Cumberland Valley, Mechanicsburg, Central Dauphin, Hershey, Lower Dauphin, Palmyra, and Lebanon School Districts, along with Meyer High School in Wilkes-Barre and Gettysburg College. Currently, the team is coached by Amy Henderson, along with the assistance from Elizabeth Beichler and Dr. Ellen Geminani. Similarly to synchronized swimming, the team constantly rehearses their routines to the point where every part of their bodies move synchronized to one another fitting brilliantly with the music and mood. But unlike synchronized swimming, the skaters are in constant view, skating at extremely high speeds without the benefit of underwater reconfiguring. The show only lasts about three to five minutes, but each performance is guaranteed to be filled with drastically precise, vulnerable, and complicated maneuvers. When these young women decide to embark in art of synchronized skating, they are learning about the vast responsibility, utmost discipline, and sheer sacrifice the sport entails. The team practices on the ice every Saturday and Sunday morning at 6:30 a.m., with each session followed by off the ice practices where various new and complicated moves are attempted without skates. When competitions or performances are scheduled, you can be certain that the local ice rink will be rented out for a grueling practice. But in the end, the dedication and hard work of each team member is rewarded with awards, honors, and respect from the community both on the ice and off.

Supporting the Hershey KIXX are the parents who vigorously and selflessly help raise money, sew uniforms, transport equipment, and cheer their devoted girls at all competitions. The club also gets financial help from the community who help the skaters by purchasing hoagies, lollipops, or any other various seasonal fundraising items the team decides to sell. These supporters, who help the team continue to pursue their interests,

dreams, and expectations for the future, also deserve our thanks.

The Hershey KIXX team is currently scheduled to perform in the Opening Ceremonies at the Keystone State Games at Twin Ponds-West in February 2000, and at a future Hershey Bears game. I wish them the best of luck in these performances and all their future endeavors.

Mr. Speaker, again we take this opportunity to acknowledge and commend the Hershey KIXX Synchronized Skating Team for their outstanding achievement in winning the Bronze Medal.

ARTICLE BY BILL EVERS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. PAUL. Mr. Speaker, I submit for the RECORD and highly recommend to all of my colleagues Bill Evers' ''Secretary Riley Reignites the Math Wars,'' which recently appeared in the Weekly Standard. Mr. Evers' provides an excellent overview of the controversy created by the Department of Education's endorsement of ten ''discovery-learning'' programs (also known as ''new, new math'' or ''fuzzy math''). Concerns have been raised that ''fuzzy math'' de-emphasizes traditional mathematics in favor of encouraging children to ''discover'' math without the guidance of a teacher. Under some ''new, new math'' programs traditional teaching is discouraged on the grounds that teachers may harm a child's self-esteem by, for example, correcting a child's ''discovery'' that 2+2 equals 5. Obviously, this type of ''education'' diminishes a child's future prospects, after all, few employers value high self-esteem more than the ability to add!

Mr. Evers' article points out that the federal government has no constitutional authority to dictate or even recommend to local schools what type of mathematics curriculum they should adopt. Instead, all curriculum decisions are solely under the control of states, local communities, teachers, and parents. I would remind my colleagues that outrages like ''new math'' did not infiltrate the classroom until the federal government seized control of education, allowing Washington-DC based bureaucrats to use our children as guinea pigs for their politically correct experiments.

The solution to America's education crisis lies in returning to the Constitution and restoring parental control. In order to restore true parental control of education, I have introduced the Family Education Freedom Act (HR 935). This bill would give parents a $3,000 per year tax credit for each child's education related expenses. Unlike other so-called ''reform'' proposals, my bill would allow parents considerably more freedom in determining how to educate their children. It would also be free of guidelines and restrictions that only dilute the actual number of dollars spent directly on a child.

The Family Education Freedom Act provides parents with the means to make sure their children are getting a quality education that meets their child's special needs. In conclusion, Mr. Speaker, I remind my colleagues that thirty years of centralized education have produced nothing but failure and frustrated parents. I, therefore, urge my colleagues to read Mr. Evers' article on the dangers of the federal endorsement of ''fuzzy math'' and support my efforts to improve education by giving dollars and authority to parents, teachers and local school districts by cosponsoring the Family Education Freedom Act.

Williamson Evers is a research fellow at the Hoover Institution, an adjunct professor of political science at Santa Clara University, a research fellow at the Independent Institute and an adjunct fellow of the Ludwig Von Mises Institute. Mr. Evers has served on the California State Commission for the Establishment of Academic Content and Performance Standards and he is currently a member of the California State Standardized Testing and Reporting (STAR) assessment system's Content Review Panels for history and mathematics as well as the Advisory Board of the Californian History-Social Science Project. Mr. Evers is the editor of What's Gone Wrong in America's Classrooms (Hoover Institution Press, 1998). Mr. Evers has been published in numerous scholarly and popular periodicals, including the New York Times, the Wall Street Journal, the Los Angeles Times, and the Christian Science Monitor.

SECRETARY RILEY REIGNITES THE MATH WARS

(By Bill Evers)

BILL EVERS IS A RESEARCH FELLOW AT THE HOOVER INSTITUTION AND A MEMBER OF HOOVER'S KORET TASK FORCE ON K–12 EDUCATION.

In early 1998, U.S. Secretary of Education Richard W. Riley called for a ''cease-fire'' in the math wars between the proponents of solid content and the proponents of discovery-learning methods. He said he was ''very troubled'' by ''the increasing polarization and fighting'' about how and which mathematics should be taught from kindergarten through high school.

Despite this call for a cease-fire, the U.S. Department of Education endorsed ten discovery-learning programs in October 1999. This federal imprimatur should not be allowed to disguise the fact that content (such as dividing fractions and multiplying multidigit numbers) is missing from these federally approved programs and that there is no good evidence that they are effective. Discovery-learning math is often called by its critics ''fuzzy math'' or ''no-correct-answer math.''

In response to the Department of Education, about two hundred mathematicians and scientists signed an open letter to Secretary Riley, which was published in the Washington Post on November 18, 1999 (see letter at www.mathematicallycorrect.com/riley.htm.) The signers, who included Nobel laureates and some of the country's most eminent mathematicians, didn't like the Department of Education's new equation: Federal Math=Fuzzy Math. The letter asked Riley to withdraw the federal endorsements. The news stories that followed got at the essence of the debate.

Steve Leinward of the Connecticut Department of Education was on the U.S. Department of Education's panel that picked the math programs that would receive federal approval. In an interview with the Chronicle of Higher Education, Leinward defended the approved programs as the least common denominator—''a common core of math that all students can master.''

Leinward is not saying that the federally approved programs cover the material taught in too-performing countries such as Japan or Hungary or that the programs contain complete coverage of elementary and secondary school math. What he and his fellow panelists want is a watered-down program that all American students—as currently trained—can master.

Mathematics professor David Klein of California State University at Northridge is a proponent of solid content. He is quoted in the Chronicle of Higher Education as saying that algebra is the key course for students, the gateway to success in mathematics and to success in college in general. Leinward says that Klein's algebra-for-all position is elitist.

Here we have the central difference between the two sides. The rigorous curriculum side says that, like Japan, Taiwan, and Singapore, we can have algebra for all, preparing students for technical careers and college-level work. The water-it-down side says U.S. teachers and students aren't capable of teaching and learning algebra.

These federal recommendations are for kindergarten through high school, which has serious consequences. In essence, the U.S. Department of Education, by making these endorsements, is closing the gate on going to college or even on technical blue-collar jobs for many students. And it is closing that gate as early as kindergarten.

IN HONOR OF ALFRED RASCON

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. GALLEGLY. Mr. Speaker, I rise to honor a hero, former Army medic Alfred Rascon.

After a delay of nearly 3 1/2 decades. Alfred this week finally received the nation's highest military honor, the Medal of Honor.

Mr. Speaker, Alfred was born in Mexico, and moved to Oxnard, California, in my district, with his family when he was a small child. His family raised him there and instilled in him the values of honor, integrity, a love of his adopted land and a reverence for life and his fellow human beings.

At age 17, he left Oxnard and joined the Army. He trained to be a medic and a paratrooper. On March 16, 1966, in the jungles of Vietnam, Alfred was severely and repeatedly wounded as he crawled from comrade to comrade to render aid, to protect his comrades and to retrieve weapons and ammunition needed in the firefight they were in.

By the time Alfred was loaded into a helicopter, he was near death. A chaplain gave him last rites. He survived. Because of his efforts, so did his sergeant and at least one other in his platoon.

But the medal Alfred was due was lost in red tape, until this week, when the record was corrected.

During the intervening 34 years, Alfred left the Army, completed his college education, because U.S. citizen, returned to the Army, returned to Vietnam, and left the Army as a lieutenant. Now married with two children, Alfred is an inspector general for the U.S. Selective Service.

When President Clinton presented the Medal of Honor to Alfred, the hero downplayed his actions in Vietnam as ''common valor that was done every day.'' We know differently. We know that Alfred is special. We know we would do well to emulate his values and his humility. We honor him to remind us of the ideal American: someone who

works hard, is willing to risk everything in times of crisis, and who shrugs it off as just the right thing to do.

Mr. Speaker, I know my colleagues will join me in honoring Alfred Rascon for his heroism in Vietnam 34 years ago and for being the role model he remains today.

TRIBUTE TO DR. W. LEE IRVING

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. EHLERS. Mr. Speaker, I rise today to honor Dr. W. Lee Irving, who is ending his term as President of the American College of Osteopathic Obstetricians and Gynecologists. Dr. Irving has held the position since March 1999 and will relinquish his duties in April 2000 at the organization's annual meeting in Nashville, Tennessee.

Throughout his career, Dr. Irving has had a tremendous impact on the advancement of professional opportunities for obstetricians and gynecologists around the country. In addition to his role as President, Dr. Irving has worn many different hats during his career. From 1993 to 1999 he served as the College's Chairman of the Residency Evaluation Committee. From 1990 to the present he has served as a member of the College's Certifying Board and Board of Trustees. At Metropolitan Hospital in his hometown of Grand Rapids, Michigan, he served as Program Director from 1985 through 1999. He currently serves as Chairman of the Obstetrics-Gynecology Department at Metropolitan Hospital.

Contributions to his profession do not end there. He was recently appointed to the Council for Resident Education in Obstetrics and Gynecology, a national organization that oversees the training of all OB-GYN residents for both the Osteopathic and Allopathic professions. During his tenure as President, he has also been credited with fostering a closer working relationship between the American College of Osteopathic Obstetricians and Gynecologists and the American College of Obstetricians and Gynecologists.

Mr. Speaker, I commend Dr. Irving for the countless contributions he has made to his profession. As you can see, Mr. Speaker, Dr. Irving has had a tremendous impact in his field of expertise. I applaud him and thank him for his work as President of the American College of Osteopathic Obstetricians and Gynecologists, and wish him continued success in his work in medical and educational programs. I ask my colleagues to join me in saluting Dr. Irving for his outstanding contributions.

HONORING LOS ANGELES COUNTY UNIVERSITY OF SOUTHERN CALIFORNIA MEDICAL CENTER

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. BECERRA. Mr. Speaker, I rise today to congratulate the Los Angeles County University of Southern California Medical Center (LAC+USC) for its outstanding commitment to community service, as recognized by the Baxter Allegiance and the American Hospital Association. Only one institution each year is awarded the prestigious Foster G. McGraw prize for innovative health-care programs and expedited access to care. LAC+USC earned that recognition this year, an especially impressive achievement given that just a few years ago this hospital was on the brink of closure.

The LAC+USC Healthcare Network has successfully indentified the unique needs of its surrounding population and found creative solutions to address those needs. For example, learning that childhood asthma represented the number one cause of school absenteeism in the Los Angeles Unified School District, LAC+USC's Healthcare Network formed a partnership with the school district and the Allergy and Asthma Foundation of America to establish a Mobile Asthma Clinic. The Mobile Asthma Clinic has since reduced absenteeism by more than 20 percent for children seen by the clinic, nearly 65 percent of the children served has gained control of their asthma, and related emergency room use has declined by 18 percent. This program is just one of many innovative approaches the LAC+USC Healthcare Network has implemented to deliver top-notch health care to hard-to-serve population, others include: the Violence Intervention program, the Day Care Center, the Trauma Outreach Program and the Safe Kids program.

Mr. Speaker, I ask my colleagues to join me in honoring the Los Angeles County University of Southern California Medical Center for the extraordinary and commitment it has demonstrated in bridging the health care gap for Los Angelenos.

IN RECOGNITION OF DR. JEWELLE TAYLOR GIBBS FOR OUTSTANDING SERVICE TO THE SOCIAL WORK PROFESSION AND THE UNIVERSITY OF CALIFORNIA AT BERKELEY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mrs. LEE. Mr. Speaker, it is a privilege and an honor to stand before you today and pay tribute to an outstanding educator from the great State of California and my congressional district, Dr. Jewelle Taylor Gibbs.

After a distinguished 20 year career in teaching and research, Dr. Gibbs is retiring from the University of California at Berkeley's School of Social Welfare, where she has served as the Zellerbach Family Fund Professor of Community Change and Practice.

Dr. Gibbs, who graduated from Radcliffe College with honors, received her M.S.W., M.A., and PhD degrees from the University of California at Berkeley. She is a licensed clinical psychologist whose areas of specialization focus on the psychosocial problems of adolescent, social and mental health issues of low-income and minority populations.

Dr. Gibbs is the authority of Young, Black and Male in America: An Endangered Species (1988) and co-author of Children of Color: Psychological Interventions with Minority Youth (1989), as well as numerous book chapters, articles and essays. In Fall of 1994, she was a Visiting Professor at the University of Toronto (Canada). She has also been a Visiting Scholar at the University of London, the National Institute of Social Work in England, McGill University (Canada), Wayne State University, and the Claremont College system.

Dr. Gibbs is a Fellow of the American Psychological Association (Div. 27) and of the American Orthopsychiatric Association. She has also served on the Board of Directors and Editorial Board of the American Orthopsychiatric Association, The Publications Board of the National Association of Social Workers and is a founding member of the Advisory Council of the National Center for Children in Poverty. She has also served as a member of the Board of Regents of Santa Clara University in Santa Clara, California and has been a consultant to the Carnegie Foundation and the Ford Foundation. From 1977–79 she served as a member of the Special Populations Task Panel of the President's Commission on Mental Health.

In 1987, Dr. Gibbs was the recipient of the McCormick Award from the American Association of Suicidology for her research on minority youth suicide. In 1990, she received an Alumnae Achievement Award from Radcliffe College, where she currently serves on the Board of Trustees. She has also received numerous other awards for her research and advocacy on behalf of African-American youth from national, state and local groups including the Northern California Chapter of the NAACP-Legal Defense and Educational Fund, the National Association for Equal Opportunity in Higher Education, the National Black Child Development, Institute, the city of Detroit and the Michigan State Legislature.

In 1985, Dr. Gibbs was a Fellow at the Bunting Research Institute at Radcliffe College and from 1991–92 she was a Distinguished Visiting Scholar at the Joint Center for Political and Economic Studies in Washington, D.C. In 1991, she was also selected as a Scholar for the 21st Century Commission on Black Males in Washington, D.C. She currently serves on the Presidio Advisory Council in San Francisco.

Dr. Gibbs is listed in the Who's Who of American Women, Who's Who Among Human Service Professionals, Who's Who in Education and Who's Who Among Black Americans. She has lectured in Canada, England, Japan and Hawaii and is a frequent guest on radio and television programs about youth and inner-city issues.

The above reflects just a sampling of Dr. Gibbs' illustrious career. As a trailblazer in the area of social work, she has provided outstanding service to our nation and I am sure she will continue to do so throughout the years to come.

In closing, I congratulate Dr. Gibbs, once again, on her retirement and wish her the very best in all of her future endeavors.

30 YEARS OF THE HOUR OF POWER

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Ms. SANCHEZ. Mr. Speaker, I rise today in honor of a great American, Dr. Robert H.

Schuller. For 30 years, The Rev. Schuller has brought his message of hope and positive thinking to the world.

The Hour of Power is now broadcast all over the world, on each and every continent, to over 30 million people in more than 200 countries. Dr. Schuller has preached in Russia and in a Damascus mosque. His show was the first ministry available to Christians in the Soviet Union in 1989.

But my friend the Rev. Schuller will tell you that his future was not so certain once upon a time. In 1955 he was preaching at a drive-in theater. He once doubted whether there was enough support for his program.

But like he constantly reminds me, ''God loves you,'' He loves the Reverend too. And Dr. Schuller found himself blessed with the generosity he needed to begin his ministry.

On September 14, 1980, Dr. Schuller dedicated the Crystal Cathedral in Garden Grove—located in my Congressional District in Orange County, California—to the glory of man for the greater glory of God. It is now home to the worldwide Crystal Cathedral Ministries, and hosts a congregation more than 10,000 members strong as well as the Hour of Power.

The Rev. Schuller's faith saw him through those early years, and our community is not only stronger and better for it, but also closer to God. I salute Dr. Schuller today in honor of the 30th anniversary of the Hour of Power.

OPENING OF THE ARMENIAN EDUCATION, ART & COMMUNICATION CENTER IN SCOTTSDALE, ARIZONA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. PALLONE. Mr. Speaker, on Saturday, February 12, 2000, a ribbon cutting ceremony will be held for the opening of the Armenian Educational, Art & Communication Center and the Nikit and Eleanora Ordjanian Library-Museum, including the Personal Library of Reverend Father and Arafelian and the ACYO Computer Karam Center. This event will be held at the Armenian Apostolic Church of Arizona in Scottsdale, AZ.

This ceremony will be followed by a concert by George Mgrdichian, the world-renowned virtuoso of the oud, a traditional Armenian instrument. Mr. Mgrdichian is the writer and performer of the Broadway musical ''Nine Armenians.''

Mr. Speaker, it is always a matter of great pride for me to join with the Armenian-American community in welcoming a new center for the celebration and advancement of Armenian culture. The Armenian-American community, over one million strong, has contributed in countless ways to the economy and the culture of the United States. While embodying the American Dream, the sons and daughters of Armenia who have settled in the United States have for generations striven to maintain their links to one of the most ancient and enduring cultures in the human race.

Next year, the Republic of Armenia will be the site of celebrations for the 1,700th anniversary of Christianity. Armenia is, in fact, the first nation to have embraced Christianity as its national religion. And the history of the Armenian nation, language and people goes back many centuries earlier. In the years since, despite terrible periods of war, conquest and oppression, the Armenian people have endured and preserved. Today, Armenians the world over can take pride in the tremendous strides made by the Republic of Armenia and the Republic of Nagorno Karabagh, emerging democracies that seek to establish their rightful place as members of the family of nations. The sense of pride in being Armenian can be felt in many parts of the world, from Yerevan to Stepanakert to Scottsdale, Arizona, to my hometown of Long Branch, New Jersey.

Mr. Speaker, it is an honor and a privilege for me to congratulate the Armenian-American community of Scottsdale on the opening of this new facility, and to pay tribute to this important event in the pages of the CONGRESSIONAL RECORD.

PERSONAL EXPLANATION

HON. JIM DeMINT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. DEMINT. Mr. Speaker, I regret that I was unavoidably detained from missing votes on Tuesday of this week. Had I been present, I would have voted ''yes'' on rollcall vote 8, 9, and 10.

50TH WEDDING ANNIVERSARY

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. WYNN. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues an exemplary couple from the Fourth Congressional District of Maryland, Thomas and Audrey Johnson. They are celebrating their 50th wedding anniversary today Thursday, February 10th, and a role model of family strength and solidity, which has made America great.

Their commitment to each other, their family, especially Tommie, T.J., and Darius, and their church family Johnson Memorial Baptist Church is impressive and deserving of special recognition and honor. I ask that my colleagues join me in congratulating Thomas and Audrey Johnson on their many years of love and commitment. May their life together continue to be full of joy and offer them many pleasant memories.

HONORING GEORGE KNIERIM

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. UDALL. Mr. Speaker, I rise today to honor the passing of a special brand of American hero. George Knierim was an ordinary citizen who devoted his abundant skills to realize his vision of the United States aid effort in the third world. For 30 years, Knierim worked for the United States Agency for International Development (USAID), sharing his agricultural knowledge, training, and expertise with governments and farmers in Nepal, Iraq, India, Afghanistan, Turkey, and Sri Lanka.

USAID had its origins in President Truman's Inaugural Address of 1949 when he said, ''Only by helping the least fortunate of its members to help themselves can the human family achieve the decent, satisfying life that is the right of all people.'' This vision energized and motivated a generation of technical advisors to work in agriculture, education, and infrastructure improvements in remote, developing regions of the world. Knierim and his colleagues had an impact on the lives of countless people as they shared the benefits of our extensive American experience. He used his single-minded passion to help protect fragile environments, provide pure water supplies, improve irrigation practices and improve varieties of cereal grains for the developing world. Although he received much recognition for his work, he considered his most prestigious title to be ''American Farmer.'' Among the many and varied achievements of his career, the one that pleased him most was the opportunity to reinvent and adapt Nineteenth century-style farm implements for use with Asian draft animals. ''I just gave them the tools and ideas that the Mormons brought with them into the Salt Lake Valley,'' he said.

George Knierim is symbolic of the thousands of men and women who sacrificed the comfort of their homeland and family in the United States to share techniques and technology with people for whom simple existence and subsistence was a daily challenge.

Our nation has been blessed because of the contributions of compassionate people like George Knierim, who carried their kindness throughout the globe. Today, Mr. Speaker, I pay tribute to George Knierim, who shared a portion of the American dream with the world.

PERSONAL EXPLANATION

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. WATTS of Oklahoma. Mr. Speaker, I was unavoidably detained in my district on January 31, 2000 and missed Recorded Votes #2 (Authorizing the Use of the Rotunda for Holocaust Memorial) and #3 (the Hillory J. Farias and Samantha Reid Date-Rape Prevention Drug Act of 1999).

Had I been present, I would have voted ''aye'' on final passage of H. Con. Res. 244 and ''aye'' on final passage of H.R. 2130, on January 31, 2000.

INTRODUCTION OF A PRIVATE RELIEF BILL FOR LEILANI WINNEFRED TOOLEY

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. NETHERCUTT. Mr. Speaker, I am pleased to introduce legislation to grant permanent residence to Leilani Tooley.

Leilani was adopted from China when she was less than one year old to a United States citizen father and a Micronesian mother. Through the 1980's when Leilani was a child, her father was a teacher, traveling throughout the Marshall Islands. Due to a translation error in China, an attempt to convey resident status upon Leilani was denied.

Leilani and her parents moved to the United States in 1992. Leilani was admitted as a CFA/FSM resident which allows her to remain in the United States legally but does not allow her to attend postsecondary school or to become a permanent resident or citizen. From 1992 through 1998, Leilani was eligible for citizenship by virtue of her living in the United States and being the adopted daughter of a United States citizen. Unfortunately, the naturalization process was never completed prior to her father's death in 1998. When her father passed away, Leilani's permanent resident mother began the naturalization process herself so that when completed, she could then convey permanent residence to her daughter. Unfortunately, Leilani's mother died in 1999, prior to her being naturalized.

Leilani is now alone in this country with no living relatives. She cannot return to China since she speaks no Chinese and she was released from that country when she was less than a year old, and she cannot return to the Pacific Islands since she was Chinese at birth. All of Leilani's friends and schoolmates are in the United States and it is only due to a string of unfortunate events that Leilani is not today a naturalized citizen. Leilani is a bright, industrious young lady, whose wish is to attend college. However, until this legislation is signed into law, her aspirations are on hold. I urge the swift passage of this bill, Mr. Speaker, to grant permanent residence to Leilani Tooley.

TRIBUTE TO HAMPTON POLICE CHIEF PAT MINETTI

HON. HERBERT H. BATEMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. BATEMAN. Mr. Speaker, I rise today to recognize an outstanding constituent in my district, Pat Minetti. I would like to read a letter I sent to Pat in early January before we came back in session and then expand upon it with these remarks.

Dear Pat, it is with great pleasure that I write this letter of congratulations to you on the occasion of your retirement after an extraordinary tenure of 45 years as a member of the Hampton Police Division. Your commitment to your job is exemplified in the number of years of your dedicated service and your immeasurable accomplishments. In your 27 years as Chief, you achieved your goals and the Hampton Police force and the City of Hampton are better for it. I know the City of Hampton is proud to count you among one of its finest and is greatly indebted to you. Please know that Laura and I wish you the best in retirement.

Pat Minetti was a truly outstanding law enforcement officer and Chief of Police. His service to his community and its citizens has been honorable and faithful for 45 years. The story of Pat's service reflects the devotion to duty, family and community that helps to keep this nation, America, safe for families and individual citizens.

The son of Italian immigrants, Pat was born and raised in New Castle, Pennsylvania. As a young man, Pat worked in the steel mills and as a lumberjack while attending school. From his parents, and through his experiences growing up, he learned the important values of integrity, hard work and devotion to God, family and service.

Pat moved to Hampton, Virginia in 1955 and joined the Hampton Police Division. He started as a patrolman, walking a beat and serving families and small business. He was quickly recognized for his enthusiasm for law enforcement and genuine concern for the safety and rights of all citizens. He diligently worked through each rank, and with his unwavering desire to serve his citizens, he always applied himself to the most challenging operational positions out in the community. In 1972, his potential for senior leadership combined with his gifts and skills in law enforcement led the Mayor and the City Manager to select him to become Hampton's Chief of Police, a position he held for the past 28 years.

Pat's remarkable career, spanning the terms of eight Mayors and six City Managers, reflects a truly exceptional dedication to serving others and the ability to lead and grow an organization through long-term vision, passion and law enforcement expertise. Among his many accomplishments, Pat holds an MPA Degree from Harvard University's John F. Kennedy School of Government where he was elected Class Marshall. He also is a graduate of the 92nd Session of the FBI National Academy where he was awarded the J. Edgar Hoover Certificate of Scholastic Excellence.

Pat served as the 1989 President of the FBI National Academy Associates and is a past President of the Virginia Association of Chiefs of Police. At the national level, he served as a member of the National Law Enforcement Council during President Bush's Administration. At the state level, he served as a member of Governor Wilder's Commission on Violet Crime, where he chaired the Task Force Subcommittee on Crime Prevention. Under Governor Allen's Administration, he served as a member of the Joint Subcommittee examining laws regarding handicapped parking.

Pat was awarded the prestigious Presidential Award for Outstanding Contribution to the Virginia Association of Chiefs of Police in August 1998, only the third such award to be presented since the organization was established in 1926.

Pat's selfless service and dedication to Hampton, Virginia's citizens and law enforcement has earned him the respect and admiration of his beloved community and the many police officers and local, state and national officials who have been associated with him over the past 45 years. Pat continues to live in Hampton with his wife, Donnie, who has shared the thrills and hardships of being a police wife for more than 43 years. He has two daughters and four grandchildren, with whom he enjoys spending time.

Mr. Speaker, I want to thank Pat and his family for their service to Hampton, its citizens and the Commonwealth of Virginia and I wish for them all God's blessings in the years to come.

IN MEMORY OF THEODORE KARABINUS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. KUCINICH. Mr. Speaker, I rise today to remember Theodore Karabinus, a community leader, political activist, and a good friend.

A true patriot, Mr. Karabinus was a highly decorated veteran of the U.S. Marines who served in both World War II and the Korean Conflict. He was also a member of the Pearl Harbor Survivor's Association. After retiring from the military, Mr. Karabinus embarked on a career with a local telephone company, where he worked for thirty years. He was dedicated to the advancement of working men and women and was a highly respected union leader in Cleveland, Ohio. He also served as President of the Communication Workers of America.

Mr. Karabinus's extensive humanitarian efforts demonstrate his commitment to improving the lives of others. He was actively involved for fifty years in organizations that supported civil rights. As a troop leader for the Boy Scouts of America, Mr. Karabinus shared his experience and wisdom with young men in Cleveland. He also reached out to the senior citizens in the community and assisted those who needed help with completing their tax return forms.

Mr. Karabinus was a political activist in Northeast Ohio and has been involved in numerous political campaigns including local and presidential campaigns. He also worked with the Committee on Political Education, which strives to encourage the youth of America to be involved in our democratic process.

I treasured my friendship with Mr. Karabinus and am certain that his contributions to our community will never be forgotten. He was an outstanding American and will be missed greatly by those of us privileged to know him.

TRIBUTE TO FILLMORE, NEW YORK

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. HOUGHTON. Mr. Speaker, I rise to extend my most sincere congratulations to the community of Fillmore, New York, as it enters its Sesquicentennial Year. This vibrant community, located in Allegany County, in the Town of Hume, enjoys a long and proud history in the State of New York. Celebrations surrounding the 150th Anniversary are planned for this coming May 27 to 29, 2000.

Fillmore is, of course, named after the thirteenth President of the United States, Millard Fillmore, who in 1850 was responsible for the establishment of a Post Office in the then existing settlement. Coincidentally, in addition to this being the community's sesquicentennial, the year 2000 also marks the 200th anniversary of President Fillmore's birth.

Born on what was then the ''frontier'', in the Finger Lakes region of New York, Millard Fillmore rose from serving on his family farm to serving in the U.S. House of Representatives,

the New York State government, and finally as Vice President and President of the United States. In fact, Mr. Speaker, in this very building, in the Old House Chamber, there is a plaque marking the location of then-Congressman Fillmore's desk. The spirit of hard work and rugged dedication shown by President Fillmore throughout his life is certainly carried on by this small but vibrant community that bears his name.

Fillmore's idyllic, pastoral setting in the Allegheny Mountain Range at the top of the Appalachian Region, makes it a beautiful natural local surrounded by attractions such as Letchworth State Park and the Swain Ski Resort. But the people of Fillmore make the community the success that it is today.

The citizens of Fillmore are very proud of their community, and rightly so. For the past 150 years, Fillmore has contributed much to our region, state and nation. From the character and successes of its young people—both those who remain in Fillmore and those who have moved on to serve other communities around the nation—to many of its citizens who have fought and sacrificed their lives on the world's battlefields.

One of Fillmore's greatest assets is their outstanding public school. Fillmore Central School, led by Superintendent Dave Hanks, is a shining example of rural public education at its finest—from its top notch instruction of subjects such as mathematics and social studies, to a firm commitment to technology, and the provision of creative outlets for for young people to participate in the arts through drama, visual arts, and music. As an added benefit, the mighty Fillmore Eagles have, on many occasions, brought great pride to the community by bringing home titles in sports such as basketball and tennis, and just last year made it to New York State's ''Final Four'' in soccer.

Before I close, Mr. Speaker, I'd like to recognize one of Fillmore's greatest public servants, Alton Sylor, who passed away recently after years of service to the community, particularly as a member of the Allegany County Legislature for the past twenty-two years. We miss him greatly, and will remember him most during this celebration of Fillmore's history—a history that he helped shape.

Mr. Speaker, I hope you will join me in extending our most hearty congratulations to Fillmore on the occasion of their 150th anniversary.

IMPROVING THE IMPACT AID PROGRAM

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. HAYES. Mr. Speaker, today I am introducing legislation to reauthorize and to make further improvements to the Impact Aid Program, Title VIII of the Elementary and Secondary Education Act. As you know, Impact Aid is part of the basic financial support for local school districts whose boundaries include military bases and other federal lands in lieu of local taxes which ordinarily support public schools.

In my congressional district, Impact Aid is an element of the basic financial support for schools in Cumberland, Robeson, Hoke, Richmond and Scotland Counties, just as local taxes support other school districts. In some cases, Impact Aid supplies a significant portion of school districts' operating budgets. For example, in Cumberland County, home of Fort Bragg and Pope Air Force Base, over one-third of the school district's budget comes from Impact Aid and other Federal education programs. In fact, the Cumberland County school system receives the most Impact Aid of any other school systems in North Carolina.

The ''Impact Aid Reauthorization Act of 2000'' builds on key improvements to the Impact Aid program enacted during the 103rd Congress. At that time, the program was rewritten so it would focus Impact Aid dollars on those school districts most heavily impacted by a Federal presence. Those changes have been extremely successful in getting funding to schools in greatest need of assistance, thus enabling them to improve the quality of education provided to students. In addition, those amendments created greater support in Congress for funding Impact Aid, and we have seen consistent increases in the Impact Aid budget ever since. The legislation I am introducing today will further improve the program, and should lead to even stronger support among colleagues for funding key needs in federally impacted school districts. As in my Congressional district, many of the children affected by this law are the children of members of the Armed Services. And, I believe all of you will agree that we should provide the best possible education to the children of those individuals who put their lives on the line to protect our great Nation.

Key provisions of the bill I am introducing today would:

1. Change to formula for payments for federal property to insure a more equitable distribution of funds.

2. Incorporate into the Impact Aid law the pilot program for heavily impacted school districts included in the past two Labor/HHS/Education Appropriations bills.

3. Insure equitable payment for children living on land formerly owned by the Federal Government. As the military privatizes more and more housing for military personnel, it is expected that school districts will not receive adequate funding under Impact Aid to make up for the difference in the amount of taxes paid on such property and the amount they would have received for each child if the property had retained its non-tax status. This provision would continue to count such children as on-base children, but would reduce the amount of their Impact Aid payment by the actual amount of the taxes used for educational purposes.

4. Require the Department of Education to provide a notice to schools that miss filing deadlines and provide them a period of time within which to submit applications for Impact Aid. This change would address the growing number of yearly Impact Aid amendments necessary because school districts have missed filing deadlines.

5. Revise the construction provisions of the Impact Aid to allow Federally impacted school districts with no bonding capacity or with schools that have health or safety hazards to apply for the existing Impact Aid construction program, and shift some of the existing construction money to serve these districts. The Secretary would then fund the highest priority projects.

6. Provide a funding floor to small school districts with fewer than 1,000 children who have a per pupil average lower than the state average. This provision would guarantee them a foundation payment of no less than 40 percent of what they would receive if the program were fully funded.

As one of the over 150 Members of the House Impact Aid Coalition—one of the largest bipartisan coalitions in Congress—we have worked together to support our local school systems that provide support for military men and women and those citizens that are affected by Federal properties. This bill has the support of the National Association of Federally Impacted Schools, the association that represents over 1600 school districts nationwide that will benefit from this legislation, and the National Military Impacted Schools Association. I would like to submit their letters of support for the RECORD.

Mr. Speaker, we have a responsibility to assist those school districts impacted by a Federal presence. The ''Impact Aid Reauthorization Act of 2000'' will help insure school districts receive the support they need to provide children with the best possible education. These are thoughtful improvements to a very important law. I urge my colleagues to support this bipartisan legislation.

NATIONAL MILITARY IMPACTED SCHOOLS ASSOCIATION,
Bellevue, NE, February 10, 2000.

CHAIRMAN BILL GOODLING,
House Education and the Workforce Committee, Washington, DC.

DEAR CONGRESSMAN GOODLING: The Military Impacted Schools Association (MISA) is extremely proud of the leadership you and your staff have demonstrated in developing the legislative proposal to reauthorize the Impact Aid Program.

There has been a real sensitivity to the needs of military children and your support is greatly appreciated.

Your discussion on the proper weight for a military (b) child is also appreciated and I hope this can be discussed further.

On behalf of the public schools serving the educational needs of over 550,000 military children, we wholeheartedly endorse and support your Impact Aid reauthorization proposal.

Warmest regards,

JOHN F. DEEGAN, ED.D.,
Chief Executive Officer.

NATIONAL ASSOCIATION OF FEDERALLY IMPACTED SCHOOLS,
Washington, DC, February 10, 2000.

Hon. ROBIN HAYES,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE HAYES: Over the past six months the National Association of Federally Impacted Schools (NAFIS) has been working closely with the Education and the Workforce Committee in a bi-partisan manner to write legislation that would reauthorize the Impact Aid Program. The legislation that the committee is about to introduce is the product of that effort. The legislation reauthorizes the Impact Aid Program and includes only minor changes that NAFIS and the committee agreed to that either refines the present law to make the program work better and/or to address some changes brought about due to actions of the Department of Defense designed to implement policies to improve the quality of life of our military personnel. The committee bill also addresses issues of great concern to school districts educating Native American children. NAFIS is very appreciative of the willingness of the committee to allow us to work

with them on this legislation and we would urge all members of the House of Representatives to join with yourself. Chairman Goodling, Ranking Minority Member Clay, and Representative Kildee in supporting this bill that is about to be introduced.

NAFIS is very pleased with the refinements included in the bill to insure that all local educational agencies eligible for funding under Section 8002 of the program (federal properties) are treated equitably. Although the changes that were made to this section of the program in 1994 did a better job of measuring the financial impact that federal property presents to the taxing authority of a local educational agency, it did—due to the lack of funding for this element of the Impact Aid Program—pose a real threat to primarily rural school districts. The changes included in this legislation will both insure that small rural schools are provided a foundation payment while at the same time recognizing the true fiscal impact of federal property to the tax base of the community served by the school system.

The bill also puts into law, a pilot project that has been included in both the Fiscal Year 1999 and 2000 Labor, HHS, and Education Appropriation Bill. The project being placed into the Impact Aid statute will mean that ''Heavily Impacted Local Educational Agencies'' will now receive their additional funding under the regular Impact Aid basic support program and will not have to wait up to 18 to 24 months after the appropriation is made to receive their funding. This change will make it easier for these school districts to budget their Impact Aid funding and it also insures that the Federal Government reimburses a school district only for the cost of the impact of the federal dependent child rather than the cost for all children, both federal and non-federal, enrolled in the school district. These changes are welcomed by the heavily impacted community and NAFIS appreciates the understanding of the committee to incorporate the pilot project that has already proved to work into the Impact Aid reauthorization.

NAFIS also supports the recognition by the committee of the problems that a changing military force have placed on those school systems educating military dependent children. Committee language addressing the issue of privatization of on-base housing will insure that the funding levels provided under current law for on-base children will remain, even if on-base housing and the land upon which it is built is turned over to a private developer. This a realistic approach to an issue that could become potentially a major threat to school systems providing educational programs to the children of our military personnel.

NAFIS would also like to commend the committee for recognizing the facility needs of school systems that are highly impacted with Indian land and military children. The committee bill recognizes that many of these school systems lack the capacity to issue capital construction bonds and in addition, many of these same school systems are currently educating children in facilities that pose a serious health threat to the students and faculty working within them. The responsible approach taken by the committee to address this very serious issue is welcomed by the impact aid community and NAFIS urges the Congress to support the committee's recognition of the federal obligation to address this serious facilities issue.

Although NAFIS would like to see an increase in the weights for on-base military and civilian dependent children, we strongly support the bill that the committee is about to introduce and again offer our gratitude to you for introducing this legislation and Chairman Goodling and his committee staff as well as to Representatives Clay and Kildee for the work that has been put into this legislation. In summary, NAFIS urges all members of the House to support this legislation when it comes before the full House for a vote in the near future.

Sincerely,

JOHN B. FORKENBROCK,
Executive Director.

IN TRIBUTE TO HAZEL WOLF

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. McDERMOTT. Mr. Speaker, I rise today to honor my constituent, Hazel Wolf. Having achieved her goal to have a foot in three centuries, Hazel passed away on January 19, 2000 at the young age of 101. Tomorrow I hope to join hundreds of her friends gathering in my district to celebrate her life of tenacious dedication to the environment and human rights.

Hazel was born in Victoria, British Columbia on March 10, 1898. She immigrated to the United States in 1923 as a single mother seeking work to support her young daughter. After a successful career as a legal secretary, Hazel officially became a citizen in 1976.

Through all her years Hazel championed issues of importance for women, working people, human rights, and the environment. A true citizen of the world, her efforts were recognized with awards by numerous international, national, state, and local organizations. Her work continues in the hearts of all who were privileged to share her goals and projects.

Mr. Speaker, please join me in tribute to Hazel for demonstrating to us the value of a life of simplicity adorned with the riches of gracious service to humanity and nature. We will miss her wit and wisdom, and we will cherish her memory by pursuing her lessons of love and understanding for all living creatures.

YELTSIN'S NUCLEAR THREAT SHOULD ALARM AN UNDEFENDED AMERICA

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. SCHAFFER. Mr. Speaker, former Russian President Boris Yeltsin's startling and sobering reminder last November of his country's robust nuclear weapons capability was as accurate as it was menacing. Firing back at Bill Clinton's public criticism of Russian military assaults on Chechen rebel strongholds, Yeltsin roared, ''[Clinton] must have forgotten for a moment what Russia has. It has a full arsenal of nuclear weapons.''

Though arguably an impulsive response to embarrassing and unwanted criticism, Yeltsin could not have delivered a more concise and troubling threat to our Nation's security, nor a more valid and fortified one. Despite highly publicized accounts of Russia's deteriorating economic, political, and conventional military realities and capabilities, the country is anything but lightly armed in nuclear weaponry. In fact, Mr. Speaker, Russia still maintains over 20,000 nuclear weapons, most sitting atop highly accurate and fully functioning silo- and sub-launched ballistic missiles awaiting final target coordinates and a ''fuel and fire'' command.

Yeltsin's impetuous warning—however untenable to an America placated by decisive United States victories in the cold war and the gulf war, and blessed with 60 years of domestic tranquility and tremendous economic prosperity—should be taken quite seriously. In 1993, Russia adopted a national security policy placing even greater reliance upon nuclear deterrence due to its worsening economic crisis and deteriorating conventional military capabilities. Not only does this reality enhance the threat of an intentional launch, it heightens the prospects for an unintentional launch too.

Mr. Speaker, the United States remains defenseless against any such launch. American citizens trust that the first responsibility of their government is ''to provide for the common defense,'' and must accordingly assume there must be in place an effective shield against missile attack. This, however, is not the case. Public opinion polls show most Americans still do not realize the U.S. military—the most powerful, most technologically-advanced, and most lethal military force ever assembled—could not stop even a single ballistic missile from impacting American soil today.

In fact, long-range ballistic missiles are the only weapons against which the U.S. Government has decided, as a matter of policy, not to field a defense. Bill Clinton is a fierce defender of this doctrine of deliberate vulnerability and repeatedly threatened to veto any serious congressional legislation enacted to the contrary.

Clinton's doctrine is predicated upon antiquated agreements dating back to 1972 when the United States signed the Anti-Ballistic Missile (ABM) Treaty with the former Soviet Union. At the time, and until relatively recently, the U.S.S.R. was the only nation known to be capable of delivering nuclear warheads to our shores. The world is different now, and the U.S.S.R. no longer exists.

Not counting Yeltsin's unexpected reminder of Russia's formidable nuclear arsenal, Mr. Speaker, Russia is generally considered on the lower end of America's threat scale. That's because it's predictable, if not rational. United States and other intelligence sources have firmly documented the aggressive—and in some cases successful—attempts by many of the worlds most violent, unstable, and anti-American entities to develop and acquire weapons of mass destruction, and the means to deliver them.

In 1998, the bipartisan Commission to Assess the Ballistic Missile Threat to the United States, led by former Secretary of Defense Donald Rumsfeld, asserted the United States may have little or no warning before the emergence of specific new ballistic missile threats to our Nation. The Commission estimated some 20 Third World and outlaw nations, including North Korea, Iran, Iraq, and Libya already have, or are vigorously developing, such capabilities.

Mr. Speaker, Communist China already has this capability. In 1998, the Central Intelligence Agency confirmed 13 of China's 18 long-range nuclear-tipped missiles were targeted at U.S. cities. In 1996, Chinese officials threatened to launch those missiles at American targets, including Los Angeles, if our Nation intervened

on behalf of Taiwan during China's threatening missile tests over that nation. One official remarked that Americans ''care more about Los Angeles than they do Tai Pei.'' Adding fuel to the fire, U.S. defense intelligence officials just revealed plans by China to build a second short-range missile base near Taiwan, thereby allowing it to target the island's primary military and civilian areas.

The communist Chinese have also profited greatly from successful espionage missions within the United States. Intelligence officials have confirmed China is beginning work on a new strategic submarine built specifically to target U.S. nuclear forces. The subs will reportedly carry missiles armed with miniaturized warheads modeled after American designs developed at Los Alamos then stolen by spies. These smaller, advanced warheads will also allow China to place multiple warheads on new Intercontinental Ballistic Missiles (ICBMs). Such missiles would have the range to target not only Los Angeles, Mr. Speaker, but also more ''target-rich'' cities like Washington, Denver, Chicago, and New York.

It should be all the more alarming then that President Yeltsin's perceived threat of nuclear retaliation was delivered from Beijing. Yeltsin emerged just minutes before his pronouncement from a meeting with Chinese President Jiang Zemin, who stood confidently beside Yeltsin, both physically and figuratively. Relations between the two nuclear powers have warmed significantly over the last few years, and that alone should be cause for concern to an American left undefended from missile attack.

No matter the source and nature of the threat, however, this much is clear: America must build a National Missile Defense system as soon as technologically possible. Last year, in spite of the general reluctance of Bill Clinton and his administration, the House and Senate both overwhelmingly passed legislation to do so, albeit substantially watered-down in order to appease White House objections.

But in order to ensure the timely and successful completion of this most important of tasks, America must stand united in our efforts. Otherwise, Mr. Speaker, if Russia ever follows through with its nuclear threats, all we'll be able to do is fire back, and kiss our planet goodbye.

CONGRATULATING LOURDES T. PANGELINAN

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. UNDERWOOD. Mr. Speaker, I would like to commend Ms. Lourdes T. Pangelinan for her selection as Director General of the Secretariat of the Pacific Community (SPC). The SPC is an organization dedicated to the advancement of the Pacific Region's active membership in the global community through the protection and promotion of mutual interests. The organization strives to emphasize the unique interests of the island nations comprising the region. With these objectives on top of their agenda, the SPC would surely reap great benefits from Lou Pangelinan's abilities, knowledge and vision. Lou is the first Chamorro and the first woman to occupy the SPC's top post.

Born on the island of Guam, Lou is the daughter of Maria Camacho Taitano Pangelinan and Jose Guerrero Pangelinan. She grew up in the village of Asan and attended the Adelup Elementary School. In 1966, the family moved to Castro Valley California where Lou attended the Castro Valley High School. She was later admitted to the University of California at Davis, California, where she became a University of California Board of Regents Scholar and a California State Scholar. While working toward a Bachelor of Arts degree, Lou took part in a study abroad program in France focusing on political science and the French language. Upon graduation, she was a fluent speaker of Chamorro, English and French.

In 1977, Lou returned to Guam to work as a reporter for the Pacific Daily News. She later served as liaison to Guam's overseas residents and coordinator of federally funded programs from 1979 to 1982. She did this while working as special assistant to the Lieutenant Governor of Guam in his San Francisco, California office. In 1983, Lou worked on national research studies on the effectiveness of U.S. health programs with the U.S. Department of Health and Human Services in Seattle, Washington.

Lou was back on Guam in 1984, serving as executive assistant to then Guam Senator Joseph Ada. While employed by the senator's legislative office, she was placed in charge of developing legislation, conducting research, disseminating public information, and handling constituent services. Upon Senator Ada's election as governor of Guam in 1994, Lou was appointed his chief of staff. In addition to being the governor's chief assistant on policy development and implementation, she also had purview over the Cabinet and the governor's staff.

Between January 1995, and February 1996, Lou was employed by the Superior Court of Guam. At this point she has served in top level management positions in all three branches of the island's government. As the Deputy Director/Director of Communications, she managed the operations of Guam's trial court. In addition, she facilitated judges' requirements and acted as liaison to the Guam Legislature on budget and policy matters. During her service with the government of Guam, she represented the island in key meetings and hearings before the United States Congress and the United Nations Committee on Decolonization.

Lou's involvement with the SPC dates back to the early years of the organization's development. Representing the island of Guam, she served as Chairperson of the Committee of Representatives of Governments and Administrations in May 1989. For the past decade, she played an active part in the organization's growth. Her command of the French language, her vision, her technical knowledge, and her leadership capabilities made her an ideal candidate for a leadership post within the SPC. Prior to landing the top job, she served as the organization's deputy director general. Upon becoming a member of SPC's executive team, Lou was given oversight over the Social Resources Division, Support Services Programme and Finance/Administration. As Director General, Lou is in the best position to facilitate and convey the island of Guam's commitment and support as the SPC charts its course for the new millennium.

Through her distinguished career and outstanding achievements, Lou has brought recognition upon herself, the island of Guam, and its people. Having been granted the honor and opportunity to be instrumental in the future growth and development of the Pacific Region, I am sure that Lou will successfully meet the challenge. She has always made us proud.

I join her family in celebrating her extra-ordinary accomplishments. On behalf of the people of Guam, I extend my sincerest congratulations to Lou on this recent accomplishment. I wish her and the SPC continued success in the years to come,

TRIBUTE TO STEVE LEW

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. BERMAN. Mr. Speaker, we rise to pay tribute to our good friend, Steve Lew, who has just completed a two-year term as Chairman of the Valley Industry and Commerce Association. Steve is a man of immense charm, business smarts and considerable political skills. He is, in short, a born leader. He will be sorely missed at VICA.

During his two-year tenure as chairman, VICA became much more active in state, local and federal affairs. Steve expanded VICA's sphere of influence; the organization now covers eight congressional districts, six State Senate districts and ten Assembly districts. He made a point of attending many meetings of the various government committees.

In 1999, Steve led VICA's year-long 50th anniversary celebration, which included a new graphics campaign, newsletter, logo and website. He also helped spur a 25 percent rise in revenues to VICA, which enabled the organization to initiate new advocacy programs.

In 1975, Steve took a job with Universal Studios, where he has held several executive positions. These include Vice President, Government and External Affairs, Universal Studios, Inc; Senior Vice President, Universal Studios Recreation Group and President and CEO, Universal Studios Florida.

In addition to his professional duties and his work with VICA, Steve is Chair of the City of Los Angeles Volunteer Advisory Council, a member of the Executive Board of the Economic Alliance of the San Fernando Valley and Past President of the Hollywood Chamber of Commerce.

We ask our colleagues to join us in saluting Steve Lew, whose commitment to helping business and his dedication to the community are second to none. We are honored to be his friends.

LEADERSHIP COUNCIL OF AGING ORGANIZATIONS: PRINCIPLES FOR MEDICARE PRESCRIPTION DRUG LEGISLATION

HON. FORTNEY PETE STARK

OF CALIFORINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 10, 2000

Mr. STARK. Mr. Speaker, following is a letter I submit for the RECORD that was sent to

Members of Congress by the Leadership Council of Aging Organizations signed by 32 groups, on the principles that Medicare prescription drug legislation should meet.

If one compares the principles with the various bills that have been introduced, it is clear that the President's proposal; the Stark-Dingell-Kennedy proposal meet the criteria.

All others bills that I am aware of do not meet the criteria—they are either means-tested, unaffordable, don't provide catastrophic protection, fail to improve quality, do not buy drugs cost-effectively, and so forth.

The LCAO has performed a valuable service in laying out what good pharmaceutical health insurance policy should be.

Congress should proceed accordingly.

LEADERSHIP COUNCIL OF AGING ORGANIZATIONS,
HORACE B. DEETS, CHAIRMAN,
FEBRUARY *7, 2000.*

U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: The undersigned members of the Leadership Council of Aging Organizations (LCAO) look forward to working with the Congress on the creation of a Medicare prescription drug benefit.

As you consider current proposals and draft new prescription drug proposals, we would like you to consider the following issues that are of the highest priority to our organizations and the millions of Americans that we represent.

BENEFITS

Medicare should guarantee access to a voluntary prescription drug benefit as a part of its defined benefit package.

Medicare's prescription drug benefit should provide comprehensive coverage, including the most current, effective, and individually appropriate drug therapies.

Medicare's contribution toward the cost of the prescription drug benefit must keep pace with the increase in prescription drug costs and not be tied to budgetary caps.

Adding a Medicare prescription drug benefit must not reduce access to other Medicare benefits.

COVERAGE

The Medicare prescription drug benefit should be available to all Medicare eligible older Americans and persons with disabilities, regardless of income or health status.

The Medicare prescription drug benefit must be voluntary and must provide safeguards against the erosion of current prescription drug coverage provided by others.

AFFORDABILITY

The financing of a new Medicare prescription drug benefit should protect all beneficiaries from burdensome out-of-pocket expenses and affordable cost sharing. particularly low-income beneficiaries.

The new benefit must protect individuals from extraordinary expenses for prescriptions drugs.

The government subsidy must be sufficient to guard against risk selection and to provide an attractive benefit design.

Sufficient subsidies should be provided for low-income beneficiaries to ensure that they have access to the benefit.

ADMINISTRATION

The new prescription drug benefit should be efficiently managed, include appropriate cost-containment, and reflect the purchasing of the Medicare beneficiary pool.

QUALITY

The new Medicare prescription drug benefit must meet rigorous standards for quality of care, including appropriate monitoring and quality assurance activities.

The Medicare program should work to prevent the overuse, underuse, and misuse of prescription drugs.

We request that you carefully consider the issues presented above as you develop your Medicare prescription drug proposals. We look forward to working with you to ensure that the Medicare program is strengthened by your efforts.

Sincerely,

AARP; AFSCME Retiree Program, Alzheimer's Association, American Association for International Aging, American Association of Homes and Services for the Aging, American Federation of Teachers Program on Retirement and Retirees, American Society of Consultant Pharmacists, Asociacion Nacional Pro Personas Mayores, Association for Gerontology and Human Development in Historically Black Colleges and Universities, Association of Jewish Aging Services, B'nai B'rith Center for Senior Housing and Services, Eldercare America, Inc., Families, USA, The Gerontological Society of America, Gray Panthers, National Academy of Elder Law Attorneys, National Asian Pacific Center on Aging, National Association of Area Agencies on Aging, National Association of Foster Grandparent Program Directors, National Association of Nutrition and Aging Services Programs, National Association of Retired and Senior Volunteer Program Directors, Inc., National Association of Senior Companion Project Directors, National Association of State Long-Term Care Ombudsman Programs, National Association of State Units on Aging, National Caucus and Center on Black Aged, Inc., National Committee to Preserve Social Security and Medicare, National Council of Senior Citizens, National Council on the Aging, Inc., National Hispanic Council on Aging, National Indian Council on Aging, Inc., National Osteoporosis Foundation, National Senior Citizen Law Center, Older Women's League

Daily Digest

HIGHLIGHTS

Senate passed Nuclear Waste Policy Amendments Act.

The House passed H.R. 6, Marriage Tax Penalty Relief Act.

Senate

Chamber Action

Routine Proceedings, pages S563–S647

Measures Introduced: Twenty three bills and five resolutions were introduced, as follows: S. 2051–2073, S. Res. 256–258, and S. Con. Res. 80–81. **Pages S612–13**

Measures Reported: Reports were made as follows:

S. Res. 251, designating March 25, 2000, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy".

S. 671, to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions.

S. 1638, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty. **Page S612**

Measures Passed:

Nuclear Waste Policy Amendments Act: By 64 yeas to 34 nays (Vote No. 8), Senate passed S. 1287, to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, after agreeing to the following amendment proposed thereto: **Pages S564–79**

Adopted:

Lott (for Murkowski) Amendment No. 2808, in the nature of a substitute. **Pages S564–74**

Adjournment Resolution: Senate agreed to S. Con. Res. 80, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **Page S582**

National Heart Failure Awareness Week: Senate agreed to S. Res. 256, designating the week of February 14–18, 2000, as "National Heart Failure Awareness Week". **Page S646**

Use of Rotunda/Holocaust Remembrance Ceremony: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 244, permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, and the resolution was then agreed to. **Page S646**

Measures Indefinitely Postponed: Senate indefinitely postponed the following bills:

Armed Forces Pay Equity: S. 270, to improve pay and retirement equity for members of the Armed Forces. **Page S646**

Education Flexibility Partnership Act: S. 271, to provide for education flexibility partnerships. **Page S646**

Education Flexibility Partnership Act: S. 280, to provide for education flexibility partnerships. **Page S646**

Small Business Investment Improvement Act: S. 364, to improve certain loan programs of the Small Business Administration. **Page S646**

Y2K Act: S. 96, to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date. **Page S646**

Ronald V. Dellums Federal Building: S. 272, to designate the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building". **Page S646**

Thomas S. Foley Federal Building and Courthouse/Walter F. Horan Plaza: S. 392, to designate the Federal building and United States courthouse

located at West 920 Riverside Avenue in Spokane, Washington, as the ''Thomas S. Foley Federal Building and United States Courthouse'', and the plaza at the south entrance of that building and courthouse as the ''Walter F. Horan Plaza''. Page S646

Steffens Family Property Transfer: H.R. 509, to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property. Page S646

Wyoming Land Transfer: H.R. 510, to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest. Page S646

Lewis R. Morgan Federal Building and U. S. Courthouse": S. 858, to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse''. Page S646

Arizona Statehood and Enabling Act Amendments: S. 415, to designate the Federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the ''Lewis R. Morgan Federal Building and United States Courthouse''. Page S646

Chattahoochee River National Recreation Area Protection: S. 109, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia. Page S646

Star-Spangled Banner National Historic Trail Study Act: S. 441, to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system. Page S646

National Geologic Mapping Reauthorization Act: S. 607, to reauthorize and amend the National Geologic Mapping Act of 1992. Page S646

Thomas Cole National Historic Site Designation Act: S. 140, to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System. Page S646

Franklin D. Roosevelt National Visitor Center: S. 946, to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center. Page S646

Virginia Land Acquisition: S. 955, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation. Page S646

NHTA Authorization Corrections: S. 1248, to correct errors in the authorizations of certain programs administered by the National Highway Traffic Administration. Page S646

Veterans' Compensation Cost-of-Living Adjustment: S. 1393, to provide a cost-of-living adjustment in rates of compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to amend title 38, United States Code, to codify the previous cost-of-living adjustment in such rates. Page S646

Pennsylvania Battlefields Protection Act: S. 581, to protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park. Page S646

Terry Peak Land Transfer Act: S. 953, to direct the Secretary of Agriculture to convey certain land in the State of South Dakota to the Terry Peak Ski Area. Page S646

New Mexico Land Conveyance: H.R. 695, to direct the Secretary of Agriculture and the Secretary of the Interior to convey an administrative site in San Juan County, New Mexico, to San Juan College. Page S646

Utah Water Development: S. 1377, to amend the Central Utah Project Completion Act regarding the use of funds for water development for the Bonneville Unit. Page S646

Private Relief: S. 2006, for the relief of Yongyi Song. Page S646

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Treaty with Russia on Mutual Legal Assistance in Criminal Matters (Treaty Doc. No. 106–22)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. Page S646

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the 2000 Economic Report of the President together with the annual report of the Council of Economic Advisers; to the Joint Economic Committee. (PM–87)

Pages S608–10

During today's session, Senate also took the following action:

By 79 yeas to 19 nays (Vote No. 9), Senate agreed to the motion to proceed to executive session.

Page S584

Nominations Confirmed: Senate confirmed the following nominations:

By 96 yeas 2 nays (Vote No. EX. 10), Thomas L. Ambro, of Delaware, to be United States Circuit Judge for the Third Circuit.

By 95 yeas 2 nays (Vote No. EX. 11), Joel A. Pisano, of New Jersey, to be United States District Judge for the District of New Jersey vice Maryanne Trump Barry, elevated. **Pages S584–89, S647**

Nominations Received: Senate received the following nominations:

Edward William Gnehm, Jr., of Georgia, to be Ambassador to Australia.

Ronald D. Godard, of Texas, to be Ambassador to the Co-operative Republic of Guyana.

Daniel A. Johnson, of Florida, Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Suriname.

V. Manuel Rocha, of California, to be Ambassador to the Republic of Bolivia.

Michael J. Senko, of the District of Columbia, to be Ambassador to the Republic of the Marshall Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati. **Page S647**

Messages From the President: **Pages S608–10**

Communications: **Pages S610–11**

Petitions: **Pages S611–12**

Executive Reports of Committees: **Page S612**

Statements on Introduced Bills: **Pages S613–34**

Additional Cosponsors: **Pages S634–36**

Notices of Hearings: **Page S639**

Authority for Committees: **Pages S639–40**

Additional Statements: **Pages S640–46**

Privileges of the Floor: **Page S640**

Record Votes: Four record votes were taken today. (Total—11) **Pages S574, S584, S587**

Adjournment: Senate convened at 10 a.m., and pursuant to the provisions of S. Con. Res. 80, adjourned at 6:14 p.m., until 11 a.m., on Tuesday, February 22, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S647.)

Committee Meetings

(Committees not listed did not meet)

OVER-THE-COUNTER DERIVATIVES MARKETS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the findings of the President's Working Group on Financial Markets' report on Over the Counter Derivatives Markets and the Commodity Exchange Act, after receiving testimony from Laurence H. Summers, Secretary of the Treasury; Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System; William J. Rainer, Chairman, Commodity Futures Trading Commission; Annette L. Nazareth, Director, Division of Market Regulation, Securities and Exchange Commission; Jerold Solzman, Chicago Mercantile Exchange, and David P. Brennan, Chicago Board of Trade, both of Chicago, Illinois; and Daniel Rappaport, New York Mercantile Exchange, Edward J. Rosen, Cleary, Gottlieb, Steen and Hamilton, on behalf of the Coalition, and Richard Grove, International Swaps and Derivatives Association, Inc., all of Washington, D.C.

APPROPRIATIONS—AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of Agriculture, after receiving testimony from Dan Glickman, Secretary, Richard Rominger, Deputy Secretary, Keith Collins, Chief Economist, and Stephen B. Dewhurst, Budget Officer, all of the Department of Agriculture.

APPROPRIATIONS—TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation concluded hearings on proposed budget estimates for fiscal year 2001 for the Department of Transportation, after receiving testimony from Rodney E. Slater, Secretary of Transportation.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee held hearings on proposed legislation authorizing funds for fiscal year 2001 for the Department of Defense and the future years defense program, receiving testimony from

Louis Caldera, Secretary of the Army; Richard Danzig, Secretary of the Navy; and F. Whitten Peters, Secretary of the Air Force.

Hearings were recessed subject to call.

2001 BUDGET: SPECTRUM AUCTIONS

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2001, focusing on certain provisions relating to spectrum auctions and their impact on the digital economy, after receiving testimony from William E. Kennard, Chairman, Federal Communications Commission; Peter Cramton, University of Maryland, College Park, on behalf of Market Design, Inc.; Daniel Pegg, Leap Wireless International, Inc., San Diego, California; Timothy M. Donahue, Nextel Communications, Inc., Reston, Virginia; Raymond P. Dolan, NextWave Telecom, Inc., Hawthorne, New York; and Dennis F. Strigl, Bell Atlantic Mobile, Bedminster, New Jersey.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

H.R. 150, to amend the Act popularly known as the Recreation and Public Purposes Act to authorize disposal of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, with an amendment in the nature of a substitute;

S. 503, designating certain land in the San Isabel National Forest in the State of Colorado as the "Spanish Peaks Wilderness", with an amendment;

H.R. 2368, to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands;

S. 397, to authorize the Secretary of Energy to establish a multiagency program in support of the Materials Corridor Partnership Initiative to promote energy efficient, environmentally sound economic development along the border with Mexico through the research, development, and use of new materials, with an amendment in the nature of a substitute;

H.R. 834, to extend the authorization for the National Historic Preservation Fund, with an amendment in the nature of a substitute;

H.R. 1444, to authorize the Secretary of the Army to develop and implement projects for fish screens, fish passage devices, and other similar measures to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, and Idaho, with an amendment in the nature of a substitute. (As approved by the committee the substitute amendment incorporated certain provisions of S. 1723, Senate companion measure.)

S. 1167, to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel, with an amendment;

S. 1629, to provide for the exchange of certain land in the State of Oregon, with an amendment in the nature of a substitute;

S. 1343, to direct the Secretary of Agriculture to convey certain National Forest land to Elko County, Nevada, for continued use as a cemetery;

S. 408, to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center;

S. 1218, to direct the Secretary of the Interior to issue to the Landusky School District, without consideration, a patent for the surface and mineral estates of certain lots, with an amendment in the nature of a substitute;

S. 1686, to provide for the conveyances of land interests to Chugach Alaska Corporation to fulfill the intent, purpose, and promise of the Alaska Native Claims Settlement Act, with an amendment;

H.R. 3090, to amend the Alaska Native Claims Settlement Act to restore certain lands to the Elim Native Corporation, in lieu of S. 1702, Senate companion measure;

S. 1694, to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, with an amendment; and

The nomination of Sylvia V. Baca, of New Mexico, to be Assistant Secretary of the Interior for Land and Minerals Management.

LAND MANAGEMENT BILLS

Committee on Energy and Natural Resources: Committee concluded hearings on S. 1797, to amend the Alaska Native Claims Settlement Act, to provide for a land conveyance to the City of Craig, Alaska, S. 1925, to promote environmental restoration around the Lake Tahoe basin, S. 1664/H.R. 2863, bills to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah, S. 1665/H.R. 2862, bills to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange, and S. 1936, to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale

or exchange for National Forest System purposes, after receiving testimony from Senators Reid and Feinstein; Representatives Doolittle and Gibbons; Jack Craven, Director of Lands, Forest Service, Department of Agriculture; Henri Bisson, Assistant Director, Bureau of Land Management, Department of the Interior; Mayor Dennis Watson, Craig, Alaska; Steve Teshara, Lake Tahoe Gaming Alliance, Lake Tahoe, Nevada, and Rochelle Nason, League to Save Lake Tahoe, South Lake Tahoe, California, Stan Hansen, Heavenly Ski Resort, Stateline, Nevada, all on behalf of the Lake Tahoe Transportation and Water Quality Coalition; and Carrie Whitaker, Bend Metro Park and Recreation District, Bend, Oregon.

TRADE NEGOTIATIONS

Committee on Finance: Committee held hearings to assess the mission of the World Trade Organization over the past five years, events of last year's Ministerial Conference in Seattle, and forthcoming trade negotiations, receiving testimony from Charlene Barshefsky, United States Trade Representative; Susan S. Westin, Associate Director, International Relations and Trade Issues, National Security and International Affairs Division, General Accounting Office; Thomas J. Donohue, United States Chamber of Commerce, Allen F. Johnson, National Oilseed Processors Association, and Richard L. Trumka, AFL-CIO, all of Washington, D.C.; and Mark Van Putten, National Wildlife Federation, Vienna, Virginia.

Hearings were recessed subject to call.

PRESIDENT'S BUDGET

Committee on Foreign Relations: Committee concluded hearings on the President's proposed budget request for fiscal year 2001 for foreign assistance programs, and the priorities of the Agency for International Development, after receiving testimony from Brady Anderson, Administrator, U.S. Agency for International Development.

RUSSIAN INTELLIGENCE ACTIVITIES

Committee on Foreign Relations: Committee concluded hearings on Russian intelligence activities directed at the Department of State, after receiving testimony from David G. Carpenter, Assistant Secretary of State for Diplomatic Security.

COLLEGE COST

Committee on Governmental Affairs: Committee concluded hearings to examine the rising cost of college tuition and the effectiveness of Government financial aid, after receiving testimony from Lawrence E. Galdieux, The College Board, Washington, D.C.; Michael S. McPherson, Macalester College, Saint Paul, Minnesota; Jerry S. Davis, USA Group Foundation, Indianapolis, Indiana; Mark Kantrowitz, FinAid, Pittsburgh, Pennsylvania; and Patricia Somers, University of Missouri, St. Louis.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following measures:

S. 1638, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty;

S. 671, to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions; and

S. Res. 251, designating March 25, 2000, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy."

U.S. BORDER SECURITY

Committee on the Judiciary: Subcommittee on Immigration concluded hearings to examine enhancements to United States border security, after receiving testimony from Senators Gorton and Murray; Diana Dean, Customs Inspector, and Charles W. Winwood, Assistant Commissioner of Field Operations, both of the Customs Service, Department of the Treasury; Michael A. Pearson, Executive Associate Commissioner for Field Operations, and Ryan H. Callister, Immigration Inspector (Eastport, Idaho), and Ora A. Smith, Immigration Inspector (Detroit, Michigan), both on behalf of the American Federation of Government Employees, all of the Immigration and Naturalization Service, Department of Justice; and Robert E. Lindemann, Detroit Border Patrol Council, Detroit, Michigan, on behalf of the National Border Patrol Council.

House of Representatives

Chamber Action

Bills Introduced: 35 public bills, H.R. 3610–3644; 2 private bills, H.R. 3645–3646; and 2 resolutions, H. Con. Res. 248–249, were introduced.

Pages H339–41

Reports Filed: Reports were filed today as follows:

H. Res. 422, providing for consideration of H.R. 2086, authorize funding for networking and information technology research and development for fiscal years 2000 through 2004 (Rept. 106–496).

Page H339

Journal: Agreed to the Speaker's approval of the Journal of Wednesday, February 9 by a yea and nay vote of 362 yeas to 37 nays with 1 voting "present", Roll No. 11. **Pages H279–80**

Presidential Messages: Read the following messages from the President:

Economic Report of the President: Message wherein he transmitted his Economic Report—referred to the Joint Economic Committee and ordered printed (H. Doc. 106–161); **Pages H331–33**

Budget Rescissions and Deferrals: Message wherein he transmitted his three rescissions of budget authority totaling $128 million, affecting the programs of the Department of Energy and the Department of Housing and Urban Development, and two deferrals of budget authority totaling $1.6 million, affecting programs of the Department of State and International Assistance Programs—referred to the Committee on Appropriations and ordered printed (H. Doc. 106–194); and **Page H280**

Albanian Emigration Laws and Policies: Message wherein he transmitted his report concerning Albanian compliance with U.S. and international standards in the area of emigration—referred to the Committee on Ways and Means and ordered printed (H. Doc. 106–195). **Page H280**

Marriage Tax Penalty Relief Act: The House passed H.R. 6, to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing for adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to repeal the reduction of the refundable tax credits, by a yea and nay vote of 268 yeas to 158 nays, Roll No. 15. Agreed to amend the title. **Pages H291–H330**

Rejected the Hill of Indiana motion to recommit the bill to the Committee on Ways and Means with instructions to report it back to the House with an amendment which corrects the disparity in the Tax Code affecting married couples and which provides that the effectiveness of this tax reduction is contingent on a certification by the Director of the Office of Management and Budget that (a) there is a comprehensive framework which provides resources for debt retirement, strengthening Social Security and Medicare, tax relief, and investing in other priorities; (b) a portion of the on-budget surplus is reserved for debt retirement sufficient to eliminate the debt by 2013; and (c) there are protections to ensure that the funds reserved for debt retirement may not be used or any other purpose, except for technical adjustments to reflect changes in budget projections by a recorded vote of 196 ayes to 230 noes, Roll No. 14.

Pages H327–29

Rejected the Rangel amendment in the nature of a substitute that sought to make marriage tax penalty relief contingent on Social Security solvency certification, Medicare solvency certification, and public debt elimination certification by a yea and nay vote of 192 yeas to 233 nays, Roll No. 13. **Pages H318–27**

Earlier, agreed to H. Res. 419, the rule that provided for consideration of the bill by a yea and nay vote of 255 yeas to 165 nays, Roll No. 12. Pursuant to the rule, the amendment recommended by the Committee on Ways and Means now printed in the bill was considered as adopted. **Pages H281–91**

President's Day District Work Period: The House agreed to S. Con. Res. 80, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives. **Page H331**

Legislative Program: The Majority Leader discussed the legislative program for the week of February 14.

Page H330

Meeting Hour Monday, February 14: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, February 14 for morning-hour debate. **Page H331**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of Wednesday, February 16. **Page H331**

Senate Messages: Message received today from the Senate appears on page H330.

Re-Referral: Agreed to re-refer S. 1809 to the Committees on Commerce and Education and the Workforce. **Pages H330–31**

Amendments: Amendments ordered printed pursuant to the rule appear on page H343.

Quorum Calls—Votes: Four yea and nay votes and one recorded vote developed during the proceedings

of the House and appear on pages H279–80, H291, H326–27, H329, and H329–30. There were no quorum calls.

Adjournment: The House met at 10:00 a..m. and adjourned at 5:44 p.m.

Committee Meetings

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Health Resources and Services Administration and the Centers for Disease Control and Prevention. Testimony was heard from the following officials of the Department of Health and Human Services: Claude Earl Fox, Administrator, Health Resources and Services Administration; and Jeffrey Koplan, Director, Centers for Disease Control and Prevention.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation began appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: Continued hearings on the Fiscal Year 2001 National Defense Authorization Budget Request. Testimony was heard from the following officials of the Department of Defense: Gen. Eric K. Shinseki, USA, Chief of Staff, Department of the Army; Adm. Jay L. Johnson, USN, Chief of Naval Operations, Department of the Navy; Gen. Michael E. Ryan, USAF, Chief of Staff, Department of the Air Force; and Gen. James L. Jones, USMC, Commandant, Headquarters, U.S. Marine Corps.

Hearings continue February 17.

HOLOCAUST VICTIMS' ASSETS RESTITUTION

Committee on Banking and Financial Services: Concluded hearings on issues related to the restitution of Holocaust victims' assets. Testimony was heard from Lawrence Eagleburger, Chairman, International Commission on Holocaust-Era Insurance Claims; Earl Powell, Director, National Gallery of Art, Smithsonian Institution; and public witnesses.

REUSE OF SINGLE-USE MEDICAL DEVICES

Committee on Commerce: Subcommittee on Oversight and Investigations held a hearing on the reuse of single-use medical devices. Testimony was heard from David W. Feigal, Jr., M.D., Director, Center for Devices and Radiological Health, FDA, Department of Health and Human Services; and public witnesses.

21ST CENTURY COMMUNITY LEARNING CENTERS PROGRAM

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on 21st Century Community Learning Centers Program. Testimony was heard from Michael Cohen, Assistant Secretary, Office of Elementary and Secondary Education, Department of Education; and public witnesses.

OPEC AND THE NORTHEAST ENERGY CRISIS

Committee on International Relations: Held a hearing on OPEC and the Northeast Energy Crisis. Testimony was heard from David L. Goldwyn, Assistant Secretary, International Affairs, Department of Energy; Peter Bass, Deputy Assistant Secretary, Energy, Sanctions and Commodities, Bureau of Economic and Business Affairs, Department of State; and public witnesses.

CONSTITUTIONAL AMENDMENT—PROTECT THE RIGHTS OF CRIME VICTIMS

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.J. Res. 64, proposing an amendment to the Constitution of the United States to protect the rights of crime victims. Testimony was heard from Senators Kyl and Feinstein; Representatives Chabot, Barcia and Scott; Judge Emmet G. Sullivan, U.S. District Court, District of Columbia; and public witnesses.

MONEY LAUNDERING

Committee on the Judiciary: Subcommittee on Crime held a hearing on money laundering. Testimony was heard from the following officials of the Department of Justice: James K. Robinson, Assistant Attorney General, Criminal Division; and Stefan Cassella, Assistant Chief, Asset Forfeiture and Money Laundering Section; John Varrone, Executive Director, Domestic Operations East, Office of Investigations, U.S. Customs Service, Department of the Treasury; and public witnesses.

SECRET EVIDENCE REPEAL ACT

Committee on the Judiciary: Subcommittee on Immigration and Claims held a hearing on H.R. 2121, Secret Evidence Repeal Act of 1999. Testimony was heard from Representatives Campbell and Bonior; Larry R. Parkinson, General Counsel, FBI, Department of Justice; and public witnesses.

OVERSIGHT—VISA WAIVER PILOT PROGRAM

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on the Visa Waiver Pilot Program. Testimony was heard from the following officials of the Department of Justice: Robert Ashbaugh, Acting Inspector General; Mike Cronin, Acting Associate Commissioner, Office of Programs, Immigration and Naturalization Service; and Elisa Liang, Associate Deputy Attorney General; Ambassador Mary A. Ryan, Assistant Secretary, Consular Affairs, Department of State; and public witnesses.

OVERSIGHT—PROPOSED CONCESSIONS REGULATIONS

Committee on Resources: Subcommittee on National Parks and Public Lands held an oversight hearing on Proposed Concessions Regulations. Testimony was heard from Maureen Finnerty, Associate Director, Park Operations and Education, National Park Service, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 3595, to increase the authorization of appropriations for the Reclamation Safety and Dams Act of 1978; H.R. 3577, to increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho; H.R. 2647, Ak-Chin Water Use Amendments Act of 1999; and H.R. 3236, to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes. Testimony was heard from Representative Shadegg; Eluid Martinez, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

CERTAIN EPA'S PROPOSED REGULATIONS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on EPA's Proposed Regulations Regarding Total Maximum Daily Loads, the National Pollutant Discharge Elimination System, and the Federal Anti-Degradation Policy. Testimony was heard from J. Charles Fox, Assistant Administrator, EPA; Peter J. Guerrero, Director, Resources, Community and Economic Development, GAO; Carol R. Collier, Executive Director, Delaware River Basin Commission; and public witnesses.

Hearings continue February 15.

MEDICAL ERRORS

Committee on Ways and Means: Subcommittee on Health held a hearing on Medical Errors. Testimony was heard from Linda J. Connell, Director, Aviation Safety Reporting System, Ames Research Center, NASA; James P. Bagian, Director, National Center for Patient Safety, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

BABY BOOMER BENEFICIARIES—SOCIAL SECURITY READINESS

Committee on Ways and Means: Subcommittee on Social Security and the Subcommittee on Human Resources held a joint hearing to Examine Social Security's Readiness for the Impending Wave of Baby Boomer Beneficiaries. Testimony was heard from the following officials of the Social Security Advisory Board: Stanford G. Ross, Chair; and Sylvester J. Schieber, member; the following officials of the GAO: Cynthia M. Fagnoni, Director, Education, Workforce and Income Security Issues, Health Education and Human Services Division; and Joel C. Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division; and public witnesses.

Joint Meetings

EAST TIMOR

Joint Hearing: Senate Committee on Foreign Relations' Subcommittee on East Asian and Pacific Affairs concluded joint hearings with the House Committee on International Relations' Subcommittee on Asia and the Pacific to examine the current situation in East Timor, after receiving testimony from Stanley O. Roth, Assistant Secretary for East Asian and Pacific Affairs, and C. David Welch, Assistant Secretary for International Organization Affairs, both of the Department of State; Charles Costello, Emory University Carter Center, Atlanta, Georgia; and Andrew MacIntyre, University of California Graduate School of International Relations and Pacific Studies, San Diego.

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 11, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to resume hearings on the President's proposed budget request for fiscal year 2001, 10 a.m., SD–608.

House

No Committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of February 14 through February 19, 2000

Senate Chamber

Senate will not be in session.

Senate Committees

No meetings/hearings scheduled.

House Chamber

To be announced.

House Committees

Committee on Agriculture, February 15, Subcommittee on Risk Management, Research, and Specialty Crops, hearing to review the President's Working Group Report on the over-the-counter derivatives markets and the Commodity Exchange Act, 9:30 a.m., 1300 Longworth.

February 17, full Committee, to consider Committee Budget Views and Estimates for Fiscal Year 2001 for submission to the Committee on the Budget; and to hold a hearing to review the state of agricultural economy, 10 a.m., 1300 Longworth.

Committee on Appropriations, February 15, Subcommittee on Commerce, Justice, State, and Judiciary, on the Legal Services Corporation, 10 a.m., H–309 Capitol.

February 15, Subcommittee on Interior, oversight on the Fish and Wildlife Service, 10 a.m., B–308 Capitol.

February 15, Subcommittee on Labor, Health and Human Services, and Education, on the Director, National Institutes of Health, 1 p.m., and on the National Cancer Institute, 2 p.m., 2358 Rayburn.

February 15, Subcommittee on Military Construction, on overview, 9:30 a.m., B–300 Rayburn.

February 15, Subcommittee on Transportation, on the Secretary of Transportation, 10 a.m., 2358 Rayburn.

February 16, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on the Secretary of Agriculture, 1 p.m., 2362A Rayburn.

February 16, Subcommittee on Defense, executive, on Military Readiness, 9:30 a.m., H–140 Capitol.

February 16, Subcommittee on Interior, oversight on the Forest Service and on the National Association of Public Administration, 10 a.m., B–308 Rayburn.

February 16, Subcommittee on Labor, Health and Human Services, and Education, on the National Institute on Aging and the National Center for Research Resources, 10 a.m., and on the National Institute of Child Health and Human Development and the National Institute of Deafness and Other Communication Disorders, 2 p.m., 2358 Rayburn.

February 16, Subcommittee on Military Construction, on the Quality of Life, 9:30 a.m., B–300 Rayburn.

February 17, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on the Inspector General, 10 a.m., 2362A Rayburn.

February 17, Subcommittee on Defense, on Defense Medical Programs, 9:30 a.m., H–140 Capitol.

February 17, Subcommittee on Labor, Health and Human Services, and Education, on the National Heart, Lung, and Blood Institute and the National Institute of Dental and Craniofacial Research, 10 a.m., and on the National Institute of Drug Abuse and the National Institute on Alcohol Abuse and Alcoholism, 2 p.m., 2358 Rayburn.

Committee on Armed Services, February 16, Subcommittee on Military Procurement and the Subcommittee on Military Research and Development, joint hearing on ballistic missile defense programs, 2 p.m., 2118 Rayburn.

February 17, full Committee, to continue hearings on the Fiscal Year 2001 National Defense Authorization Budget Request, 9:30 a.m., 2118 Rayburn.

Committee on Banking and Financial Services, February 15, Subcommittee on Housing and Community Opportunity, to mark up H.R. 1776, American Homeownership and Economic Opportunity Act of 1999, 10 a.m., 2128 Rayburn.

February 16, full Committee, to consider Committee Budget Views and Estimates for Fiscal Year 2001 for submission to the Committee on the Budget, 2:30 p.m., 2128 Rayburn.

February 16, Subcommittee on Financial Institutions and Consumer Credit, hearing on Merging the Deposit Insurance Funds, 10 a.m., 2128 Rayburn.

February 17, full Committee, .hearing on the Conduct of Monetary Policy (Humphrey-Hawkins), 10 a.m., 2128 Rayburn.

Committee on the Budget, February 16, hearing on Preliminary Analysis of the Administration's Fiscal Year 2001 Budget, 10 a.m., 210 Cannon.

February 16, hearing on ''Oversight of 'High-Risk' Government Programs,'' 210 Cannon.

Committee on Commerce, February 16, Subcommittee on Health and Environment, hearing on Seniors' Access to Affordable Prescription Drugs: Models for Reform, 10 a.m., 2322 Rayburn.

February 16, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on Video on the Internet: iCraveTV.com and Other Recent Developments in Webcasting, 10 a.m., 2123 Rayburn.

February 17, Subcommittee on Oversight and Investigations, hearing on Cyber Insecurity at EPA: GAO Reports Agency Systems Vulnerable to Attack, 10 a.m., 2123 Rayburn.

February 17, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on the FCC's Low-power FM: A Review of the FCC's Spectrum Management Responsibilities in addition to H.R. 3439, Radio Broadcasting Preservation Act of 1999, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, February 15, Subcommittee on Early Childhood, Youth, and Families, hearing on H.R. 3614, Emergency Commodity Distribution Act of 2000, 2 p.m., 2175 Rayburn.

February 15, Subcommittee on Employee-Employer Relations, hearing on the Evolving Pension and Investment World After 25 years of ERISA, 10 a.m., 2175 Rayburn.

February 16, full Committee, to mark up the following bills: H.R. 3222, Literacy Involves Families Together Act; and H.R. 3616, Impact Act Reauthorization Act of 2000, 10:30 a.m., 2175 Rayburn.

February 17, Subcommittee on Oversight and Investigations, hearing on 21st Century Worker Shortages, 10 a.m., 2175 Rayburn.

Committee on Government Reform, February 15, Subcommittee on the Census, oversight hearing of the 2000 Census: Examining the GAO's Census 2000 Oversight Activities, 2 p.m., 2203 Rayburn.

February 15, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on The U.S. Response to the Crisis in Colombia, 10 a.m., 2247 Rayburn.

February 15, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, hearing on "Is the Department of Labor Regulating the Public Through the Backdoor?" 1 p.m., 2154 Rayburn.

February 16, Subcommittee on National Security, Veterans' Affairs, and International Relations, hearing on Defense Security Service Oversight, 10 a.m., 2247 Rayburn.

February 17, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on HHS Drug Treatment Support: Is SAMHSA Optimizing Resources? 10 a.m., 2154 Rayburn.

Committee on International Relations, February 15, Subcommittee on Africa, hearing on Peace Keeping in the Democratic Republic of the Congo, 2 p.m., 2200 Rayburn.

February 16, full committee, hearing on the Administration's Fiscal Year 2001 International Affairs Budget Request, 10 a.m., room to be announced.

February 16, Subcommittee on Asia and the Pacific, hearing on Indonesia: Confronting the Political and Economic Crises, 1:30 p.m., 2200 Rayburn.

February 17, full Committee, to consider Committee Budget Views and Estimates for Fiscal Year 2001 for submission to the Committee on the Budget; followed by a hearing on North Korea: Leveraging Uncertainty? 10 a.m., room to be announced.

Committee on the Judiciary, February 15, to consider Committee Budget Views and Estimates for Fiscal Year 2001 for submission to the Committee on the Budget; and to mark up the following bills: H.R. 1443, Traffic Stops Statistics Study Act of 1999; H.R. 1283, Fairness in Asbestos Compensation Act of 1999; and H.R. 2372, Private Property Rights Implementation Act of 1999, 10 a.m., 2141 Rayburn.

February 17, Subcommittee on Crime, to mark up the following bills: H.R. 3048, Presidential Threat Protection Act of 1999; and H.R. 1349, Federal Prisoner Health Care Copayment Act of 1999, 9:30 a.m., 2226 Rayburn.

February 17, Subcommittee on Immigration and Claims, hearing on the following bills: H.R. 271, Justice for Holocaust Survivors Act; H.R. 3058, Anti-Atrocity Alien Deportation Act; and H.R. 2883, Adopted Orphans Citizenship Act, 9:30 a.m., 2237 Rayburn.

Committee on Resources, February 15, Subcommittee on Energy and Mineral Resources, hearing on H.R. 3432, to direct the Minerals Management Service to grant the State of Louisiana and its lessees a credit in the payment of Federal offshore royalties to satisfy the authorization for compensation contained in the Oil Pollution Act of 1990 for oil and gas drainage in the West Delta field, 9:30 a.m., 1334 Longworth.

February 15, Subcommittee on Forests and Forest Health, oversight hearing on the Funding of Environmental Initiatives and Their Impacts on Local Communities, 2 p.m., 1334 Longworth.

February 16, full Committee, to consider pending business, 11 a.m., 1324 Longworth.

February 17, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up pending business; and to hold an oversight hearing on the Administration's Budget request for Fiscal Year 2001 for U.S. Fish and Wildlife Service and NOAA, 10 a.m., 1334 Longworth.

February 17, Subcommittee on National Parks and Public Lands, to mark up the following bills: H.R. 1509, to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; H.R. 1864, to standardize the process for conducting public hearings for Federal agencies within the Department of the Interior; and H.R. 2932, Golden Spike/Crossroads of the West National Heritage Area Act of 1999, 10 a.m., 1324 Longworth.

Committee on Science, February 16, Subcommittee on Basic Research, hearing on National Science Foundation Fiscal Year 2001 Budget Authorization Request, Part I: Research and Related Activities and Major Research Equipment, 2 p.m., 2318 Rayburn.

February 16, Subcommittee on Space and Aeronautics, hearing on Fiscal Year 2001 NASA Authorization, NASA Posture, 10 a.m., 2318 Rayburn.

February 17, Subcommittee on Technology, hearing on FAA Research and Development Fiscal Year 2001 Budget Review, 10 a.m., 2318 Rayburn.

Committee on Small Business, February 16, hearing on Association Health Plans, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, February 15, Subcommittee on Aviation, hearing on the Recent Breakdown of Aviation Negotiations Between the United States and the United Kingdom, 2 p.m., 2167 Rayburn.

February 15, Subcommittee on Water Resources and Environment, to continue hearings on the EPA's Proposed Regulations Regarding Total Maximum Daily Loads, the National Pollutant Discharge Elimination System, and the Federal Anti-Degradation Policy, 1 p.m., 2318 Rayburn.

February 16, Subcommittee on Oversight, Investigations, and Emergency Management, hearing on Flood Water Rescue, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, February 17, hearing on the Fiscal Year 2001 budget for the Department of Veterans Affairs, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, February 15, Subcommittee on Health, hearing on Seniors' Access to Prescription Drug Benefits, 1 p.m., 1100 Longworth.

February 15, Subcommittee on Social Security, hearing on improving Social Security Work Incentives, 10 a.m., B–318 Rayburn.

February 16, full Committee, hearing on the U.S.-China Bilateral Trade Agreement and the Accession of China to the WTO, 10 a.m., 1100 Longworth.

February 17, Subcommittee on Human Resources, hearing on Child Protection Review System, 9 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, February 15, executive, to consider pending business, 2 p.m., H–405 Capitol.

February 16, hearing on the State of Counterintelligence at the Department of Energy and Its Three Key Nuclear Weapons Laboratories, 1 p.m., 2212 Rayburn.

February 17, hearing on Colombia, 1 p.m., 2212 Rayburn.

Next Meeting of the SENATE

11 a.m., Tuesday, February 22

Senate Chamber

Program for Tuesday: Senator Moynihan will read Washington's Farewell Address; following which, there will be a period of morning business (not to extend beyond 12:30 p.m.).

At 2:15 p.m., Senate will consider any cleared executive or legislative business.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, February 14

House Chamber

Program for Monday: Consideration of Suspensions.

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