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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 24, 2001, at 2 p.m.

Senate

THURSDAY, APRIL 5, 2001

The Senate met at 9:15 a.m. and was called to order by the Honorable MIKE CRAPO, a Senator from the State of Idaho.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Campbell Gillon, Georgetown Presbyterian Church, Washington, DC.

PRAYER

The guest Chaplain, Rev. Campbell Gillon, offered the following prayer:

Let us pray.

Almighty God, on this National Tartan Day we remember pointers of the past. Near 700 years ago William Wallace died crusading for freedom and on this very date 681 years ago, our Scots forebears declared independence from English overlords in the Declaration of Arbroath, made by a parliament gathered there. So we gather at the center of this great Nation of all nations, itself born in a comparable Declaration of Independence, recognizing the influence of distant words and the intricate weaving of faith, kin, and clan.

We bless Thee for a multifaceted heritage left by fellow Scots on this continent. From John Paul Jones, founder of the Navy; Gilbert Stuart, painter of George Washington; Andrew Carnegie, money-maker and giver; John Muir, environmentalist, creator of Yosemite National Park; Rev. James Blair, founder of William and Mary College, to Rev. John Witherspoon, signer of the Declaration of Independence. For such and more, we give thanks.

And yet, O God, we know that in Thy sight, human success is but a passing shadow and that righteousness alone exalts a nation. For goodness is not a kilt we put on, nor a legacy we inherit. It must be sought by each one from the heart—Thy kingdom, Thy righteousness first, and all else will then be added.

Lord, remind us of the far-reaching influence of a tiny country where literacy, that would enable all children to read Thy Word, was stressed from the time of John Knox. And from its pages, see that freedom can easily deteriorate into license; for where there is no spiritual vision, people perish. Grant to us all, O Lord, grace to realize daily that goodness and truth make us free to be our best and can help us to be living pointers for others to a nobler future. God bless the Senate in its deliberations. In Christ's name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 5, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MIKE CRAPO, a Senator from the State of Idaho, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. CRAPO thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. LOTT. Mr. President, today is the beginning of the Tartan Day weekend, a time to be celebrated nationwide in honor of the millions of Scottish-Americans and their contribution to our Nation. In 1998, the Senate passed Resolution 155 recognizing April 6 as National Tartan Day, the anniversary of the Declaration of Arbroath, signed on April 6, 1320. On that day, a group of Scots declared their independence and stated, ''We fight not for glory, nor riches, nor honours, but only and alone we fight for freedom, which no good man surrenders, but with his life.'' Our own Declaration of Independence was impacted by the wording and spirit of this Declaration of Arbroath.

Today, we begin the Tartan Day celebrations with a special ceremony at 11 a.m. on the West Steps of the Capitol. The William Wallace award will be presented to the distinguished actor, film star, and benefactor, Sir Sean Connery.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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In celebration of Tartan Day, it was a pleasure to have The Rev. Campbell Gillon as the guest Chaplain and give our opening prayer this morning. Mr. Gillon is a native Scot who has served as the pastor of the Georgetown Presbyterian Church for 20 years. Our own Chaplain, Dr. Lloyd Ogilvie, who also serves as president of the St. Andrews Society of Washington, is the organizer of the Tartan Day Celebration here at the Capitol today. It's good to see both our Chaplain and the guest Chaplain in their tartan kilts. They are ready for a great day and weekend for the Scots. I'm proud of my own Scots heritage through the Watson clan and look forward to the ceremony this morning.

I will join our Chaplain and the guest Chaplain soon, as will my son and I am sure many other Senators of Scottish ancestry. This will be a great day, a great weekend for all Scots, both in America and in Scotland.

I want to make the Senate aware of the special occasion. Amongst all these amendments and this great debate of the budget resolution, I am sure the spirit of the Declaration of Arbroath will be felt throughout the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The ACTING PRESIDENT pro tempore. The Senator from Maine is recognized.

SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will immediately resume consideration of the budget resolution. There will be 10 minutes of debate on the Stabenow and Collins amendments with back-to-back votes to occur at 9:30. Following the votes, Senator CONRAD will be recognized to offer his amendment regarding debt reduction. As a reminder, first-degree amendments to the resolution must be filed by 2 p.m. today. Senators should expect another late session with votes into the night. Votes also will occur throughout the day tomorrow. I thank my colleagues for their attention.

Mr. REID. If the Senator will yield, Senator CONRAD has indicated to me his amendment will be offered by Senator DURBIN.

Ms. COLLINS. I thank the Senator for that clarification.

MEASURE PLACED ON THE CALENDAR—S. 700

Mr. LOTT. Mr. President, I understand there is a bill at the desk due for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A bill (S. 700) to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

Mr. LOTT. Mr. President, I object to further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001–2011

The ACTING PRESIDING pro tempore. Under the previous order, the Senate will now resume consideration of H. Con. Res. 83, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

Pending:

Domenici amendment No. 170, in the nature of a substitute.

Motion to reconsider the vote by which Harkin amendment No. 185 (to amendment No. 170), listed above, was agreed to.

Collins amendment No. 190 (to amendment No. 170), to establish a reserve fund to eliminate further cuts in Medicare payments to home health agencies.

Stabenow/Johnson amendment No. 191 (to amendment No. 170), to eliminate further cuts in Medicare payments to home health agencies.

AMENDMENTS NOS. 190 AND 191

The ACTING PRESIDENT pro tempore. The Senate will now resume concurrent debate on the Collins amendment No. 190 and the Stabenow amendment No. 191 with the time to be equally divided. There will now be 10 minutes for explanation prior to votes on or in relation to the Collins amendment No. 190 and the Stabenow amendment No. 191.

Ms. COLLINS. Mr. President, I have offered an amendment that we will soon vote on that is intended to eliminate a further cut in Medicare reimbursements for home health agencies. The statistics tell the story. The combinations of cutbacks in Medicare payments and the onerous regulations imposed by the Clinton administration have cost some 900,000 Medicare patients—often our most frail and vulnerable senior citizens, as well as those citizens with considerable disabilities—to lose access to their home health care.

In Maine, more than 11,000 seniors and disabled citizens have lost their home health care services. Nationwide, 3,300 home health agencies have closed their doors or have stopped serving Medicare patients. And looming on the horizon is yet another 15-percent cutback in Medicare payments to home health agencies.

It is scheduled to go into effect on October 1 of next year. If it does go into effect, it will have a devastating impact that will further jeopardize access to home health services for our senior citizens.

The cutbacks have already caused tragedies. I discussed last night an elderly woman with advanced Alzheimer's disease in the State of Maine who had a number of other problems, who lost access to her home health care services, and as a result died from an untreated infection in her foot.

Surely, one of the dedicated home health nurses would have been able to treat that infection before it got out of control. That is just typical of the problems being created by the cutbacks in home health care.

My amendment establishes a $13.7 billion reserve fund that can be used only to restore Medicare payments to home health agencies. And it protects every dime of the Medicare HI trust fund.

By contrast, my colleague from Michigan has also offered an amendment that would take the money set aside for tax relief and place it in the Medicare budget account. Once there, the funds could be used for any purpose under the Medicare program. Under the amendment of my colleague, there is absolutely no guarantee whatsoever that the funds would be used for home health care. Indeed, there is no mention at all of home health care in the text of the amendment of my friend from Michigan.

In contrast, my amendment would bring us significantly closer to restoring Medicare home health payments. It sets aside $13.7 billion for home health—and home health alone. It also provides a mechanism to move subsequent legislation to eliminate the scheduled 15-percent reduction without being subject to a budget point of order.

I want to make a point clear. Under either approach, subsequent legislation will be needed to repeal the 15-percent reduction. That is precisely the situation that the reserve fund is designed to address.

We have used this approach before. We set aside funds in a reserve account just last year for the cervical and breast cancer program, and subsequently passed authorizing legislation that, because of the reserve account, was passed last year.

Mr. President, I see that my colleague from Missouri, who has been a tremendous leader on this issue, is on the floor as well. I want to make sure I leave some time for him. Could the Presiding Officer inform me how much time I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Ms. COLLINS. With that, let me yield my 1 minute. But let me make one point.

My amendment is endorsed by the National Association for Home Care and the Visiting Nurses Association of America. Those are the two organizations representing home health care providers.

I yield the remainder of my time to the Senator from Missouri.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is recognized for 40 seconds.

Mr. BOND. Mr. President, a very brief comment, necessarily, on the two amendments.

The Democrats claim the difference is that their amendment will guarantee that the money will go to home health care. Unfortunately, that is not the way the amendment is drawn. That is not what will happen. Basically, the Democratic amendment simply says: You may spend more on Medicare, not necessarily on home health. The only thing it truly does is cut the money available for tax cuts. That leaves more money for spending in any area.

The Collins-Bond amendment sets aside a reserve fund specifically for home health. It cannot be used for anything else.

I urge my colleagues to support the Collins amendment and to oppose the Democratic amendment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Ms. STABENOW addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President. Good morning.

We have in front of us two approaches to addressing home health care needs and stopping the 15-percent cut that is scheduled to go into effect in October of 2002. I applaud my colleague from Maine for her commitment to this issue. I share that commitment, having worked very closely for 4 years in the House of Representatives with the agencies and associations involved in home health care.

I know we share a deep concern about the fact that there has been a 24-percent cut in patient care in home health care settings as a result of the Balanced Budget Act. I consider that an unintended consequence. I do not believe that it was intended that we see a 30-percent reduction in the number of agencies that serve Medicare patients. And as a result of that, we have seen this 15-percent cut delayed on three different occasions.

Today is the opportunity for us to send a strong message to the patients and families who rely on home health care, and the home health care agencies that do such a wonderful job, and say that, in fact, this cut will not take effect and they can proceed in providing quality care for our families.

The difference in the approach is that my colleague provides for a proposal that says ''if.'' And I will read this: ''subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare . . . Trust Fund:'' Then, and only then, would we have $13.7 billion available for home health care. Then, and only then, would we stop this incredibly devastating 15-percent cut that is scheduled to take effect.

I offer a different approach. It is very simple. We will protect home health care, period. We take the $13.7 billion off the top, as they say. We take a very minute amount of money away from what is, in effect, a $2.5 trillion tax cut that has been proposed by the President, to say that we are going to make sure the families of America have access to home health care; that seniors can live in dignity in their homes; that families who care for moms and dads and grandmas and grandpas can make sure that home health care services are available so they are not forced to choose a nursing home or another institution when it is not appropriate.

It is very clear; we have two approaches and the same amount of dollars. One says: Maybe, if all other things happen, we will stop the 15-percent cut in home health care.

My amendment very simply says: We take it off the top. We guarantee that we place home health care as a priority.

It certainly is a priority for our families. It needs to be a priority for this Congress. My amendment will simply make sure that that is the case.

I urge colleagues on both sides of the aisle who care deeply about home health care to join with me in guaranteeing that home health care is a priority of this Congress and to make sure this devastating 15-percent cut will not, in fact, take place.

I urge support for the amendment and yield to my colleague and friend from North Dakota.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the difference between these two amendments is very clear. The Senator from Michigan has an amendment that is paid for. The Senator from Maine has an amendment for which there will be no money if Medicare is being raided for other purposes, which we have seen time after time after time on the floor of the Senate over the last 2 days. The choice is very clear. If Senators want to support home health care, they had better support the Senator from Michigan. It is the only proposal that is paid for.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. LOTT. Mr. President, I yield myself such leader time as I might need, although I will be brief.

On the issue before us, the amendment by the Senator from Michigan, once again, this is a continuation of what I referred to yesterday: Fiddling while Rome is burning. Once again we are going to increase spending, albeit in a good cause, and we are going to take it away from tax relief for working Americans.

The Senator from Maine has a better alternative. I say again to all who are watching, the pattern is clear—spend more and tax more. That is what the Congress has been committed to for so many years, and we are trying to change that culture.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I will take time off the leader time.

We always welcome the majority leader to the floor, even when he makes statements that don't quite fit the facts. I say to my colleague this morning, I think he knows, as we all know, that the choice is not the choice between spending and a tax cut. It is really more complicated than that. It is the question of what is the appropriate mix of tax cut, debt paydown, and reserving resources for these high-priority domestic needs such as improving education and a prescription drug benefit.

The most stark differences are that we have reserved much more of the projected surplus for the paydown of national debt. They have a tax cut that is about twice as big as ours. We have about twice as much reserved for the paydown of our national debt, both short-term and long-term. We think that is a better set of priorities. We have also reserved additional resources for improving education and for a prescription drug benefit and for strengthening our national defense. We think those are the priorities of the American people.

The President has said very often this is the people's money. We agree with that. Absolutely, this is the people's money. Some of it should be returned to them in a tax cut. Some of it should be used to pay down our collective national debt. After all, that is the people's debt. We also ought to strengthen Social Security because that is the people's Social Security program. We ought to improve education for our kids because, after all, they are our kids. We also ought to do something about a priority that is as important as home health care. The Senator from Michigan has an amendment that is paid for, that would provide an assurance that the resources would be available to improve home health care. It deserves our support.

I reserve the remainder of leader time and yield the floor.

The PRESIDING OFFICER (Mr. ALLEN). The question is on agreeing to the Stabenow amendment No. 191.

Ms. STABENOW. 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 legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—47

Akaka	Breaux	Conrad
Baucus	Byrd	Corzine
Bayh	Cantwell	Daschle
Biden	Carnahan	Dayton
Bingaman	Carper	Dodd
Boxer	Clinton	Dorgan

Durbin	Kerry	Reed
Edwards	Kohl	Reid
Feingold	Landrieu	Rockefeller
Feinstein	Leahy	Sarbanes
Graham	Levin	Schumer
Harkin	Lieberman	Stabenow
Hollings	Lincoln	Torricelli
Inouye	Mikulski	Wellstone
Johnson	Murray	Wyden
Kennedy	Nelson (FL)	

NAYS—53

Allard	Fitzgerald	Murkowski
Allen	Frist	Nelson (NE)
Bennett	Gramm	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
DeWine	Lugar	Thurmond
Domenici	McCain	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	

The amendment (No. 191) was rejected.

VOTE ON AMENDMENT NO. 190

The PRESIDING OFFICER. The question is now on agreeing to the Collins amendment.

Ms. COLLINS. 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 assistant legislative clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—99

Akaka	Durbin	Lugar
Allard	Edwards	McCain
Allen	Ensign	McConnell
Baucus	Enzi	Mikulski
Bayh	Feingold	Miller
Bennett	Feinstein	Murkowski
Biden	Fitzgerald	Murray
Bingaman	Frist	Nelson (FL)
Bond	Graham	Nelson (NE)
Boxer	Gramm	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bunning	Hagel	Roberts
Burns	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Helms	Sarbanes
Carnahan	Hollings	Schumer
Carper	Hutchinson	Sessions
Chafee	Hutchison	Shelby
Cleland	Inhofe	Smith (NH)
Clinton	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Corzine	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
Dayton	Leahy	Torricelli
DeWine	Levin	Voinovich
Dodd	Lieberman	Warner
Domenici	Lincoln	Wellstone
Dorgan	Lott	Wyden

NAYS—1

Byrd

The amendment (No. 190) ws agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I understand we have an order entered as to how we proceed. I want to take 5 minutes off the resolution just to talk with the Senate a little bit about where we are. I understand my friend wants to do the same. He is not limited, of course, to 5 minutes. But I want to start that.

Mr. President, I want Senators to know that both of us, as managers of this bill, find ourselves in a position where there are some very big conflicting desires. One desire is that we finish by noon tomorrow. It seems to be a rather pervasive one going around. Whenever you say: Would you like to finish at 12 tomorrow, the roof goes down with shouts of, ''Alleluia. Let's do it.''

We are trying to figure out how we can do that. The problem, fellow Senators—I speak to all Senators; and then my friend can speak to all, and he can include ours in his comments—it is not possible to do that. Some Senators have five, some have six, some requested three amendments. I don't know if there is anybody with any higher than six that we are aware of, but we have all these requests for amendments, and we want everybody to know we are aware of that. But we also want everybody to know that we are going to have to soon find a way to limit our time. When that happens, it is not going to be possible that all of these amendments are going to be considered. We have a time agreement now that says Senators who have amendments and want them considered have to get them turned in by 2 o'clock today. That is in just a few hours.

I hope my recalling that to Senators does not bring another rash of amendments. If you have them ready, I am hoping you will get them down here. I hope I did not remind you to come up with more because essentially there is not going to be time for more.

We are going to have to get our heads together—that is, the two leaders and the two managers—to talk about how we are going to attempt to assure Senators that we will be finished tomorrow at 12 o'clock. In that process, we have no way of setting a list of 40, 50 amendments that are all going to be considered. I think you understand that would not be the case. If we used all the time we have, many Senators would not get their amendments up other than a vote-athon. We are trying very hard to limit the vote-athon so it is credible, rational, and so people have a couple minutes and we don't just start voting.

With that, I urge anybody on our side who has amendments that they absolutely feel must be considered to talk with us. If they can get by with one amendment, if they have three pending and will put two of them in the vote-athon, and then get them one after another, and very quickly, we will very much appreciate that.

We are trying our best. All Senators should know we are trying to get a consent agreement so that we will be out of here by 12 tomorrow. That means people will get pushed back in terms of the number that can be considered and the time that can be used on amendments. We are going to do our very best on our side. We think we know the Senators who have insisted and worked very hard to make sure they get an opportunity. We are going to try to protect that.

Beyond that, I don't think we can guarantee very much. If indeed Senators want us to lead them to the promised land, the promised land, we thought, was to have a unanimous consent agreement sooner rather than later, saying we will be finished at 12 tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

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

Mr. CONRAD. Mr. President, I repeat the theme of the chairman of the Budget Committee on this question of what we have before us. We have had Members come to us and say: We very much want to conclude our work by noon tomorrow.

We want to be faithful to that charge. It is absolutely not possible to do that and to consider all of the amendments that have been reported to us. We have over 110 amendments. If we go into a vote-athon with 110 amendments, that will take 40 hours to complete with 3 votes an hour being conducted.

It is very important that the message go out to our colleagues: It is now time for us to exercise self-discipline. Every Senator has the right to offer their amendment and get it considered under the rules of the Budget Act. Unfortunately, that means if individual Members insist on their right to offer each and every one of the amendments that has been prepared, we are going to be here through Monday. That is just the hard reality of calculating the number of amendments, the amount of time, and how long it takes to vote. If people want to be here through Monday, voting every 20 minutes on an amendment, we can do that. Or we can exercise self-restraint and self-discipline and work with the managers and work with the leadership and winnow down the number of amendments and enter into time agreements so we can dispose of amendments as quickly and efficiently as possible.

One other thing: It is very important that we not have to hold the vote open for 30 minutes so colleagues who are late have a chance to vote. We want every colleague to have a chance to vote. We hope they will consider their other colleagues. We are going to wind up being very late here night after night if we don't exercise that restraint.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, if I could have the attention of my colleagues from North Dakota as well as New Mexico, I have an amendment I will offer with Senators BIDEN, NELSON, and DASCHLE. I ask unanimous consent that our 30 minutes on this amendment be divided so that Senator BIDEN of Delaware will be first to speak for 10 minutes, Senator NELSON of Florida for 5 minutes, and that I will speak for the last 15 minutes.

Mr. REID. Mr. President, if I may just say, the Senator from North Dakota has asked to use all the time on the resolution. It is my understanding that the Senator from North Dakota would like to save some time on the amendment. I am sure the Senator from North Dakota would yield time on the resolution as the Senator indicated and reserve the time on the amendment.

Mr. DURBIN. I thank the Senator. If it is permissible at this point to go ahead with this arrangement.

Mr. REID. The arrangement would be fine, but the time would be off the resolution, not off the amendment.

Mr. DURBIN. I ask unanimous consent then that the next 30 minutes of debate on the amendment I am sending to the desk be allocated as I have suggested.

Mr. DOMENICI. Mr. President, reserving the right to object—I must apologize to the Senator—would he please repeat the request.

Mr. DURBIN. I am asking that 30 minutes of the debate that will follow on the amendment be allocated 10 minutes to my colleague from Delaware, Senator BIDEN, and 5 minutes to the Senator from Florida, Mr. Nelson, and that I have the last 15 minutes of that 30 minutes.

Mr. REID. The time will be yielded off the resolution.

Mr. DOMENICI. I understand that the time would not come off the amendment but off the resolution.

Mr. DURBIN. That is my understanding.

Mr. DOMENICI. I have no objection.

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

AMENDMENT NO. 202

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Mr. BIDEN, Mr. LIEBERMAN, and Mr. DASCHLE, proposes an amendment numbered 202.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To call for immediate action by the United States Senate on passage of an Economic Stimulus Package in FY01 and to provide for further tax cuts in Fiscal Years 2002–11 as part of a fiscally responsible budget that ensures maximum feasible debt reduction)

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $12,100,000,000.

On page 3, line 2, increase the amount by $33,077,000,000.

On page 3, line 3, increase the amount by $57,444,000,000.

On page 3 line 4, increase the amount by $67,821,000,000.

On page 3, line 5, increase the amount by $73,414,000,000.

On page 3 line 6, increase the amount by $71,119,000,000.

On page 3, line 7, increase the amount by $80,281,000,000.

On page 3, line 8, increase the amount by $64,625,000,000.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $10,606,000,000.

On page 3, line 15, decrease the amount by $12,100,000,000.

On page 3, line 16, decrease the amount by $33,077,000,000.

On page 3, line 17, decrease the amount by $57,444,000,000.

On page 3, line 18, decrease the amount by $67,821,000,000.

On page 3, line 19, decrease the amount by $73,414,000,000.

On page 3, line 20, decrease the amount by $71,119,000,000.

On page 3, line 21, decrease the amount by $80,281,000,000.

On page 3, line 22, decrease the amount by $64,625,000,000, and add the following

(a). FINDINGS.—The Senate finds:

(1) That the economy of the United States has consistently grown since 1993, providing increasing prosperity for millions of hard-working Americans;

(2) That the pace of growth of the economy of the United States was measured at only one percent in the fourth quarter of 2000;

(3) That debt reduction is effective in stimulating capital investment that promotes long-term growth;

(4) That the President and Vice President of the United States have noted that the economy of the United States is in need of a stimulus;

(5) That the Democratic Leader of the United States Senate and other Members of the Democratic Caucus have called for immediate passage of a $60 billion Economic Stimulus Package;

(6) That the Chairman of the Senate Committee on the Budget has included in his FY02 budget substitute a $60 billion Economic Stimulus Package;

(7) That the Ranking Member of the Senate Committee on the Budget has also called for a $60 billion Economic Stimulus Package;

(b). SENSE OF SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Senate should discharge H.R. 3 from the Senate Committee on Finance, begin floor consideration of H.R. 3 immediately after passage of H. Con. Res. 83, strike all after the enacting clause and insert the text of the agreed upon $60 billion Bipartisan Economic Stimulus Package, including an immediate economic stimulus check for all payroll and income taxpayers and a permanent reduction of the fifteen percent income tax bracket to a ten percent tax bracket, and proceed to a vote on final passage prior to April recess.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the Senator from Illinois.

This is a simple amendment. It is an amendment that everyone here, on both sides of the aisle, should be able to support.

When President Bush was campaigning during the Republican primaries, he announced a 10-year across-the-board income tax cut plan. He said that increasing the budget surplus meant the Government was taking much too much money.

Steve Forbes had his flat tax, and Mr. Bush had his tax cut plan. He offered that plan at a time—to repeat what has been said on the floor before—when our economy was booming, when the stock market was still climbing. In late 1999, when the campaign was beginning and this plan was offered, the economy was growing at 8.5 percent. That is a very different circumstance than we have today. We just found out that the economy was still growing in the first quarter of this year, but not at 8.5 percent, at 1 percent.

The President has told us the plan he came up with in the campaign when the economy was expanding was exactly the right size for the economy at that time. Now he is trying to tell us it is exactly the size for the economy at this time.

President Bush has admitted that his plan fails to get enough money out to people at the start of his plan, right now, while the economy is at a low point, while consumer confidence is bumbling around down there, and while people are slowing up on their purchases, slowing up on buying durable goods, and beginning to wonder whether or not the economy is going to take a further tailspin or recover, although consumer confidence bumped up slightly.

The vast majority of the President's tax cut actually happens many years from now. It can't have any effect on the economic problems we face today, on the sluggishness of our economy, and our concerns for recession. In fact, 95 percent of the President's tax cut takes effect after the year 2003. His plan, whatever else we may make of it, is not designed in any way, shape, or form, to stimulate the economy in the short run.

One thing everyone seems in agreement on is what we should be doing. At least what we should be doing is stimulating the economy in the short run. The President himself acknowledges this. In fact, so does the Republican budget resolution before us today. My friend, the chairman of the Budget Committee, has included $60 billion for a stimulus proposal in this resolution. Senator DURBIN, Senator NELSON of Florida, Senator LIEBERMAN, and I suggest that we act on that. We are offering an amendment, with the same $60

billion cost this year as in the Republican plan, that will put money in the pockets of everyone who works for a living and pays payroll taxes.

If this were to become law, as soon as 2 or 3 months from now, we will be able to send a $600 check to eligible couples, $300 to single taxpayers. We also permanently drop—and the President proposes as well—the income tax rate from 15 to 10 percent. This is a permanent cut that affects everyone who pays income tax at the highest and lowest brackets.

The President has a similar proposal, but ours would go into effect immediately. That would mean an additional $300, on average, per person per year on top of the payroll tax rebate check for a married couple through lowering withholding from their paychecks, having lowered the lowest rate from 15 to 10, as the President proposes. That extra 900 bucks per family this year is real money. It is real money for working families, and it has real consequences.

As strange as it may sound, it means a couple that is withholding the purchase of a new toaster or refrigerator or microwave or a durable product that folks like us don't withhold buying now—we are not the reason the economy is slowing down. Everybody always talks about how the Senate is made up of millionaires. I wish I were one of them. But there is no millionaire in this place who is not spending their money. They are not the reason the economy is slowing down.

Average folks, the folks I grew up with, they are the ones who are causing the economy to slow because they are not spending their money. They have lost confidence in the economy. So if we are going to have any hope of an impact beyond what I believe is needed—the monetary stimulus that Mr. Greenspan, hopefully, will continue to provide, this is the only fiscal stimulus that is available to us.

That extra $900 per family, as I said, is real money. It exceeds what they would get under the whole plan, in some cases, of the President. This will mean a lot of people and businesses that depend on them will be able to purchase and sell, keep people employed, keep the economy going. This money would get out this year, and to give a $60 billion jump start to the economy is something, if I read the budget resolution correctly, if I listened to the rhetoric I have heard from Democrats as well as Republicans, as we all acknowledge is needed—maybe the argument will be it is not enough of a stimulus. Some argue it is too much. I don't know anybody arguing that we don't need a stimulus.

This is something I think we can all agree on: the need for a tax cut that actually does something to lift the sagging economy here and now. By the way, as our friend from Arkansas stood up, Senator BLANCHE LINCOLN, a couple weeks ago, I was surprised when she listed how many people in her State would not benefit from any aspect of the President's tax cut because all they do is pay payroll taxes. Nothing. This will see to it that everybody—those folks, real live folks we all say we care about, will get a tax cut, and they will get it now. So the two benefits it has for that cadre of people is, one, they get it now and, two, they get it.

Under the existing proposal of the President, they don't get it, period. I hope we get it and figure it out.

The amendment I am speaking to today, along with my friend from Illinois and my friend from Florida, who will speak next, simply says we should put our money where our mouth is. Both parties in the Senate agree on a $60 billion stimulus plan, and we should act as soon as possible. This amendment calls on us to take the first tax bill that comes over from the House, substitute our $60 billion economic stimulus plan with this bipartisan support, pass it right away, and within weeks get money into people's hands.

I say to my friends on both sides of the aisle, if you believe in doing something right now to pump some life into the economy, this is your chance. Whatever you make of this $2 trillion-plus tax cut cost by the President, whatever you make of its size or its distribution, this amendment does what tax cuts alone do not do—it puts money now, real money, into the hands of every taxpayer in the country in time to respond to the real needs of the economic stimulus. It is not based upon some pie-in-the-sky expectation of what is going to happen over 10 years based upon the growth of the economy and us limiting spending.

I thank my colleague for listening. Whatever time I have left, I yield to my friend from the State of Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized. The remaining time is 1 minute 2 seconds.

Mr. BIDEN. I ask unanimous consent that the remaining time be yielded to my friend from Florida.

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

Mr. NELSON of Florida. Mr. President, I had requested 5 minutes, so would you prefer that I go ahead and take it, or let the Senator from Oregon go ahead, and I will be happy to speak after him? What is the pleasure of the Senator from Oregon?

Mr. SMITH of Oregon. I say to my friend, I am awaiting the arrival of the senior Senator from Oregon, Mr. WYDEN, who will be here momentarily. If the Senator won't be long, why doesn't he go ahead and we will wait.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. NELSON of Florida. Mr. President, I thank Senator BIDEN for his comments on the introduction of this particular amendment. He has spoken to the stimulus of the tax package and why we need in a declining economy, which, of course, we hope rebounds, but because there is an indication that the economy is on the decline, we don't need a tax cut to take effect mainly in the last 5 years of the next decade; we need it to take effect now, to inject some financial, some fiscal stimulus into the economy so we can come out of the slump. That is what Senator BIDEN has addressed.

I wish to address another part of this particular amendment, and that is the part of debt reduction, because this amendment takes a portion from the President's proposed tax cut, lowers that tax cut, changes the nature of that tax cut to an immediate fiscal stimulus, and has further a reduction of the national debt down to a level of approximately $500 billion after the decade, after the 10-year period for which we are planning.

Now, why is this important? First of all, it is very important because that is what the people of America want. For decades we have been living in an economy that has been driven by annual deficits; that is, when the Federal Government is paying more out than it has coming in in tax revenues. And the difference—since we spend more than we have in tax revenues—is what we have to borrow each year, called the annual deficit. That deficit then, is added each year, and cumulatively the national debt becomes greater and greater. That figure today on the publicly held national debt is about $3.4 trillion.

Well, not until a year ago did we ever seriously think that we could confront the fact of paying down the national debt, until suddenly we realized that we were in this surplus condition. Now we don't know what the surplus is. We say, in the last estimate, that it is $5.6 trillion over the next 10 years. New estimates are saying it is much lower than that, and that it is really about $4.2 trillion. But if we keep going into a declining economy, the surplus could dwindle to significantly less than we are projecting. But we do know there is a surplus there, at least for the foreseeable future.

So all of this is to say that is why the people out there in America—and I can tell you in my State of Florida—clearly are giving us the message that in this time of beneficence, as a result of the prosperity that we have experienced in the last decade, they want us to use that prosperity to start paying down the national debt, as well as giving a substantial tax cut. That is just good economic common sense. That is what we all do in our individual budgets. We want to pay down debt, get ourselves debt free so we have a much more stable financial condition. So, too, with our country.

In our country there is a little bit of difference. In the $3.4 trillion of publicly held debt, there is some of that debt, as Mr. Greenspan testified in front of our Budget Committee, which you would not necessarily be able to pay off right away because it is long-term bonds and the Federal Government would have to pay a premium to pay those off. That overall publicly

held debt is estimated to be about half a trillion dollars, $500 billion, which would be difficult to pay off without paying a premium.

This amendment brings down, over a 10-year projection, that publicly held debt to a level at which we would not have to pay a penalty or a premium to pay off, and that is estimated at $500 billion at the end of the decade.

That is common sense. That is good fiscal discipline. That is good fiscal and economic policy, and it is what the people of our country want.

If we have an opportunity to pay down our national debt, we ought to do it. That is being good stewards of our national economy.

That is the message I wanted to bring as this amendment being offered by Senator DURBIN is considered by the Senate.

I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield myself 3 minutes off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CONRAD. Mr. President, I commend the Senator from Florida, who is a very distinguished member of the Budget Committee, for his remarks and for the contribution he has made to the work of the committee in this his first year in the Senate. Of course, he is a veteran of Congress because he served with distinction in the House of Representatives. He has been through the 1980s and saw firsthand what happened when very serious fiscal mistakes were made.

The Senator from Florida has been one of the strongest voices in the Senate Budget Committee saying: Let's not repeat those mistakes; let's be serious and sober; let's take a look at the fact that these surpluses are projected, they are forecasted; they are not in the bank; and let's dedicate most of that projected surplus to debt reduction.

Yes, we can spend some money. Yes, we can have a significant tax cut. Yes, we can provide additional resources for improving education, as we did yesterday, and provide a prescription drug benefit, as we did the day before yesterday. Yes, we can strengthen our national defense, as we did last night, over what is in the President's budget. Those are investments. That is prudent spending.

The primary emphasis ought to be: Keep our eye on the ball; keep paying down this national debt. That is what is going to be a time bomb for this country if we fail to keep the pressure on paying down this national debt. That is what this Durbin amendment is about.

The Durbin amendment does two things. It says: Reduce the size of the President's tax cut and with that money pay down more of this debt. Second, it says we have money in this year's budget that will permit an immediate fiscal stimulus.

The PRESIDING OFFICER (Mr. ALLARD). The Senator's time has expired.

Mr. CONRAD. I yield myself an additional minute. We have money in this year's budget for an immediate fiscal stimulus of $60 billion. On both sides, we have agreed that is necessary, that is important. Let us do it, and let us do it before we leave on the April work break. Let us do it now. Let us inject these funds into the economy to give some lift so that America can regain some sense of confidence that the fiscal affairs of the country are being managed in a way that affects this economic downturn in a positive manner.

Again, I thank the Senator from Florida who has been such a valued member of the Senate Budget Committee. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan. Who yields time to the Senator?

Mr. CONRAD. How much time would the Senator from Michigan like?

Ms. STABENOW. I request 5 minutes.

Mr. CONRAD. I yield 5 minutes off the resolution to the Senator from Michigan.

Ms. STABENOW. I thank my esteemed leader from North Dakota.

Mr. President, I rise today to congratulate my colleagues, my friends from Florida and Delaware and the Senator from Illinois, the author of the amendment, on this approach of putting dollars directly into people's pockets as a part of this budget process.

We do that in three ways: First, through an immediate tax cut. The President has proposed a tax cut, most of which would not take effect for at least 6 years. We know that is not what is needed in this economy. We need to be putting dollars directly into people's pockets immediately as a stimulus. This would do that.

Secondly, we put money into people's pockets by lower interest rates. We must keep the economy going. One of the reasons the economy has done as well as it has in the last 8 years is because we began to systematically pay down the debt so our mortgage payments could go down, our car payments could go down, college loan payments could go down. That is a second way we put money back in people's pockets.

The third way is to guarantee we keep this economy going so people have a job. This package does all three of those things. It stimulates the economy so we can continue to focus on creating good-paying jobs for people so they can care for their families and have the resources they need.

It puts tax dollars, this year, directly into people's pockets, and it puts dollars in their pockets by allowing them to refinance their mortgage, as we continue to pay down the debt so interest rates come down.

It is incredibly important we act immediately. We heard over and over in the Budget Committee that if we were going to have any impact through a tax cut, it needs to be immediate. We can do that immediately and at the same time address debt reduction and critical investments that we know will help keep the economy going for the future.

I support these efforts. It is very important we act immediately. We can do that right now. We can make a difference for families right now and stimulate this economy immediately so we can continue to make sure that families benefit from the economy we have had of the last 8 years.

My distinguished colleague from Illinois, who is the chief sponsor and leader in this effort, is in the Chamber. I yield back my time and give the Senator from Illinois an opportunity to address his amendment.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, on behalf of Senator DOMENICI, I ask unanimous consent that the Durbin amendment be laid aside and that Senator BENNETT be recognized to offer an amendment.

I further ask consent that the debate run concurrently on both first-degree amendments and be limited to 60 minutes equally divided, and following that time, the amendments be laid aside.

I further ask consent that no amendments to these amendments be in order prior to the votes just described and the votes occur in a stacked sequence, first, in relation to the Durbin amendment, and then in relation to the amendment offered on behalf of Senator DOMENICI, beginning at 6 p.m., with 10 minutes for closing remarks equally divided prior to the 6 p.m. stacked votes.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

Mr. SMITH of Oregon. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Reserving the right to object, the only reservation I have is I hope I have an opportunity at this time to speak for about 15 or 20 minutes on my amendments as we had agreed to under a previous unanimous consent agreement.

Mr. BOND. Mr. President, so long as it comes off the time of the amendment, there is no objection on this side.

Mr. CONRAD. Reserving the right to object, the previous agreement with respect to the Senator from Illinois was that the 20 minutes he had reserved would come off the resolution, not off the amendment. We will now be changing a previous agreement if we do that.

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

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

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Mr. NICKLES. I ask unanimous consent the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, April 5, at 10:00 a.m. in Senate Dirksen 226.

Mr. CONRAD. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. NICKLES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. I thank everyone for helping on this agreement. I think we have reached an agreement with which everybody agrees.

I ask consent the Durbin amendment be laid aside and Senator BENNETT be recognized to offer an amendment.

I further ask consent the debate run concurrently on both first-degree amendments—both of them—and be limited to 60 minutes equally divided in the usual form and, following that time, the amendments be laid aside.

I further ask consent that no amendments to those amendments be in order prior to votes just described and the votes occur in a stacked sequence, first in relation to the Durbin amendment and then in relation to the Bennett amendment, beginning at a time determined by the two leaders. Further, I ask consent that following that debate, Senator SMITH of Oregon be recognized to offer an amendment and there be 15 minutes of debate equally divided between Senator SMITH and Senator WYDEN and, following that debate, the amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object, the only point I would like to add is that after Senator BENNETT's second-degree or substitute amendment is laid down, I would like to have right of recognition first.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Let me be clear. What the Senator from Illinois is asking, as I understand it, is after Senator BENNETT's amendment has been laid down, that he receive the first right of recognition.

Mr. DURBIN. That is correct.

Mr. CONRAD. Is that acceptable?

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, reserving the right to object, I would like to see this written agreement. I may not have objection, but I would like to see what we are doing.

Mr. DOMENICI. Fine.

Mr. BYRD. Mr. President, I withdraw my reservation.

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

The Senator from Utah is recognized.

AMENDMENT NO. 216

Mr. BENNETT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT] proposes an amendment numbered 216.

Mr. BENNETT. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To call for a quick stimulus for the American economy, linked to a long-term stimulus to guarantee economic expansion and job creation, and oppose a $439 billion tax increase that would threaten economic growth)

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $0.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

AMENDMENT NO. 202

The PRESIDING OFFICER. Under the previous order, the Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, this may be one of the most important debates we will have about this budget resolution because at issue in this debate, with the Durbin amendment and the Bennett amendment, is a very simple proposition. It is this: America's economy needs a shot in the arm. It needs help immediately—not a year from now, not 5 years from now, not 6, 7, 8, 9, or 10 years from now, but immediately.

What I am proposing with the Durbin amendment is to take from the surplus of some $97 billion, which we know we will have this year on the budget we are debating, $60 billion of that surplus and return it to the American people as quickly as we can prudently return it so we will give that spending power back to families in America immediately. That is what I am proposing.

The amendment by the Senator from Utah proposes to stay with President Bush's approach. They believe in it on their side of the aisle. I understand that. But they will have to concede this point. If they prevail, there will be no immediate relief for taxpayers—none, zero, no help. I can tell you for families across Illinois and across the Nation there is an immediate need for a helping hand.

Let me tell you about this amendment.

Mr. NICKLES. Mr. President, will the Senator yield for a second?

Mr. DURBIN. Yes.

Mr. NICKLES. I inform my colleagues that the Bennett amendment takes the two tax accelerations that the Senator from Illinois has in his first 2 years. If I am correct, the Senator has an additional tax increase of $31 billion in 2002 and $11 billion in 2003. We put that in our amendment. The difference is that we reduce or eliminate the tax cut, and in subsequent years we drop that. But we took the first 2 years of accelerated tax cuts that the Senator has, and that is going to be in the Bennett amendment.

Mr. DURBIN. I see there has been a modification to the amendment since it was given to us earlier. I thank the Senator from Oklahoma for clarifying that point.

If there are any additional modifications, I hope you will bring them to our attention as well.

Let me tell you what we are proposing with this tax stimulus package: a one-time tax refund check for all people who pay income or payroll taxes of $600 per couple and $300 per individual. A new 10-percent tax bracket applies to the first $12,000 of income for every married couple in America, whatever their gross income may be, and $6,000 for single filers. The total 2001 tax cut will be $900 per couple and $450 per individual.

This is the first step in the Democratic tax cut agenda. The reason why people believe this is an important first step is that it deals with reality, and not with speculation. It deals with the reality of an economy that has slowed down and the reality of families who need a helping hand.

It provides a rebate to families, and within a matter of weeks they will be receiving it. This kind of timely tax assistance is going to be important across the Nation. Whether you are paying electric bills in California, or heating bills in Illinois, you have had a tough winter.

I can tell you from my family experience and the people I have spoken to in

my State that their heating costs have gone up. People are saying: We would like a helping hand, Senator. If you are going to talk about tax relief, don't talk about a theory in the future. Help us now. Show us that this is something beyond political chin music and that you are actually dealing with reality.

The Durbin tax cut applies immediately. Let me tell you why it is important. The Democratic stimulus plan would provide immediate tax cuts for all taxpayers.

President Bush's tax cut of $1.6 trillion, which was his first proposal, leaves behind 23 million taxpayers in America. The Republicans supporting this proposal say they aren't really taxpayers; that all they pay are payroll taxes; and they do not pay real taxes. Tell the 23 million Americans who pay payroll taxes but not income taxes that they aren't facing a tax burden. They are. Quite honestly, they are the people who are facing a tougher burden than most because they are in lower income categories.

The President right now is holding the economy hostage. He is holding it hostage to his $1.6 trillion proposal. What Senator BENNETT and others have said is, if you want to talk about an immediate stimulus, you can only have it if you buy the whole program. You have to buy the whole package. You have to accept $1.6 trillion over 10 years or we are not going to be signing up for any kind of stimulus right now.

I think that is very shortsighted. I don't think it is fair to families across America. I don't think it is responsible to the real serious economic problem that we face. Our plan is fiscally responsible.

The Senator from Oklahoma makes an important point. We believe the overall tax cut, the long-term tax cut, should be a responsible, prudent, manageable figure, and something that won't drive us back into deficits.

The Republicans think that the President's projections of what will happen to America 5 or 10 years from now are as reliable as they can be.

We know that 6 months ago when Chairman Greenspan, our economic guru in America, was looking at the economy he got it all wrong. Six months ago he said we had to raise interest rates; that the economy was heating up too fast. He was wrong. This man with all the information and all of the wisdom didn't get it right. But the White House is telling us that the President can get it right—not just 6 months from now but 6 years from now; he can tell you what the American economy is going to produce. If you were a stockbroker or an adviser, you could get rich if you had that kind of confidence in the end results. Ordinary people don't. Economists are often wrong.

Let me tell you about this tax cut and what it means.

The American income tax system is a system built on stair steps. Everybody pays the bottom rate of 15 percent. Then, of course, as your income increases, the incremental dollars are taxed at different levels—28 percent, 31 percent, 36 percent, and beyond.

We are proposing a permanent tax cut for all Americans across the board who pay income taxes from 15 percent to 20 percent so that the richest in America as well as those in the lowest income categories paying income taxes will benefit.

The President's proposal, on the other hand, says, let's provide the lion's share of the benefits to those right here at the highest income categories. The President's tax cut gives 43 percent of all the tax benefits to people making over $319,000 a year—43 percent. That is not fair.

The Democratic approach says everyone benefits across the board. The richest down to the lowest in income pay an income tax. The Durbin amendment provides that tax relief.

Let me give you an idea why that is important. Eighty-one percent of all the taxpayers' benefits will go to those who pay the 15-percent rate on income tax. When we reduce this rate, it means that 81 percent of the taxpayers in America are going to benefit from this rate cut.

If you just provide the rate cuts for the higher income categories, you can find that, frankly, smaller and smaller percentages of Americans will benefit.

We want the benefit to go to everyone in America. I can tell you that the home heating bills in Illinois went to people of all income groups—not just to the poor or to the rich but everybody. The folks who got hit the hardest were those in the lower income categories.

When you take a look at the source of individual tax collection in America, here is an interesting statistic: 57 percent of the individual tax collection comes from income taxes and 37 percent from payroll taxes.

Do not forget that President Bush in his tax cut and Senator BENNETT in his amendment leave these people behind. They do not provide the assistance that is needed so that people paying payroll taxes also get some benefit from the tax cut.

If you look at the total Government revenues by source, you can see that 50 percent comes from the income tax but 32 percent comes from payroll taxes.

President Bush ignores this reality. President Bush's tax cut does not provide that kind of tax benefit.

Let's talk for a moment about a stimulus and whether it is needed. I am going to quote some sources of which I think Senator BENNETT will be proud. This is our new President, George Bush, from the Washington Post of January 15 this year:

> I am open to any suggestions people have, particularly as it relates to making sure that the economy gets the kick-start it needs.

I think that is a pretty good endorsement of the Durbin amendment.

Let me see. This is another one from President Bush that is better, on February 7, when the President said:

> The economy is slowing down, and we need to act, and act as quickly as we possibly can. The goal is to get money into the pockets of the working people as quickly as we can.

Part of the Durbin amendment says the Senate will not go home until we vote this tax cut. That is right. We may have to put off Passover observance. We may have to put off a bit of our observance of our Easter holiday. But we ought to observe the obvious; that is, the American people do not need our speeches. They need our help. If they are going to get our help, we shouldn't leave town saying that we got the budget resolution passed, and in a couple of weeks we will come back and think of something new. This is something new. This is tax relief that is real, tangible, and immediate. It says in this amendment which I have introduced that we will immediately take the House tax bill that has come over here, put this tax into it, pass it in the Senate, and send it back to them when they come back to town in a couple of weeks and move on it.

We will be able to say to the American people, almost to the tax day of April 15, that you are going to be assured that a tax rebate is going to come your way and help your family.

There are quotes from a very learned and esteemed colleague of Minnesota, a spokesman for Senator PETE DOMENICI, chairman of the Budget Committee, who said:

> Senator DOMENICI is willing to put off consideration of the marriage penalty relief, estate tax repeal, and other elements of the Bush tax plan. But he said the stimulus tax cut and the reductions in the personal income tax rates must be in the same bill. Sixty billion dollars without the marginal rate cuts doesn't tell taxpayers that help is on the way. It puts them in the boat without any oars.

That is a quote from a staff person of Senator DOMENICI in the Washington Post on March 24 of this year.

We have good news for the Senator from New Mexico. We not only have a boat; we have the oars. We are providing a rebate directly to the families, and we are cutting the tax rate permanently, so families know their tax burden is going to be reduced.

We have more comments from President Bush. And they just keep getting better about the Durbin amendment. Here is one from the Detroit News on March 27. The President said:

> I'm listening to what different members have to say. The key thing is, we have to have meaningful, real tax relief . . . to get money in people's pockets to serve as a stimulus for the economy.

I want to thank the President for those kind words of encouragement.

Then on March 28, in the Orlando Sentinel, the President said, again:

> We must put more money in the hands of consumers in the short term and restore confidence and optimism for the long term.

He goes on to make that point.

My friends, the sad reality is, unless and until we pass a tax rebate that has teeth in it—that means that a check will be coming to families across

America, not in a matter of a year or two or beyond but right now—that we are not going to see this economy turn around as quickly as it might. The benefits, of course, to an economy turnaround are pretty obvious.

You pick up the Washington Post this morning, and you go to the Business section and look at the Dow Jones or go to the New York Times—the same story; it is an up-and-down roller coaster but mainly down. People across this country who have 401(k)s and IRAs understand that that little nest egg they put aside for security and safety in their retirement has been battered pretty badly over the last 6 months or a year. We believe we can get this economy back on track.

During the Clinton-Gore administration, we had unparalleled prosperity in this country. We can return to those days, but we have to return to them with the vision of what makes the economy move forward. What helps it move forward is when consumers have some confidence, confidence that they can pay their bills, confidence that this economy is going to be there, so they can turn around and buy a car, a washer and dryer, maybe remodel the kitchen—whatever is important to their family—pay off some tuition bills for their kids.

We want to put money in their pocket to make it happen. The Durbin amendment really addresses that directly.

I say to those on the other side who believe you cannot really offer a stimulus and this kind of tax cut to families unless you talk about what is going to happen in America over the next 10 years, that is an important debate. Let's stick with that debate. Let's have it, but let's not let that debate hold hostage the idea of a stimulus right now, a stimulus that can help the American economy turn around.

I do not believe the support for this idea comes exclusively from Senator DOMENICI or President Bush. I think it comes from the people I represent in Illinois, and I will bet most of the other States that are represented in this Senate.

I ask my colleagues, let's pass this budget and immediately take up H.R. 3 and substitute this bipartisan stimulus package and get checks out to every taxpaying American. Let's do this before we leave for any kind of a break. Then, when we come back, let's debate the marriage tax penalty, let's debate the estate tax, the IRA/pension bill, the charitable giving bill, the ESEA bill, the minimum wage, and so many other important issues.

This does not have to be the end of tax cuts. This does not have to be the end of debating bills such as the Senate of old. Over the last 2 weeks I have been heartened that this Senate has really reverted to what it was for so many decades, a gathering of men and women who studied an important issue and then came to the floor to offer amendments and debate them. We did that on campaign finance reform. We can do it on our tax policy.

The vote yesterday suggested there is a bipartisan sentiment to move away from President Bush's $1.6 trillion figure to one that is more manageable. We believe we can justify a $745 billion or $750 billion tax cut and also dedicate resources in our surplus to important other priorities.

Now the Republicans say: Oh, there they go again; if we don't give it all away in tax cuts, these Democrats will spend it. Well, we want to put money into a stimulus package, have a tax cut right now. We also believe we can pay down more of the national debt. If that is what they call tax and spend, I don't buy it, but I certainly think paying down our national debt is one of the best investments for our future and for our Nation. We collect $1 billion in taxes a day to pay interest on our old debt of $5.7 trillion. I think we ought to try to reduce that debt as much as possible. The Democrats reduce more of the national debt than the Republicans do with President Bush's approach.

We also believe it is naive to ignore the reality that we will need to invest more money in Medicare and Social Security. In 10 years, 53 million Americans will be drawing Social Security as a retirement. In 10 years, 43 million Americans will rely on Medicare.

Should we spend money on those two programs to reform them and make them stronger? Absolutely. We know that balloon payment is coming. The Democrats set money aside so we can make that investment when the baby boomers arrive. We do not want to face any sticker shock when it comes to the expenses of those two invaluable social programs in America.

Mr. President, I am prepared to yield the floor now. I see my colleague, Senator LIEBERMAN, a cosponsor of this amendment, is here to join me.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. 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. BENNETT. Mr. President, may I inquire as to what the time situation is.

The PRESIDING OFFICER. The Senator from Utah has 28 minutes 48 seconds.

Mr. BENNETT. And on the other side?

The PRESIDING OFFICER. The other side has 13 minutes 15 seconds.

Mr. BENNETT. Mr. President, may I be notified when there are only 13 minutes left on our side?

The PRESIDING OFFICER. The Chair will notify the Senator from Utah.

Mr. BENNETT. I thank the Chair.

AMENDMENT NO. 216, AS MODIFIED

Mr. BENNETT. Mr. President, I ask unanimous consent that my amendment be modified. I send a modification to the desk.

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

The amendment, as modified, is as follows:

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $10,606,000,000.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

Mr. BENNETT. Mr. President, I have listened with interest to the statements of the Senator from Illinois, who says we need to kick-start the economy. He went on at great length quoting Senator DOMENICI and President Bush about how we absolutely need to do this, perhaps ignoring the statement by the Senator from Oklahoma that my amendment includes the amounts he says will kick-start the economy.

The issue is not, Do we both agree that there must be something to kick-start the economy? The issue is whether or not, having kick-started it, we then try to kill it at the back end.

Let's make no mistake about what this amendment is about. This amendment is not about stimulating the economy in the short run, because Republicans and Democrats agree, and my amendment has exactly the same numbers in it as the amendment on the other side. The disagreement is on what happens on the back end.

In the name of stimulating the economy in the short term, they want to kill the tax cut in the long term. That is what this is about. It may be couched in other kinds of rhetoric, but basically this is a further attempt on

the part of the Democrats in the Senate to see to it that President Bush will not get his tax cut, so that the headline in the Washington Post will be ''Bush Suffers A Defeat.'' That is what they are after. This is not about the economy. This is not about paying heating bills for poor people in Illinois. This is about the political victory of the Senate Democrats to get the headline that says ''Bush Suffers A Defeat.''

Look at the numbers. The total effect of the underlying amendment, to which my amendment is a second degree, would be to cut, over a 10-year period, the total size of the tax cut by $418 billion. Right now, if the Harkin amendment is not overturned on reconsideration, the tax cut has been scaled down from the $1.6 trillion President Bush asked for to $1.1 trillion. If this amendment passes, that will be scaled down further to $746 billion, which is below the number the Democratic leader offered in the first place as the logical size of the tax cut.

This is a stealth attempt to make sure, in the name of stimulating the economy, that the tax cut gets cut, and cut, and cut.

I suggest that there are other amendments lying in the weeds which, added to this one, will bring it down even lower than the 746. That is a prophecy; prophecies can be wrong. One thing is not wrong is the 746 number. If the underlying amendment passes, the total size of the tax cut is cut to 746. That is what this is all about.

We talk about stimulating the economy, and we need to do it now. Once again, my amendment has exactly the same numbers the underlying amendment has. Make no mistake: We are not debating stimulating the economy. We are debating eviscerating the Bush tax cut.

I wish I had this better than secondhand. It was reported to a group of us yesterday. The source given was Alan Blinder. I am prepared to be corrected if it is wrong. It makes sense. It is right, and I will share it with the Senate with those caveats around it.

Alan Blinder said, if you want to stimulate the economy and you pass a long-term rate structure reduction, the net benefit is 1, whatever 1 is. We are on a scale now. If you do a quick fix kind of stimulus, the net benefit to the economy is, compared to 1, .5. If you do a complete rebate of sending out checks, the net effect on the economy is .3.

We are willing to talk about something that, on the scale I have just described, would be a .5, but we are not willing to sacrifice the 1 in order to do it. We are not willing to kill the most fundamental and beneficial stimulus for the economy, long term as well as short term, in the name of a short-term stimulus that makes for good speeches but bad economics.

We hear a lot of class warfare rhetoric. We heard it again from the Senator from Illinois: We must take care of the little people; we must do something, not for the rich, we must do something for the people at the bottom.

Every time we have had testimony before the Banking Committee, on which I sit, or the Joint Economic Committee, on which I am now vice chairman, from Chairman Greenspan or other distinguished economists, the question comes up: Who benefits the most when the economy is sound and doing well? The answer is always: The people at the bottom.

The best thing we can do for the people at the bottom is see to it that the economy is structurally sound and growing. The best stimulus is to see that the people who control capital have confidence in the future. They will start making the capital investments that create the jobs. They will start putting in place the structural pattern that they have interrupted because they have lost confidence. And that can come by the passage of the Bush tax cut, which may or may not have any immediate stimulation in terms of the people in Illinois the Senator refers to, but will have the kind of impact that will produce both short-term stimulus and long-term stability.

That is what this debate is all about. Are we going to get excited about the short-term stimulus being the only thing to do and kill the long-term stability on the basis that we don't know what the numbers are going to be? Or are we going to do both in a prudent fashion?

I hear a lot of talk about the heating bills. I suggest to the Senator from Illinois and other Senators that if they want to deal with heating bills, they ought to deal with the energy crisis and not try to fiddle round with taxes. But that is another debate for another time.

Let me address one other point that keeps coming up. We must pay down the national debt. Both sides want to pay down the national debt. Let us not pretend that is an exclusively Democratic position or an exclusively Republican position. Let's not go through the motions of saying we are the ones who want to pay down the national debt. Let's ask the question: How much national debt can we prudently pay down?

Once again, the numbers make it clear that the Bush tax proposal is a prudent and intelligent attack on the national debt that will bring us to the place where we want to be in an intelligent fashion.

I spent some time with officials from the Treasury Department. I don't have time in this debate to go into it in detail; I will at some future point. These officials, quite frankly, if we want to put a political cast on it, are holdovers from the Clinton administration. I got the numbers directly from the Treasury. I didn't get them from a columnist. I didn't get them filtered through staff. I got them directly from Clinton-appointed officials at the Treasury Department. I am absolutely satisfied that the level of debt being paid down by the Bush tax cut is prudent and fits perfectly with the numbers they have given us.

These numbers are reality. These numbers are not projections. These numbers are very clear. We don't have time now, in the restricted agreement we have, for me to go into these numbers in any great length.

Fundamentally, we must understand this. If we pay down the debt too rapidly, we will have to go to holders of the debt that are not yet maturing and say: Will you give us the opportunity to pay you in advance? For that, we need to pay them a premium.

Right now, 42 percent of the debt is held by foreign sources. The largest chunk of that is held in Japan. This has been going up dramatically. People say: Does that mean foreigners are buying more of our debt? No. It means the debt is being paid down among American holders, and foreign holders are hanging onto it. That is why the percentage of foreign holders of the debt is going up. The total debt is going down, but their total numbers are staying about the same.

I don't want to be in the position of going to foreign holders of the debt and saying to them we want to pay them a premium to buy their debt back early, just to satisfy some political rhetoric and political points.

I conclude as I began. This is not a debate about whether we will have a short-term stimulus because the numbers in my amendment are identical to the numbers in the Democratic amendment. This is a debate about whether or not we kill the Bush tax cut long term. As long as we understand that, as long as we understand that the effect of the underlying amendment would be to bring the size of the tax cut down below the level the Democratic leader has endorsed, we will understand what we are talking about. Otherwise, we will waste our time in rhetoric about short-term stimulus, when there is, in fact, no difference.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from North Dakota.

Mr. CONRAD. Mr. President, will the Chair inform us of the time remaining on both sides?

The PRESIDING OFFICER. The Senator from North Dakota has 13 minutes 15 seconds. The distinguished Senator from Oklahoma has 17 minutes 35 seconds.

Mr. CONRAD. Does the Senator from Oklahoma desire going now? The Senator from Connecticut has requested 5 minutes, 6 minutes. I would be prepared to yield 6 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The distinguished Senator from Connecticut is recognized for 6 minutes and 15 seconds.

Mr. LIEBERMAN. I thank the Chair. I thank my friend and colleague from North Dakota.

It seems to me as we deal with this budget resolution and we think about the condition of our economy and of the Federal Government books, we have a short-term need and a long-term opportunity. The long-term opportunity is to constructively use the surplus that the American people have built up over the 1990s, to continue our prosperity, to continue to act with fiscal responsibility, and to invest in the seeds of growth in our economy so that the private sector, which is where jobs and growth are created, can in fact continue the growth in this decade that we had in the last decade.

We also clearly have a short-term need. It has affected our longer-term discussions because the obvious fact is that the economy, after a period of unprecedented growth, has now slowed. My friend from Utah used the word ''prophecy.'' We all would like to achieve some degree of it. I think it is fair to say that none of us has clear prophecy when it comes to our economy.

Now a $9 trillion economy is affected every day by the decision of now 280 million people. We can't predict what they are going to do next week, let alone 10 years from now.

The economy is slowing. We don't know how long this slowdown will last or how deep it will go. That is why people on both sides of the aisle and folks in the administration are now talking about trying to use part of the surplus that we know will be there on October 1 of this year, when the books close for the Federal Government on September 30, to use that to get some money out into the economy—not with any confidence that it is going to make everything better in our economy but with the confidence that it will help.

I spoke to a number of economists before I worked on the proposal that underlies the amendment that my friend and colleague from Illinois and the Democratic leader offered, of which I am proud to be a cosponsor. I said to these business leaders and economists: What is a reasonable amount of money for us to try to get into people's pockets right away, in the next couple of months, to have an effect on the economy? Interestingly, the consensus was $60 billion. That is a number that has come up on both sides of the aisle in the Senate and from the administration.

One business leader said economists told him we could expect a multiplier effect of 1½ times so that we might—actually, by putting $60 billion back into the public's pockets right away—have a 1½ times multiplier, or a $90 billion effect on the economy. That is 1 percent of the gross domestic product. That would be a tremendous result and a great lift out of the slowdown.

Other experts told us they have done studies that, interestingly, have focused on what taxpayers do with a refund check. I am sure the Chair will not be surprised to hear that 70 percent of those checks are spent within 3 months. It is different than having a reduction in your withholding. It is a check in hand. You may buy something you have needed. Maybe you pay down a bill. Maybe, if you are a young worker, you buy a CD or a new suit.

That is our short-term stimulus package, and the most important part of the amendment that is before the Senate now is the last paragraph sent to the Senate that ''the levels in this resolution assume that the Senate should discharge H.R. 3 from the Committee on Finance''—that is the tax bill they sent over—''strike all after the enacting clause and insert the text of the agreed upon $60 billion bipartisan economic stimulus package,'' including an immediate economic stimulus check for everyone in America who pays payroll taxes or income taxes.

That means everybody. If you don't make enough to pay an income tax, but you are working and you have a lot of money taken out of your paycheck every week, every couple of weeks, you get $300. How did we come to $300? Take 200 million taxpayers and put that into the $60 billion we want to get into the economy. It comes out to $300 per taxpayer.

If you are older and you pay income tax, but you don't have payroll withdrawals or deductions, you still get the $300.

So the point of this amendment is let's do it now and help the economy now. Let's not have it said a year from now that the Senate and the Congress and the Government of the United States fiddled while the American economy was slowing down. One positive step we can take is to adopt this amendment, substitute for the House tax bill sent over here, get a $300 check from the Federal Government into the hands and wallets and pocketbooks of the 200 million Americans who pay payroll or income tax, and let them go out and move this economy out of the dip it is in now.

That is the vote we are casting. Don't hold short-term economic relief hostage to the much more complicated, long-term, controversial partisan debate going on about how to spend the surplus for the next 10 years. America needs help now. Let's do it. I yield the floor.

Mr. BENNETT. Mr. President, on my time, may I ask the Senator from Connecticut a quick question? I ask unanimous consent that that be allowed.

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

Mr. BENNETT. I ask the Senator from Connecticut why he did not address at all the impact of his amendment on the President's tax cut long term. As I said in my remarks, the amount in my amendment and the amount in the Democratic amendment for a short-term stimulus is exactly the same. But the effect of the Democratic amendment would be to cut the total amount of the Bush tax cut down to $746 billion. I ask the Senator from Connecticut why he did not comment on that effect, and if he has a comment now.

Mr. LIEBERMAN. I thank the Senator from Utah. I did not comment because, for me, the distinguishing factor in this amendment is the short-term economic stimulus and the particular method to achieve it, which is spelled out here, which is the substitute for the House tax bill. Those who framed the amendment consistently linked it with the long-term tax cut that, as you know, most Democrats propose because we think it is more fiscally responsible.

Mr. President, if I may return the question, is the Senator from Utah prepared to separate the short-term fiscal stimulus? Again, I think across the aisle we agree that $60 billion is the number. We may disagree about how to distribute it—to separate that from the longer term, 10-year discussion about how to divide the surplus.

Mr. NICKLES. Regular order, Mr. President.

Mr. BENNETT. Mr. President, I would be happy to discuss that with the Senator, but the Senator from Oklahoma is asking for the regular order.

The PRESIDING OFFICER. Under the regular order, the Senator from Oklahoma controls the time.

Mr. NICKLES. Mr. President, I urge my colleagues, Democrats and Republicans, to reject the Durbin amendment. The Durbin amendment reduces the overall size of the tax bill. It stands at $1.6 trillion. An amendment they offered last night reduced it by $448 billion. This amendment reduces it by another $418 billion. In other words, eliminating over half of President Bush's tax cut. If you want to make news, go ahead. You got a nice headline: ''Senate Democrats Cut Bush Tax Bill By a Third.'' My compliments. Now they want to go further and reduce the tax bill even below what the leaders recommend and adopt the Durbin amendment. If we adopt the Durbin amendment we will have a stimulus—I love my friend and colleague from Connecticut who says we want a stimulus. There is a little stimulus in the front, but there are a whole lot of tax increases in the back.

There is tax cut, in the Durbin amendment, in the first 2 years. My friend and colleague from Utah , wants to match those figures and give at least that much of a tax cut in the first 2 years. What you don't read in the rest of the amendment is that Democrats increase taxes all the way through for every other year. The net impact of it is to increase taxes from the underlying resolution by $418 billion.

Senate Democrats, and one or two of our colleagues voted yesterday to cut the President's tax bill by $448 billion. This amendment cuts it by another $418 billion. That is a net tax reduction that is less than what many people on the Democrat side said they would support. But they want to do it under the guise of moving it up a little bit more

in a few years without hardly any tax cuts later. Maybe that is the size of the tax reduction some people want.

They act as if they are writing a tax bill, which you cannot do on the floor of the Senate in the budget resolution. And their argument is that this is going to stimulate the economy. Why don't you just fly over a stadium and drop money out of an airplane? That will stimulate the economy as well. They want to turn a tax bill into a spending program, without regard to who paid the taxes, or a tax cut for taxpayers. We want to gut the President's tax bill. That is what this is really all about.

The tax bill they are proposing is fatally flawed and should not pass, but that will be discussed and dealt with in a bipartisan manner in the Finance Committee. I am absolutely certain the proposal they have made would never, should never, and will never pass Congress. Giving everybody $300—and now that has been raised to $450—is not going to happen.

The real purpose of the amendment is to reduce President Bush's tax cut. It was already reduced yesterday to $1.15 trillion over 10 years. Now they want to take another $418 billion out.

The net result would be a tax reduction over 10 years of $746 billion at a time when we have surpluses estimated to be $5.6 trillion. In other words, let us give President Bush less than half of what he asked for. That is what this amendment does.

The net impact of this amendment is to have a net tax cut over the 10 years of President Bush's proposal of $746 billion. That is basically 45 percent of what President Bush originally requested. We cannot and will not let this happen.

In the last couple of days, my friends on the Democratic side have offered five amendments to have higher taxes and higher spending. They won on one of them yesterday. I consider that a setback, and I hope to repair that damage before we are done by tomorrow night.

This amendment doubly complicates it. Yesterday we adopted the Harkin amendment and we increased taxes from the underlying budget resolution of $448 billion. This increases taxes an additional $418 billion on top of the Harkin amendment.

I urge my colleagues not to go down this road. This would be a serious mistake. The tax proposal that was outlined would be a very serious mistake. Let us work together and see if we cannot have a tax cut and do some positive things to stimulate the economy.

My friend from Utah, Senator BENNETT, has articulately stated that we will come up with more money in the upfront years. We want to do it. We have been trying to do it. Our budget resolution has $60 billion in 2001.

We only have a few months left in 2001. We can increase year 2002 by $31 billion. That is what the amendment of my colleague from Utah says. We will match that and also increase the level in 2003 by $11 billion. We will have that amount of additional tax relief in the upfront years.

What I disagree with in the Conrad amendment is, other than the first two lines which cut taxes, there are dozens of lines that increase taxes. Two lines cut taxes up front, but all the rest of the lines increase taxes to a net total of $418 billion.

They adopted an amendment yesterday to reduce the tax cut by $448 billion. If we adopt the Durbin amendment, we will also reduce the tax cut by another $418 billion. That is a total reduction of President Bush's underlying budget of $866 billion, and total tax increases they have adopted in the last 2 days. That would be a serious mistake, and I urge my colleagues, Democrats and Republicans, to say that is not enough. Taxpayers are paying enormous surpluses, and President Bush gives one-fourth of that back to taxpayers. The taxpayers are paying in the entire surplus, and we are saying taxpayers: We are going to let you keep a fourth of it. The Democrats are saying: No, no, maybe one-eighth; not quite an eighth; maybe the taxpayers get to keep one-eighth. Then they want to give it to people who filed a return, whether they paid taxes or not. I disagree with that totally and completely and urge my colleagues to vote no on the Durbin amendment and vote yes on Senator BENNETT's amendment. They will be voted on at some point later today.

Mr. President, I reserve the remainder of our time.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I yield myself 3 minutes off the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I will speak first about the broader perspective of what we have been doing on this resolution. The President of the United States put forth a budget and tax cut that basically said if you take Medicare and Social Security surpluses off the table, every penny of available on-budget surplus is used for a tax cut geared to the wealthiest Americans, hopefully trickling down.

We argue instead of doing that, we definitely need to protect Medicare and Social Security. Because the President uses all non-Medicare and Social Security money for his tax cut, he then spends Medicare; he moves all of the Medicare trust fund into spending.

We say, no, protect Medicare and Social Security and then let us do a balanced approach. Let us use a third of what is projected—hopefully it will happen—for a tax cut, and that is what this amendment does. It reserves a third for a tax cut, putting a stimulus on the front end so we can help the economy with money in people's pockets right now. Let us use a third for debt reduction, looking at long-term debt—and possibly if the surpluses do not materialize, that is our hedge so we do not go into further debt—and let us use a third for critical investments in our people—education, lowering the cost of prescription drugs.

My concern with the comments of my friend from Utah, as a member of the Budget Committee and talking about paying down the debt, is I have heard over and over, as the President has said, we cannot put more than $2 trillion into paying down the debt. We have to leave $1.2 trillion. It cannot be any lower than that.

In the Budget Committee, we heard from more than one speaker that $2.6 trillion will naturally, between now and 2011, become available. We will be able to redeem $2.6 trillion just by allowing it to come to maturity over the next 11 years.

That is very different than what we are hearing today. Chairman Greenspan came to the Budget Committee and indicated a difference of opinion with the President saying that we could, in fact, pay down more debt than what is in the President's budget. We support what Chairman Greenspan is talking about, with those who managed the money directly for the past administration. We support the position of allowing the $2.6 trillion to mature over the next 11 years. We can do a better job of paying down the debt.

We put money in people's pockets in three ways: We give them a tax cut, which I strongly support—not only an immediate stimulus, but a long-term tax cut—we pay down the debt, which puts money in people's pockets by lowering their mortgage payment, car payment, and college loan, and other costs people have, and finally, we stimulate the economy so people have a job, which is the most important way we put money in people's pockets.

I urge we support the Durbin amendment and oppose the amendment of my good friend from Utah.

The PRESIDING OFFICER. The time of the distinguished Senator from Michigan has expired.

The distinguished Senator from Utah is recognized.

Mr. BENNETT. How much time is available on our side?

The PRESIDING OFFICER. The Senator from Utah has 7 minutes 56 seconds.

Mr. BENNETT. I yield myself 3½ minutes and reserve the remainder of the time for the Senator from New Mexico.

Mr. President, the senior Senator from Texas has a great line. He says: Don't argue about facts; look them up. You can argue about opinions, but do not argue about facts.

The former senior Senator from New York, Mr. Moynihan, used to say: Everybody is entitled to his own opinions but not to his own facts. That is why I went to the Treasury Department to try to get the facts on the debt. I have heard people quote this, quote that. I

went to the people who manage the debt. They said to me, as they began the conversation: We have been managing debt for over 200 years. We know how to do it.

I have the numbers. I will be glad to discuss them with any Senator. Fundamentally, this is what it comes down to: The amount in the next 10 years of national debt that cannot be paid off without paying a premium, factually, is roughly $800 billion. Alan Greenspan, before the Budget Committee, talked about 70-something. I round up to $800 billion. The Treasury agrees with that number. However, they say we cannot go to that absolute number because we have to have some debt to help cash management.

If I can put it in the context of a family, you may have paid off all your mortgages and paid off all your debt, but the paycheck and the bills don't always correspond exactly in time, so you pay the bills with a credit card, which is debt. You may pay the credit card completely off every 30 days, but you have some debt to manage your cash situation, and the Treasury does. I said: How much money are we talking about? And these Treasury officials who have no political ax to grind said: We have to have about another $300 billion for cash management purposes on top of the amount of debt Alan Greenspan was talking about. If you add 800 to 300 you get $1.1 trillion, which is the number President Bush has been talking about.

Those are the facts. We can look them up. We can have differences of opinion on everything else, but let's not keep fudging those facts.

The President's proposal with respect to debt paydown is the responsible, proper proposal. It should not be factually challenged.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I think this has been an excellent discussion and debate this afternoon. I will summarize it my way.

If this amendment is adopted, the so-called stimulus package from the other side, then the tax cut proposed by our President would be reduced to $746 billion. Understand, just doing the arithmetic, we would have taken $854 billion of the President's tax cut and wiped it out. Imagine, in the name of an economic stimulus package, we reduce that which stimulates the economy by $854 billion.

I say to Senators on both sides, if you have been worrying about taking more and more away from the President's tax cut, you have a real humdinger on your platter. This, combined with others, will make the President's tax package $746 billion, which is $854 billion less than he asked for—and he thinks he is giving us a stimulus package. We are saying $60 billion up front and $1.6 trillion over time, with marginal rate deductions, marriage tax penalty, child care credits, and the other things. We say that is exactly what the American economy needs as a stimulus, short and long term. In the name of an economic stimulus package, the tax cuts to the American people are reduced by more than one-half, more than 50 percent.

Once again, Americans, if you have been sitting around thinking maybe Congress will do something right, maybe they will give us back some of our money, over half of it disappears. Between this amendment and a previous Democrat amendment they have taken more than half of what you might have expected. It is out the window. It is gone, gone at the altar of an alleged stimulus package. This is just following suit of almost every amendment offered: Baucus Medicare, higher taxes, $156 billion; Johnson agriculture, higher taxes, $88 billion; Harkin education, $448 billion, higher taxes; Landrieu, $93 billion more; Stabenow, $14 billion more. Adding them up, $798 billion is how much they tried thus far to reduce the tax cuts for the American people.

Only one passed, Harkin, but it is still under consideration, so I don't count it yet. Maybe it won't pass.

Having said that, if I have any remaining time, I yield it to Senator NICKLES.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my friend and leader.

I say to the American public, Senator DOMENICI has done outstanding work on a very difficult job. This is a tough process. He was right. I mentioned on the floor that the amendment that passed last night is being reconsidered. I don't want to be so presumptive as to say the $448 billion tax increase passed. It made a step towards passing, but it has not been finally passed. I appreciate your correcting me on that because the Senator is right.

The amendment Senator DURBIN offered would also increase taxes from the existing resolution, $418 billion. If you add the two together, it is $866 billion, well over half of the President's proposed tax reduction. I thank my friend and colleague. The Harkin amendment has not yet been adopted, but if it is, and a lot of people are working on the assumption that it is because it got an affirmative vote yesterday, the combined impact would be $866 billion, and 55 percent of President Bush's tax proposal just went out the door.

That is not the way to stimulate the economy. That is the point my colleague and friend from New Mexico and Utah were making. I thank them for that. I urge my colleagues to vote no on the Durbin amendment and vote in favor of Senator BENNETT's amendment.

I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Michigan is recognized.

Ms. STABENOW. On behalf of Senator CONRAD, I yield myself the remaining time on the amendment.

The PRESIDING OFFICER. The Senator is recognized for 3 minutes.

Ms. STABENOW. First, no one is talking about raising taxes. No one on either side is talking about raising taxes. We are talking about a budget for next year and conceivably for 10 years. What are the values and the priorities of the American people? That is what we are talking about in this discussion.

I suggest when we look at the President's proposal, if we lock up Social Security and Medicare, we have $2.5 trillion to make decisions about values and priorities of the American people. The President's tax cut, when added up, takes every penny. There is zero for education increases, zero for prescription drug coverage, and we all have heard why we need to be doing this.

Unfortunately, in the President's budget, in order to pay for spending, Medicare is used because there is nothing left after his tax cut. He takes Medicare out of the lockbox and spends it.

We are suggesting and addressing the need for long-term stimulus. It addresses the need to protect Social Security and Medicare, provide a tax cut, short-term stimulus. We all support a long-term tax cut. Pay down the debt to the maximum amount and make sure we have critical investments to allow the economy to proceed. That is the debate.

Yes, we have a fundamental difference. We are not willing to touch Medicare and Social Security. We say hands off Medicare, hands off Social Security completely. Let's make sure we are paying down the debt. Let's make sure we give tax cuts. Let's make sure we invest in the priorities of the American people.

We can do all of it if we do it the right way. As I said before, there is more than one way to put money in people's pockets. We can put it in their pockets through a tax cut, and the stimulus Senator DURBIN is talking about is exactly what is needed in order to stimulate this economy. Then we can focus on longer term tax cuts. It allows us to pay down maximum debt. That puts money in people's pockets because they can refinance that mortgage and that car payment. And it allows us to invest in critical needs without touching the Medicare trust fund.

That is what we are arguing. I strongly encourage my colleagues on both sides of the aisle to support the short-term economic stimulus that will allow us to protect the Medicare trust fund and that will allow us to pay down the maximum amount of debt. Then we will work together, no question about it, to continue to provide tax relief that is focused particularly on middle-class taxpayers, small businesses, family farmers. We want to work together to be able to do that and make sure we

are reflecting the true values and priorities of the American people.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent to have printed in the RECORD a table that shows the tax reduction Senator DURBIN offers in the first 2 years and the tax increases he has in the years 2004 through 2011, which net a total tax increase, compared to the underlying resolution, of $418 billion for a net tax of $746, assuming the budget resolution was amended by Senator HARKIN. I want this to be in the RECORD so everyone can see the total evisceration of the Bush tax cut should this amendment be agreed to. I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DURBIN AMENDMENT

	Conrad tax increase	Tax cuts (current status)	After Durbin
2001	—	0.2	0
2002	31	29.3	60
2003	11	50.5	61
2004	(12)	74.2	62
2005	(33)	97.5	64
2006	(57)	125.7	68
2007	(68)	141.5	74
2008	(73)	149.2	76
2009	(71)	154.8	84
2010	(80)	170.3	90
2011	(65)	170.5	106
Total	(418)	1,164	746

Mr. REID. Mr. President, I ask unanimous consent the document I have in my hand be printed in the RECORD immediately following the table Senator NICKLES placed in the RECORD regarding the Durbin amendment now before this body.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DURBIN AMENDMENT

	Conrad tax decrease	Tax cuts (current status)	After Durbin
2001		0.2	0
2002	31	29.3	60
2003	11	50.5	61
2004	(12)	74.2	62
2005	(33)	97.5	64
2006	(57)	125.7	68
2007	(68)	141.5	74
2008	(73)	149.2	76
2009	(71)	154.8	84
2010	(80)	170.3	90
2011	(65)	170.5	106
Total	(418)	1,164	746

Mr. REID. Mr. President, on behalf of Senator CONRAD, I yield to Senator STABENOW 1 minute off the resolution.

The PRESIDING OFFICER. The Senator is recognized.

Ms. STABENOW. Mr. President, I reiterate, we are in the process of determining the priorities for the country. No one is talking about a tax cut. This amendment would provide an immediate stimulus this year. President Bush's tax cut for the most part does not take effect for 6 years. We then want to take the next step and work together on a long-term tax package.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask for 3 minutes off the resolution.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

Mr. CONRAD. Mr. President, I understand once again today there has been talk that somebody here is for a tax increase. Nobody is for a tax increase. All the proposals on both sides of the aisle are for significant tax cuts. The fundamental difference here is on the question of how much debt reduction we do.

On our side we think there ought to be more debt reduction than is being proposed on the other side. We have a total of $3.65 trillion of the $5.6 trillion projected surplus set aside for short-term and long-term debt reduction. President Bush is setting aside $2 trillion. So we have nearly twice as much set aside for debt reduction as does the President. He has a tax cut that is about twice as big as ours. That is the fundamental difference between the two sides.

I understand Senator BENNETT said you can't do more debt reduction than the President proposes. That is just not so. We had detailed testimony before the Senate Budget Committee by the man who ran the debt reduction program in the U.S. Treasury Department under the previous administration. He says you can reduce far more of the national debt than the Bush administration is calling for. In fact, President Bush says you can only reduce the publicly held debt by $2 trillion. Mr. Gensler, who was in charge of the debt reduction program in the previous administration, pointed out that $2.6 trillion of the debt actually comes due during this 10-year period. You can eliminate all of that. That is $2.6 trillion instead of the $2 trillion the President says is available for debt reduction. But even more than that, we did a detailed cashflow analysis.

I yield myself an additional minute off the resolution.

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

Mr. CONRAD. We did a detailed cashflow analysis of debt reduction. What we found is—this is the President's line, the green line. That saves $2 trillion—reduces the publicly held debt by $2 trillion.

The red line is our publicly held debt reduction line. It would reduce publicly held debt—publicly held debt is currently $3.4 trillion. It would reduce that debt by $2.9 trillion—$900 billion more than the President's plan.

This line shows the unredeemable debt line. What this chart reveals is there is absolutely no problem of cash buildup, even if you use $2.9 trillion to reduce publicly held debt.

I yield myself an additional 2 minutes.

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

Mr. CONRAD. Somebody watching me may be very quick with figures and say: Gee, Senator CONRAD is saying the Democrats believe you can reduce $2.9 trillion of the $3.4 trillion publicly held debt. But on his previous chart he showed the Democrats have reserved $3.65 trillion for debt reduction. How can both those things be true?

Simply, they are both accurate, they are both true, because we are dealing with short-term debt and long-term debt. The short-term debt is the publicly held debt, which is $3.4 trillion. We would pay that down by $2.9 trillion. But, in addition to that, we reserve $750 billion more for long-term debt reduction. The long term-debt that is building, that our Federal accounting system does not take account of because of the long-term unfunded liability for Social Security and Medicare, we set aside $750 billion for that purpose. The other side does not set aside a single penny—not a dime—for the long-term debt that is building for this country.

That is the fundamental difference between our two sides. We believe we ought to pay down more of the short-term and long-term debt and have less of a tax cut. It is still a substantial tax cut, one that would permit rate reductions, reform of the estate tax, and also address the marriage penalty.

That is the fundamental difference. I do not want to lose sight of it in the bric-a-brac and the back and forth. That is the best summary I can provide.

The PRESIDING OFFICER. The time of the distinguished Senator has expired.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH of Oregon. Parliamentary inquiry: It is part of the unanimous consent agreement that Senator WYDEN and I have 15 minutes equally divided?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 240

Mr. SMITH of Oregon. Mr. President, I have an amendment I send to the desk. It is an amendment proposed by myself, my colleague Senator WYDEN, Senator BAUCUS, Senator KENNEDY, Senator SNOWE, and Senator SANTORUM.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Oregon [Mr. SMITH] for himself and Mr. WYDEN, Mr. BAUCUS, Mr. KENNEDY, Ms. SNOWE, and Mr. SANTORUM, proposes an amendment numbered 240.

Mr. SMITH of Oregon. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase mandatory spending in the Health function by $28,000,000,000 over Fiscal Year 2002, Fiscal Year 2003, and Fiscal Year 2004 for proposals that would expand health insurance coverage to the uninsured, targeting funding for those who need it most, combining public and private coverage options to efficiently target the uninsured, avoiding creating new bureaucracies, promoting state flexibility, protecting employer-based coverage systems, providing a meaningful, affordable health insurance benefit to the uninsured, emphasizing enrollment and not just eligibility, and without taking funding from the HI Trust Fund)

On page 4, line 2, increase the amount by $8,000,000,000.

On page 4, line 3, increase the amount by $10,000,000,000.

On page 4, line 4, increase the amount by $10,000,000,000.

On page 4, line 16, increase the amount by $8,000,000,000.

On page 4, line 17, increase the amount by $10,000,000,000.

On page 4, line 18, increase the amount by $10,000,000,000.

On page 5, line 7, decrease the amount by $8,000,000,000.

On page 5, line 8, decrease the amount by $10,000,000,000.

On page 5, line 9, decrease the amount by $10,000,000,000.

On page 28, line 23, increase the amount by $8,000,000,000.

On page 28, line 24, increase the amount by $8,000,000,000.

On page 29, line 2, increase the amount by $10,000,000,000.

On page 29, line 3, increase the amount by $10,000,000,000.

On page 29, line 6, increase the amount by $10,000,000,000.

On page 29, line 7, increase the amount by $10,000,000,000.

On page 5, line 20, increase the amount by $8,000,000,000.

On page 5, line 21, increase the amount by $18,000,000,000.

On page 5, line 22, increase the amount by $28,000,000,000.

On page 6, line 8, increase the amount by $8,000,000,000.

On page 6, line 9, increase the amount by $18,000,000,000.

On page 6, line 10, increase the amount by $28,000,000,000.

Mr. SMITH of Oregon. Mr. President, when I go home to Oregon I am often asked what is the biggest surprise I have had as a Senator. I often and without any hesitation answer that my biggest surprise is that one of my closest friendships in the Senate, and one of the most constructive relationships I have in the Senate, is with my former opponent, the senior Senator from Oregon, RON WYDEN. After I was elected to replace Mark Hatfield, he and I became more than colleagues; we became friends, confidants, and worked every year to try to establish an agenda that helps and serves the interests of our State as well as our country.

This year we have followed that tradition, announced a bipartisan agenda, toured our State with seven joint townhalls, and tried to listen to the people as to what they wanted. We heard many things. We heard, ''Tax cuts.'' I am for President Bush's tax cut. I make no apology for that.

I believe our economy needs that. I believe our country needs help. I believe we need to be reminded that we are a democratic free enterprise society and not a democratic socialist society.

But having said that, I believe, using the surpluses we are bountifully blessed with, there are things we can and should do.

In Oregon, we have a proud tradition of caring for the underprivileged and the uninsured. I was a State senator when we set about funding the Oregon Health Plan. We accomplished that, but the job is not done in helping the uninsured.

It seems to me appropriate that in a time when we are looking to cut substantial taxes from the paychecks of the American people that we should take time to help those who also work but who do not enjoy some of the basics of American living, which is health care.

There are 170 million Americans who enjoy the best health care in the world. They are Americans. But of our American citizens, there are 43 million who have no health insurance. Many of those folks are working Americans as well.

But Senator WYDEN and I propose, along with the bipartisan coalition, to provide in this budget $28 billion over 3 years to further narrow that gap of the uninsured.

Our plan will build on past actions to give 15 million to 20 million of these uninsured Americans access to affordable quality health insurance without creating huge new Government programs.

First, our plan will give businesses incentives to make quality health insurance more affordable to their low-income workers. Our plan will give businesses a tax credit if they chip in more to offer quality health care to their low-income employees. Many low-wage employees are working hard, but we are having trouble paying the full amount for health insurance.

Second, our plan will extend Medicaid coverage to more low-income Americans. Many low-income adults who cannot afford or are not offered private health insurance would now be eligible under this proposal for Medicaid coverage.

Finally, we will give the State the option to extend the highly successful CHIP program, or the SCHIP program, the State Children's Health Insurance Program. We will work to extend these benefits to the parents of these children.

We are trying to say in this great society that we can narrow this uninsured gap. I believe if we can't do it now, we will never be able to do it.

Senator WYDEN and I are bringing together an extraordinary coalition between liberals and conservatives. I am referring to the Families U.S.A., which is a group of folks who are trying to advance the cause of the uninsured.

Also, the Health Insurance Association of America, a very conservative group, has come together behind what Senator WYDEN and I are trying to give voice to.

I appreciate the chance to offer this amendment. I urge its adoption and, if not by unanimous consent, that it be overwhelmingly approved.

I believe it will be a very nice component of President Bush's effort to extend some passion and conservatism to the American people.

I yield the remainder of my time to my colleague, Senator WYDEN.

The PRESIDING OFFICER. The distinguished Senator from Oregon is recognized.

Mr. WYDEN. Thank you, Mr. President.

First, I commend my colleague and thank him for the opportunity to work with him on this bipartisan agenda. I commend him for a very fine statement this afternoon as well.

Each night more than 43 million Americans go to bed without basic health coverage knowing that a serious illness could wipe their family out. These are Americans who aren't old enough for Medicare. They aren't poor enough for Medicaid. Very often they work as small businesses. And yet in a country as strong and good as ours we have not made sure that they have access to basic health coverage.

In my view, for the Congress not to respond now at a time when there are layoffs, at a time when there is great fragility in our economy, for this Congress not to respond to the needs of the uninsured is, in my view, nothing short of government malpractice.

This amendment ensures, with the $28 billion that would be provided for mandatory spending, that the Senate Finance Committee could develop a program that would allow for public and private options. There are many in the business community who argue—and I think correctly so—that there are a variety of approaches with employer-based health care coverage that makes sense. This amendment would allow for that. There are advocates for the low income who argue—and I think correctly so—that we ought to be spending for important programs like my colleague mentioned, the CHIP program. Senator KENNEDY, for example, has done yeoman and exceptional work in trying to extend coverage for adults whose children are on Medicaid. And yet those adults, for example, who might work at a small business lack coverage. This proposal would make that possible. We would have a chance to cover those individuals who are part of what Senator KENNEDY has correctly termed ''family care.''

In my view, this proposal represents an opportunity for a major breakthrough on the health care issue which unfortunately to a great extent has been deadlocked since the downfall of the discussion over the Clinton health care plan.

In my view, with this amendment it will be possible to provide immediate relief to millions of our citizens through public and private options and

at the same time build a foundation for a longer term approach that, again, looks to both the private and the public sector to fill in these gaps in American health care.

I particularly want to thank Senator KENNEDY and Senator BAUCUS. They have been leaders in our party in the development of advocacy for these individuals.

Senator CONRAD and his staff have been exceptionally helpful as well in ensuring that this amendment was crafted so that it would not in any way allow for a raid of the health insurance trust fund.

I will tell you, Mr. President, since my days when I was codirector of the Gray Panthers, I dreamed that I could one day be part of a bipartisan effort to really fill in the gaps in the American health care system.

I thank my colleague, Senator SMITH, for the opportunity to work with him. These important breakthroughs for the uninsured can, in fact, only be accomplished if they are bipartisan. I thank him for the chance to work with him.

I yield the floor at this time.

The PRESIDING OFFICER. The distinguished Senator from Michigan.

Ms. STABENOW. Mr. President, how much time is remaining on the amendment?

The PRESIDING OFFICER. The Senator from Oregon has 2 minutes 43 seconds; the other distinguished Senator from Oregon has 3 minutes 16 seconds.

Ms. STABENOW. I ask for a minute.

Mr. WYDEN. Mr. President, I am happy to yield time to my friend from Michigan, who has already shown that she is going to be a tremendous advocate for working families and seniors on health. I am happy to yield to her.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to commend my colleagues for their hard work. There is nothing more urgent in a family's life than the issue of health care. I often think that if we address this issue in as urgent a manner as a family does when someone has a health care problem, we would have acted much more quickly. When there is a health concern in a family, it seems that the world stops until you fix it or try to figure out how to help your child or your parent or yourself. We need to have that same sense of urgency about health care in this Chamber.

I commend my colleagues for their work.

Mr. WELLSTONE. Mr. President, I join with my colleagues in support of Mr. SMITH's amendment to increase funding in the Resolution by $28 billion over fiscal year 2002 through 2004 for the purpose of expanding health insurance coverage to the uninsured. Yesterday's New York Times reported that the President's proposed budget, details of which we will not see until next week, will suggest cuts of nearly 90 percent to programs that increase access to health care for the uninsured. That obviously is moving in exactly the wrong direction.

I oppose the administration's reported plan to ''phase out'' the Community Access Program. The program seeks to reduce the number of uninsured through integrated, comprehensive health care delivery systems. I also am troubled that the Administration seems to undervalue one of the most important components of any health care safety net—quality care. We need to continue to train health professionals to ensure that every patient receives the quality care he or she deserves. Moreover, we need to make sure we have enough health professionals in every part of this country so that no one is denied access to care because of where they live. According to New York Times, however, the White House position is that there is ''an oversupply of doctors.'' The truth is there are great disparities in the distribution of health professionals in this country. The majority of the country's counties experience shortages in health professionals and are medically underserved areas.

I support the Smith amendment. This funding will help. But we need to go further. We need quality care for all, which means universal health care coverage. I intend to introduce the Health Security for All Americans Act following this Easter recess. Every American should have quality health care coverage. Meanwhile, the Administration's proposals to cut the Community Access Program, flat-line funding for the care of people living with AIDS and HIV, and cut into funding for the training of our health professionals take us in the wrong direction. This amendment improves the Resolution.

Ms. SNOWE. Mr. President, I rise in support of this amendment that has a very simple purpose: to increase mandatory health spending by $28 billion to increase health insurance coverage.

This is a matter of great national urgency. Today, nearly 33 million adults and 10 million children go without health care coverage. That's 18 percent of all Americans. And despite record employment and a booming economy over the past decade, over eighty percent of the uninsured are in working families.

Quite simply, we cannot afford to be complacent. Both the nation and individuals pay a penalty for the lack of health insurance. Indeed, one of the most deeply disturbing is that health care costs more for the uninsured!

According to a recent New York Times article, because ''health insurance companies insist on hefty discounts'' for their patients, there can be ''extreme price disparities'' between what the uninsured are charged for medical care and what people with insurance are charged.

For example, one internal medicine specialist reported that the cost of his bills for ''routine exam[s]'' can vary by 45 percent, with ''the uninsured pay[ing] the most'' and those with insurance ''pay[ing] much less than their share.'' As a result of such arrangements, ''some uninsured people struggle for years to pay medical bills and others put off seeing a doctor until minor problems become major ones.''

How might these funds be spent to improve health insurance coverage? One very promising approach is legislation that will be introduced shortly to expand the SCHIP program to provide health insurance coverage of parents of children eligible for the program.

As I am sure many Members know, in 1997, under the leadership of Senators KENNEDY and ROCKEFELLER, Senators HATCH and the late John Chafee, Congress created the State Children's Health Insurance Program, or ''S–CHIP.'' Since SCHIP was launched just 3 short years ago, this Federal-State partnership has provided health insurance coverage to 3.3 million low-income children. My home State of Maine is justifiably proud of its Cub Care program, covering 9,500 low-income children.

What could be a greater priority of our Nation than the health and well-being of our children? What greater responsibility do we have as leaders and adults? The fact of the matter is, if we are to be stewards of the future, we must be protectors of our children. America's children cannot grow up strong if they do not grow up healthy.

But just as the early results are encouraging, we can and must do more. Despite a team effort to enroll all eligible children, one-third of the remaining 18,000 uninsured children in Maine are currently eligible for coverage under Medicaid or Cub Care, but aren't receiving the benefits. Nationwide, an estimated 6.3 million additional children who could be served by the program remain unenrolled. Like a letter mailed without an address, benefits that aren't delivered are benefits that might as well not exist.

We must reach our goal of covering all those who are eligible. The solution, or the ''key prescription'' as one Maine pediatrician said is health insurance coverage for their parents.

Here is some evidence. Three of the first States that provided coverage to parents under Medicaid saw their coverage of eligible children increase by 16 percent from 1990 to 1998, compared to 3 percent for States that didn't cover parents.

The bottom line is that parental coverage means that children are more likely to be enrolled in SCHIP; and that means better access to medical care.

Of course, there are many other possible avenues to improve health care coverage. Indeed, no one solution is the answer for all 43 million uninsured Americans. But none of the options is possible without funding.

I urge all Senators who believe as I do that we must improve health insurance coverage to vote for this amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, it is my understanding that this may be agreed to unanimously. But in the event it is not, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Will the Senator withhold?

Mr. SMITH of Oregon. I withhold.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Is all time expired on the amendment?

The PRESIDING OFFICER. All time has not yet expired. The Senator from Oregon has 2 minutes 20 seconds; the Senator from Oregon has 2 minutes 34 seconds.

Mr. DOMENICI. I wonder if the Senators would be prepared to yield back their time.

Mr. SMITH of Oregon. Mr. President, I would be willing to yield back my time. I was just asking, if necessary, for the yeas and nays.

Mr. DOMENICI. I do not think it is necessary. I think we are prepared now to have a voice vote and accept the amendment.

Mr. SMITH of Oregon. That would be fine.

Mr. WYDEN. Mr. President, I was always under the impression you ought to quit while you are ahead. I yield my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 240.

The amendment (No. 240) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. SMITH of Oregon. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SMITH of Oregon. Mr. President, I suggest the absence of a quorum and ask unanimous consent it be charged equally against both sides.

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

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, this is a unanimous consent agreement that has been worked on by a wide variety of Senators representing leadership on both sides. I will propound it now.

I ask unanimous consent that time from 3:30 p.m. today until 6:30 p.m. be equally divided for the consideration of Senator DOMENICI's reconciliation instructions amendment; that all the time on the budget resolution expire at 6:30 p.m. this evening; that when the Senate votes in relation to the reconciliation amendment, all remaining amendments be limited to 30 minutes each.

I further ask unanimous consent that any votes ordered on remaining amendments to the budget resolution be stacked to occur following the vote on or in relation to Senator DOMENICI's reconciliation amendment at 6:30 p.m., with 2 minutes prior to each vote for explanation.

I further ask unanimous consent that the first-degree amendments to be offered by the minority and majority leaders be the last two amendments in order prior to the vote on the substitute and the vote on adoption of the concurrent resolution, that they be offered in the order listed above and they not be subject to any second-degree amendments.

I further ask that following the disposition of the amendments by the two leaders, the Senate proceed to vote on adoption of the substitute, to be followed immediately by a vote on adoption of the concurrent resolution, all without any intervening action, motion, or debate, if all amendments have been offered and disposed of.

Finally, I ask unanimous consent that disposition of the last two amendments by the two leaders and the final vote on the concurrent budget resolution occur no earlier than 2:30 p.m. on Friday, April 6.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Reserving the right to object, I think, as it was read, there may be some confusion in the first few lines. It might be helpful to restate it, I say to my colleague; because of changes that have occurred as we have negotiated this, I think it would be useful to restate the first few lines.

Mr. DOMENICI. I will be glad to. I think the Senator is correct.

I ask unanimous consent that the time from 3:30 p.m. until 6:30 p.m. be equally divided for consideration of Senator DOMENICI's reconciliation instructions amendment; that all time on the budget resolution expire at 6:30 p.m.; that when the Senate votes in relation to the reconciliation amendment, all remaining amendments be limited to 30 minutes each.

I further ask unanimous consent that any votes ordered on remaining amendments to the budget resolution be stacked to occur following the vote on or in relation to Senator DOMENICI's reconciliation amendment at 6:30 p.m. with 2 minutes prior to each vote for explanation. I think the rest of it was clearly audible. I propose the rest of it.

Mr. CONRAD. Mr. President, I want to be clear: All remaining amendments be limited to 30 minutes each is intended to apply to what occurs between now and 3:30 p.m.?

Mr. DOMENICI. That is correct.

Mr. CONRAD. And from 3:30 p.m. to 6:30 p.m. will be on reconciliation? That what occurs after that, the 30-minute limitation does not apply. The 30-minute limitation applies to what occurs between now and 3:30 p.m.; is that the understanding of the Senator?

Mr. DOMENICI. That is correct. That is what it says, but if it needs to be further clarified, I accept that clarification.

Mr. REID. Reserving the right to object, this does not preclude any points of order anyone might have during the course of the day?

Mr. DOMENICI. No, it does not.

The PRESIDING OFFICER. Is there objection? The Senator from West Virginia.

Mr. BYRD. Reserving the right to object, two things: First, is it clear that the vote on the Domenici reconciliation amendment will occur at the expiration of the 3 hours allotted to that amendment?

Mr. DOMENICI. The Senator is correct.

Mr. BYRD. Second, will the distinguished Senator from New Mexico read the final proviso which deals with the final vote at 2:30 p.m. tomorrow or circa 2:30 p.m.?

Mr. DOMENICI. Yes, I will. I ask unanimous consent that disposition of the last two amendments by the two leaders and final vote on the concurrent resolution occur no earlier than 2:30 p.m., Friday, April 6, 2001—tomorrow.

Mr. BYRD. That will mean then the vote-arama, which I do not like and I do not believe the distinguished Senator likes either, would occur. Whatever amendments there are, if Senators chose to call them up, they would have votes on them.

Mr. DOMENICI. That is correct.

Mr. BYRD. That is correct.

Mr. DOMENICI. Yes, it is. We hope to make some impression on our friends that we do not have to do them all. The Senator is correct.

Mr. BYRD. Fine. Is it clear that the majority leader will have an amendment and the minority leader? Is it clear, absolutely clear that they will have one amendment each?

Mr. DOMENICI. Yes, both the minority and majority have an opportunity at the end, in the order stated, in the order of minority, majority leader—in that sequence—but they both have that right.

Mr. BYRD. They both have that right.

Mr. DOMENICI. Wraparound right.

Mr. BYRD. They may choose not to offer such amendment.

Mr. DOMENICI. That is correct.

Mr. REID. Mr. President, I want the Senator from West Virginia to understand all amendments will be in order in the vote-arama if filed by 2 o'clock today, as under a previous agreement.

Mr. DOMENICI. I thank the Senator for reminding us of that. Senators should know that.

The PRESIDING OFFICER. Is there objection to the unanimous consent request by the distinguished Senator from New Mexico?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I understand the distinguished Senator from Delaware wants to speak for 5 minutes with the time coming off the resolution. That is all right with me.

Can we propose the following, not as a UC, but as a planning tool? We have done it before.

Senator FRIST on HIV and Senator CORZINE on energy; Senator BOND, Senator MIKULSKI, Senator DODD on child care; Senator VOINOVICH on process; Senator HOLLINGS on stimulus; Senator ALLEN and Senator BROWNBACK on process. That is what we are trying to accomplish.

Mr. CONRAD. Can we see the list?

The PRESIDING OFFICER. The distinguished Senator from Delaware is recognized.

Mr. CARPER. Mr. President, this is the week baseball season begins anew. I am in a little bit of a baseball mood this week, even this afternoon under bright, sunny skies in our Nation's Capital. We have been working on the budget resolution in the Senate Chamber for the better part of this week, and under the unanimous consent agreement we will wrap it up hopefully tomorrow afternoon.

Using a baseball analogy, this is like the seventh inning stretch. I want to take the opportunity to reflect on what we have agreed to, not agreed to, and maybe some thoughts we can keep in mind over the next 24 hours or so.

As we attempt to adopt, fashion, and agree on a blueprint for spending for our Nation, the thought that creeps into almost every aspect of our discussions is the economy, the shaky nature of the economy, the fragile nature of the economy, and to what extent tax cuts should play as we adopt this budget framework.

There are a number of ways to stimulate the economy, as we all know. One of the ways that is going forward right now is the aggressive monetary policy launched by the Federal Reserve over the last couple of months which will add to the gross domestic product of our country, I am told, somewhere close to half a percentage point this year by virtue of lower interest rates. The Federal Reserve is expected to come back and consider by May 15 whether more interest rate relief is called for. My hope is they will do so, and maybe even before that time.

Those interest rate reductions are already being felt in our economy as people refinance their homes, lower their mortgage rates, and take the moneys they are saving and spend it for other purposes.

Another obvious way to stimulate the economy is through tax policy. I remind my colleagues as we consider a stimulus policy, trying to put some kind of rebates in place now, rate reductions, child credits, or marriage penalty relief, the actual impact we will have through tax policy is de minimis.

Take $3 trillion out of the stock market, as we have seen over the last several months, and pump in $40 billion, $50 billion, $60 billion in tax policy and in reality it is not going to amount to too much.

I hope we will continue our efforts over the next 24 hours—frankly, over the weeks to come—to adopt the best stimulus of all. The best stimulus we could send, not just to the markets but the American people, would be for us to actually agree on a tax policy, not just 51 Republicans with the Vice President casting the tie-breaking vote but for a number of Democrats and Republicans to agree on an incremental approach where we would be able to lower marginal rates, broadly but not as deeply as the President wants, or double the child credit and make it retroactive to the beginning of this year, or we might eliminate the marriage penalty effective the beginning of this year, and do it in a way to provide stimulus to our economy but also some assurance that the taxpayers are going to see long-term rate reduction, long-term relief.

The President was in Delaware a couple days ago, and I talked with him about this. He said: My concern is, Tom, if we do not take a lot of money off the table now, we will spend the money. I reminded the President he plays an activist role in the appropriations process—signing and vetoing appropriations bills, signing and vetoing enhancements to entitlement programs.

In the end, while we are in the seventh inning stretch, the ball game is likely to go into extra innings, and the very best victory the American people can hope for is a bipartisan agreement for an incremental approach to tax cuts that includes restraint on spending and includes a consensus that one of the best things we can do is continue the good work we have begun on reducing our Nation's debt. I yield back my time.

The PRESIDING OFFICER (Mr. KYL). The Senator from New Mexico is recognized.

Mr. DOMENICI. I ask the ranking member, we read off seven names, you added an eighth; can we say the eighth is Senator WELLSTONE?

Mr. CONRAD. Senators WELLSTONE and JOHNSON, if I could add that additional name.

Mr. DOMENICI. Sure. We will try to accommodate all the Senators, saying no more than 15 minutes on each of the amendments.

I yield the floor.

AMENDMENT NO. 215

Mr. FRIST. Mr. President, I have an amendment at the desk, No. 215, on behalf of myself, Senators SMITH of Oregon, LEAHY, DURBIN, KERRY, and FEINGOLD, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for himself, Mr. SMITH of Oregon, Mr. LEAHY, Mr. DURBIN, Mr. KERRY and Mr. FEINGOLD, proposes amendment numbered 215.

Mr. FRIST. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 4, line 3, increase the amount by $500,000,000.

On page 4, line 17, increase the amount by $500,000,000.

On page 5, line 8, decrease the amount by $500,000,000.

On page 12, line 16, increase the amount by $200,000,000.

On page 12, line 17, increase the amount by $200,000,000.

On page 12, line 20, increase the amount by $500,000,000.

On page 12, line 21, increase the amount by $500,000,000.

On page 43, line 15, decrease the amount by $200,000,000.

On page 43, line 16, decrease the amount by $200,000,000.

On page 48, line 8, increase the amount by $200,000,000.

On page 48, line 9, increase the amount by $200,000,000.

Notwithstanding any other provision of this resolution, it is the sense of the Senate that:

(a) FINDINGS.—The Senate finds the following:

(1) HIV/AIDS, having already infected over 58 million people worldwide, is devastating the health, economies, and social structures in dozens of countries in Africa, and increasingly in Asia, the Caribbean and Eastern Europe.

(2) AIDS has wiped out decades of progress in improving the lives of families in the developing world. As the leading cause of death in Africa, AIDS has killed 17 million and will claim the lives of one quarter of the population, mostly productive adults, in the next decade. In addition, 13 million children have been orphaned by AIDS—a number that will rise to 40 million by 2010.

(3) The Agency for International Development, along with the Centers for Disease Control, Department of Labor, and Department of Defense have been at the forefront of the international battle to control HIV/AIDS, with global assistance totaling $330,000,000 from USAID and $136,000,000 from other agencies in fiscal year 2001, primarily focused on targeted prevention programs.

(4) While prevention is key, treatment and care for those affected by HIV/AIDS is an increasingly critical component of the global response. Improving health systems, providing home-based care, treating AIDS-associated diseases like tuberculosis, providing for family support and orphan care, and making anti-retroviral drugs against HIV available will reduce social and economic damage to families and communities.

(5) Pharmaceutical companies recently dramatically reduced the prices of anti-retroviral drugs to the poorest countries. With sufficient resources, it is now possible to improve treatment options in countries where health systems are able to deliver and monitor the medications.

(6) The UN AIDS program estimates it will cost at least $3,000,000,000 for basic AIDS prevention and care services in Sub-Saharan Africa alone, and at least $2,000,000,000 more if anti-retroviral drugs are provided widely. In Africa, only $500,000,000 is currently available from all donors, lending agencies and African governments themselves.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the spending levels in this budget resolution shall be increased by $200,000,000 in fiscal year 2002 and by $500,000,000 in 2003 and for each year thereafter for the purpose of helping the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated infectious diseases.

Mr. FRIST. Mr. President, the time is at hand for the United States to take

another act of leadership in confronting one of the most important moral, humanitarian, and foreign policy decisions of the new century: How to stop the ravages of HIV/AIDS in Africa and other developing countries.

History will indelibly record how the United States, along with other governments, other institutions, other foundations, and other civil societies, responds to the call. Inaction will be measured in millions of lives—lives lost, families destroyed, and economies ruined.

The statistics tell the story. They are chilling. Twenty-two million people have died of AIDS worldwide, more than 3 million last year alone. That is over 8,000 per day or nearly 6 deaths every minute. That number is growing. Thirty-six million people are currently infected with HIV, a staggering number that is increasing by 15,000 new infections every day, mostly in the world's poorest countries. By 2010, 80 million persons could be dead of AIDS. That is more deaths than we saw in military and civilian forces suffered during all of World War II.

In Africa, life expectancy has been reduced by nearly half in many countries. In the next decade, 40 million children will be orphaned by AIDS. That is a number equal to all children in this country living east of the Mississippi. The economic impact is devastating. An entire generation of workforce is being lost. Trained personnel in key sectors needed for economic growth and stability—teachers, health care personnel, law enforcement—are being decimated by the epidemic. In South Africa alone, a once growing economy is being devastated by HIV/AIDS. The projected GDP over the next 10 years will be reduced by 17 percent, or the equivalent of about $22 billion, because of this single virus.

Africa is not alone. The Caribbean region has the second highest rate of HIV infections. Russia has the largest increase of any in the world. The National Intelligence Council has said that Asia, especially India, is on the verge of a catastrophic epidemic. This is especially troubling for those concerned about regional security in the most populous part of the globe.

All Americans, indeed, can be proud of the international leadership in responding by the United States to this epidemic. We have pushed the G–8 to embrace debt relief in exchange for health programs. We have tripled our global commitment to AIDS programs over the last 2 years. But we are not doing enough. We are not alone. In all of sub-Saharan Africa, the combined national, UN, and donor contributions in the fight against AIDS total $500 million. Yet the United Nations estimates the basic prevention and care in Africa alone will cost $3 billion a year, increasing to $5 billion a year if treatment, including access to specific anti-AIDS drugs, is added.

The fundamental question we must ask today is this: If the United States is already doing more than anyone else, why should we do more right now? There are three reasons.

No. 1, the disease is not waiting. It is not waiting for the international community to mount a coordinated response. Just since I have been talking, 18 people have died and there have been 35 new infections. The problem is growing by the minute.

No. 2, a major new initiative by several pharmaceutical companies that has been rolled out over the last several weeks means AIDS treatment drugs for Africa are more affordable today than they have ever been.

No. 3, access to treatment enhances prevention efforts. Access to treatment enhances prevention, a basic underlying premise of public health.

For the first time in history, the drugs that have revolutionized AIDS care and treatment in the United States can become for the first time part of that comprehensive prevention, care, and treatment strategy even in the poorest countries of the world.

But how we supply these drugs where they are needed, given the fact that purchasing them at cost still puts them way beyond the means of infected individuals in poor countries, is a question we must address.

The answer is in the sort of public-private partnerships which we know have worked in the past and can increasingly work in the future. On the private side, U.S. companies took the lead in making drugs available, and now it is appropriate for the U.S. Government in this private partnership approach to take the lead in making these drugs part of a comprehensive plan, strategy, of prevention, care, and treatment in these poorest countries.

Currently, the United States is contributing close to $500 million to fight the scourge of HIV/AIDS in poor countries. The amendment my colleagues and I are putting forth today increases that amount by $200 million next year and by $500 million the following year, effectively doubling our current commitment over 2 years.

These funding resources from the United States will provide the leadership impetus for a powerful coalition of Government, of foundations, of the United Nations, of the pharmaceutical companies, of academic institutions, of the scientific institutions to help fill the gap between the available resources and the need for care and treatment.

Working with authorizing and appropriation committees, working with Secretaries Powell and Thompson, with USAID and other parties, we will be crafting legislation to ensure this new budget authority enhances and complements our bilateral aid programs and also, fundamentally important, creating a mechanism that both encourages participation by other donors and gives the program the appropriate accountability and oversight we all must require.

One possible model would be the strictly monitored fund similar to the successful global alliance on vaccines and immunization. That particular program has combined substantial contributions by the Gates Foundation, as well as that by governments, putting them together. It is managed by those who know how to deliver those programs, to hold them accountable and to make sure the services are delivered to those in greatest need.

In addition, work by community-based organizations, both religious and secular, will be the linchpin of success on the ground. It has to be made clear to the American people and to the world at large that the drugs alone are not enough. Delivery systems and health infrastructures are absolutely mandatory if programs are to be more than just talk or to make us feel good—programs that actually reach the people who are in so much desperate need for them.

Let's be clear about one thing: The new moneys will not be used to add to the coffers of those leaders who have not made AIDS a national priority and who have not yet committed to science-based national plans to address this challenge. There is no point in assisting governments that choose to avoid the hard realities. Let's also remember that until science and the tremendous resources we can provide in this country in terms of science and discovery produce a vaccine, prevention through sustained change in behavior is the first and most important means of AIDS control, and prevention must remain a primary focus of our development assistance.

However, we cannot spend our assistance dollars only on prevention activities. The major new initiative we have seen by the pharmaceutical companies recently gives us some hope for those already suffering from AIDS and their families. After all, how can families and communities and democracies survive when over a third of young adults are becoming infected and are expected to die by the age of 45, leaving millions of children with little support and even less hope. In extending the productive lives of those people affected, treatment can prolong the time that families are together, can provide that support and pass on their cultural tradition and values.

Beyond these humanitarian concerns, treatment makes prevention work. Without some expectation of hope or of care, people have no reason to be tested for AIDS, to go in and seek help. They become outcasts in their communities.

Make no mistake about the fact that much more needs to be done than we are proposing. Other nations absolutely must step up with their involvement as well. We will look to the administration to use expanded U.S. commitments to urge our trading partners to increase their participation.

By using such leverage, an increase of $200 million in U.S. aide should increase aide by others by several times that much. Americans have always been among the first to tackle the

most difficult challenges of the times. We must do no less when confronted with perhaps the worst international health crisis since the bubonic plague ravaged Europe over 600 years ago.

When our children and grandchildren asked what we did to help slow down this human tragedy, let us be proud of our answer.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). Who yields time? The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I rise today to join Senator FRIST to increase funding for International HIV/AIDS efforts. This amendment will increase by $200 million in fiscal year 2002 to help the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated diseases.

AIDS is one of the most recent and most devastating infectious diseases facing the world today. Since the virus was first identified about 20 years ago, more than 50 million people have been infected—and at the current rate of infection that number will top 100 million within 6 years.

Of those being infected with HIV, half are between the ages of 10 and 24. Five young people will contract HIV/AIDS as each minute passes as I stand here speaking to you on the Senate floor.

These numbers are beyond belief—these youth are the future of the world and yet that future is being endangered as surely as those lives are being endangered.

Last year many of us on the Senate Foreign Relations Committee joined forces to authorize a real boost in funding to fight HIV/AIDS abroad. Senator BOXER, FRIST, KERRY and I—and many others including Chairman HELMS—succeeded in authorizing increased funding to meet the challenges of HIV/AIDS infection.

We did this without care about party politics, ideology or conviction, working together to somehow find solutions to a horrible health problem. I note that last year our focus was basically on Africa.

This year our attention has unfortunately been turned to new continents and new countries that are being impacted by HIV/AIDS.

In the Far East—in Thailand for instance, in the Near East—threatening India and in some countries of Eastern Europe and in Russia, HIV/AIDS is spreading quickly. Asia will soon have more new HIV infections than any other region. In Russia more Russians are projected to be diagnosed with HIV/AIDS by the end of the year than all cases from previous years combined.

I could go on—HIV/AIDS will be responsible for the deaths of more men, women and children than all the soldiers killed in the major wars and conflicts of the 20th Century.

All these facts, again, cause the mind to numb and the imagination to stagger. Vocabulary fails to describe this. I simply ask my colleagues to join Senator FRIST and me in helping to fight HIV/AIDS abroad. Time and lives are wasting, even as we speak.

I yield the floor.

Mr. DASCHLE. Mr. President, I strongly support the amendment offered by Senators FRIST and FEINGOLD. It is a timely amendment that addresses not only a humanitarian crisis, but a key threat to U.S. national security. I commend the sponsors for drafting an amendment that will keep the United States in a leadership role on this critical issue.

HIV/AIDS is a public health crisis throughout Africa, Asia, and the Caribbean. There are more than 50 million people infected with HIV worldwide; more than 25 million of them are in Africa, where some countries experience infection rates between 10 and 20 percent of the population. In India, there are 3500 new cases of HIV daily, and the World Bank projects that India will have 35 million people with HIV by 2005. Although prevention is key to halting the spread of HIV, because of the high costs of drugs and the woeful medical infrastructure, many of those infected are shut out of any treatment or care.

This devastating impact on a large and growing segment of the world population threatens to produce an economic development crisis. It is striking down productive adults, impacting agricultural and economic output in many countries, and creating an estimated 13 million orphans, who face increased risk of malnutrition and reduced prospects for education. Some estimates suggest that the number of orphans will grow to 40 million in the next decade.

This amendment provides the United States with the resources it will need to confront this threat. The President's budget allowed for a 10 percent increase over last year's spending, but this challenge demands a more robust American response, and the Senate is responding here tonight.

This amendment is the first step, a very good first step, in that response. I am encouraged by a study released yesterday by Harvard University that this problem is, in fact, surmountable. It will, however, demand that we follow through on the next steps in this fight making drugs available at affordable prices and providing the medical infrastructure these countries need to meet this threat. It is a threat we can address, and I look forward to working with my colleagues to address it.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. FRIST. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. CONRAD. Is the Senator from New Jersey seeking time?

Mr. CORZINE. Mr. President, I call up amendment 257 at the desk.

The ACTING PRESIDENT pro tempore. There is still time remaining on the Frist amendment.

Mr. DOMENICI. Mr. President, if we had time on this amendment, we yield it back.

Mr. FRIST. Mr. President, there was 30 seconds. I yield that time back.

The ACTING PRESIDENT pro tempore. Time remains on the other side.

Mr. CONRAD. Mr. President, we yield back all time on this amendment and we yield 10 minutes to the Senator from New Jersey. Is the Senator from New Jersey seeking 7 minutes?

Mr. CORZINE. Mr. President, 10 minutes total, and I will yield time to other Senators.

Mr. CONRAD. At this time, I yield 7 minutes to the Senator from New Jersey.

The ACTING PRESIDENT pro tempore. The Senator will withhold for one moment. The time is all yielded back on the Frist amendment. The Senator from New Jersey is recognized to call up an amendment.

AMENDMENT NO. 257

Mr. CORZINE. Mr. President, I call up amendment No. 257, which is currently at the desk. I ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. CORZINE] offers an amendment numbered 257.

Mr. CORZINE. I ask unanimous consent further reading be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

The ACTING PRESIDENT pro tempore. The Senator is recognized for 7 minutes.

Mr. CORZINE. Mr. President, this amendment would restore $50 billion of cuts built into the Republican resolution to environment, natural resources, and energy conservation programs. This means that environmental programs would be increased 4 percent in 2002. But keep in mind, this is the total. We are merely maintaining funding at the increase the President has requested for overall growth in discretionary spending this year.

To offset these adjustments, the amendment would reduce administrative costs for fiscal year 2002 and reduce the size of the tax cuts in subsequent years.

Further, the amendment would set aside an additional $50 billion for debt reduction.

I believe protecting our environment deserves top priority. Yet in the past few months, we have seen the administration wage nothing less than an all-out attack on our environment.

Three weeks ago, the administration pulled a complete 180-degree turn on a clear campaign pledge to address global warming through the regulation of

carbon dioxide. They pushed back regulation designed to protect the public from arsenic in drinking water. They proposed drilling in the Arctic National Wildlife Refuge. And they refused to defend regulations designed to protect our national forests.

Unfortunately, the Bush budget and this budget resolution continue this attack on our environment. The President's ''Budget Blueprint'' proposed a 15-percent cut in environmental and natural resource programs—15 percent. These cuts are a dramatic step backwards and would reverse much of the progress we have made on cleaning our air and water and protecting our Nation's natural resources. These cuts would contribute to the Nation's growing concern about sprawl and would weaken efforts to hold polluters accountable.

These cuts have been especially serious in my State of New Jersey. I know I was sent here to fight to represent New Jersey's interests. Air quality in New Jersey is one of the worst—in six of our counties—in the Nation. We have 115 Superfund sites, 80 percent of our rivers and lakes and streams are unfishable and unswimmable.

Unfortunately, while the President has not revealed all the specific cuts that will be included in his budget, we know that they are coming. We know they will be severe. Just today there is a report in the Wall Street Journal outlining leaked information about these prospective cuts.

I ask unanimous consent this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUSH'S BUDGET PLAN TO FACE CRITICS' IRE OVER ENVIRONMENT

(By John D. McKinnon and Sarah Lueck)

WASHINGTON.—President Bush is likely to ignite more controversy over his environmental policies with the release next week of detailed budget plans including big cuts in conservation and energy-efficiency programs.

Democratic strategists say that environmental issues are fast becoming Mr. Bush's biggest political weak spot because of their popularity with middle-class voters. Democrats and their allies among environmental groups are planning to highlight the cuts next week and again on April 22, Earth Day.

''We expect the president's budget is going to be the next big attack on the environment,'' said Alyssondra Campaigne of the Natural Resources Defense Council.

Based on Mr. Bush's previously released budget outline, environmentalists now estimate that he will propose cutting environmental spending by 10%, including reductions at the Environmental Protection Agency, the Energy and Interior departments and the Army Corps of Engineers.

The Energy Department would endure the biggest cuts, expected to total as much as $120 million, from research programs that promote energy efficiency in manufacturing processes, appliances and building design. The budget plan also would cut as much as $150 million from the department's programs for creating fossil-fuel-production technologies, including some aimed at making oil wells and pipelines safer for the environment.

Much of the savings would be used to beef up other programs within the department, such as weatherization, home-heating aid for the poor and clean-coal research.

Still, activities call the administration's cuts in energy conservation perplexing, given that Mr. Bush has been proclaiming an energy crisis. ''The programs that will actually solve the problems, save consumers money and reduce pollution are getting slashed by this administration,'' said Anna Aurilio of U.S. PIRG, a consumer group.

An administration spokesman declined to provide details of the cuts but said the targeted programs aren't necessarily saving money. A White House official said the president's budget ''reflects his support for energy conservation, renewable energy and encouraging entrepreneurs to develop alternative sources,'' and noted that it proposes significant new tax incentives for energy production.

At the EPA, spending is being reduced by $500 million. Some congressional aides also expect reductions in core funds that pay for EPA enforcement activities, possibly as part of an increase in grants to help states pay for enforcement.

The environment isn't the only area in which Mr. Bush is taking some political heat. In health care, he is expected to propose cutting some programs favored by the Clinton administration, including a $125 million program that helps uninsured people get treatment and one aimed at preventing child abuse. But overall, programs designed to help abused children and the uninsured will receive more funding, officials at the Department of Health and Human Services said.

Mr. CORZINE. This uncertainty aside, we do know this undercuts a commitment the Congress made last year to support the Land and Water Conservation Fund. This blueprint cuts conservation initiatives by $2.7 billion. That is in the blueprint.

Potentially most damaging, the Bush budget would undermine enforcement of our environmental laws. It would require deep cuts in the operating functions of our environmental agencies: the EPA, Interior and the National Oceanic and Atmospheric Administration.

We just can't afford these cuts. If anything, we should be putting more resources into enforcement not less. Consider EPA's own data from just last month. They found that:

Twenty-six percent of industrial facilities were in significant noncompliance with their clean air permits; Nearly 10 percent of industrial facilities were in significant noncompliance with their clear water permits; And 7 percent of industrial facilities were in significant noncompliance with their hazardous waste permits.

When government lets polluters off the hook, all of us pay a price—particularly those least able to protect themselves—our kids and seniors.

The Bush administration has not been in office very long. But it has done a lot of damage and a lot of damage to our environmental laws. And it's time for them to reverse their course.

I hope my colleagues will support the amendment I am offering today. It is really a very limited amendment. It simply would allow us to barely maintain funding for environmental programs at today's levels. Frankly, I think we should do substantially more. But I hope my colleagues can support at least this, because it is protection of where we are today.

The message of this amendment is simple. It says that it's more important to keep our air and water clean than to give huge tax breaks to the very wealthiest Americans. And it's more important to address global warming than to give the top one percent of Americans a tax cut worth $55,000 a year.

I think environmental priorities reflect the values of the American people. I think they're the right priorities for our nation and world. And I hope my colleagues will support the amendment and those values.

I yield the floor and reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, does the Senator from Nevada or the Senator from California seek time?

Mrs. BOXER. I yield to my colleague, the Senator from Nevada.

Mr. CONRAD. Mr. President, I yield 1 minute to the Senator from Nevada.

Mr. REID. Mr. President, I am the ranking member of the environment committee, and I want to express my appreciation to the Senator from New Jersey and the Senator from California who will soon speak on this amendment.

In our committee, every Member on the Democratic side has been extremely concerned about what has happened so far during the Bush administration and what they have done to violate what we have worked on for so long to take care of the environment, whether it is global warming, whether it is arsenic, whether it is lead, or whether it is drilling in ANWR. We need to understand that in our country—no matter if you are from New Jersey or California and all the States in between—people care about the environment. George Bush is a good man. He is simply not getting the word that he is making tremendous mistakes in how he is treating the environment.

The Senator from New Jersey has done an excellent job with this amendment in restoring financing in the budget so we can do something about the environment and to maintain the progress we have made.

Mr. CONRAD. Mr. President, I yield 2 minutes to the Senator from California.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Thank you very much. I thank my colleague from New Jersey, Senator CORZINE, and my ranking member, Senator REID.

I stand in strong support of Senator CORZINE's amendment. It isn't rocket science to know a few things about our life. If we can't breathe clean air, if we can't drink safe water, and if we can't count on the Government to protect us from events that we cannot protect

ourselves against, then what use are we as a Senate?

If you take a look at the Republican budget that is before us, it is a sad commentary on the value that they place on a clean and healthy environment for our people. They can say whatever they want, but they are at $52.5 billion, and they are going below the current level of services.

Again, this President likes arsenic in the water. I don't know. He will have to explain that to the American people. He took a move where he was going to say we are not even going to check for salmonella in the meat that goes to school lunches. Senator DURBIN caught him on that and now he backed off. He has also backed off on the right to know if there is lead in a product, or in the air we breathe. I have to say that is not a family value. That is not a value of a great nation.

Whether it is arsenic in our water or contaminants in our soil or air, this amendment should be supported. It doesn't do us any good to have a thousand dollars in our pocket if we are dying of cancer.

FOREST FIRE FUNDING

Mr. BINGAMAN. Mr. President, first, I commend my colleague, Senator CORZINE, for this amendment and indicate that I am very glad to be a cosponsor of it. It is an important amendment. Second, I would like to engage Senator CORZINE in a brief colloquy at this time.

Mr. CORZINE. Of course.

Mr. BINGAMAN. The spring and summer of 2000 will not soon be forgotten in my home state. A series of fires burned more than 65,000 acres in New Mexico, including the Cerro Grande fire that destroyed more than 400 homes. As a result of these fires and others that raged throughout the country, Congress took a step in the right direction last year by providing substantial funding for fire prevention efforts. In addition, Congress appropriated additional funds to implement the National Fire Plan. This plan, issued by the Secretary of Agriculture and the Secretary of the Interior, contains recommendations to reduce the impacts of wildland fires on rural communities and ensure sufficient firefighting resources in the future. I would like to clarify that it is the Senator's intent that this amendment maintains, at a minimum, current levels of funding for the National Fire Plan and base fire programs.

Mr. CORZINE. Yes, that is my intent.

Mr. BINGAMAN. It is important to ensure sufficient levels of funding for all programs related to the National Fire Plan. For example, Congress specifically instructed the agencies to target hazardous fuel reduction funds near communities that are at high risk from wildfire. In addition, the Rural Fire Assistance program strengthens the wildland fire protection capabilities of rural fire departments by providing technical assistance, training, and supplies. Moreover, economic action programs assist rural communities in developing and marketing products created from the little trees removed as part of fuels reduction efforts. Other cooperative fire protection programs, that provide assistance for complementary hazardous fuels reduction projects on non-Federal lands in the wildland/urban interface and educate homeowners about the proper way to fire proof their homes, are also essential elements of our cohesive efforts to diminish fire risks.

Mr. CORZINE. I agree with the Senator that a multi-faceted approach is necessary.

Mr. BINGAMAN. We need to sustain a commitment to all components of the National Fire Plan over a long enough period of time to make a difference, at least 15 years based on recommendations from the Forest Service and the Department of the Interior. Your amendment ensures that Congress is doing its part with respect to fire prevention without adversely affecting other important programs funded under Function 300. I thank the Senator for the clarification.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I know Senators BOND and MIKULSKI are ready to proceed under our previous arrangement. I say to Senator BOND that he is going to have 10 minutes on his amendment. I would like to take a couple of minutes now to explain something about the process, but I don't want to take away from anybody else's time.

Mr. BOND. Mr. President, if I could, I think Senator MIKULSKI and I each wanted 5, and I think Senator BINGAMAN wanted 2, if we could expand that to 12 minutes. Are there others?

Mr. DOMENICI. We will go 12. That is fine.

Mr. President, I want to make sure there is no misunderstanding. Just because we are not offering a second-degree amendment, we are not precluded from offering a second-degree amendment before we vote, from everything I understand. If anybody on the other side has a contrary reading, I wish they would raise that issue now.

Let me ask one simple question of the distinguished Senator from New Jersey. Does this amendment take $100 billion out of the tax cut and put $50 billion of it against the debt and $50 billion of it for increased spending in various environmental areas?

Mr. CORZINE. It is $93.75 billion.

Mr. DOMENICI. I don't want anybody to think we round out those big numbers. But sometimes we refer to $93.75 billion as a hundred.

Mr. CORZINE. We will check those numbers.

Mr. DOMENICI. We plan to have a second degree. We will have to work on it in due course. But we will have a second-degree amendment to that.

We don't have any formal agreement, excepting that a series of Senators are going to be recognized—bipartisan or otherwise—to send an amendment to the desk and talk about it and be limited to 15 minutes so we can have enough time to get them all in. We are going to yield 12 minutes for your team.

Is that satisfactory?

Mr. BOND. Mr. President, I thank the distinguished manager.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 211

Mr. BOND. Mr. President, I call up my amendment.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. ALLEN, and Mr. FRIST, proposes an amendment numbered 211.

Mr. BOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 14, line 11, increase the amount by $1,441,000,000.

On page 14, line 12, increase the amount by $530,000,000.

On page 43, line 15, decrease the amount by $1,441,000,000.

On page 43, line 16, decrease the amount by $530,000,000.

On page 48, line 8, increase the amount by $1,441,000,000.

On page 48, line 9, increase the amount by $530,000,000.

Mr. BOND. Mr. President, the amendment I am offering with my colleagues, Senators MIKULSKI, ALLEN, LIEBERMAN, and BINGAMAN proposes to add $1.44 billion over the President's budget to the Function 250 general science account to boost spending in fiscal year 2002 for the National Science Foundation, Department of Energy, and National Aeronautics and Space Administration. Compared to the fiscal year 2001 enacted levels, this amendment would add $469 million to DOE's science accounts, $674 million to NSF, and $518 million to NASA. This amendment continues the Federal Government's strong commitment to the Nation's basic science research programs. Let us make no mistake, basic science means applied science, which is the foundation of this economy and will be the booster rocket for the future success of our economy and allow this Nation to lead the world in this century.

Of particular interest to me, this amendment maintains the momentum to double the budget of NSF over 5 years. Under this amendment, NSF would receive a 15.3 percent increase over last year's enacted level. As chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee, I began the doubling effort last year with my good friend and colleague on the appropriations subcommittee, Senator MIKULSKI. We are not alone and we have broad support for this funding. Last year, a bipartisan group of 41 Senators also supported this effort and I expect even

more direct and enthusiastic support this year. NSF plays an important and unique role in stimulating core disciplines of science, mathematics, and engineering and doubling the NSF budget will help ensure that the economic growth we have enjoyed over the past several years will continue.

I think we can all agree that research and development is a positive and critical investment for the economic and intellectual growth and well-being of our Nation. According to many economists, over the past half century, advances in science and engineering have stimulated at least half of the Nation's economic growth. Further, investment in scientific research has led to innovative developments in the high-tech industry—most notably the Internet and lasers. The investments have also spawned not only new products, but also entire industries, such as biotechnology, Internet providers, E-commerce, and geographic information systems.

Besides the economic benefits we have enjoyed from our investment in NSF's research programs, NSF has also played a crucial role in the biomedical area. Over the past half century, NSF-supported research has had monumental impact in the field of medical technologies and research. Let me make it clear that I am very supportive of the funding support we have provided to the National Institutes of Health. However, I am very concerned that the work that NIH is doing currently may be jeopardized if the underlying work from NSF research is not adequately supported. Medical technologies such as magnetic resonance imaging, ultrasound, digital mammography and genomic mapping could not have occurred, and cannot now improve to the next level of proficiency, without underlying knowledge from NSF-supported work in biology, physics, chemistry, mathematics, engineering, and computer sciences. Thus, the success of NIH to cure deadly diseases such as cancer depend upon the underpinning research supported by NSF. The connection between NSF and NIH has been recognized by leading medical experts such as former NIH Directors, Bernadine Healy and Harold Varmus. As Dr. Varmus wrote in a letter to me last June 26:

> Essential contributions to both genome sequencing and determination of protein structures have come from work supported by the NSF, and efforts to take advantage of this new information will require expanded activity in disciplines traditionally dependent on the NSF—including computer science, chemistry, physics, and engineering. Indeed, from the perspective of a medical scientist, there could be no more opportune time to guarantee the vitality of American science funded by the NSF.

Let me add on more voice, Dr. Kenneth Shine of the Institute of Medicine. Dr. Shine wrote:

> . . . it is important to note that advances in medicine are very dependent upon other fields of science that are mostly supported by the National Science Foundation . . . . doubling of the NSF budget will pay for itself many times over in terms of saving costs, and, more importantly, improving human health.

To be blunt, supporting NSF supports NIH.

Beyond just the biomedical field, the Senate should also be concerned about our Nation's supply of engineers and scientists. For the past several years, the number of graduates in the science and engineering fields has been declining. This decline has put our Nation's innovation capabilities at risk and at risk of falling behind other industrial nations. In the past decade, growth in the number of Asian and European students earning degrees in the natural sciences and engineering has gone up on average by four percent per year. During the same time, the rate for U.S. students declined on average by nearly one percent each year.

NSF plays a key role in funding the training of the nation's young researchers in university laboratories. Twenty thousand graduate students and nearly 30,000 undergraduates are directly involved in NSF programs and activities every year.

However, as many of my colleagues know, the Congress has had to raise the cap on H1–B visas for immigrant workers due to the shortage of technically-trained workers in this country. The high-tech industry has had to turn to foreign workers because our country is not producing enough scientists and engineers to meet demand. According to NSF, the demand for engineers and computer scientists is expected to grow by more than 50 percent by 2008. While NSF has been active in addressing this problem, it is obvious that it is not enough and we need to provide more support to our Nation's students. I hope my colleagues understand why this amendment is so critical. If we do not support NSF, this problem will continue and our Nation's long-term economic growth and research innovation will be significantly hampered.

The PRESIDING OFFICER. The Senator has used 4 minutes.

Mr. BOND. I thank the Chair.

I hope my colleagues will support this important amendment and our efforts to strengthen the country's research and development base. It is important to recognize that if we are to sustain our economic base and support the important work of NIH, we must support NSF.

Mr. President, I urge my colleagues to support this amendment.

I am going to use the last bit of my time to tell my colleagues that I have another amendment at the desk, No. 210, which we will be calling up in the vote-arama. It is cosponsored by Senators HOLLINGS and DEWINE.

Yesterday, the Senate voted overwhelmingly to add to the President's generous proposal for NIH research spending. I hope we get an overwhelming vote for this one, too. It does two things.

First, it adds to the President's proposal on community health centers. Like NIH, the Senate is on record supporting double funding over 5 years for health centers, and like the NIH amendment yesterday, my amendment would put us on track to double the funding for health centers.

Second, the amendment would make room in the budget to finally provide equitable treatment for children's hospitals when it comes to our support of physician training programs. They have not received enough money to train the pediatricians they need. This year, our goal is to end this inequity finally.

The amendment we will be calling up later will provide enough room in the budget to make these things happen. When that amendment comes up, I ask my colleagues to support that one as well.

I thank the Chair and my colleague. I yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from New Mexico.

Mr. DOMENICI. Before yielding to Senator MIKULSKI, may I ask the Senator a question?

Mr. BOND. Mr. President, I would be happy to respond to the distinguished manager.

Mr. DOMENICI. May we have order, Mr. President.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOMENICI. May I ask the Senator: The other part of the Government that has basic science research is the Department of Energy. I understand that you included that in the triad. We have done NSF and the National Institutes of Health. You have added for the National Science Foundation and added $469 million for DOE basic research. Is that correct?

Mr. BOND. Mr. President, the total amount of funding goes into section 250. I say to the Senator, $1.44 billion goes into section 250. As I understand it, how that gets sliced up is probably beyond the ability of this particular budget debate to determine. It will ultimately come down, I believe, to a 302(b) allocation. But my recommendation is that the vitally important work of DOE be funded with an additional $469 million out of this function.

There is another function—I believe it is 270—that also funds science.

Mr. DOMENICI. I thank the Senator.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Will the Chair inform us how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Maryland has 5 minutes. Senator BINGAMAN has 2 minutes.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise as an original cosponsor of this amendment with my dear colleague, Senator BOND, to increase the function 250 for general science.

Our amendment seeks to increase funding for science by $1.4 billion by

doubling the funding for the National Science Foundation, increasing the NASA budget by $500 million, as well as the Department of Energy funds.

This has strong bipartisan support. We are joined by Senators LIEBERMAN and ROCKEFELLER on my side of the aisle.

Why is it this issue enjoys such strong bipartisan support?

Both sides of the aisle—Senator KIT BOND and Senator BARBARA MIKULSKI—want to make sure that America not only continues to win the Nobel Prizes but that we win the global markets. In order to do so, we need to invest in our Federal labs to create the new ideas that lead to the new products that lead to us winning those prizes and their markets. We are so proud of the fact we are on target to double the funding at NIH. But NIH is not the only place where we need to increase our funding for science and technology.

Our amendment pays for this increase through a $1.4 billion reduction in the proposed contingency fund. This offset does not cut any existing program or agency. Unfortunately, the President's budget cuts NSF research below last year's appropriated level. The President's budget also proposes similar cuts in real terms to NASA and the Department of Energy research programs. This is unacceptable. While we are on target to increase biomedical research at NIH, we must also increase funding in the core areas of science and engineering—the same disciplines that fuel the very biomedical enterprise we seek to strengthen. CAT Scans and MRI's were created by NSF research—not NIH research.

As the former head of NIH, Dr. Harold Varmus, said:

> Scientists can wage an effective war on disease only if we as a nation and as a scientific community harness the energies of many disciplines, not just biology and medicine. The allies must include mathematicians, physicists, engineers and computer and behavioral scientists.

Because it is at NSF, NASA, and also DOE that we are supporting basic science that saves lives and generates jobs today and jobs tomorrow. NASA and NSF made the major innovations in the Internet, satellites, and microelectronics. If it were not for federally funded research, none of this would exist today.

But supporting basic scientific research is not just about saving lives, it is also about creating the jobs of tomorrow. Federal funding for basic scientific research is absolutely necessary for economic growth and job creation. I couldn't even begin to list the technologies and inventions that were created through Federal research, but I will name just a few: the Internet, satellites, and microelectronics. If it weren't for federally funded research, none of this would exist today. The private sector will always be focused on near-term product development—that is what they have to do. But that allows the Government to focus on long-term basic research to provide industry with the foundation for future product development and future job creation for our country. Mr. President, we are on the verge of historic breakthroughs in science and technology that will revolutionize our economy. Nanotechnology is just one area that could transform our economy. Nanotechnology is the science of creating new materials and devices at the atomic and molecular levels, through the manipulation of individual atoms and molecules.

What does this mean? It means inventing new materials that are 10 times stronger than steel—at a fraction of the weight. It means supercomputers the size of a teardrop. It means new sensors that can detect cancer cells at the earliest stages of development. Unfortunately, we may not see the pay-off for 10 or 20 years. Industry on its own cannot support such high risk, long term research. That is why the Federal Government must support long term basic scientific research. For evidence, just look at recent history. The United States had led the world in patenting considered a critical measure of innovation. Entrepreneurial investment in new technologies and services created an estimated one-third of the 10 million new jobs between 1990 and 1997. Since 1995, growth in gross domestic product per capita reached its highest levels in 40 years.

We cannot afford to stop now. That is why this amendment is necessary. Not only do we need to increase funding for research, we need to rebuild our research infrastructure.

According to NSF, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push the frontiers of new technology if our laboratories aren't ready? We are seeing a decrease in the numbers of graduates in key science and engineering fields. This puts our future innovation capabilities at risk. We must work to expand the pool of U.S. scientists and engineers by increasing support for K–12 math and science education. We must increase support for the education and training at our 2 year colleges, undergraduate institutions and research universities. Our international competitors won't stand still, and neither can we. With all that is confronting us, now is precisely the wrong time to cut funding for scientific research.

I urge all my colleagues to join us by supporting this amendment as a necessary and critical investment in the future well being of the Nation.

Mr. President, yesterday I had a great talk with Dr. Sally Ride, the first woman to go into space. When she went into space, she took the hopes and dreams of so many of us. Dr. Ride holds degrees in both English literature as well as astrophysics. If Dr. Ride were here today to consult with the Senators, she would say she could do what she did because of the funding of the National Science Foundation that helped her get the background to be able to go on to be an astronaut. And look at what it has meant.

Our own National Science Foundation today is leading a breakthrough effort in a new field called nanotechnology. It could transform our economy. It is the science of creating new materials at the atomic and subatomic level.

But what does that mean to those of us who are scientifically literate but not scientists? It means a supercomputer the size of a teardrop, new materials that are 10 times stronger than steel at a fraction of the weight. Think what it means for new materials for our airplanes and our automobiles.

Unfortunately, we will not see this payoff for 10 or 20 years. Industry cannot be the venture capitalists in this area. Government needs to get into it. By getting involved in nanotechnology and infotech technology, we are really taking America to the future. We lead the world in patenting and innovation.

Since 1995, our gross domestic product has increased more. Why? Because of innovation that has led to new products and new productivity. So we really need to focus our research on what will generate this type of activity.

At the same time, while we are looking at the funding of research, there is an $11 billion backlog in modernizing university research labs and research facilities. How can we push these frontiers of new technology if our laboratories are not ready? This program will help with those laboratories.

I think all here know of my passion for bringing often left out constituencies into science and technology—women, people of color.

It is the National Science Foundation that reaches out to bring them into the field of science, mathematics, and engineering. The NSF has done a fantastic job reaching out to historically black colleges and to women. At the same time we see, particularly with some of the NIH money that doesn't necessarily come to States with large rural populations, EPSCoR, an excellent program at NSF that brings high-tech research opportunities to our smaller rural States, that enables them to come up with the new ideas and maybe even jump start efforts of the stodgy universities. This is the competition we love. It is the competition of ideas, the competition for new products.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from New Mexico has 2 minutes.

Mr. BINGAMAN. Mr. President, I thank the sponsors of the amendment for the opportunity to speak on its behalf. I am a cosponsor of the amendment. I believe very strongly that it is the right thing to do. Of course, it does not actually get the money appropriated for these very important purposes, but it does make it possible for us to do that later in this session of the Congress.

We have seen a commitment over several years now by the Congress to

adequately fund the National Institutes of Health. I have strongly supported that. But we have not seen the same level of commitment, the same level of appreciation for the importance of maintaining high levels of funding for research and development in the physical sciences area. That is what this amendment would do. It would try to bring funding for research and development in the physical sciences on a par with the funding for the research and development that is pursued in the life sciences through the National Institutes of Health.

This is an extremely important effort, particularly as it relates to the Department of Energy's Office of Science, their commitment to developing the necessary user facilities across the Nation in two critical areas. One is the nanosciences that have been mentioned by the Senator from Maryland. The second is in advanced scientific computers. In both of these areas, we need to be the world leader. There is no reason we cannot be. In both of these areas we need to commit funds in order to maintain that leadership position.

I strongly support the amendment. I commend the sponsors of the amendment for proposing it and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the distinguished Senator from New Mexico for his kind comments as well as the strong comments of the Senator from Maryland.

The PRESIDING OFFICER. All time has expired.

Mr. BOND. I ask unanimous consent that the distinguished chairman of the Budget Committee be identified as an original cosponsor. It was my mistake not to include him on that list.

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

Mr. DOMENICI. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I yield the floor.

Mr. CONRAD. Mr. President, I suggest the absence of a quorum.

Mr. DOMENICI. Will the Senator withhold?

Mr. CONRAD. I am pleased to withhold for the Senator.

Mr. DOMENICI. While we are waiting, I yield myself 1 minute off the conglomeration of amendments. We won't exceed our time on those.

I take a minute to respond to the distinguished Senator from California who talked about our President and his environmental record. I want to make sure everybody out there in the hinterlands knows that the Senate had an opportunity to vote on whether it would ever enforce the so-called Kyoto accord. Not one single Senator voted that we would, indeed, enforce that accord. The vote was either 99–0 or 98–0, indicating forthrightly that the treaty would never see the light of day because the Senate said it wouldn't.

I believe we ought to be square with this President and be honest with the people. How can he be blamed for doing damage to the environment when the Senate clearly said, with not a single dissenting vote, that we would not enforce it? If we wouldn't enforce it, it would never be effective. It would have no efficacy on the environment of the world or America.

When our President announced that, somebody should have put a little scorecard up there that said: The President agrees with the Senate, which voted 98–0 that it would not enforce that accord.

On arsenic, which the Senator from California addressed, there are Democratic mayors across this land who have written to the Senator from New Mexico. I don't know very many who supported the old arsenic regulation because it was nonscientific and was not based on any real science. It wasn't only this President. Democratic mayors and councilmen joined by Republicans across the land said: Don't make us spend all this money when there is no benefit to the public health.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield 10 minutes to the Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank the distinguished ranking member, Senator CONRAD, for his skill in managing our presentation from this side on the budget.

I rise to make some comments in general terms but directing my comments to the amendment I introduced today on behalf of myself and Senators NELSON, LANDRIEU, CARNAHAN, CHAFEE, LINCOLN, BAYH, TORRICELLI, and JEFFORDS. The amendment provides for a $1.25 trillion tax cut over the next 10 years for the enactment of marginal rate reductions and estate, marriage penalty, and alternative minimum tax relief, and reserves additional resources for other domestic priorities such as debt reduction, education, agriculture, defense, and prescription drugs. That is the essence of the amendment.

Let me suggest to my colleagues and, indeed, to the American public, that during the Presidential elections of last year, the most important thing President Bush was able to enunciate for the American people who contributed to his victory was not a number but a concept. The number he talked about in the campaign was a $1.3 trillion tax cut for all Americans. But more important than the number was the concept in which he told the American people that if he were to come to Washington, he wanted to change the culture of the way Washington worked or, rather, the way Washington did not work.

He said—I think correctly—that the American people were tired of class warfare. The American people were tired of the blame game. The American people were tired of seeing Democrats blame Republicans for failure. The American people were tired of Republicans blaming Democrats for failure. The American people were tired of the blame game and the essence in which we argued about failure and whose fault it was that nothing was getting done.

He said: If I get the chance to come to Washington, I will change that culture.

The election was not about a number. It was about changing fundamentally the way we do business in this city.

On this budget, we have the opportunity to show the American people that perhaps there is a glimmer of hope, that perhaps with a new President in Washington, if he truly believes, as I think he does, that he wants to change the culture, this is the first test of whether that will be done.

If you took to the American people a tax cut of over a trillion dollars for all Americans and you were able to put together a bipartisan coalition of 55, 60, 65 or more votes together in a package and say, we have worked together to accomplish this in a bipartisan fashion, we have fundamentally changed the way Washington works, that would be a victory for this President. It would be a victory for the Senate and, far more importantly, it would be a victory for the American public.

Let me assure my colleagues of one thing: This body is not the Super Bowl. This body is not the Final Four. In both of those endeavors there has to be a winner and there has to be a loser. I suggest that in the Congress of the United States that is not true. In the Congress of the United States it is far more important that we keep in mind that we should be trying to make the American people the real winners. It is not as important which party wins, but that both parties can work together in order to make a victory available to the people of this country.

I suggest we have an opportunity to do that, and unlike with the Super Bowl and the Final Four, everyone can be a winner and there can be no losers. It is time that we stop thinking that any number under $1.6 trillion is a loss for the President and a victory for the Democrats. That is simply not true. A number in between what Democrats have offered and what the Republicans have offered that is available to all Americans, that receives a substantial degree of support from both sides, is an incredible victory. It is an incredible victory not because it is a number but because we will have changed fundamentally the culture of this city.

It does not behoove any of us to try to pick one Republican off to join this side and for them to try to pick one Democrat off to join them on that side. If the American people see that that is the way Washington works in the year 2001, they will say the last Presidential election meant very little because of all the talk about change in the culture, and we ultimately get back to the

same old way of doing things. We pick up one, they pick up two; we pick up one, we get a 50–50 tie; and then we bring down the Vice President to break the tie and one side declares victory.

In essence, I think that is a short-term, shallow victory. In essence, I think it would be a serious defeat for all Americans who think we should change the culture of the way this institution works. We have offered something that I think could be a victory for everyone. We have offered a plan that should bring about serious negotiations, where we all sit together and not try to pick each other off, but we try to create a system that works for the benefit of all Americans.

What is not a victory is trying to pick each other off one at a time, with one more promise than the last group made, to try to say: Be with me for a short while so I can go to the winner's circle and be declared the victor.

We have an opportunity in this divided Congress—a President who won the electoral college but not the popular vote, a House of Representatives that is closer than it has been in decades, and a U.S. Senate that, for only the second time in our country's history, is absolutely deadlocked—that should not be a problem. That should be an opportunity. It should be the opportunity that this President talked about when he was running: ''If I am elected and I go to Washington, I will fundamentally change the culture of that city.''

This is the first test of whether we are going to change it. This is the first opportunity to show the American people that things will be done differently.

For all of my colleagues on both sides of the aisle who have joined with us in offering this, I think this is the answer to the deadlock in which we are involved. I thank them for their participation. I encourage all of my colleagues to work with us to ensure not just one party's victory but a victory for the American public.

I reserve the remainder of my time.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. NELSON of Nebraska. Mr. President, I rise today to speak in favor of the Breaux-Nelson-Jeffords, et al., bipartisan tax cut plan. This compromise is the result of careful consideration of the two philosophies dominating the tax cut debate today. The first was the belief that the $750 billion tax cut was not sufficient, considering the size of our projected surplus. Yet the second was that the $1.6 trillion tax cut could negatively impact programs in agriculture and defense, which are so important to the people of America and the people of Nebraska.

To put it another way, this legislation was written with one specific goal in mind: to cut taxes without cutting hope, and to do so in a bipartisan manner. We have worked deliberately toward that end, and I am pleased to stand here today and help introduce a tax cut package that will, in fact, achieve that goal.

In this plan we have included a $1.25 trillion tax cut proposal, and we put $350 billion back into the surplus so it can be used for increased debt reduction and the programs that are vital to the future of our industry, such as agriculture, defense, education, and a prescription drug benefit.

Acknowledging the discrepancy between the two plans offered today for consideration gives us the chance to negotiate our partisan differences on the tax cut. I believe quite strongly that the Breaux-Nelson-Jeffords, et al., plan is an excellent starting point for this discussion.

I have had the privilege of working with the President back in the days when I was Governor Nelson and he was Governor Bush. So I am familiar with the bipartisan efforts he undertook in the State of Texas. We both campaigned on the premise that we would reach across party lines to find sensible solutions to the Nation's most pressing issues. With this bipartisan proposal on the table, the President and the White House have the opportunity to demonstrate their negotiating skills and their desire to work together to achieve an ideological conclusion that is based not on partisanship, but is based on partnership.

Persuading one or two Democrats to vote with 48 or 49 Republicans doesn't, in my opinion, constitute bipartisanship. However, sitting down and working out our differences to establish a constructive alternative does, in fact, constitute bipartisanship.

On the surface, this legislation is about the tax cut, but it is also about much more than a tax cut. This bill is about changing the partisan tenor in Washington. And when we can successfully negotiate with the people at both ends of Pennsylvania Avenue, as well as with colleagues on either side of the table, we will be taking a step in the right direction. I am confident that if we work together, we will in fact reduce our differences, and we will also in fact reduce taxes; but we will not reduce our hopes and our dreams or those of others.

Mr. CONRAD. Mr. President, I compliment the Senator from Nebraska. He has been an exceptional addition to the Senate. He comes to us as a very distinguished former Governor, and he has made a great contribution to this debate in the Senate. I want to say that we welcome him, and we are so pleased that he has played this constructive role.

Mr. President, I yield 5 minutes to the Senator from New Jersey.

Mr. TORRICELLI. Mr. President, at some point, the division of this Senate on the issue of a tax reduction proposal must end. We must find some moment where there is a bipartisan approach that both protects our resources to deal with education and health care initiatives, but also has meaningful tax reduction. This can be that moment.

I join with Senator BREAUX because I believe we have found a reasonable compromise that is bipartisan—a $1.25 trillion tax reduction that lowers rates, offers real relief to middle-income families, but also protects enough resources to deal with our education, prescription drugs, and other family needs.

We have been told in recent months that there is a false choice. We can either deal with these problems or we can provide tax relief, but most assuredly we cannot do both. With this proposal, we achieve both by doing each modestly.

I have in the past indicated my belief that I could support a $1.6 trillion tax reduction as proposed by President Bush. Indeed, if required to do so, at some point I might vote for it, but surely this is the better path—not a tax reduction of 51 votes, no Vice President breaking a tie to decide upon a major national initiative that will decide the basic fiscal parameters of this Government for the next decade. This, a bipartisan plan that is affordable, protects the surplus and allows for a variety of other initiatives.

This is the most important part of the plan because while these are good times in America, they are not perfect times; and while the economy has been strong, it is now troubled.

In the last few years, we began an effort to hire 100,000 teachers; 50,000 remain to be hired to complete the program to reduce class size in America to 18 because we know it is the one variable that does the most to improve the quality of education.

Under the plan I offer with Senator BREAUX, this initiative can proceed. I am not certain it can with a larger tax cut program.

The Nation is living through a virtual revolution of technology with prescription medications prolonging life and helping the quality of life. Yet 15 million Americans have no access to prescription drugs. They are a vital part of their quality of life.

This plan leaves enough resources to write a realistic prescription drug program. Were it larger, I am not certain that would be possible.

I hope Members of the Senate will look carefully at what Senator BREAUX has offered today, our first chance at a bipartisan product to move toward meaningful tax reduction and a balanced program. I am sympathetic with the need to reduce taxes and reduce them substantially and immediately. I do not think a nation at peace, in relatively good economic times, should be taking 28 or 30 percent of the incomes of middle-income families. Indeed, 39 percent of the income of any American family should not be expected in peacetime and in relatively good times.

That is exactly what we are asking of the American people. The average per capita tax in America is $6,300. In my State of New Jersey, it is an astounding $9,400 per person. For a middle-income family, that is money the Federal Government should not expect because the Federal Government does not need

it. That is money that should be going to educate children, feed them, house them, to deal with family security and emergencies and savings. That is the better use of these resources.

I believe that meaningful tax reduction in an economy of this size, with these emerging surpluses, can allow for dramatic tax reduction on this scale.

Senator BREAUX has offered a meaningful beginning to writing that tax reduction and providing that relief. I am proud to join with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from New Jersey once again for a powerful and persuasive presentation.

Mr. President, I ask the Senator from Connecticut if he seeks time.

Mr. DODD. I do, Mr. President.

Mr. CONRAD. I yield 10 minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, my amendment is currently being crafted, and I have been in discussion with the distinguished chairman of the Budget Committee. I will explain what the amendment is and then I will offer it shortly.

I will be offering this amendment on behalf of myself and several of my colleagues: Senators WELLSTONE, CLINTON, BINGAMAN, CORZINE, MURRAY, LANDRIEU, LINCOLN, ROCKEFELLER, DAYTON, and DURBIN.

This amendment ensures that critical children's programs will be protected from harmful cuts. President Bush, as we all know, campaigned on the promise to leave no child behind. If we heard it once, we heard it a thousand times during the campaign. Those of us who took this President at his word were dismayed, to put it mildly, by the news 2 weeks ago that he intends to pay for the tax cut by cutting programs affecting children's health, children's hospitals, child care, and child abuse prevention treatment programs.

His actions certainly beg the question: When he pledged to leave no child behind, which children did he mean? Not abused and neglected children apparently because he would cut funding for child abuse by 18 percent.

Yesterday I attended a wonderful program sponsored by Child Help USA, a national group supporting programs to eliminate child abuse in this country. I was pleased to have the opportunity to participate in the program. The luncheon was co-hosted by the distinguished wife of our majority leader and my wife. We had speakers from the House and the Senate, as well as many experts from across the country who are involved in child abuse prevention. Groups like Child Help USA, serving the needs of abused and neglected children throughout the nation, deserve our utmost support. The amendment that I offer today is a step in the direction of providing that support.

What we are doing with this amendment is seeing to it that the level of funding for child abuse at the very least remains the same and we do not have an 18-percent cut in that program, as called for in President Bush's budget.

More than 800,000 children are the victims of child abuse each year. Certainly an 18-percent cut in that program can be devastating for these very worthwhile efforts.

Children's hospitals is a second issue addressed by this amendment. These hospitals train more than 25 percent of our Nation's pediatricians and more than 50 percent of the country's pediatric specialists. A $35 million cut in that program which trains pediatricians and pediatric specialists is surely a move in the wrong direction. The most critically ill children in our country are at these children's hospitals, and seeing to it they get the proper assistance and support is critically important.

The third issue addressed by my amendment is the restoration of the $20 million cut in the early learning programs contained in President Bush's budget. These early learning programs were sponsored by our colleague from Alaska, Senator STEVENS, and our colleague from Massachusetts, Senator KENNEDY. I believe the early learning program is certainly worthwhile, and it has to be restored. My amendment will restore this cut.

Lastly, as many of my colleagues know, child care is a very important program to our nation's children and families. Last year, this body, along with the other body, increased funding for child care. Under the President's proposal, child care would be cut by $200 million which is a major step in the wrong direction. Given the needs of children who are on waiting lists for child care and of working families who need help in paying for the cost of child care, child care funding is vitally important. Mr. President, in Texas, 41,000 children are on the waiting list for child care assistance, in Florida, 44,000; Mississippi, 15,000; 16,000 in Massachusetts; 14,000 in North Carolina. Yet if the proposed cuts went into place, 60,000 more families with young children and toddlers would be denied child care assistance under the child care development block grant that was authored by my colleague from Utah, Senator HATCH, and myself. We think the restoration to present levels of funding is the very least we can do as we enter the 21st century with the established need for well-trained pediatricians, good early learning programs, adequately dealing with child abuse, and providing at least the same level of funding for child care assistance in this country.

We are told all the reasons we need to have a tax cut of this size, but to do that, it seems to me, the cost of cutting into programs for the most needy people in our society—children in children's hospitals, children who are abused, children who need early learning programs—is too high a price to pay for tax relief. To say we cannot provide some reduction in that tax cut, where the bulk of it is still going to those who can afford these programs the most, to provide some assistance to these children and these families is something for which this body I believe does not want to be on record.

This is not an increase. I stress to my colleagues, I am not asking for that. I will, however, at some point. Today all I am asking for is the restoration of last year's funding levels. That is all—child abuse, child care, and pediatric care, along with early learning programs that Senator STEVENS and Senator Kennedy have championed, do not deserve these cuts. All I am asking for with this amendment is that we—at the very minimum—provide the same level of funding we provided just last year. While I surely support adding to these levels, and will work toward boosting funding as we move into the appropriation's process, the amendment I offer today simply restores cuts to these vital programs contained in President Bush's budget. Don't make cuts in these programs at the same time we are offering a substantial tax break for those I know who like it, but many of them would agree that their money could be better invested in programs that serve vulnerable children and families.

I ask my colleagues to support this amendment.

I yield 1 minute to my colleague from Minnesota.

Mr. WELLSTONE. Mr. President, I thank the Senator from Connecticut for his amendment. I thank him for his passion for children. I am very proud to be an original cosponsor of this amendment. I thank my colleagues on the other side of the aisle, if indeed they support this amendment. To cut funding for a program that would help with prevention of child abuse, to cut funding for child care, little children, to cut funding for training for doctors at some of our children's hospitals where you have some of the sickest children is no way to realize the goal of leaving no child behind.

This amendment restores funding. There will be a number of Senators fighting for more funding for investment in children, especially prekindergarten, little children. This is a good amendment. I thank my colleague from Connecticut. I am proud to be a supporter.

Mr. DODD. We are talking about a very modest amount of money. We Members have been talking about billions of dollars yesterday and today. This amendment does not even get near the $1 billion figure. While we regularly talk of billions and trillion of dollars around here as if they don't count much, they surely count if you have a child in a children's hospital needing help, if you are a parent trying to afford child care and you are working, if you have seen what happens to children that are abused. The millions of dollars that this amendment will restore, while not the billions we usually

talk about, can make a huge difference to a family with a sick child or in need of child care. Sixty thousand children could be positively affected by keeping the funding level for child care, not to mention the thousands of kids who need the help in our children's hospitals for pediatric care, and not to mention the abused and neglected children that would benefit from this amendment.

I hope that the request that I am making to my colleagues on the Budget Committee with this amendment will find some room in their hearts to at least keep the playing field level for children and families that need our help. If we reduce the tax cut by this tiny amount, it will not cause any great damage to other people. These programs are deserving. The American public believes that children who are sick and need care, abused kids, deserve to get help.

I urge adoption of this amendment.

Mr. DOMENICI. If the Senator will modify the amendment so the money is taken out of the contingency fund instead of the tax cut it will be passed. Otherwise, we will have to wait and see what we can do.

I will take a minute in response to the Senators who spoke for a tax number considerably lower than the President's. I heard the number was $1.25 trillion. I heard both of the Senators on the other side, led by Senator BREAUX, say we ought to have a bipartisan approach. The President came to town and they are quite sure this is what he would like because it is bipartisan.

I remind everybody what I am willing to do as chairman of the Budget Committee, to make sure the Senate understands—each and every Senator and those who report for them—we are asking for the President's proposal. I have heard him now more than 10 times clarify this. They ask him: What about $1.25 trillion, Mr. President? What about $1.4 trillion, Mr. President? Of course he is good-natured; he listens and he says: I think that is too low. I think that is too low. They ask for a higher amount because some want more than 1.6, and he says that is too high and 1.6 is just about right.

Those who are suggesting they are doing what the President is seeking when they are asking for $1.25 trillion instead of $1.6 trillion, that is their proposal. That is not the President's proposal. It may be they will prevail and we won't get the President's proposal.

I want everybody to know that is my brief response to the two or three speeches made on the other side of the aisle, led by the distinguished senior Senator from Louisiana, the junior Senator from Nebraska, and the senior Senator from New Jersey.

I yield the floor.

Mr. ROCKEFELLER. Mr. President, I rise today to join my colleagues in advocating passage of the Bond and Mikulski amendment on science and technology research funding. This amendment recognizes the critical importance of Federal science and technology funding in expanding the frontiers of science and laying the groundwork for economic success.

The Bond-Mikulski amendment will increase the funding for the National Science Foundation, the Department of Energy's R&D activities, and NASA. Importantly, the increase to NSF would return us to a path to double that agency's funding over the next five years. I have worked for many years with Senators FRIST, LIEBERMAN and others on the Federal Research Investment Act, which would double federal funding government-wide for science and technology research. That bill has passed the Senate twice, but has yet to become law. This year I hope that it will pass both Houses and become law. This amendment contributes to that larger overall effort by maintaining our funding trajectory for several agencies for the current budget. The Federal Research Investment Act is still necessary to reach our goal on the larger group of agencies that together represent our nation's overall commitment to federal science support, and to ensure that funding will be adequate over a longer time period.

Senators BOND, MIKULSKI, FRIST, LIEBERMAN, and I are not alone in our call for more substantial funding for science and technology research. The House Science Committee, CEOs of our high technology companies, Presidents of our leading universities, our top scientists and economists, and representatives of labor organizations have all made it clear that Congress must make significantly higher long-term investments in science and technology research. Congressional failure to appropriate more funding for science and technology research will threaten America's competitive advantage in information technology, biotechnology, health science, new materials, and other critical technology-intensive fields. As we all know, many of our best economic thinkers, including Alan Greenspan, MIT economist Lester Thurow, and Harvard Business School professor Michael Porter, have asserted that our country's leadership in these areas is a critical ingredient for future economic success.

This amendment gives us a chance to make an important investment in our country's future and to lay the groundwork for continued American high-tech leadership. I urge my colleagues to heed our high-tech, academic, and labor leaders' call to action on federal R&D support and work together to pass this important amendment.

Mr. LIEBERMAN. Mr. President, I am pleased to cosponsor this amendment offered by Senators BOND and MIKULSKI to increase funding authorization for Function 250. Studies have shown that roughly half of the economic growth in the past 50 years is a direct result of technological innovation; science, engineering, and technology play a central role in the creation of new goods and services, new jobs and new capital. Three of the greatest generators of innovative ideas, The National Science Foundation, NASA, and the Department of Energy, receive significant budget increases in this amendment, reaffirming our nation's commitment to achieving advances in science and technology.

This commitment to research and development is also imperative for training the next generation of scientists and engineers. Reductions in R&D translate to reductions in the number of students trained in technical disciplines. In short, strong support for federally-funded R&D is crucial to continued economic and technological success for our Nation.

Mr. DASCHLE. Mr. President, I want to indicate my strong support for the amendment offered by Senator BOND and Senator MIKULSKI that would increase the amount of funding available for scientific research at the National Science Foundation, NASA and the Department of Energy by $1.4 billion.

Our nation's capacity for groundbreaking scientific research is one of its greatest assets. Scientific research strengthens our economy, improves our international competitiveness and raises the quality of life for all of our citizens. President Bush's 2002 budget, however, will retard our nation's investment into such research. For example, it virtually freezes funding for the National Science Foundation, NSF, cutting facility project funding by $13 million, and providing no funding for new projects. Such cuts threaten to throw our country's research portfolio out of balance by not providing for needed advances in the physical sciences and engineering.

Science is a bipartisan issue. A recent Wall Street Journal article reported that to pay for his tax cut, ''President Bush is having to chop another Republican priority: increased government spending for science.'' D. Allen Bromley, a professor of nuclear physics at Yale and science and technology advisor to former President George H. W. Bush, recently wrote, ''the proposed cuts by the Bush Administration to scientific research are a self-defeating policy. Congress must increase the federal investment in science. No science, no surplus. It's that simple.'' Even Former House Speaker Newt Gingrich has been reported as calling the President's NSF budget ''a tragic mistake,'' stating it ''should be $11 billion'' instead of $4.5 billion.

Earlier this year, a blue-ribbon panel of physicists recommended a site in my state of South Dakota, the Homestake Gold Mine, as its preferred location for a world class underground physics lab. Last year, the Homestake Mining Company announced it will close its doors this December after more than 125 years of operation. The mine has been the economic mainstay of the Black Hills of South Dakota, and its closure

would have a devastating effect on the surrounding communities. Converting the mine into a world-class research facility holds great promise for the scientific community at large and would minimize the disruption the mine's closure will have on the region. With an underground laboratory, hundreds of new jobs would be created, business would expand, and new opportunities for growth and learning would abound.

If Homestake is selected as the site for a national underground science laboratory, it is imperative for the project to be funded this year. Unless construction begins this year, Homestake Mining Company will allow the mine shafts to flood when the mine closes, permanently foreclosing any chance of building the lab at Homestake. Moreover, the longer we delay, the more likely it is that the mine's workforce will leave, crippling our ability to construct the lab.

The Bond/Mikulski amendment will greatly enhance the prospects that valuable scientific ventures like the national underground physics laboratory will secure the government support needed to make them viable. I encourage my colleagues to support it.

AMENDMENT NO. 322

Mr. DODD. I call up amendment No. 322.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 322.

Mr. DODD. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $1,163,000,000.

On page 2, line 18, increase the amount by $1,498,000,000.

On page 3, line 13, decrease the amount by $1,163,000,000.

On page 27, line 3, increase the amount by $243,000,000.

On page 27, line 4, increase the amount by $243,000,000.

On page 28, line 22, increase the amount by $50,000,000.

On page 28, line 24, increase the amount by $50,000,000.

On page 32, line 15, increase the amount by $870,000,000.

On page 32, line 16, increase the amount by $870,000,000.

On page 43, line 15, decrease the amount by $1,163,000,000.

On page 43, line 16, decrease the amount by $1,163,000,000.

On page 48, line 8, increase the amount by $1,163,000,000.

On page 48, line 9, increase the amount by $1,163,000,000.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 288

Mr. VOINOVICH. Mr. President, on behalf of Senators GREGG and FEINGOLD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. VOINOVICH], for himself, Mr. FEINGOLD and Mr. GREGG, proposes an amendment numbered 288.

Mr. VOINOVICH. I ask unanimous consent the reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the fiscal discipline of the budget process)

At the appropriate place, insert the following:

SEC. . EMERGENCY DESIGNATION POINT OF ORDER IN THE SENATE.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In making a designation of a provision of legislation as an emergency requirement under section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the committee report and any statement of managers accompanying that legislation shall analyze whether a proposed emergency requirement meets all the criteria in paragraph (2).

(2) CRITERIA.—

(A) IN GENERAL.—The criteria to be considered in determining whether a proposed expenditure or tax change is an emergency requirement are—

(i) necessary, essential, or vital (not merely useful or beneficial);

(ii) sudden, quickly coming into being, and not building up over time;

(iii) an urgent, pressing, and compelling need requiring immediate action;

(iv) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(v) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(3) JUSTIFICATION FOR FAILURE TO MEET CRITERIA.—If the proposed emergency requirement does not meet all the criteria set forth in paragraph (2), the committee report or the statement of managers, as the case may be, shall provide a written justification of why the requirement should be accorded emergency status.

(b) POINT OF ORDER.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, a point of order may be made by a Senator against an emergency designation in that measure and if the Presiding Officer sustains that point of order, the provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DEFINITION OF AN EMERGENCY REQUIREMENT.—A provision shall be considered an emergency designation if it designates any item an emergency requirement pursuant to section 251(b)(2)(A) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(f) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report, the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

(g) CONFORMING REPEAL.—Section 205 of H. Con. Res. 290 (106th Congress) is repealed.

SEC. . CLOSING BUDGET LOOPHOLES.

(a) CHANGING CAPS.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that changes the discretionary spending limits this resolution.

(b) WAIVING SEQUESTER.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that waives or suspends the enforcement of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) DIRECTED SCORING.—It shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that directs the scorekeeping of any bill or resolution.

(d) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. VOINOVICH. Mr. President, when I came to the Senate in 1999, one of my goals was to bring fiscal responsibility to Congress and to our Nation.

In this regard, I have pursued my fiscal priorities, which are: pay down the debt, control spending, and, if possible, return to the taxpayers any of their money that is not needed to meet our most pressing obligations.

Over the last 2 years we have had the proverbial ''good news/bad news'' with respect to putting our fiscal house in order.

The good news is, we are not using the Social Security surplus or the Medicare Part A surplus to cover our spending, allowing them instead to be used as they were intended. In effect, we have managed to ''lock box'' Social Security since 1999, and Medicare since 2000. I think we need legislation to make sure we continue to do that.

In addition, because we haven't dipped into Social Security or Medicare surpluses, we have been able to allocate a total of $363 billion towards debt reduction in the last 2 years.

The bad news is, we have spent far too much money over the last 2 years. For fiscal year 2001, we increased nondefense discretionary spending 14.3 percent last year and we had an 8.6 percent increase the year before.

In the last half of last year, the 106th Congress increased spending over 10 years by $598 billion. Nearly $600 billion of the taxpayers' money gone—used up. That is disgraceful.

Therefore, to help avoid a repetition of this sad episode, I am proposing this amendment with my two colleagues, Senator FEINGOLD and Senator GREGG.

The amendment we are offering helps to refine the procedures in the budget

process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against emergency spending that does not meet the definition for emergency spending as laid out by OMB.

Under our amendment, Senators may raise a point of order against legislation designated as emergency spending that fails to meet certain criteria.

This provision would apply equally to both discretionary and military spending and would also establish a 60-vote waiver threshold.

I realize we will not completely stop the problem of Congress' over-spending here today, but it is a reasonable first step.

So what we are doing here with this amendment is closing budget loopholes by: Creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and creating a point of order against directed scoring in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits.

Any waiver of these measures will require 60 votes.

I want to reassure my colleagues that our amendment will not preclude the use of emergency spending to meet our true defense needs.

I have no doubt whatsoever that should this Nation face a crisis, there will be well over 60 Senators willing to vote to waive any possible use of this point of order.

I believe that it is important that we have this tool to eliminate the irrelevant spending that so often gets ''tacked on'' to our defense emergency supplemental appropriations bills.

For instance, in past defense supplementals, we have spent: $1 billion on ballistic missile defense enhancements; $200 million on defense health programs; and $42 million on defense counter-drug and drug interdiction activities.

I would question whether these defense ''emergencies'' could not have been handled in the normal appropriations process.

Total emergency supplemental defense spending in fiscal year 2000 amounted to $17.5 billion, and in fiscal year 1999, it totaled $16.8 billion.

Even for Washington, these are large sums of money.

I am sure that the vast majority of this spending is for legitimate emergencies.

However, I believe we need an added safeguard to help stop abuses of the emergency spending designation in an effort to circumvent our spending caps.

I believe this amendment is a sensible approach to achieving our goal of fiscal responsibility and it represents a good step toward improving the transparency of our budget process.

I urge my colleagues to support this amendment.

AMENDMENT NO. 322, AS MODIFIED

Mr. DODD. Mr. President, I send a modification of my earlier amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment, as modified, is as follows:

(Purpose: To increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs)

On page 2, line 17, increase the amount by $270,700,000.

On page 3, line 13, decrease the amount by $270,700,000.

On page 27, line 3 increase the amount by $270,700,000.

On page 27, line 4 increase the amount by $243,000,000.

On page 28, line 22 increase the amount by $50,000,000.

On page 28, line 24 increase the amount by $50,000,000.

On page 32, line 15 increase the amount by $870,000,000.

On page 32, line 16 increase the amount by $870,000,000.

On page 4, line 2 increase the amount by $270,700,000.

On page 4, line 16 increase the amount by $270,700,000.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am pleased to join my colleagues, Senators VOINOVICH and GREGG, to offer this amendment to improve fiscal discipline.

Our amendment would strengthen enforcement tools. The amendment would restate the procedure on emergency spending from last year's budget resolution, with one change. It would put emergency defense spending on exactly the same footing as emergency domestic spending. All emergency designations would thus be subject to a 60-vote point of order.

As under current practice, if sustained, the point of order would strike the emergency designation, but leave the associated funding. If the funding, without the emergency designation attached, would push the total funding for the bill over its allocation, or over the total discretionary spending cap, another point of order could be raised.

Our amendment would also close several budget loopholes. It would make out of order three separate devices used to evade budget discipline: changing the discretionary spending caps, waiving a sequester, and directing scorekeeping. Under current law, doing any of these three things is out of order on any bill not reported by the Budget Committee. Our amendment would extend that prohibition to all bills.

This amendment will strengthen budget enforcement. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. I want to remind my colleagues of one thing. The direct scoring was used in the last two omnibus appropriation bills to, frankly, avoid busting the budget caps. That is why it is so important we have this point of order.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I am constrained to raise a point of order. The amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

Mr. VOINOVICH. Mr. President, I ask the point of order be waived and ask for the yeas and nays on the waiver of the point of order.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Had the Senator used all his time? How much time did he use?

The PRESIDING OFFICER. They used 7 minutes.

Mr. DOMENICI. Would the Senator like to speak a little longer on this amendment in case somebody is interested?

Mr. VOINOVICH. Not necessarily, unless somebody wants to speak against it. Then I will answer.

Mr. CONRAD. Does the Senator from South Carolina seek time?

Mr. HOLLINGS. Mr. President, I ask for 10 minutes from my distinguished chairman?

Mr. CONRAD. I yield to the Senator from South Carolina 10 minutes.

AMENDMENT NO. 225

Mr. HOLLINGS. Mr. President, I call up amendment No. 225 on behalf of myself, Senator BIDEN, Senator DASCHLE, and others.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. HOLLINGS], for himself, Mr. BIDEN, and Mr. DASCHLE, proposes an amendment numbered 225.

Mr. HOLLINGS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a $85 billion tax rebate, and for other purposes)

On page 43, strike lines 10 through 12, and insert the following:

(A) New budget authority, $85,000,000,000.

(B) Outlays, $85,000,000,000.

(C) The Senate finds that

(i) given the apparent economic slowdown, the Congress should stimulate the economy by passing a 1-year true tax cut stimulus package that provides income tax and payroll tax relief;

(ii) for real economic stimulus the 1-year tax cut should equal approximately 1 percent of the gross domestic product, or $95,000,000,000;

(iii) a meaningful economic stimulus must reach as many taxpayers as possible, or at least 120 million people;

(iv) the broadest range of taxpayers can be reached by offering a direct rebate based on income tax liability or payroll tax liability; and

(v) the tax stimulus bill should be immediate and take effect on or before July 1, 2001.

(D) It is the sense of the Senate that the levels in this resolution assume that the Senate should as soon as practical consider and pass a stimulus tax package pursuant to this budget resolution that will result in a rebate of

(i) up to $500 per individual or $1,000 per couple for 95 million taxpayers who pay income tax; and

(ii) up to $500 for the 25 million taxpayers who pay payroll taxes but do not have income tax liability.

Mr. HOLLINGS. Mr. President, my appeal now is to all Democratic Senators, all Republican Senators—to the Senate as a body—to heed the distinguished majority leader's admonition to us last evening when he exclaimed: We are fiddling while Rome burns. What we should be doing is taking up a stimulus measure to get the economy moving, not, if you please, worrying about what is going to happen over the 10-year period—not for the elections next year, or education, or housing, or Patients' Bill of Rights, or health care, or any of these other things.

Distinguished members of the Concord Coalition, including the former Secretary of the Treasury, Secretary Rubin, and former Senators Warren Rudman and Sam Nunn, recently wrote an editorial to The Washington Post, ''On Taxes, One Step At A Time,'' saying what we really need:

We believe an immediate fiscal stimulus can be provided independently of the proposed 10-year tax cut.

That is exactly what my amendment is cut out to do. The previous amendment, the Durbin amendment, involves the tax cut. This has nothing to do with the tax cut. It responds to what Rubin and others have been saying, that is, to at least try to get 1 percent of a $10 trillion economy, around $85 billion or $95 billion, to extend to the greatest number of Americans—namely, the 95 million taxpayers and the 25 million payroll workers, some 120 million Americans—a $500 rebate, Senator Domenici, or $1,000.

You ask me where the money is? This is the most money we can utilize for stimulus without touching the Medicare and Social Security trust funds. I would have put in even more, if it was available. The $60 billion the distinguished Senator from New Mexico has in his bill was called, by Steve Forbes, ''an hors d'oeuvre.'' I call it half a haircut. I do not know whether the $85 billion in this particular measure is going to do the trick. I hope so. But we have the best authorities from all walks of economic life, and from the market itself, in agreement.

MIT professor Lester Thurow:

If President Bush were really interested in using taxes to stop the plunge in the economy, he would drop his 10-year tax cut and first go for a large 1-year temporary tax cut, a stimulus package that could be extended for another year if needed.

That is exactly what I have done. I am not involved in the budget arguments so as to divorce it from the politics of tax cuts; rather, get a true stimulus package.

Robert Kuttner, whose column appears in the Boston Globe: First, the tax cut should be smaller, quicker, and directed to people who need it.

The best idea proposed by Harvard's Richard Freeman and the Economic Policy Institute is a one-time dividend of $500 for every woman, man, and child. That would inject a lot of stimulus into the economy right now. The Treasury could send out the checks within a month.

We are all complaining about Alan Greenspan, but we have to do our part here. If you want to accept responsibility for the recession, just vote against this amendment, because this is not involved in the politics, tax, or the budget debate. This is involved in what everyone says—Republicans and Democrats, economists and market experts—that we need right now.

David Broder:

If they can, this country can reap the benefits of an immediate tax cut that will cushion the effects of the slowdown of the economy.

That is just last week. And this week's Business Week headline reads: America Needs That Tax Cut Right Now.

We made it a rebate because I am confident that our friends on the other side of the aisle will not support the Durbin amendment. Of course, the Durbin amendment is not an amendment with respect to the $60 billion amount, it is an endorsement of the same amount. I think it is inadequate on the one hand, but otherwise it gives that 10-year lower bracket of 15 percent down to 10 percent, which costs them $500 billion and goes right in the face of the Bush tax cut.

I do not want to get involved in that political argument. I want a true tax cut for which everybody can vote. That is it.

What we have been doing here has gotten all wound up with the rich, the poor, the high, the low; what are we going to do for medicine, what are we going to do for defense and everything in the next 10 years. But as the distinguished majority leader yesterday afternoon said: Rome is burning.

If you want it to continue to burn, vote the amendment down. If you want to revive the economy and the market so that there will be some surpluses here, then please help us with this particular amendment.

I retain the remainder of my time.

Mr. DOMENICI. Mr. President, may I ask a question of the Senator?

Mr. HOLLINGS. Yes, sir.

Mr. DOMENICI. I read the amendment. Let me see if I am correct. You don't do anything to the rest of the budget and the proposed tax cut.

Mr. HOLLINGS. No. I leave that alone.

Mr. DOMENICI. You just increase the 60 that we have.

Mr. HOLLINGS. Eighty-five, because I understand Senator GRASSLEY has used some emergency agricultural funds in his amendment. That is the only one that is touched for 2001. The Budget Committee staff has been keeping score. I had to cut it back to 85.

Mr. DOMENICI. I am certainly going to explore this with the Senator.

Mr. HOLLINGS. Please do. My goodness, with the smile on your face and with some help, we can really help the economy. That is the whole idea—not to be partisan, or, I am for Bush, or against Bush, or I am for the rich and you are for the poor, and all of that kind of stuff. Let's really get what the economy needs now.

Mr. DOMENICI. I am in fact smiling. My face is in such a big smile that I can't hardly talk. So just give me a moment. I don't want you to answer this. But if I consider your amendment, would you consider my budget?

Mr. HOLLINGS. Oh, yes. I consider your budget. In fact, if we had all of those surpluses, I promise to vote for Bush's budget. As Senator BYRD carries around the Constitution, I carry around the economy. The debt to the penny by the U.S. Treasury, from the Secretary of the Treasury, shows that the debt has gone up this fiscal year already by $102 billion, with a $42 billion increase in the debt owed by the public and $60 billion in debt owed by the Government itself.

We are not paying down the debt. But if you get those surpluses, you will have my help.

Mr. DOMENICI. Mr. President, I close by saying I don't want to ask another question, obviously, because your answer was one that I didn't expect. But I want to remind you that you made a deal with me once. You said as soon as we balance the budget—you and I—wouldn't you jump off of some building?

Mr. HOLLINGS. Off the dome. That is right. You had me looking for a parachute last fall. But now look at what we have going. We are spending money we don't have now on this particular measure.

I go back to Roosevelt's ''prime the pump,'' because I remember for about a 2- to 3-year period back in my hometown they were paying everybody in script. We didn't have the money.

That assumes we don't have the money. But if you want to get this economy moving again, let's vote for this particular amendment so we can do that and not be accused of bogging down in the political argument of tax cuts and budgets.

Mr. DOMENICI. I would have modified my suggestion, and would have said, Will the Senator try a bungee jump? You wouldn't have to jump for real.

I yield the floor.

Mr. HOLLINGS. I thank the distinguished chairman of the Budget Committee and the ranking member, Senator CONRAD. I yield the remainder of my time. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 201

Mr. ALLEN. Mr. President, I call up my amendment with Senator BROWNBACK and others, No. 201.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN], for himself and Mr. BROWNBACK, proposes an amendment numbered 201.

Mr. ALLEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for a tax cut accelerator)

At the appropriate place, insert the following:

SEC. ___. TAX CUT ACCELERATOR.

(a) REPORTING ADDITIONAL SURPLUSES.—If any report provided pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, estimates an on-budget surplus that exceeds the on-budget surplus set forth in such a report for the preceding year, the chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make adjustments in the resolution for the next fiscal year as provided in subsection (b).

(b) ADJUSTMENTS.—The chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make the following adjustments in an amount not to exceed the difference between the on-budget surpluses in the reports referred to in subsection (a):

(1) Reduce the on-budget revenue aggregate by that amount for the fiscal years included in such reports.

(2) Adjust the instruction to the Committee on Ways and Means and the Committee on Finance to increase the reduction in revenues by the sum of the amounts for the period of such fiscal years in such manner as to not produce an on-budget deficit in the next fiscal year, over the next 5 fiscal years, or over the next 10 fiscal years and to require a report of reconciliation legislation by the Committee on Ways and Means and the Committee on Finance not later than March 15.

(3) Adjust such other levels in such resolution, as appropriate, and the House of Representatives and the Senate pay-as-you-go scorecards.

(c) LEGISLATION.—It shall not be in order in the Senate to consider any bill that is reported by the Committee on Finance pursuant to the adjusted instructions described in subsection (b), unless the bill provides for expedited procedures for the consideration of the bill by the Senate no later than 60 days after the bill is reported by the Committee.

Mr. ALLEN. Mr. President, I bring forth this amendment on behalf of myself, Senator BROWNBACK, Senator CRAIG, and Senator HUTCHISON of Texas. This measure is the tax cut accelerator amendment which will help provide the assurance that we live up to our obligation to American families and make sure they receive the tax relief they deserve.

The way this works is if the Congressional Budget Office's January report projects higher than expected on-budget surpluses over the previous year, then this amendment would require the Budget Committee to make the appropriate budgetary adjustments by reducing the on-budget revenue aggregate by the same amount as previously unaccounted for—the unaccounted for on-budget surplus.

It instructs the Finance Committee to increase the amount of tax relief by the same amount, and the bottom line is it sends money back to the people and not to fund increased Government spending.

We hear many issues and ideas about triggers and brakes and circuit breakers designed to slow down tax relief and not enough about a tax cut accelerator in the case that on-budget surpluses are higher than expected.

If you look at the Congressional Budget Office projections over the years, they are generally very pessimistic about what revenues will be coming in and, therefore, surpluses will not be there. But, in fact, they are right about the deficits. They err on the side of caution. I understand that. That is probably a good way of looking at things.

However, if the economy is doing better, if the budget surpluses appear on a year-to-year basis, who ought to have the first claim on those surpluses? In my view, it ought to be the taxpayers.

The Finance Committee and Budget Committee may not want to use the entire surplus for tax cuts being accelerated. They may want to say they want to take care of priorities—let's say expenditures in health, or scientific research, or national defense. They will say: Well, we will use half this for these priorities and half for accelerated reductions in taxes.

The point is, that identified surplus is not spent—not rolled over—but it is determined as a definite, identifiable amount of money that the Budget Committee will act upon, that the Senate Finance Committee will act upon, and then this whole body will act upon and have that scrutiny.

I think it will, of course, in my view, help speed up tax relief to the people.

Because any view is more optimistic than the pessimistic views of the Congressional Budget Office. There is plenty of evidence, and other projections have been too low over the years because they use static estimates—not dynamic estimates.

It is understandable why in 1-year budgets you would use static analysis because you do not have the full impact of tax reductions or any measures until a few years or maybe more than a few years down the road. If you want to look at what the impact of static analysis has on underestimates in the revenue impact because of tax cuts, the Kennedy tax cut under President John F. Kennedy was 12.6 percent of Federal revenues. They reduced rates from 90 to 70 percent. The rate reduction resulted in a return of all expected revenue losses plus an additional 4 percent. The Reagan tax cut, at 18.7 percent of Federal revenues, reduced rates, tax rates from 70 to 50 percent. The static models predicted a revenue impact of a negative $330 billion. The actual fiscal impact on the Treasury was about $78 million—less than one-fourth of the expected impact.

These numbers, coupled with CBO's past inaccuracies, make it reasonable to believe that the on-budget surpluses will come in higher than projected.

I am convinced more than ever that we need a tax cut accelerator. Over the past few days, the Senate has chipped away on the on-budget surplus.

The Senate has reduced drastically the available money for tax relief. Hiding behind the arguments over process about how many reconciliation instructions per budget resolution is really to get in the way of real tax relief for American families.

Real people do not care about reconciliation. They think it is a domestic matter, if you ever bring up reconciliation. It means, at best, some sort of family squabble being resolved. They care about providing for their families. People in the real world care about their future.

This tax relief accelerator will hold Congress accountable to the American people, which I think is very good. This budget represents a promise to the people of America. It protects Social Security and Medicare. Tax cut accelerator does not affect Medicare or Social Security; it is only the on-budget surplus.

This budget helps pay off all available debt. It funds current Government obligations and programs. It provides a $26 billion increase, or 4 percent raise, over last year's budget for Government spending. It ensures for future contingencies. And this budget promises to provide the people of America with the tax relief they deserve.

I generally support this budgetary framework, and I strongly believe we should honor all of its promises. The tax cut accelerator provides the assurance that Washington will fulfill its promise to return excess on-budget surpluses to the people, to the taxpayers, instead of permitting their hard-earned dollars to be spent away by Government bureaucracies.

The accelerator does not—does not—touch Social Security or Medicare funds. It does not threaten funding for current programs. It allows for increases in funding for new and existing priorities, such as defense, education, science, and medical research. And it does not bring back deficit spending.

Today we have a choice. Our choice is, Do we keep our promises? Do we trust the American people and adopt this amendment which provides the necessary mechanism to ensure the return of unexpected on-budget surpluses back to our families and businesses or do we allow Government to keep this money from them?

I say we ought to let the people decide how to best spend their hard-

earned dollars. Families must be better able to save and spend for their children's education, to make a downpayment on a new home, to invest in their business, or to prepare for their retirement years. It is my view that we ought to trust people in our free enterprise system. People, better than Government, know how best to allocate their own dollars.

When there is excess money here in Washington, and in an on-budget surplus—money that has not been appropriated; it is not promised, it is just coming in at a greater rate than anticipated—the first claim on that, the first lien, so to speak, the first mortgage, ought to be to the taxpayers of this country with accelerated tax reduction.

So with that, I see my friend from Kansas has risen.

Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Seven minutes.

Mr. ALLEN. OK. I will yield the floor and allow the opposition to make any statements they so desire.

Mr. CONRAD. We do not intend to use time on the amendment. So it would be appropriate for the Senator from Kansas to use the time. It is, unfortunately, the only way we can stay on schedule with what we agreed to on both sides.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. I ask unanimous consent that I be allotted 5 minutes to speak on behalf of the amendment.

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

Mr. BROWNBACK. Thank you very much, Mr. President.

I thank my colleague from Virginia for his sponsorship in putting forward this amendment. I think this is a key amendment.

We have been talking a lot about reducing the tax cut because we are not sure that the money may come in. What this amendment says is, if the money does come in, then let's require that there be a vote that we have a larger tax cut. That seems to me to be the symmetrical discussion that should be taking place.

We hear concern about: OK, what if the resources do not come in? What if this does not quite work out? Should we lock ourselves into this size tax cut? What we are saying is, once this money comes in—I am confident it is going to come in; I am confident that it will happen—if it does come in, then tax cuts of a larger scale should be voted upon.

Yesterday the step was taken by the Senate to make a smaller tax cut. I think that was a wrong step. I think it is a bad step for our economy. That sends a signal to people that there is going to be less money in their pocket. Less consumer confidence will result and that is going to be a more difficult situation for our economy and for our people.

What we are trying to do is send a different signal, saying that if this economy continues to put these sorts of receipts in the Federal Government—which I am confident that it will—then we are going to return more of that to the American taxpayers. That will create an economic climate that allows individuals to make informed savings and investment decisions. It is the best path for sound, responsible fiscal policy.

If individuals are not confident that the economic decisions they make today will be respected in the Tax Code tomorrow, they will be less likely to take the kind of risks that make our economy one of the most productive and fastest growing in the world. That level of predictability and the assurance is important.

This is why offering taxpayers a one-time rebate, in my estimation, as has been proposed by some of my colleagues, is bad economic policy. The problem is, it gives the veneer of economic growth while only providing really a Band-Aid to the larger underlying problems of sluggish growth and a slowing economy.

The goal of our economic policy should be to encourage savings and investments at the margins, not promoting policies that artificially might prop up the economy through consumption incentives that do nothing to solve long-run economic problems.

Mr. President, because I know our time is short, I want to make an additional point; that is, for people who are also concerned that we are not paying down the debt sufficiently with the policies we put forward, what this says is that if we have more coming in, we will vote on a larger scale tax cut. We are going to continue to pay the debt down. We will pay down all the available debt over a period of 10 years. This has nothing to do with that. We will continue to honor that debt paydown provision that is in the overall budget and is a part of our overall proposal. I want to make sure we set that one off to the side so people are not concerned about that particular issue as well.

With those caveats, and for those reasons, I urge my colleagues to vote for this triggering mechanism that would go into place if—if—the dollars are forthcoming. There really should be no reason to vote against this amendment. That is why I urge my colleagues to support this amendment and vote for it.

With that, Mr. President, I reserve the remainder of our time and yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to be made a cosponsor of the amendment.

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

Mr. WARNER. I believe the Senator has allocated me a few minutes.

Mr. ALLEN. Yes.

Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Two minutes 39 seconds.

Mr. WARNER. Might I inquire of the Chair as to the amount of time remaining for the Senator from New Mexico?

The PRESIDING OFFICER. There is no time for the Senator from New Mexico.

Mr. ALLEN. I would like to have just a final closing comment, and then I will yield to the senior Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Let me say in a few seconds—and I want to yield the remainder of the time to the senior Senator from Virginia—the Senator from Kansas has it exactly right. We want to have an insurance policy for the people of this country, the taxpayers. We understand their budgets are strained.

If there is a surplus—and we are optimistic there will be because we think reducing taxes helps create jobs, improve our economy, and has a dynamic, positive impact on our country. So if you want to make sure the taxpayers of this country get any of the excess money they have the first claim on, then you should support this amendment because it supports the people of America and will help strengthen our economy.

I yield the remainder of my time to the senior Senator from Virginia, Mr. WARNER.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I thank my colleague.

Mr. President, I would like to call up amendment No. 265, and ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, what was the request?

The PRESIDING OFFICER. There was a request to call up an amendment.

Mr. REID. I object. There is an amendment pending.

The PRESIDING OFFICER. Objection is heard.

Mr. WARNER. I have it filed at the desk.

Mr. REID. We have a UC that is now in order. There is a unanimous consent agreement in order, and the only amendment in order now is one to be offered by Senator WELLSTONE, after this one is completed.

Mr. WARNER. I had consulted with the Senator from New Mexico. I was told I could have a minute. Obviously, I am in error. I apologize to my distinguished colleague, and I withdraw my comments.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Twenty-nine seconds.

Mr. BROWNBACK. How much?

The PRESIDING OFFICER. Twenty-six seconds now.

Mr. BROWNBACK. Mr. President, CBO, in January of 1999, said that the 2-year forecast showed a total budget surplus of $2.3 trillion. The surplus announced this year is $5.6 trillion. In that 2-year time period, they more than doubled the size of it. What we are saying is, if that happens again, as is likely, let us vote on a bigger tax cut.

The PRESIDING OFFICER. All time has expired.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, the pending amendment is not germane. Therefore, I raise a point of order that the amendment violates section 305(b)(2) of the Congressional Budget Act of 1974.

I yield back the remainder of our time on the amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, under section 904 of the Budget Act, I move to waive section 305 of the Budget Act for the consideration of this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield 5 minutes to the Senator from Minnesota. We only have 10 minutes remaining, I advise the Senator—actually less than that. We have agreed to provide the other time to the Senator from West Virginia.

Mr. WELLSTONE. That is fine.

Mr. GREGG. Will the Senator from North Dakota yield for a question?

Mr. CONRAD. No, the Senator from North Dakota can't yield at this point for a question because we are rapidly running out of time.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 269

Mr. WELLSTONE. Mr. President, I call up amendment No. 269.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. JOHNSON, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, MR. KERRY, Mr. FEINGOLD, Ms. LANDRIEU, Mr. DURBIN, Mr. DASCHLE, and Mr. REID, proposes an amendment numbered 269.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase discretionary funding for veterans medical care by $1.718 billion in 2002 and each year thereafter to ensure that veterans have access to quality medical care)

On page 2, line 17, increase the amount by $1,546,000,000.

On page 2, line 18, increase the amount by $1,689,000,000.

On page 3, line 1, increase the amount by $1,703,000,000.

On page 3, line 2, increase the amount by $1,709,000,000.

On page 3, line 3, increase the amount by $1,718,000,000.

On page 3, line 4, increase the amount by $1,718,000,000.

On page 3, line 5, increase the amount by $1,718,000,000.

On page 3, line 6, increase the amount by $1,718,000,000.

On page 3, line 7, increase the amount by $1,718,000,000.

On page 3, line 8, increase the amount by $1,718,000,000.

On page 3, line 13, decrease the amount by $1,546,000,000.

On page 3, line 14, decrease the amount by $1,689,000,000.

On page 3, line 15, decrease the amount by $1,703,000,000.

On page 3, line 16, decrease the amount by $1,709,000,000.

On page 3, line 17, decrease the amount by $1,718,000,000.

On page 3, line 18, decrease the amount by $1,718,000,000.

On page 3, line 19, decrease the amount by $1,718,000,000.

On page 3, line 20, decrease the amount by $1,718,000,000.

On page 3, line 21, decrease the amount by $1,718,000,000.

On page 3, line 22, decrease the amount by $1,718,000,000.

On page 36, line 6, increase the amount by $1,718,000,000.

On page 36, line 7, increase the amount by $1,546,000,000.

On page 36, line 10, increase the amount by $1,718,000,000.

On page 36, line 11, increase the amount by $1,689,000,000.

On page 36, line 14, increase the amount by $1,718,000,000.

On page 36, line 15, increase the amount by $1,703,000,000.

On page 36, line 18, increase the amount by $1,718,000,000.

On page 36, line 19, increase the amount by $1,709,000,000.

On page 36, line 22, increase the amount by $1,718,000,000.

On page 36, line 23, increase the amount by $1,718,000,000.

On page 37, line 2, increase the amount by $1,718,000,000.

On page 37, line 3, increase the amount by $1,718,000,000.

On page 37, line 6, increase the amount by $1,718,000,000.

On page 37, line 7, increase the amount by $1,718,000,000.

On page 37, line 10, increase the amount by $1,718,000,000.

On page 37, line 11, increase the amount by $1,718,000,000.

On page 37, line 14, increase the amount by $1,718,000,000.

On page 37, line 15, increase the amount by $1,718,000,000.

On page 37, line 18, increase the amount by $1,718,000,000.

On page 37, line 19, increase the amount by $1,718,000,000.

On page 43, line 15, decrease the amount by $1,718,000,000.

On page 43, line 16, decrease the amount by $1,546,000,000.

On page 48, line 8, increase the amount by $1,718,000,000.

On page 48, line 9, increase the amount by $1,546,000,000.

On page 4, line 3, increase the amount by $1,718,000,000.

On page 4, line 4, increase the amount by $1,718,000,000.

On page 4, line 5, increase the amount by $1,718,000,000.

On page 4, line 6, increase the amount by $1,718,000,000.

On page 4, line 7, increase the amount by $1,718,000,000.

On page 4, line 8, increase the amount by $1,718,000,000.

On page 4, line 9, increase the amount by $1,718,000,000.

On page 4, line 10, increase the amount by $1,718,000,000.

On page 4, line 11, increase the amount by $1,718,000,000.

On page 4, line 17, increase the amount by $1,689,000,000.

On page 4, line 18, increase the amount by $1,703,000,000.

On page 4, line 19, increase the amount by $1,709,000,000.

On page 4, line 20, increase the amount by $1,718,000,000.

On page 4, line 21, increase the amount by $1,718,000,000.

On page 4, line 22, increase the amount by $1,718,000,000.

On page 4, line 23, increase the amount by $1,718,000,000.

On page 5, line 1, increase the amount by $1,718,000,000.

On page 5, line 2, increase the amount by $1,718,000,000.

Mr. WELLSTONE. Mr. President, I introduce this amendment on behalf of myself and Senators JOHNSON, BINGAMAN, DORGAN, MURRAY, MIKULSKI, KERRY, FEINGOLD, and LANDRIEU. I ask unanimous consent that Senators DURBIN and DASCHLE be included as original cosponsors as well as Senator HARRY REID.

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

Mr. WELLSTONE. Mr. President, the problem with the President's budget request and this budget resolution is it provides a $1 billion increase over fiscal year 2001 for all of the VA discretionary programs. That is no way to say thank you to veterans. Secretary Principi, who is a great Secretary, testified before the veterans committee last month. I believe he will be a great advocate for veterans, but he had a tough time with the following question: How does a $1 billion increase over fiscal year 2001 do the job for America's veterans when we are going to see a $900 million increase this year in medical inflation alone?

Then if we get beyond the $900 million and add to that our commitment to treating people with hepatitis C, our commitment to emergency medical services for veterans who have no coverage, our commitment to the millennium program for older veterans, our commitment to mental health services for veterans, we get way above $1 billion.

Mr. President, there are huge gaps in the veterans health care system. We can do much better. This amendment would increase the veterans health care budget, contained in this budget resolution, by $1.7 billion annually. The independent budget, which was produced by Amvets, VFW, DAV, the Disabled American Veterans, and Paralyzed Veterans, talked about $2.6 billion. This amendment gets us to that level.

Here is the point: $1 billion for all discretionary programs for the Veterans' Administration is pathetic. It doesn't come close to meeting the needs.

I am joined by Senator ROCKEFELLER, who is the ranking minority member on the veterans committee. He will be speaking in just 1 minute.

The arithmetic is compelling, just on veterans health care: $900 million in inflation, emergency room services for veterans who don't have any coverage, hepatitis C coverage we have committed to, the millennium program, which is so important when we are saying to veterans who are 65 years of age and over, we are going to begin to address your long-term care needs.

When I am in the medical center in Minneapolis and I am talking to a spouse of a World War II veteran, and this happens over and over and over again, she doesn't have a clue what she is going to do when her husband gets home. Where is going to be the care for her? Where will be the supportive services for him? Not to mention all the long waits of veterans for health care.

The county veterans service officers are the best of the best of the best. They do the work down in the trenches. I get my education from them. Even though they are not within the VA system, they talk about the long waits and the gaps.

This amendment is all about living up to our commitment to veterans. We need to provide full funding for veterans health care. This amendment should receive Democratic support and Republican support. The amendment offset by transferring $1.7 billion out of these Robin-Hood-in-reverse tax cuts, of which over 40 percent of the benefits going to the top 1 percent. We surely can transfer $1.7 billion to veterans health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that I be added as a cosponsor of the Wellstone amendment.

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

Mr. ROCKEFELLER. Let's be very clear. The Senator from Minnesota is correct. For the Department of Veterans Affairs, under the budget resolution which is proposed, there will be tremendous damage to the Veterans' Administration and to the veterans of our country. It is axiomatic that the increase that is contemplated in the budget resolution simply will not work. It does not come close.

If there is anything which is an immutable fact, it is that the cost of health care and the cost of paying those who deliver it goes up by more than a billion dollars a year, just for health care alone. That is across America, and that is true for the veterans.

Beyond that, we have a very difficult problem of disability claims. We need $132 million for staffing and technology. My veterans in West Virginia are being told they are going to have to wait for a full year even for a preliminary examination of their disability claims.

Lastly, we cannot forget our commitment to the final resting places of honor for our veterans. Our Nation's veterans cemeteries are falling apart in many cases. Graves are sinking. Tombstones are breaking. That may seem incidental to some. It does not seem incidental to any veteran's family.

I urge all to remember our promise to our veterans and support the Wellstone amendment.

I thank the Chair and yield the floor.

Mr. JOHNSON. Mr. President, I would like to first commend Senate Budget Committee Chairman DOMENICI for including an increase in his budget mark for veterans' health care. This funding level is in line with what the Administration proposed in its budget request and shows a renewed commitment to veterans' health care.

While I am pleased that this budget includes an increase in outlays, I am disappointed that it falls short of the funding level proposed in the authoritative Independent Budget endorsed by 40 veterans groups and medical societies, including AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the VFW.

That is why I join Senator WELLSTONE in offering an amendment today that would increase appropriations for veterans health care by $1.718 billion over the Budget Committee's level. With our amendment, the Senate budget resolution would include an increase in appropriations of $2.6 billion for veterans health care over last year's funding level.

Our amendment pays for this increase in health care for our nation's veterans with a modest decrease in the $1.6 trillion in tax cuts proposed by the President.

For a number of years, the VA had to contend with a flat-line appropriation for veterans' health care as the cost of health care far outpaced the rate of inflation. As a result, the VA experienced deep cuts at a time when it should have been addressing the growing need for medical care for this country's veterans.

For the past 2 years, I have offered amendments in the Budget Committee and on the Senate floor to increase veterans funding to allow the VA to continue giving quality care to veterans. With the help of the chairman, we were able to increase VA health care funding by $1.7 billion for fiscal year 2000 and $1.4 billion for fiscal year 2001. These were good steps in restoring budget equity to veterans' health care.

We must continue this process by increasing funding for veterans' health care to the level recommended in the Independent Budget. It is critical that we increase veterans health care funding over and above the Chairman's mark in order to compensate for previous underfunded VA budgets and to allow the VA to meet the growing health care needs of our veterans.

Veterans from South Dakota visited my office recently with stories of understaffed VA hospitals, long waits for appointments, and reductions or cuts in vital services. These situations are not unique to my state and affect every VA hospital and clinic in the country.

With adoption of our amendment, we will have a VA veterans' health care budget that can adequately offset the higher costs of medical care caused by consumer inflation, medical care inflation, wage increases, and legislation passed by Congress.

Without a total increase of $2.6 billion above last year's appropriation in veterans health care, the VA will likely be unable to address the treatment of Hepatitis C, emergency medical services, increased costs due to medical inflation, and long-term care initiatives.

The Independent Budget highlights the need to increase funding in a number of important health care initiatives including: an additional $523 million for mental health care; an additional $848 million for long-term care; an additional $25 million to restore the Spinal Cord Injury program; an additional $75 million to help homeless veterans.

Our efforts over the past 2 years to increase VA veterans' health care have helped to reverse the damaging effects of years of flat-lined VA budgets. We have an opportunity to continue this progress by adopting our amendment to increase funding for VA veterans' health care by $1.718 billion over the Chairman's level in the budget resolution. With our amendment, we will fund veterans' health care at the level requested in the Independent Budget.

I urge my colleagues to support the Johnson-Wellstone amendment on veterans' health care. At this time, I ask unanimous consent to have printed in the RECORD letters of support for our amendment from veterans organizations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE INDEPENDENT BUDGET,
A BUDGET FOR VETERANS BY VETERANS,
April 3, 2001.

To All Members of the Senate:

On behalf of the co-authors of The Independent Budget, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Veterans of Foreign Wars, we are writing to urge you to support the Johnson-Wellstone Amendment that would increase Department of Veterans Affairs (VA) health care funding to the level we recommended for FY 2002.

The President's ''Budget Blueprint,'' and the Domenici substitute to H. Con. Res. 83 provides a discretionary spending increase of $1 billion. This recommended amount would not even cover the costs of mandated salary increases and the effects of inflation. The Independent Budget has identified an increase for VA health care of $2.6 billion over the amount provided in FY 2001. This recommended increase would provide the resources necessary for the VA to meet the needs of the men and women who have

served our Nation, and rely upon the VA for the health care they need.

Again, we ask for your support of the Johnson-Wellstone Amendment that would increase the amount available for VA health care up to the level we have recommended in The Independent Budget.

Sincerely,

DAVID E. WOODBURY,
Executive Director, AMVETS.
KEITH W. WINGFIELD,
Executive Director, Paralyzed Veterans of America.
ROBERT E. WALLACE,
Executive Director, Veterans of Foreign War.
DAVID W. GORMAN,
Executive Director, Disabled American Veterans.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, DC, April 3, 2001.

To All Member of the United Stats Senate:

On behalf of the 2.7 million men and women of the Veterans of Foreign Wars of the United States and our Ladies Auxiliary, we urge you to support the Johnson-Wellstone Amendment to increase the Department of Veterans Affairs' (VA) health care funding by $1.8 billion over the chairman's mark for a total of $2.6 billion for fiscal year 2002.

We and our colleagues of the Independent Budget have identified the need to increase VA health care funding by $2.6 billion over the amount provided in FY 2001. This recommended increase would provide the resources necessary for VA to meet the needs of the men and women who have served our Nation and rely upon VA for health care.

Again, we urge your support of the Johnson-Wellstone Amendment to increase the amount available for VA health care to the level necessary to properly and compassionately provide for veterans' health care needs.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

PVA,
NORTH CENTRAL CHAPTER,
Sioux Falls, SD, April 3, 2001.

Senator TIM JOHNSON,
Hart Senate Office Bldg.,
Washington, DC.

DEAR TIM, the North Central Chapter PVA would like to thank you for the recent correspondence you and Senator Wellstone presented to your fellow Senator's concerning the VA budget. These letters (dated March 12, 2001 and April 2, 2001) highlight the budgetary shortfalls as demonstrated in the Independence Budget and bring attention to this vitally important issue.

As you indicate in your letters, the VA health care system must have adequate funding in order to provide the services our Veterans need and deserve. Anything less than the Independent Budgets' recommended 2.6 billion dollar increase will mean a cut in health care services. We must not and can not return to the days of inadequate health care because of the lack of funding.

Once again, on behalf of all the members of North Central Chapter PVA, we commend you for all your efforts on Veterans' health care issues. If at any time we can be of assistance, please do not hesitate to contact our office or myself and we'll happy to help.

Respectfully,

JOEL NIEMEYER,
Government Relations Director, North Central Chapter PVA.

Mr. ROCKEFELLER. Mr. President, as the Ranking Member of the Committee on Veterans' Affairs, I ask my colleagues to support an amendment offered by Senators WELLSTONE and JOHNSON to S. Con. Res. 20, the concurrent resolution on the fiscal year 2002 Budget. The budget resolution provides for an increase of $1 billion for all veterans funding from the fiscal year 2001 amount. The Wellstone-Johnson amendment goes further and provides for an overall increase of $2.6 billion for veterans' health care.

If the Department of Veterans Affairs is funded at the level that the Budget Resolution provides, a $1 billion increase over the fiscal year 2001 appropriation, which might appear generous at first glance, we can expect VA to eliminate staff, delay providing health care and benefits, and slash vital programs.

While some may describe the funding included in this resolution as a major increase, I must disagree. Much, if not all, of this proposed increase would be consumed in merely overcoming inflation in the costs of providing medical care. After spending vast sums for a tax cut for the wealthiest Americans, there simply isn't enough money to meet VA's needs in the next fiscal year.

The alliance of veterans service organizations that authors the Independent Budget for Fiscal Year 2002—AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the Veterans of Foreign Wars, rightly concluded that ''more must be done to meet the increasing needs of an aging veteran population, adapt to the rising cost of health care, enhance and facilitate benefits delivery, and maintain the continuity of funding for VA programs as a whole.''

The budget resolution before us would not allow us to fulfill those obligations. We must ensure VA a level of funding that will minimize the impact of inflation, fund existing initiatives, and allow the system to move forward in the ways we all expect.

Urgent demands on the VA health care system make increased funding essential. The landmark Veterans Millennium Health Care and Benefits Act of 1999 significantly expanded VA noninstitutional long-term care, which for the first time is available to all veterans enrolled with the VA health care system. As we contend with the dilemma of developing long-term care for all Americans, VA will begin this effort with our Nation's veterans. The Congressional Budget Office estimates that the VA noninstitutional extended care program will cost more than $400 million a year. We must supply adequate funds to fulfill this legislative mandate.

The Millennium Act also ensures emergency care coverage for veterans with no other health insurance options. Necessity demands this costly provision: nearly 1 million veterans enrolled with the VA are uninsured and in poorer health than the general population. Although this new benefit has not yet been either implemented or publicized, claims are already mounting.

Medical inflation and wage increases, factors beyond VA's control, have been estimated to devour nearly $1 billion of VA's budget annually. At the same time, more and more veterans are turning to the VA for health care. In my own state of West Virginia, the number of veterans seeking care from VA has increased, despite a declining total number of veterans statewide. As an example, the Martinsburg VAMC saw its new enrollees increase by 24.7 percent over the last 2 years. Rapidly expanding enrollment at all four West Virginia VA medical centers has jeopardized their ability to provide high quality care in a timely fashion. Unfortunately, similar examples can be found throughout the Nation.

Between new initiatives—long-term care and emergency care coverage, and simply maintaining current services, we must secure an increase of $1.8 billion for health care alone.

Unfortunately, maintaining current services will not be enough to ensure that VA can meet veterans' health care needs. The aging veterans population faces chronic illnesses and newly recognized challenges, such as the disproportionate burden of hepatitis C, that will further strain VA facilities. We must anticipate the difficulties of treating complex diseases and ensure that we do not neglect the needs of veterans with multiple, coincident medical problems.

If we simply maintain current services, can we expect VA to restore the capacity for PTSD and spinal cord injury treatment to the 1996 legislatively mandated level? In West Virginia, many veterans not only wait months for specialty care, they have to travel hundreds of miles to get it. We can depend on community outpatient clinics to increase veterans' access to primary health care, but we must also ensure that the many veterans who require more intensive, specialized services can turn to adequately funded inpatient programs.

VA research not only contributes to our national battle against disease, but enhances the quality of care for veterans by attracting the best and brightest physicians. The Budget Resolution allows, at best, for a stagnant research budget. Not only will this slow the search for new and better medical treatments, but it could weaken efforts to protect human subjects in VA-sponsored studies. An increase of $47.1 million will be required merely to offset the costs of inflation and to monitor compliance with increasingly stringent research guidelines.

The $2.6 billion increase proposed by Senators WELLSTONE and JOHNSON in the amendment before us will ensure that VA has the resources required to provide veterans with the high quality health care that they need.

Savings may be gained through more resourceful management of VA hospitals and clinics, a possibility that VA is pursuing through its Capital Asset Realignment and Enhancement Studies, CARES. In the meantime, efficiencies should not come at the expense of veterans who turn to the VA health care system for needed treatment, nor should VA neglect essential repairs and maintenance of its infrastructure while awaiting the outcome of the CARES process. Accommodating the backlog of urgently needed construction projects will require an increase of $280 million. A shortsighted focus on immediate gains, by delaying essential projects or neglecting existing facilities, may compromise patient safety and prove even more costly to VA and veterans in the long run.

The Veterans Benefits Administration also faces challenges that require additional funding for staffing. One of these challenges results from an aging workforce. Projections suggest that 25 percent of current VBA decisionmakers will retire by 2004. These losses would be in addition to the staff that has already left service. It takes 2–3 years to fully train a new decisionmaker. Therefore, it is critical that VBA hire new employees now to fully train them before the experienced trainers and mentors have retired.

In addition to this looming succession crisis, extensive new legislation enacted in 2000 will severely affect VBA's workload. Sweeping enhancements to the Montgomery GI Bill are expected to double VA's education claims work. New legislation reestablishing the ''duty to assist'' veterans in developing their claims, regulations presumptively connecting diabetes to Agent Orange exposure in Vietnam veterans, and new software systems intended to improve the quality of decisionmaking have severely affected VBA's workload and slowed output. West Virginia veterans are already receiving letters from the VA regional office warning them to expect a 9–12 month delay for even initial consideration of their new claims.

If VBA is unable to hire new staff, the increasing backlog of claims—which is already unacceptable—would reach abominable levels. Without an increase in staffing, the backlog of claims is expected to grow from the current 400,000 claims (up from 309,000 in September 2000) to 600,000 by March 2002. VBA will need a minimum increase of $132 million to acquire the tools, staffing and technology, to avert this escalating disaster.

The mission of the National Cemetery Administration, NCA, providing an honorable resting place for our Nation's veterans—is becoming more difficult as we face the solemn task of memorializing an increasing number of World War II and Korean War veterans. It is estimated that 574,000 veterans died last year. The aging of the veterans population is placing additional demands on NCA in interments, maintenance, and other operations. VA has attempted to meet this demand by opening four cemeteries over the last 2 years and planning construction of the six new cemeteries authorized by Congress in 1999. It is estimated that an increase of $21 million will be required to develop these cemeteries.

Increases are also required to maintain the VA's National Shrine Commitment. We must preserve our national cemeteries so that they do not dishonor those who died serving their country. Sunken graves and damaged headstones cannot be tolerated. We applaud VA's commitment to this initiative and encourage VA to continue the project. In order to rise to this task and operate its current facilities, NCA will require an increase of at least $13 million for a total appropriation of $123 million.

If we fail to amend the Budget Resolution before us, we tacitly place the needs of affluent Americans before our obligations to our veterans.

While we consider the best way to cut taxes responsibly, we mustn't lose sight of our obligations. We all need to agree on how much should go to tax cuts and how much should be saved to strengthen Medicare, invest in education, and fully address the needs of the men and women who have served our country. I urge you all to support this amendment so that we can fulfill our Nation's promise to our veterans.

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

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

Mr. CONRAD. Mr. President, we should observe for our colleagues that we set a goal of going to the debate on reconciliation at 3:30. Wonder of wonders, we have accomplished that goal.

I thank all of our colleagues who have worked together to help make this happen. I single out, of course, the chairman of the Senate Budget Committee, Mr. DOMENICI, who, along with his staff, has worked so diligently to bring us to this point.

I also want to thank on our side, Senator REID, the whip, who has really worked night and day to try to expedite the consideration of this budget resolution. I think working together we have managed to get the trains to run on time, which is not always the case in the Senate.

Again, I thank very much my colleague, the chairman of the Budget Committee along with his very able staff, including the director, Mr. Hoagland, for the very hard work they have done.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, somehow I feel that we are not yet finished, that we have a long way to go. I think I am right. Nonetheless, we ought to stop over and pat ourselves on the back this afternoon because we didn't really have this afternoon all planned out with any unanimous consent agreements. We had 2 hours. I think we have made the best of it. I think from that side four different amendments have been considered with various Senators speaking, and we have had time for others to give speeches on matters of importance. We have taken some on our side. They are all subject to amendment, unless we accept them. We have looked at them to see if we can dispose of them.

I thank Senator CONRAD and his staff because we got a long way today toward accommodating Senators who felt very strongly that they had to give a speech along with their amendment. Nobody is limited in the future, but the vote-arama will take a very long time.

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

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

AMENDMENT NO. 345

Mr. DOMENICI. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] proposes an amendment numbered 345.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment reads as follows:

(Purpose: To provide for tax relief)

At the end of title I, insert the following:

SEC. . RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

The Committee on Finance of the Senate shall report to the Senate a reconciliation bill—

(1) not later than May 18, 2001: and

(2) not later than September 14, 2001

that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues for the period of fiscal years 2001 through 2011 by not more than the sum of the totals set out in Section 101(1)(B) of this resolution and increase the total level of outlays by not more than $60,000,000,000 for the period of fiscal years 2001 through 2011.

Mr. DOMENICI. Mr. President, as I understand it, we have 3 hours to debate this reconciliation instruction, one-half hour for the distinguished Senator BYRD, or his designee, and one-half hour for the Senator from New Mexico, or his designee; is that right?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. Mr. President, since Senator GRAMM wants to speak in the

way that addresses a matter brought up with reference to tax cuts earlier, I will yield on our side 10 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I thank the distinguished chairman of the Budget Committee. This has been a long, hard process and we are only part way through it. Senator DOMENICI and I don't always agree at every single moment, but my admiration for him constantly grows as the years pass and I have an opportunity to work with him more.

We are getting ready to have a serious debate, and I don't want to in any way infringe on it by getting into any kind of partisan bickering, but I did want to respond to one point that was made earlier when we didn't have time to respond. I can be brief about it.

Some of our colleagues lamented the lack of bipartisanship on the budget. I want to respond, with all due respect, that bipartisanship is a two-way street. Since we started considering the budget, we have had amendments offered by Democrat Members of the Senate to spend another $697 billion over the next 10 years. This is coming on top of the last 6 months of last year, where we added $561 billion to the underlying spending projections of the Federal Government over the next 10 years. I just want to say that never in that short a period in American history, to my knowledge, have we ever had a Congress or a Senate propose more spending in a shorter period of time. I guess I would say that you can't have it both ways. You can't have the bipartisanship you seek and, at the same time, propose that level of spending.

Having gotten all that out of my system, let me turn to the issue before us. I thank Senator BYRD for his willingness to talk to Senator DOMENICI, to me, and to others, in trying to find a way out of this conflict. When you serve in the Senate, when you have competing visions for America's future, when you believe in what you are doing, it is easy to get into conflicts that are unavoidable. But when they are avoidable and you don't avoid them, it is not only poor legislative strategy, but I don't think you are living up to the high standards of this great institution.

So when Senator BYRD raised a concern about using reconciliation on the tax bill, even though we feel as strong on our side, based on the precedents that have been used, including the tax increase when President Clinton was President, and the tax cut that was part of reconciliation in 1997, we decided that any time you can accommodate the concerns of another Member without undoing your ability to have a chance to achieve what you want to do, that you ought to do it.

So we undertook what I call a fairly extensive negotiation. We met three or four times off and on. We submitted a proposal in writing. Just to refresh my colleagues' memory, we have about four or five people who work with this law every day. Senator Byrd wrote most of it. But to most Members, and almost everybody else in America, it is all gibberish.

Basically, under reconciliation, we have a very powerful tool that allows you to have special privilege in implementing your budget. You are going to hear a lot of debate about that and what it was intended to do today.

The point is, it does exist. It is part of the law. Under that procedure, it would mean that the tax bill we bring to the Senate would be subject to these special procedures: There would be 20 hours of debate equally divided. The majority could yield back its 10 hours. So we could end up with 10 hours of debate. We have a strict germaneness rule on amendments. When the debate is over, we have an up-or-down vote.

In naming conferees, we have a time limit on debate. We have an up-or-down vote. That is the procedure that exists in the budget process.

What we had sought to do in trying to work out an accommodation—and I am sorry it did not work, as I know Senator BYRD is. I want people to understand there was a good-faith effort to work this out. We proposed that rather than having 20 hours, we have 50 hours equally divided.

We proposed on first-degree amendments there would be no more than 2 hours, unless the managers yielded more time, that is, if there was real debate, and on second-degree amendments, only 1 hour; that all first- and second-degree amendments be germane; that at the end of the process, we have an up-or-down vote; that on naming conferees, we have a time limit on debate and then have an up-or-down vote; and the same procedure would apply to the conference report.

Some concern was raised that even with this agreement, we could come back and use reconciliation again. It was clear from our intent at the time that if we agreed to a unanimous consent agreement, there would be no need to use reconciliation.

In any case, with the best of intentions, we got together. Differences existed at the end of the process, and no agreement was reached. So we are here basically in a debate and with a vote coming that no one wanted, but here it is.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. GRAMM. Mr. President, I want to give a very brief synopsis of my argument for the use of reconciliation. We have had an extensive debate on the floor of the Senate. We are going to adopt a budget at some point. I hope it will be to my liking, but we are going to adopt one whether it is to my liking or not. We are going to go to conference. I hope to be a conferee, and I am confident the conference report will be more to my liking if this bill is not.

In any case, we want to be sure we have an opportunity to have an up-or-down vote on the President's tax cut or something very close to it. Obviously, there is no way we can make people vote for it, but we want to be sure that a new President with a new agenda gets an opportunity to have his program voted on.

We obviously are at an impasse as a Senate on naming conferees. When we worked out this powersharing agreement—an extraordinary agreement, in my opinion, and a very generous agreement from the majority leader, in my opinion—one of the things that was not worked out is what do we do about conferences.

We believe if we pass a tax bill in the Senate and it requires a conference, we do not want to get into a position where we simply try to pass the House bill. It may not be the final product we want. That does not make for good law to do something like that. We ought to be able to name conferees, and on a tax bill we adopt, obviously we believe we should have a majority on the conference committee.

Unfortunately, since we could not work out a unanimous consent agreement, the only way we can be assured that we have this opportunity to make the case and have an up-or-down vote is through reconciliation.

When reconciliation was used to raise taxes in President Clinton's first year in office, not one Republican voted for that tax increase, but no one challenged the right of our colleagues who were in the majority then to use reconciliation. No one challenged that right. It was used.

In 1997, in the budget when reconciliation was used to adopt a bipartisan tax cut, that was a hammered out agreement between the Republican majority then in both Houses and President Clinton. No one challenged our right to use reconciliation for that process.

Now we have a situation where we are trying to do for our new President what President Clinton did. We are trying to follow a procedure that we followed in 1997 when no objection was made. We understand strong feelings. We are sorry we could not work this out, but in the end, we believe the process is the right process, and given our inability to work out an agreement, we want to use it. That is why I urge my colleagues to vote to allow us to use the same process that has been used over and over since the budget process first started.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I thank Senator GRAMM for his succinct summary of where we are and what we are about.

The reason this is a serious debate is because it did not take me 28 years being a Senator to learn—in fact, probably in the early years, I learned from my opponent who has been in the Senate 43 years—there are some things

very special about the Senate that everybody should know. It has a couple of qualities that are rather incredible for parliamentary bodies.

One of those is freedom to debate. Sometimes people call that the right to filibuster. Filibuster does not sound so good, so of late we call it freedom to debate. That really means if you want to delay things or if you want to get your way or you want to make some changes your colleagues do not want to make in the Senate, you can get the floor and can talk as long as you can talk and nobody can stop you until you stop yourself. It even means more than that.

Essentially, it is the right to debate as long as you want and as long as you can.

The second quality that makes this a very different institution is the right to offer amendments. It takes some people a while to know what that really means.

I can recall during the Vietnam war there was a Senator from the west coast who used to sit at one of the desks in the back. I am going to be as plain and honest about it as I can. Come 8 o'clock at night, it was 5 o'clock in the Senator's State. At about that time in the afternoon, regardless of what we were debating, that Senator would try to get the floor and try to offer either an amendment or resolution regarding the Vietnam war because he was becoming known as an anti-Vietnam war Senator.

Of course, at 8 o'clock in the Senate, it was 5 o'clock in the State on the west coast. If one does that every 5 or 6 days, you get to be known as the anti-Vietnam Senator. A Senator can also offer that to any kind of bill. It can be offered to an appropriations bill. It can be offered to an authorizing bill unless there is an agreement to the contrary. It is a Senator's right.

Those are the two qualities that are most significant about the Senate. I learned them rather quickly. I do not think I appreciated them in terms of the institution for maybe about 10 years.

I soon found, once I became a member of the Budget Committee —in fact, through a quirk of things, I got on very early and I did not choose to ever get off because I could see myself moving up, never thinking I would ever be chairman. I could see myself moving up and being ranking member. All of a sudden, the Republicans took over the Senate, and I got a call from Senator Baker who said: Hi, Mr. Chairman, you are chairing the Budget Committee. If I was not in that position, I was in the position of lead Republican.

I found out very quickly those two qualities—the right to filibuster or debate as long as you want and the right to amend —were changed by a law that changed the rules of the Senate. I am holding it up.

This is the law. It was adopted 25 years ago. It changed, for as long as this law is operative, the rules of the Senate because if you have a reconciliation instruction under this Budget Act, which changes the rules of the Senate, that reconciliation instruction no longer carries with it on the floor of the Senate those two cherished privileges.

It has a limited debate because this law says the debate is limited. It says only 50 hours of debate on a resolution and only 20 hours of debate on a bill that comes forward from this document and a resolution called reconciliation.

Guess what else it did. You do not have a right to amend a bill that is a creature of a reconciliation instruction which is a creature of this law. You don't have that right. Laws on amendments are very narrowly construed.

I know my good friend, Senator BYRD, is going to attempt to draw a distinction between what we are doing in this budget resolution because we have a surplus and what we did other times—either by increasing the taxes, as we did for President Clinton in a reconciliation instruction, which meant 20 hours of debate and, for all intents and purposes, no amendments. We were in the minority, and every single Democrat voted to give the Finance Committee that authority, and then every Democrat voted to pass the bill that was the creature of that reconciliation—split exactly down party lines. But taxes were increased under the process created by this act, in derogation of the normal rules of the Senate.

I happened to have been here through almost every reconciliation, and my friend from West Virginia frequently calls it ''re-conciliation,'' and we have agreed that both pronunciations are correct.

Mr. BYRD. Will the Senator yield?

Mr. DOMENICI. I am happy to yield.

Mr. BYRD. The pronunciation by the distinguished Senator from New Mexico is the correct one. I have just gotten into a habit for a long time of saying ''re-conciliation.'' I think it is reconciliation. I am liable to stay in the same old habit.

Mr. DOMENICI. Mr. President, I believe the budget resolution before the Senate today is like other budget resolutions. And I have been a party to every single one. If somebody wants to write the history of what has happened that is most significant to the Senate in the past 25 years, they can start off with this bill. This has caused the most significant changes that the Senate has had imposed upon it by virtue of a reconciliation instruction that has, on some occasions, reduced spending. On other occasions, it has increased taxes. On other occasions—and if we get around to the details I will list them for everyone—we have used it to cut taxes or reduce taxes.

Those who will write the history of the past 25 years will probably say that no other document has caused more changes in the tax laws up and down, in the changing of entitlements up and down, without full debate and without the right to amend, than this document over this 25 years.

I was thinking I would come to the floor and tell the Senate every reconciliation bill of which I have been a part. But the list is too long. It is very long. There have been many. You can tell if you read statutes of the U.S. Congress and you find something that says Omnibus Budget Reconciliation Act of 1976 or 1981, almost without exception they are the creature of a reconciliation instruction done on the floor of both Houses ultimately to their respective committees.

Frankly, I don't see any difference between what we have done in the past and what we have done here. As a matter of fact, there was an occasion in 1996 when the other side of the aisle challenged a proposal in a budget resolution to reduce taxes. They actually raised the point of order that it wasn't right, it wasn't permitted under this act. The Parliamentarian agreed that it was. We had a vote where the other side challenged that and sought to appeal the ruling of the Chair. The Chair was sustained. The Chair was sustained by a partisan vote. We had the majority by three then. We had 53 Senators then. The Senate decided you could use reconciliation to reduce taxes, as they were in 1976. I might suggest they were done again in 1997 and 1999 and no challenge was made to them.

In two instances we did it, and the President vetoed the bills anyway. So you don't find an omnibus reconciliation tax bill for those years. But one did pass the Congress, both Houses.

All I have sought in the budget resolution and all I seek here is to use the same process we have been using since this Budget Act was adopted. It had many experts, but in order to become what it has become, because it still works, it had to have some knowledgeable input when it was written.

What did they need to do? They needed to make sure that nothing stood in the way of getting a budget resolution, No. 1, including that rules of the Senate could not stand in the way of the budget resolution. It had a limited amount of time. And it had to get passed.

Then they didn't want reconciliation to be held up. In particular, section 310 of the act, on page 25 of the act, states: Inclusion of reconciliation directives in a concurrent resolution on the budget—a concurrent resolution on the budget for any fiscal year to the extent necessary to effectuate the provisions and requirements of such a resolution.

That is precisely what we are trying to do with our request that this procedure be made available.

Frankly, some have asked: Senator DOMENICI, how can you keep on doing these year after year? I don't know. I think it is because the reconciliation process provides an opportunity to get something done. If there wasn't something significant happening because we stood here on the floor and produced a budget resolution, I say to my good

friend Senator BYRD, I don't think I would have been staying on the Budget Committee, doing budget resolutions, if we just admonished committees and then they didn't have to do it. In fact, I stayed on because we had to tell committees what the parameters were and they did it. We always told them, if they didn't do it, something might happen. They misconstrued us sometimes, and they thought we would write their law. We didn't know what would happen. The leadership would have to find a way to enforce it if the committees didn't.

The point is it has been exciting because we have done 12, 14, maybe 15 reconciliation bills that have literally caused change that would not have happened. Senator GRAHAM you didn't like some of the changes. Some of the changes I didn't like. To tell you the truth, I didn't like many of them. But I don't believe we should deny ourselves an opportunity for this new President to have us use a reconciliation instruction bound and borne by this Budget Act which changes the rules of the Senate for as long as this law exists.

I didn't think we should say: We have used it, but you can't use it now. We thought our President's proposals for 4 percent growth in the expenditures of government in the ordinary and regular appropriation process and a $1.6 trillion tax cut over 10 years out of a surplus of $5.6 trillion seemed to be more than justified by the new President's proposals for sound fiscal policy and, indeed, for sound tax policy for our people.

With that as my introductory remarks and my concern, I offer today an instruction, an instruction that we would ask the Senate to vote on soon, sometime this evening, that essentially says we can use the process called reconciliation to accomplish the tax consequences of this budget resolution in its final form, whatever that is.

I am quite sure that I have not made this interesting for those out there listening; it is pretty hard to make this interesting. But neither do I hope that I appear anything but serious.

A little while ago one of my good friends asked me to smile. I smiled in response, so big that I couldn't talk. Then I said I have to either quit smiling or I can't talk anymore.

In any event, it is serious. I think we should all try very hard to make the average person listening to this understand it is important to their business. The public's business is really affected by the rules and the rights of Senators. But they are also affected by the rules and rights created by this Budget Impoundment Act of 1975. I did not help write it. I voted for it. I think it passed overwhelmingly. I don't know if there were even any negative votes for it. I remember Senators such as Chuck Percy from Government Operations playing a part in it, coming to the floor, saying it was the biggest change we will ever effect.

It took me 5 or 6 years to understand it really was a big change. All we want to do now on our budget is make sure the changes permitted by this law be carried over to this President's tax proposals so we can get a start, as he would say, toward letting the people of this country get back some of their money and also to create a kind of tax policy that will be good for the future.

I am going to read this. I will not go into any detail. I would say reconciliation has been used by the Senate—with reference, Senator GRAMM, to tax law changes—not 1 time, not 5 times, 15 times—one-five times it has been used—10 times to increase taxes and all became law, 5 times to cut taxes, 2 became law, 2 were vetoed, and 1 did not find its way beyond the Halls of Congress. It was what was seen to be a rather useless chore, to send it down to be vetoed. But the Congress did it. So I repeat, over 25 years no wonder the Senator from New Mexico wanted to stay on this. We were changing things dramatically, 15 times—10 to increase taxes, all of which happened; 5 to cut taxes, all of which happened.

With that history I very much appreciate Senator BYRD wanting this matter to be thoroughly discussed. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is a critically important debate. This is not fundamentally a question of the issue of the President's proposal for a tax cut. This is a far bigger issue than that. This is the fundamental question of the role of the Senate in our Government.

Our Founding Fathers had a genius. They created this structure of government to protect the rights of the American people. They built a House of Representatives that they wanted to respond to the immediate feelings of the people, a body elected every 2 years. They wanted them to respond to the will of the people and the immediate passions of the moment.

They created the Senate with Senators having 6-year terms for a very different reason. They wanted the Senate to be the cooling saucer in our Government. They wanted the Senate to be able to debate and amend and to coolly reflect on what the policies should be for our country. That is the role of the Senate, and this debate is consequential because it would dramatically change the role of the Senate.

Reconciliation means no less than Senators giving up their fundamental right to extended debate and amendment. Those are the things that distinguish this body from parliamentary bodies the world around. It is what has made this Chamber the greatest parliamentary body in the world. All of that is at stake in the next 3 hours, because at the end of that time we are going to vote, and how we vote will help determine the future role of this body.

Reconciliation was established in 1974 to allow Congress to make last-minute spending or revenue changes. It was not intended to be used to enact major new spending proposals or major tax cuts or substantive policy changes. It was a device to make small changes. It was in that context that Senators were willing to limit their right to debate and offer amendments, because it was so narrowly to be applied.

By the early 1980s, reconciliation had evolved into a mechanism for deficit reduction. For example, in 1981, Congress used reconciliation to enact the spending cuts that President Reagan called for. It was not used for the tax cuts that President Reagan proposed and that were passed precisely for the reasons I have given. It was for deficit reduction, not for spending, not for tax cuts.

In 1985, Congress passed the Gramm-Rudman-Hollings Balanced Budget Emergency Deficit Control Act and, in separate legislation, the Byrd rule. Both proposals served to limit the focus of reconciliation solely to deficit reduction.

What is being proposed now is precisely the opposite, a $1.6 trillion tax cut with limited debate, limited time for amendment, the rights of each Senator sharply curtailed. That was never the intention of the Founding Fathers of our Nation—never.

There have been attempts in recent years to dramatically alter reconciliation to implement major tax cuts instead of to achieve deficit reduction, but not once have those changes been enacted. No reconciliation package that did not reduce the deficit has ever been enacted—not one.

The Senator from Texas referred to 1993 and President Clinton's budget that included reconciliation. Precisely so, because that was a deficit reduction package.

In example after example that has been given by my colleagues on the other side, they have neglected to point out that when reconciliation actually was used and law was enacted, those were deficit reduction packages.

Every one that involved a tax cut was never enacted—not once.

That is why this debate is so consequential, so profound, and will set a very important precedent.

In 1981, a colloquy occurred during consideration of the reconciliation bill. Majority leader Howard Baker, the Republican leader, and the Democratic leader, Senator BYRD, underscored the belief that the intent of reconciliation was limited to deficit reduction.

According to Senator Howard Baker, the revered Republican leader:

> Reconciliation was never meant to be a vehicle for an omnibus authorization bill. To permit it as such is to break faith with the Senate's historical uniqueness as a forum for the exercise of minority and individual rights. In 1985, Congress passed the Gramm-Rudman-Hollings Balanced Budget Emergency Deficit Control Act in order to reduce the growing budget deficit. The 1985 act provided that no amendments to a reconciliation bill would be in order if the amendment did not have the result of reducing the

deficit. That was the purpose of reconciliation, to reduce deficits, to either increase taxes or to cut spending but to reduce deficits. It was not designed to either allow or permit an increase in spending, or cuts in taxes. That is precisely the opposite of what was intended.

I call my colleagues' attention to something the chairman of the Senate Budget Committee said back in 1985. He said:

Frankly, as chairman of the Budget Committee, I am aware of how beneficial reconciliation can be to deficit reduction. But I am also totally aware of what can happen when we choose to use this kind of process to basically get around the Rules of the Senate as to limiting debate. Clearly, unlimited debate is the prerogative of the Senate that is greatly modified under this process. I have grown to understand that this institution, while it has a lot of shortcomings, has some qualities that are rather exceptional. One of those is the fact that it is an extremely free institution, that we are free to offer amendments, that we are free to take as much time as this Senate will let us to debate and have those issues thoroughly understood both here and across the country.

The Senator from New Mexico, our budget chairman, was right when he said that in 1985.

He said in 1989:

There are few things about the United States Senate that people understand to be very, very, significant. One is that you have the right, a rather broad right, the most significant right, among all parliamentary bodies in the world to amend freely on the floor. The other is the right to debate and to filibuster. When the Budget Act was drafted, the reconciliation procedure was crafted very carefully. It was intended to be used rather carefully because, in essence, Mr. President, it vitiated those two significant characteristics of this place that many have grown to respect and admire. Some think it is a marvelous institution of democracy, and if you lose those two qualities, you just about turn this U.S. Senate into the United States House of Representatives, our other parliamentary body.

That is what this debate is about. Are we going to have a Senate that functions as our forefathers intended, as the Framers of the Constitution intended, or are we going to turn this body into a second House of Representatives?

That would be a profound mistake—a mistake for our country, a mistake for this Chamber, and a mistake for the future.

I hope very much that cooler heads will prevail, that we will vote to reject reconciliation for this purpose, and that we will reserve it for deficit reduction.

This is a profoundly important decision. We have just a few hours before it will be resolved. I hope very much that we understand and appreciate that we can consider tax cuts in this Chamber without using the reconciliation process that limits the rights of Senators and that changes the role of the Senate.

Massive tax cuts were considered without reconciliation in 1981. They can be considered without reconciliation in the year 2001.

That is what we should do. That is what we must do.

I thank the Chair. I yield the floor. I ask my colleague from West Virginia to proceed.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, Herodotus, the Father of History, instructs us that on his way to Salamis, Xerxes the Great, the Persian monarch, ascended a hill because he had a longing to behold his mighty army, which was probably the largest army that was ever assembled in the history of the world. And arriving there, he paused to look upon all of his mighty hosts.

As there was a throne of white marble, which had been prepared beforehand at his bidding, Xerxes the Great, son of Darius and grandson of Cyrus the Great, took his seat upon it, and he gazed thence upon the shore below, beheld at one view, all of his mighty land forces and all of his ships, which he had assembled for this great battle, which would soon occur in the Sea of Aegina, and which is recalled to us as the battle of Salamis in 480 B.C.

As he looked and saw the whole Hellespont covered with the vessels of his fleet, all the shores and every plain about him as full as possible of men, Xerxes congratulated himself on his great power and his great fortune, but after a little while, he wept.

Then, Artabanus, the King's uncle, when he saw Xerxes in tears, said to Xerxes: ''How different, Sire, is what thou art now doing from what thou didst a little while ago? Then thou didst congratulate thyself; now, behold, thou weepest.''

Replied Xerxes: ''There came upon me a sudden pity when I thought of the shortness of man's life, and considered that all of this mighty host, which has gathered from the many provinces under my control as King of Persia, so numerous as it is, not one —not one— will be alive 100 years from today.''

So, Mr. President, as I stand today and gaze upon this Chamber, I, like Xerxes, consider that of the 100 Senators—when I came here there were 96; and there were 100 Senators in the original Roman Senate—of the 100 Senators who will cast their votes today, not one will be alive when 100 years are gone by. But just as we who live today revere the names and the works of our illustrious forebears who framed the Constitution 214 years ago, so will our posterity—our children, our children's children, and our children's children's children—look back upon us and our works. And may our children, oh, God, have cause to bless the memory of their fathers, as we have cause to bless the memory of ours.

Posterity will see fit to look back upon us, whether it be 100 years from today or whether it be 10 years from now, and will have reason to judge us, in considerable measure, by whether we, in our time, so serve as to perpetuate the blessings that have come down to us from our forbears, the greatest blessing of all being the Constitution of the United States—I hold it in my hand—and the perpetuation of the rights of men and women, the perpetuation of the constitutional principles laid down in that document, the perpetuation of the principles of freedom to debate and amend that have been handed down to us as Senators by our forefathers.

Will our posterity thank us for perpetuating a Senate founded upon the bedrock principles of freedom of debate and amendment? Will they remember us as having so acted as to hand down to them unblemished, untarnished, and unstained the right and freedom to speak, to debate, and to amend? The rights of Senators to debate and amend at length are being denied. And such a denial is a denial of due process—due process. And that denial is not only a denial of our rights to amend and to speak freely in this Chamber at length, but a denial to our constituents who send us here.

These rights go back hundreds of years. They did not originate in 1787 in Philadelphia. They did not originate there. They were recognized centuries ago. And their roots are buried deep in the mists of antiquity.

I will read just a few words from the Magna Carta, which was signed at Runnymede, in the meadow at Runnymede, on June 15, 1215, when the King was compelled by his subjects to sign that great document. Let me read briefly therefrom. Chapter 12:

No scutage nor aid shall be imposed on our kingdom, unless by common counsel of our kingdom. . . .

What was an aid? An aid was a revenue, a kind of revenue that vassals of the King were compelled to pay him.

No scutage nor aid shall be imposed in our kingdom, unless by common counsel of our kingdom. . . .

That means everybody.

Chapter 14:

And for obtaining the common counsel of the kingdom anent the assessing of an aid (except in the three cases aforesaid) or of a scutage, we will cause to be summoned the archbishops, bishops, abbots, earls, and greater barons, severally by our letters [under seal]; and we will moreover cause to be summoned generally, through our sheriffs and bailiffs, all others who hold of us in chief, for a fixed date, namely, after the expiry of at least forty days, and at a fixed place; and in all letters of such summons we will specify the reason of the summons. And when the summons has thus been made, the business shall proceed on the day appointed, according to the counsel of such as are present, although not all who were summoned have come.

Now what was King John saying? He was saying: No tax, no aid, no revenue will be imposed upon my vassals, my people, except by the common consent of the kingdom, not just by the common consent of a few. And he indicated in writing, by the way he defined the various groups of people—meaning all of his people would be represented: the archbishops, the bishops, the earls, and so on—that they would gather and that they would pass upon the revenues that he requested.

So as we deal with the matter before us, which involves revenue, let us remember that our rights, our people's rights to be represented by us in full, the roots of those rights go back centuries and centuries ago.

At Runnymede, at Runnymede,
What say the reeds at Runnymede?
At Runnymede, at Runnymede,
Your rights were won at Runnymede!
No freeman shall be fined or bound,
Or dispossessed of freehold ground,
Except by lawful judgment found
And passed upon him by his peers!
Forget not, after all these years,
The Charter signed at Runnymede.

Today we are finding, over the experience of the last few days, that those rights, the roots of which go back to Runnymede and beyond, are being short-circuited. They are being trampled upon.

We are in very uncharted waters with this budget. It is a 10-year budget. This is the first time in my long tenure of nearly 49 years on Capitol Hill that the Congress has ever tried to enact a 10-year budget. No one is very sure of any of the assumptions and estimates underlying this 10-year budget plan—nobody. Even those witnesses who appeared before our committee, the Budget Committee, indicated they couldn't be sure of their estimates. Yet, some in this body are perfectly willing to roll the dice and let the devil take the consequences.

I am amazed that this tactic is even being attempted. We have an equally divided Senate, 50 Republicans, 50 Democrats. The Presidential election was virtually a tie in the popular vote. There is no clear mandate for this President. Mr. Bush is President. He took the oath of office. There is no question regarding his being the President of the United States—no question—no question whatsoever as to his legitimacy in holding this office—none. But there is no clear mandate. We have not heard the voices of the people clamoring for this economic plan. Yet, the majority side is using this procedural straitjacket called reconciliation to keep free-flowing debate, for which our forefathers fought and died, from happening, free-flowing debate and amendment on the forthcoming tax cut. There is no mandate for that tax cut, with 50/50 in the Senate and the membership in the other body being likewise very close insofar as the number of Republicans and number of Democrats are concerned.

This President has said over and over and over again that he wants to change things in Washington. This President has said he wants bipartisanship. Yet we are very far from any attempt at bipartisanship when we resort to heavy-handed tactics to shut out one side of the aisle.

We wanted a markup in the Budget Committee. We asked for a markup in the Budget Committee. We pleaded for a markup in the Budget Committee. We were entitled to have a markup in the Budget Committee. But didn't get it. The Budget Committee is split 11 to 11. In fact, instead of bipartisanship, then, what we have here is gamesmanship—gamesmanship of the worst sort.

There are those in this town who are so polarized, so intent upon winning that nothing else matters but to win. They don't care what they win as long as they win. They don't care what the cost is to this body, the central balance wheel of the Constitution, this body, the master stroke of the Framers, the jewel of the Constitution—the Senate. They don't care what the cost may be to the country. Winning is everything. They have to win.

We are tied here 50/50, and it doesn't matter so much how we attain the end, how we win; the important thing is that we win. At the time of the enactment of the Congressional Budget and Impoundment Control Act of 1974, it was thought that Congress would pass its first budget resolution at the beginning of each session, and this would be followed by the annual Appropriations Bills and any other spending measures. Then, Congress would issue any reconciliation instructions that might be necessary to bring the spending and revenues into line with the Budget Resolution, and that process was to involve the passage of a second Budget Resolution.

Reconciliation involves a two-stage process, in which reconciliation instructions are included in the Concurrent Resolution on the Budget—that is what is before the Senate—to direct appropriate Committees to achieve the desired budgetary results, and then to incorporate those results into an omnibus bill which is considered under expedited procedures in the House and in the Senate.

Fast track procedures were included in the Congressional Budget Act to help Congress quickly to enact necessary changes in spending or revenues so as to insure the integrity of the Budget Resolution targets. The fast track procedures limit Senate debate on reconciliation bills to 20 hours and allow only germane amendments. Time on reconciliation bills may be further limited by non-debatable motion. The managers of a reconciliation bill may yield back their time, which can further cut the time for consideration.

Unfortunately, reconciliation bills have proved to be almost irresistible vehicles for Senators to use to move all manner of legislation because of these fast-track procedures, and, in recent times, the misuse has been gross.

Fast track procedures take away from Senators—the elected representatives of the people in this Chamber—the opportunity to offer their amendments and to fully debate them. Reconciliation, therefore, is a non-filibusterable ''bear trap'' that should be used very sparingly and only for purposes of fiscal restraint.

In other words, reconciliation should be used only—hear me now—reconciliation should be used only for reducing deficits. I know my good friend from New Mexico says otherwise, but hear me. To trample upon the rights of men and women in this body, to take away from them the right to freely debate and amend measures, is a very serious thing.

We passed that act in 1974 saying, yes, we will, for a very narrow purpose, under certain narrow circumstances, take away for a brief time and for a brief purpose those rights, the right to debate and to amend. The Senate is the foremost upper body in the world today. Why is it so unique? Why? Because in this Chamber, men and women who are elected by the people back home have the right, the constitutional right, to freely debate and amend.

Augustus, the first great Roman Emperor, from 27 B.C. to 14 A.D., didn't like to hear senators argue and debate. So he was critical of senators who had the nerve to debate. And their answer was: ''Don't senators have the right to debate, to speak, to criticize the commonwealth?''

Reconciliation was established only for reducing deficits. In 1999, the reconciliation process was used by the Republican leadership to allow for a $792 billion tax cut to be brought to the Senate using fast-track procedures, taking away the right to debate fully and amend that tax cut bill. I believe this was the first time—or at least one of the rare times—that reconciliation instructions were issued that mandated a worsening of fiscal discipline for the Federal Government. Unlike the fiscal year 1997 budget resolution, I do not believe that the budget reconciliation instructions in 1999 resulted in improving the fiscal status of the Federal budget. Again, in the year 2000, the reconciliation process was used to allow for major tax cuts to be brought before the Senate in reconciliation bills. In short, we have, in my view—and I think my view is based upon facts. I am not interested in who wins, whether it is Democrats or Republicans, as far as that is concerned; I am interested in maintaining unblemished, untarnished, and unstained the fundamental principles on which this Senate rests, and they are involved here. In short, we have, in my view, abused and distorted beyond all recognition the original, very limited purpose of the reconciliation procedure.

Now let those who wish to contest that do so. It is obvious that the Republican majority will, for the third straight year, attempt ultimately to fashion a budget resolution that will contain reconciliation instructions to the Senate Finance Committee and House Ways and Means Committee, directing them to bring forth the Bush administration's $1.6 trillion tax cut bill.

Taking advantage of the reconciliation procedures in this way would be the latest in what has become a steady degradation of the congressional budget process. Reconciliation, which was created to make it easier to impose budget discipline, is instead being used

to make it easier to get around the Senate's rights to debate and amend. Reconciliation, therefore, is being turned on its head.

Hear me. ''O, that my tongue were in the thunder's mouth, then with a passion would I shake the world!'' There is no reason whatsoever to consider the President's tax cut proposal as a reconciliation bill. The Senate should take up this massive tax cut proposal as a freestanding bill. That is the way we have always done it. It is a tax cut bill. It should be fully debated and amended. That is what was done in 1981 when President Reagan sent to Congress his tax cut proposal. On that occasion, Congress used the reconciliation process to accomplish the spending cuts in the Omnibus Budget Reconciliation Act, but the Reagan tax cuts were brought before the Senate as a freestanding bill and were fully debated, without depending on reconciliation fast-track procedures. More than 100 amendments were disposed of, and the Reagan tax cut bill was debated for 12 days prior to its passage. The Senate Republican leadership in that instance chose to do the right thing by bringing the Reagan tax cut bill to the Senate as a freestanding measure rather than use fast-track reconciliation procedures. It was thoroughly aired.

Taking the easy way and doing the expedient thing rarely requires much leadership. The former Republican leader, Howard Baker, who was the majority leader—I was the minority leader —did the right thing for the Senate, for the President, and for the country.

In 1993, my own Democratic leadership—now, listen to this. In 1993, my own Democratic leadership pleaded with me. How many of my friends on the Republican side today would stand as firm as the Rock of Gibraltar as I did on that occasion? The Democratic leadership pleaded with me at length to agree to support the idea that the Clinton health care bill should be included in that year's reconciliation package. They came to my office on the floor below. Not only did Majority Leader George Mitchell and others of my colleagues attempt to persuade me to go along and not raise a point of order under the Byrd rule, which would require 60 votes to waive, President Clinton got on the phone and called me also and pressed me to allow his massive health care bill to be insulated by reconciliation's protection. He called me on the telephone. Here is the President of the United States calling this lowly former coal town boy and asking me to let his huge health bill come before the Senate on that fast track. I could not, in good conscience, however, look the other way and not make that point of order and allow what would clearly have been an abuse of congressional intent to occur.

How many others would do that today on that side of the aisle, stand against their President. Well, perhaps that is not too important.

I felt that changes as dramatic as the Clinton health care package, which would affect every man, woman, and child in the United States, should be subject to scrutiny. I said: Mr. President, I cannot in good conscience turn my face the other way. That is why we have a Senate—to amend and to debate freely—and that health bill, important as it is, is so complex, so far reaching that the people of this country need to know what is in it and, moreover, Mr. President, we Senators need to know what is in it.

He accepted that. He accepted that, thanked me, and we said goodbye.

I could not, I would not, and I did not allow that package to be handled in such a cavalier manner. It was the threat of the use of the Byrd rule—and my how that Byrd rule has been maligned and excoriated and criticized by many Members of the other body who should be thanking the Senate for it. It was the threat of the use of the Byrd rule that bolstered my position. My view prevailed then; my view is the same today. It is time for the abuse of the reconciliation process to cease. We should not be using tight, expedited procedures to take up measures that worsen the fiscal situation of the Nation and that have far reaching, profound impacts on the people. Reconciliation was never, never, never intended to be a shield, to be used as a shield for controversial legislation by depriving Senators of their rights and their duty to debate and to amend.

I want the Senate to have an opportunity to work its will and to apply its considered judgment to the massive tax cut that is being proposed by the Bush administration. I strenuously object to having such a far-reaching, critical matter swathed in the protective bandages of a reconciliation process and ramrodded through this body like a self-propelled missile. Nobody who has listened to the testimony of witnesses before the Budget Committee could possibly claim that the right choices are clear. There is vast uncertainty and disagreement about nearly every aspect of the Bush tax cut.

The President's proposal is not an edict, and the Senate is not a quivering body of humble subjects who must obey.

> Come one, come all! this rock shall fly
> From its firm base as soon as I.

This is the Senate. Reliance on reconciliation as the torpedo with which to deliver a knock-out punch for the President is a tactic that ought to be abandoned. It is not a fair course. It is not a wise course. It is not right to enforce this reconciliation gag rule upon the Senate. It is wrong. We must not shackle the intellects of 100 Members of the Senate in this way. We should not fear the wisdom of open and free-ranging debate about a proposal which is, at best, risky business. Now is no time to circle the wagons. Now is the time to hear all of the voices on both sides of the aisle. Now is the time to build consensus among ourselves and among the people we represent.

There will be no victory if we make the wrong choices and plunge this Nation back into a deficit status. There will be no victory. We will have plenty of time to regret and to weep.

The President has said that he wants bipartisanship. He has said that he has faith in his plan. I believe, therefore, that there is no need to hide behind the iron wall of reconciliation. This would be a hollow victory, indeed, for the President, and for the majority leadership in this body.

As to the tax cut itself, the Bush proposal is pretty stale bread. It probably came from last year's campaign wars that blew up in the snows of winter in New Hampshire. If it ever was a good idea, it probably is not now. The economic picture has changed since then and changed radically. The type and size of the tax cut proposed in the President's budget—and we have not seen his budget. Why haven't we seen his budget? It was promised to us for Monday of this week, but now we know that it will be Monday of next week before the budget comes here.

I have been among those who have urged that we just wait a little bit and, before we cross that railroad crossing where the lights are flashing, have the budget before us. We can have it by Monday. It is within 3 blocks of the Capitol right now being printed. So it is around. Why can't we have it?

The economic picture has changed, as I say, and it has changed radically. The type and size of the tax cut proposed in the President's budget obviously bears rethinking. The size of the proposed surplus has already been diminished by the stock market plunge.

Even the staunchest supporters of the President's $1.6 trillion tax cut idea would have to admit that the ground has shifted and that the President's plan might need some adjustment. Only an extremely doctrinaire mind would continue to claim that this tax cut is still a perfect fit for the present economy or the projected surpluses that go out to the far end of 10 years. That would be like claiming that your size 42 pants still fit fine after you have dropped 25 pounds. The economy has lost some weight since the President's plan was created.

I can understand the desire to win one for the new President. I can understand my good friend from Texas, of whom I am very fond and whom I consider a friend. I live with him here 5 days a week, 4 days a week in many of the weeks of the year. I live with the chairman of the Budget Committee who is an extremely able chairman. He is of the true Roman stock, and I admire him. I admire him. I am sorry that on this occasion we have to disagree. We will disagree, but disagreement, as far as I am concerned, lasts only for a day and then it is all in the past.

On the other hand, it is always well to remember that the Senate is an equal branch, with Members having decades—decades—of experience which is their duty, their responsibility to apply. The Senate should not behave

like some eager puppy taking slippers to its master for a good word and a pat on the head.

We do this new President no favors to let him have exactly his way if that way is flawed. He will be blamed. President Bush will be blamed if this budget turns out to be a disaster for the American people. And we might be able to avoid some mistakes if the Senate is given a chance to debate and amend the tax proposal in a separate and freestanding bill.

The President would still get the credit if the amount was cut, but why would it not be better if it were handed to him after a freestanding debate?

What is a Republic? Madison in the Federalists No. 14 answered this question:

> In a democracy, the people meet and exercise the government in person; in a Republic, they assemble and administer it by their Representatives and agents.

Madison answered that question. Consequently, to whatever degree that Senators, the elected representatives of the people, are prevented from debating and amending the legislation of that Congress or the Senate, to that same degree the people are denied their rights to be heard and to make decisions through their elected representatives in the Senate.

Benjamin Franklin was asked by a lady following the Constitutional Convention's close on September 17, 1787: Dr. Franklin, what have you given us? The answer: A republic, madam, if you can keep it.

Now, in this regard, let's listen to one of the complaints enunciated in the Declaration of Independence against King George III of England. In this little book is contained the Constitution and the Declaration of Independence. At the beginning of the Declaration of Independence, Thomas Jefferson enunciated the complaints that the people had against King George III and the reasons why the colonialists were going to sever those bonds forever. Listen to this:

> He [meaning King George III] has refused to pass any laws for the accommodations of large districts of people, unless those people would relinquish the Right of Representation in the legislature, a Right inestimable to them, and formidable to tyrants only. He has dissolved representative houses repeatedly.

One of their major complaints was that the King had refused to pass laws unless the people would give up something, would give up their right of representation in the legislature.

That really, in essence, is what is happening here. A budget plan for 10 years is about to be passed and, as a result of that budget, unless the Senate votes otherwise today and/or tomorrow, the people, through their elected representatives, will be relinquishing their rights to have full freedom of debate and amendment when it comes to the Bush tax cut.

I say to Senators, the ranking member of the Budget Committee said only a little while ago that this is the most important legislation the Senate will act upon in this session. Why? Not only because it will involve a huge tax cut, the ramifications of which we cannot clearly see because we have no budget before us, but also because it goes to the root, the very marrow of the bone of Senators' constitutional rights on behalf of their constituents to fully debate and amend.

I say to Senators, our ancestors fought a war with England because of the denial of representation in the legislature where taxation was concerned. When the reconciliation process is employed to curtail debate and amendments on bills making huge tax cuts, the people are being denied true representation in the Senate because their elected representatives here, who happen to be in the minority, are being gagged by the fast-track procedures of the reconciliation process.

When a minority of Senators—and keep in mind, this is the largest minority that it is possible to have in this Chamber; there are 100 Members in the Chamber, 100 Members have been sworn and the breakdown is 50/50, so the minority is as large a minority as the Senate could possibly have. A minority of Senators are being denied by the reconciliation process the right to debate at length and the right to freely amend. The people of the United States, who are represented by that minority in the Senate, are, in essence, being forced to relinquish the right of representation in the legislature.

How much time remains?

The PRESIDING OFFICER. The time remaining is 26½ minutes.

Mr. BYRD. Let me briefly respond to the distinguished chairman of the Budget Committee. A chairman of any committee could be no more distinguished than the chairman of the Budget Committee. Anent the chairman's statement that what we are doing today is fully in accord with the intent of the Budget Act, I am saying that it absolutely is not.

Mr. CONRAD. Will the Senator yield?

Mr. BYRD. Yes.

Mr. CONRAD. I inquire as to the time remaining on our side and the time remaining on the Republican side.

The PRESIDING OFFICER. The minority has 25½ minutes and the majority has 61½ minutes.

Mr. CONRAD. I ask the Senator if he could wrap up fairly quickly so we can turn to the other side so we will have some time remaining for requests of other Senators.

Mr. BYRD. Absolutely. I will be glad to do that. I will postpone what I was going to say in response to the chairman's claim that this Budget Act can be in conformity with the act's intent and be used to cut taxes.

I challenge that. I am ready to do so. I will not do so at the moment.

On the other hand, I think I should. Section 310 of the Congressional Budget Act, as enacted in 1974, was arguably neutral in its purpose. The provision merely authorized reconciliation instructions to change laws or bills within a committee's jurisdiction. However, several amendments to the Congressional Budget Act have made it quite clear that the purpose of reconciliation was for deficit reduction.

Section 310 of the act was amended by the Balanced Budget and Emergency Deficit Control Act of 1985, Gramm-Rudman-Hollings, to prohibit amendments to reconciliation bills that reduced revenues, if the amendment caused a committee to fail to meet its reconciliation instruction. This prohibition would make no sense if committees could be instructed to reduce net revenues. It only makes sense if a committee could be instructed to increase revenues. Furthermore, the Byrd rule was added as section 313 of the Budget Act. It prohibits as extraneous any provision reported by a committee that reduces revenues if that committee failed to meet its reconciliation instructions. The Byrd rule also prohibits as extraneous a provision that results in net revenue losses in the years beyond the budget resolution, the outyears, unless those losses are compensated for by outlay reductions.

Again, these provisions make no sense if committees could be given a reconciliation instruction to reduce net revenues. They only make sense if committees could only be instructed to increase revenue.

It should also be noted that section 310 was amended in 1990 to specifically authorize a reconciliation instruction ''to achieve deficit reduction''. Thus, there is explicit and there is implicit language standing for the principle that the purpose of reconciliation is for deficit reduction. There is nothing in the Congressional Budget Act stating that reconciliation can be used to reduce revenues. The only conclusion that can be drawn is that this process is for deficit reduction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from North Dakota.

Mr. CONRAD. Mr. President, I inquire of the chairman of the Budget Committee if he would prefer to go at this point.

Mr. DOMENICI. I understand the distinguished Senator wanted to speak for 4 minutes. I am delighted to have him do that, if it is all right with Senator CONRAD.

Mr. CONRAD. I am delighted to yield 4 minutes to the Senator from Florida.

Let me say to my colleagues, we have very little time left on this side. It is our intention, after the Senator from Florida has spoken, to allow those on the other side of the aisle to take an extended period of time to express their view before we come back to our side.

With that, I yield 4 minutes to the Senator from Florida.

Mr. DOMENICI. Mr. President, I am happy to hear the Senator's intention, but I do not know what the intention is

on our side. We are going to do our very best to be fair. We had to sit through a very lengthy discussion that I thought was very powerful. We would like a little bit of time to make our rebuttal.

I am suggesting you can go another 4 minutes if that is all right with you all.

Mr. CONRAD. Yes. We thought we would go to the Senator from Florida and yield 4 minutes to him.

Mr. DOMENICI. I failed to mention that we have a whole series of votes on amendment, I might say to Senator REID, that might occur tonight after the 6:30 commencement of the vote on the Domenici reconciliation amendment. I hope Senators do not run off after this next vote. I think there could be 3 hours' worth of votes tonight just on what we have already agreed to do.

Mr. REID. I say to my friend, if he will yield, the staff is working to see if any of those eight amendments can be accepted. But whatever, there is going to be a lot of voting starting at 6:30.

Mr. DOMENICI. That is correct. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I am moved to speak because of the eloquence of the Senator from West Virginia and what he has taught us today by his statements as the author of the Byrd rule, as the author of the reconciliation act, and how he has woven the importance of this body being able to freely debate and freely amend into the course of history.

He talked about Runnymede. He talked about Xerxes. As he was speaking so eloquently, it recalled to my mind Athens in the fifth century before Christ, one of the greatest golden times in the age of civilization of planet Earth. But Athens had a problem in a bald-headed, bandy-legged little man by the name of Socrates who liked to ask all kinds of questions and who liked to challenge the established order of things Athenian.

In the process of that experience with democracy and free speech, the special interests of the day urged the crowd so that the pack became in full cry to shut up the man who dared to ask the questions—Mr. Socrates. Ultimately they offered him the cup and said: Have a drink, Mr. Socrates.

Socrates was such a part of that Athenian society that rather than break the rules, he drank from the cup. He showed by so doing that he adhered to the highest principles of Athenian society while they were muzzling and shackling and clamping his mouth shut.

It is because of that, as a part of the lessons of history, added to the great lessons of history that the distinguished Senator from West Virginia has shared with us today, that ultimately led to that brilliant band of political thinkers who all came together to fashion this thing we know as the Constitution of the United States, that we do not want to limit debate or limit amendment, especially, as the Senator has so eloquently explained to us, on something as enormous and effective on these United States as a tax bill that will take prevail for 10 years.

I thank the Senator from West Virginia for the history lesson he has given us. I thank him for what he represents as the true historian of this Senate, who can put this debate in perspective and give us another reason we should not have this reconciliation instruction that will muzzle this Senate on something so important to the discourse of the day, an enormous tax bill.

I thank the Senator from West Virginia.

The PRESIDING OFFICER. Who yields time?

The Senator from New Mexico.

Mr. DOMENICI. From our side of the aisle I want to say Senator GRASSLEY is here ready to speak. I understood there were a couple of other Senators, including Senator GREGG, who wanted to speak. I cannot assure you as soon as you walk on the floor that you will be able to speak because time is back and forth and Senator BYRD was entitled to speak. In a few moments I will yield to my colleague. I understand he has some very responsive remarks. I want to hear them myself.

Let me say to Senator BYRD, I have heard often—and perhaps I should say oftentimes—from you of your humble beginnings. I do not in any way want to suggest that I had humble beginnings. I am not sure my humble beginnings are relevant. I am sure yours are.

But just so we will know, my father came all the way from Italy, when he was 14, to the city of Albuquerque. He never learned how to write English. He could not read well, but he could speak three languages. He did all right with a small grocery business. He took care of five children; it looks like all of them went to college; it looks like he left enough for his wife, to take care of her; and that is all he worried about.

But I, too, have been challenged by a President. You were challenged by one. I will explain about that challenge in just a moment. I was challenged by Ronald Reagan. You weren't on the Budget Committee then. I wish you would have been. We were marking up after an Easter recess, having asked the President's Defense Secretary to negotiate with us for 2 months on two different occasions. This Senator from humble beginnings, son of the Italian immigrants, was called by the President, called out from a committee meeting to an office, and he said: Adjourn the meeting. I need to discuss things with you.

Let me tell you that we marked up the bill that afternoon. We finished because I had my job to do and he had his job to do. We gave him more defense money. He ended up getting more when Congress was finished, which is interesting, too.

Let me suggest to the President, and to those who are quite impressed tonight by the remarks given by the senior Senator from West Virginia—and I remind everyone that he has had 43 years to learn about this Senate; I have only had 28. I feel very strongly about the Senate, just as he does, except I don't have any history to quote. That is just because I am not a history person, be it ancient, modern. Whatever the history, I am just not very good at it.

But I can tell you that Senator BYRD's argument tonight is 27 years too late. In fact, he should have made that argument before we adopted the Senate Budget and Impoundment Act. He helped write it. I didn't help write it. I voted for it. But my recollection is that not a single Senator voted against it. Let me tell you that Senator BYRD should have made an argument then. This bill was filled with all the risks he talks about to change forever what the Senate stands for. If that wasn't the case, Senator BYRD should have objected and should have come and given this speech the 15 times that we have used reconciliation—10 times to raise taxes and 5 times to reduce taxes. He did object to one of those. He lost on a reduction of taxes. But that is when the argument tonight, ever so eloquent, should have been made.

For those enraptured about the qualities of the Senate as discussed tonight, let me remind everyone that we changed them. We changed them under the authorship of the distinguished senior Senator from West Virginia who argued tonight about what a serious impact of a negative type this reconciliation instruction is going to impose on the Senate.

I remind everyone. I see the tax-writing staff is here. Some of them have been through all of these. They can probably come over here and help me. They didn't like it when they were told to do a tax increase. That is probably what they liked the least.

We did it. You know what happened on those instructions? The Senate did not have a chance to filibuster them. On not a single one of them did they have a chance to filibuster. Why? Because this act prevailed.

Let me remind you that they did not have a chance to filibuster them or amend them significantly, whether they increased taxes or diminished taxes.

On the argument that this Budget Act is not policy neutral, which the distinguished Senator from West Virginia challenges, let me just say I was part of the whole thing. I think it remains neutral. The only thing it permits us to do of a multiyear nature is to look forward to what will certain policies do in the future. That is what it permits us to do. It doesn't say in this Budget Act that you can do that only if you are reducing deficits. It just doesn't say it. The Senator interprets it that way. I don't interpret it that way.

Let me also talk a minute with the Senate about the event. You know the

event, when President Clinton almost got us to vote on a health care plan. I don't say any of this in a contentious manner toward any Senator. But I have already heard two Democratic Senators submit to the Senate, including my friend from West Virginia, that we were responsible for us not considering the plan, which is sometimes called the Hillary Clinton Health Care Plan. They were responsible for its failure—President Clinton's big health care plan.

Let me tell you. The truth is, 3 years before we considered that, my good friend had prevailed in the Senate with a statute—not a ruling, a statute—that created the Byrd budget rule carrying his distinguished name. We did it around here for 3 years before that. And we finally said: You are right. Let's pass the Byrd rule.

Guess what the Byrd rule would have done if they would have brought President Clinton's health care bill to the floor. Any Senator could have raised a point of order under that rule, the Byrd rule. Any Senator would have gotten a ruling from the Chair that it was subject to a point of order.

Guess what next. It would require 60 votes to pass.

So let's be honest and realistic. Senator BYRD has been part of helping fix this up for a number of years, but he has never been able to fix it up to deny its efficacy as changing forever the rules of the Senate so long as this Budget Act exists.

Having said that, I want to comment on something else.

Mr. SARBANES. Will the Senator yield?

Mr. DOMENICI. I haven't had much time. Let me finish. Am I doing something wrong that you would like to correct me on?

Mr. SARBANES. I think you are misstating Senator BYRD's position.

Mr. DOMENICI. I don't believe so. I was here for the whole speech. You can speak on your own time.

Mr. BYRD. Mr. President, will the Chair enforce the rule that Senators must address each other through the Chair and in the third person.

The PRESIDING OFFICER. The Chair will enforce the rule.

Mr. DOMENICI. I understand. I will try to do that.

I want to talk a minute about Leader Baker's role in determining all of this, if you will permit me for a moment.

First, let me put Senator Baker's comments in context. Maybe it would be best to do this. Senator Baker's comments were made, to the recollection of the Senator from New Mexico, with reference to a Commerce Committee bill. The Commerce Committee was then under the chairmanship of Robert Packwood. Senator Packwood took a little, tiny instruction that told that committee to change a fee—something that you are charging. He wrote a whole reauthorization of the telecom bill with a little, tiny instruction for a few hundred thousand dollars. Senator Baker said: You shouldn't do that.

That was the beginning of the Byrd rule. That was the beginning of a rule which said amendments have to be fiscally related and germane.

We are very pleased that the distinguished Senator from West Virginia did that. We are very pleased that rule governs even today. But it doesn't govern with reference to a tax reconciliation bill because, as a matter of fact, we have done that 15 times since the adoption of this bill.

Let me tell you a little bit about the origins of reconciliation. I remember very vividly because we were in the minority. The other side was in the majority by quite a healthy margin. The chairman of the Budget Committee was Senator Ed Muskie when the first reconciliation was used. The other side of the aisle was getting close to election time. There was a concern about a deficit. So a reconciliation instruction was used—$8 billion for all intents and purposes, something we almost round off these days.

Guess what one of the committees was that was reconciled in that instance to raise a few dollars. I know it sounds not right, but it is right. The Agriculture Committee was reconciled to change the School Lunch Program costs to impose an extra 5 cents on the school lunches across America. How do I know that? Because this man right here, the chief of staff on the majority side, was then at the Department of Agriculture. He was asked to enforce that after it was passed. I believe the reason he is with the Senate is because they made him the scapegoat over there for passing the measure that was reconciled by the Congress to them.

Mr. GREGG. Mr. President, will the Senator from New Mexico yield for a question?

Mr. DOMENICI. I am pleased to yield for a question.

Mr. GREGG. In listening to the presentation of the Senator from West Virginia, as I understood it, the Senator from West Virginia was essentially saying you could use the reconciliation for the purposes of raising taxes in order to reduce the deficit but you cannot use it for the purposes of cutting taxes that do not involve addressing a deficit.

Mr. DOMENICI. Yes.

Mr. GREGG. At the same time, the Senator from West Virginia argued reconciliation was an inherently inappropriate concept because it cut off debate here in the Senate and therefore it was inappropriate in the sense that it limited the ability of this Senate to exercise its due privileges on an issue.

Aren't those two arguments inconsistent: To say that reconciliation could be used in one instance, no matter what the instance is, but, on the other side, it is inappropriate to use reconciliation at any time because of the nature of the Senate and its need to have debates?

Mr. DOMENICI. Senator, let me say, I think they are. But I believe implicit in the Senator's argument is that he does not think so. But maybe he should answer that.

Mr. GREGG. Will the Senator yield for a question?

Mr. DOMENICI. Maybe the Senator from West Virginia would like to answer that. I am not asking now. I was trying to follow the admonition not to say ''he'' but ''the Senator from West Virginia.'' I try very hard. I slip sometimes.

Mr. GREGG. Will the Senator yield for another question?

Mr. DOMENICI. Yes.

Mr. GREGG. In reviewing the RECORD of the Senate, I noted that when the ruling was made in 1996, the question asked by Senator DASCHLE to the Chair was:

> Is it the opinion of the Chair that this resolution would continue to be a budget resolution if it directed the creation of that third reconciliation bill—the one that solely worsens the deficit—

And I underline and emphasize those words, ''the one that solely worsens the deficit''—

Even under circumstances when the Congress had failed to enact the prior two reconciliation bills.

And the Chair ruled:

> If the Senator's question is, can the budget resolution direct the creation of a reconciliation bill which lowers revenues, the answer is yes.

Can this language be any clearer, I would ask the chairman of the Budget Committee, that the Chair has ruled that reconciliation can be used to reduce taxes even if it worsens a deficit and therefore is not a deficit issue?

Mr. DOMENICI. No question about it, I say to the Senator. As a matter of fact, you might know that the Senator from New Mexico, in preparing the budget resolution, had that in mind. And it was so clear to me that I put the reconciliation in the budget bill because it seemed to me we already decided that—the Chair had already decided it. And unbeknownst to me, even though that is what you read, and that is what it says, and that is what I think it says, we had to go around and do what we are doing tonight, even with that interpretation because there was a parliamentary understanding that was somewhat different from that. So that is the case.

I think you are right. But I think you should understand that we asked for that ruling, and we would have been involved in not getting a debate on the budget resolution. It would have been freely debatable if we had tried that.

Mr. GREGG. I understand that. I guess my question is, Hasn't the Chair, in fact, ruled on this issue? Is it not the precedent of the Senate, as defined by this language at least, which is fairly clear?

Mr. DOMENICI. I do not think there is any question. That is my interpretation. I thank you for it. I do not think there is any doubt whatsoever.

Mr. SARBANES. Will the Senator yield for a question?

The PRESIDING OFFICER (Mr. HUTCHINSON). Does the Senator from New Mexico yield?

Mr. DOMENICI. I say to the Senator, I am not one who is fearful of questions, but I really want you to know I very much would like to answer a few more thoughts because I paid very close attention, and I don't think the Senator from Maryland, in all deference, was even here when I listened to most of this distinguished Senator's remarks. I would like to finish my remarks.

Mr. SARBANES. If the Senator would yield on that point.

Mr. DOMENICI. I will be happy to.

Mr. SARBANES. I was here for a good part of it.

Mr. DOMENICI. Yes, sir.

Mr. SARBANES. I think the Senator from New Mexico was here for all of it.

Mr. DOMENICI. That is correct.

Mr. SARBANES. I cannot claim that. And I respect the Senator from New Mexico for that. But I was here for a good part of the time. Does that qualify me to ask the Senator a question?

Mr. DOMENICI. It does, I say to the Senator. I am glad to answer a question. It qualifies. You do not have to make that statement. You are qualified.

The PRESIDING OFFICER. Does the Senator from New Mexico yield?

Mr. SARBANES. It seems to me what Senator BYRD is underscoring is that the Senate, when they first passed the Budget Act, made a great exception to the process of unlimited debate in order to try to bring the deficit under control. The guiding rationale for making that exception was limited to accomplishing deficit reduction. No one, in their wildest dreams, ever imagined we were going to be out here trying to deal with reconciliation instructions which would lower the surplus or potentially increase the deficit.

Mr. DOMENICI. I say to the Senator, I believe if you are going to make a speech, it ought to be charged to their time.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. SARBANES. Does the Senator disagree with the initial purpose of the Budget Act?

Mr. DOMENICI. I am very glad to answer. I totally disagree. I do not think that was the initial purpose. The Budget Act simply allows us to use reconciliation to carry out the fiscal policies outlined in the budget.

Now if Congress wanted to run deficits with policies it enacted, they could decide to do so with the laws it passed and that were outlined in its budget. In other words, if Congress wants to run surpluses, it could do so under the act. Also under the Act, it could also reduce them. So that is my interpretation. And I want to finish my remarks.

Now, Mr. President, I note the presence of Senator GRASSLEY who I really want to speak on taxes. But I do want to say, underlying a very large quantity of the arguments here tonight is inherently an anti-give-the-people-back-their-money attitude—to wit, tax cuts.

The truth is, there are some who just do not want to have tax cuts. I understand that. I do understand that very clearly. There are Senators who would rather spend the money than give it back. I am not saying every Senator—some Senators.

Frankly, I do not believe those feelings ought to enter this debate. But if a Senator wants to have those feelings, then he ought to be right on this debate because it does not have anything to do with those feelings. It has to do with the Budget Act—a Budget Act that, I repeat, changed the rules of the Senate for so long as we apply that Budget Act.

I want to repeat, we have used that act for small and large tax increases. How do you think the Senators on the Republican side feel who want to do tax cuts? I am standing up here telling them it is somebody's interpretation that you can surely increase taxes with reconciliation, I say to Senator GRASSLEY, chairman of the committee, but you cannot decrease taxes. You cannot reduce taxes. I believe you would have to have a strong, absolute determination in this act that that was the case, or the Senator from Iowa would claim it was discriminatory against whom? The taxpayers, the average person. You can surely get them for increases, but you cannot give them a decrease, right? At least not under this act, if you are going to interpret it as some choose to interpret it tonight.

So I know this is a historic argument. And I don't know if I appreciated its historical significance when we started tonight, but I have been reminded of it.

So if there was any lesser thought on my part, I am right there. It is an historic argument, except that it isn't a very new argument. It isn't a very new use of reconciliation that is being argued tonight; it is a very old use of reconciliation.

With that, how much time does the Senator desire? I ask Senator GRASSLEY.

Mr. GRASSLEY. I would like to have 25 minutes.

Mr. DOMENICI. I yield 25 minutes to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. The Federal Government is collecting too much in taxes. That is what is at the basis of the tax reduction package we hope to get through the Senate in a couple months. The Federal Government will accumulate over $3.1 trillion in excess tax collections over the next 10 years. Federal tax receipts are at one of their highest levels in our Nation's history. The bulk of these excess collections comes from the individual taxpayer, mostly the individual income-tax payer. Individual income tax collections are currently near an all-time high, even higher than they were at some levels imposed during World War II.

So I have a series of charts I would like to have my colleagues review with me to illustrate our present situation.

The first chart shows total Federal tax receipts as a percentage of gross domestic product over the last 40 years. Tax receipts have fluctuated frequently since 1960, but the most shocking spike in tax receipts began in 1993.

The Congressional Budget Office's January 2001 report to Congress shows that in 1992, total tax receipts were around 17.2 percent of GDP. By the year 2000, Federal receipts had exploded to an astronomical 2.6 percent of gross domestic product. The significance of this percentage can only be appreciated by its historical comparison.

In 1944, at the height of World War II, taxes as a percentage of GDP were 20.9 percent, only one-half percent higher than they are this very day. By 1945, those taxes had dropped to 20.4 percent of GDP, which is actually lower than collection levels today.

It is unbelievable that in a time of unprecedented peace and prosperity, the Federal Government should rake in taxes at a wartime level. The sorriest part of this whole story is that this huge increase in taxes has been borne almost exclusively by the individual American taxpayer.

As this next chart shows, over the past decade, tax collection levels for payroll taxes, corporate taxes, and all other taxes have been relatively stable. We can see that corporate taxes during the past 10 years have increased very little, from 1.6 percent of GDP to 2.1 percent, and estate taxes have remained essentially unchanged. Collections of individual income taxes, however, have soared.

As this chart shows, in 1992, tax collections from individual income taxes were 7.7 percent of gross domestic product. That percentage has risen steadily each year and, as of the year 2000, was an astounding 10.2 percent of GDP. Individual income taxes now take up the largest share of GDP in history. Even during World War II, collections from individuals were 9.4 percent of GDP, nearly a full percentage point below the current levels.

As we can see, the source of the current and future surpluses is from the huge runups in a single tax, the individual tax collections. These excess collections are attributable to the tax increases forced through by President Clinton in 1993. Since 1992, total personal income has grown an average of 5.6 percent per year. Federal income tax collections, however, have grown an average of 9.1 percent a year, outstripping the rate of personal income tax growth by 64 percent.

The Joint Committee on Taxation, at the request of their parent committee, estimated that just repealing the revenue-raising provisions of President Clinton's 1993 tax hike would yield tax relief of more than $1 trillion over the 10 years. Democrats and Republicans

alike can agree that individual taxpayers deserve relief from the Federal Government's overtaxation.

President Bush has offered a plan to reduce individual income taxes across all tax rates, all brackets, and to reduce the number of brackets as well. This benefits taxpayers all across America.

Now we hear, however, a hue and cry from some on the other side of the aisle that not all taxpayers should receive rate reductions. They say the President's plan disproportionately benefits upper income-tax payers and does not provide enough relief at the lower end of the income scale. There is some good news out there for those who believe that: None of those allegations are true.

We need to first understand the current distribution of the tax burden in America. We have a highly progressive income tax system. According to the Congressional Budget Office, the top 20 percent of income earners pay over 75 percent of all individual income taxes. By contrast, households in the bottom three-fifths of the income distribution pay 7 percent of all individual taxes. The President's plan not only preserves this progressive system but—surprise—actually makes those top income people pay more of the percentage of income coming into the Federal Treasury, if the President's plan is adopted.

To all those who are trying to engage in class warfare over the President's tax proposals, I invite them to pay attention to the next two charts. As the first of these two charts demonstrates, the President's marginal rate reductions, when combined with his increase in the child credit, the additional deduction for the lower earning spouse, and his refundable tax credit for individual health insurance, provides the greatest reduction in tax burden for lower income-tax payers.

Look at the levels of reduction in tax burden shown on this chart. The upper income-tax payers receive an 8.7-percent reduction in their burden. Those at the lower end of the income scale, however, receive a 136.2 percent reduction in their taxes. This is because 4 million taxpayers will be taken off the income tax rolls. A four-person family earning $35,000 a year will no longer have any income tax burden.

As this chart also shows, a large reduction of tax burden is targeted towards taxpayers making between $30,000 and $75,000 a year. These taxpayers will experience relief ranging from 20.8 percent to 38.3 percent of their current tax burden.

Now, I also said the President's plan, when passed, actually makes our tax system more progressive. Look at the next chart to get the proof of that. This is a very important chart for those who will demagogue the President's proposal on the basis of income differences.

As this chart demonstrates, under the President's proposal, the overall tax burden goes down for all taxpayers earning below $100,000. For taxpayers making $100,000 or more, however, their share of Federal tax burden will actually increase under the President's plan.

For example, the share of the tax burden for taxpayers earning between $30,000 and $40,000 a year will drop from 2.5 percent to 1.8 percent. Similarly, for those earning between $50,000 and $75,000, the burden share drops from 12.2 percent to 11.3 percent.

This is not the case, however, for taxpayers earning $200,000 or more. Their share of the overall burden will actually increase, and increase by a full 3 percent.

As we can see, then, the President's plan not only retains the progressivity of our tax system, that progressivity is actually enhanced. The President's plan gives tax relief to all taxpayers, and it does so in a fair manner, one that requires more from those who are able to pay and provides the greatest relief for those most in need.

There are several Members of the Senate who belong to a group called the Centrist Coalition. There is nothing wrong with that group; they are good people. They are out there to try to find compromise and to promote bipartisanship. In a time of a 50–50 Senate, you cannot knock that, and I do not. However, they have a plan on which I will comment.

The Centrist Coalition is concerned that $1.6 trillion is not the right amount of tax reduction and argue that the right number is somewhere between the Democrat's number of $900 billion and the President's number, $1.6 trillion. I thank Senator BREAUX, the head of the Centrist Coalition, for his efforts to find, as he says, a middle ground.

Senator BREAUX has a long history as one who tries to secure bipartisan consensus. He was one of the few Democrats to cross over and support the Senate tax relief plan in 1999. He is widely known for his efforts to find bipartisan consensus on Medicare. I will be relying on Senator BREAUX, along with Senator BAUCUS, when we take up Medicare legislation later this year. Earlier this year, I accepted the centrists' invitation to join their meetings. I attended a meeting in a recent week on tax options and found it to be a very useful discussion.

Senator BREAUX suggests that the middle ground is splitting the difference between the President's number of $1.6 trillion and the Democratic alternative of $900 billion. If those were the only two numbers to consider, I would probably agree that his number of $1.25 trillion is pretty close to middle ground. But the reality is that the numbers range, as Senator CONRAD has said, all the way up to $2.2 trillion down to $900 billion. Some of my colleagues on this side really like that $2.2 trillion number better, and I have to put water to dampen their desires, because we have to be realistic in this game.

In comparing the numbers, I, like Senator BREAUX, am not comfortable with either the Democrat number of $900 billion or the $2.2 trillion being thrown around by some on my side of the aisle. Unlike Senator BREAUX, however, I am comfortable with the $1.6 trillion number, and this is why. I am going to run through a hypothetical calculation of a tax cut agenda and look at each number to see if it accommodates the agenda of its proponents.

I want to look at Senator CONRAD's number of $900 billion. Now Senators DASCHLE, CONRAD, and the Democratic leadership have been talking a lot about their stimulus and rate cut package.

Under Joint Tax scoring, that proposal loses around $506 billion over 10 years. That leaves $394 billion out of their $900 billion for other tax cuts that Senator CONRAD and other Democrats say they support.

The Democrat alternative on marriage tax relief, which was offered in the Finance Committee last year, contained a revenue loss of $197 billion over 10 years, without a sunset.

The Democratic alternative on death tax relief contained a revenue loss of $64 billion over 10 years.

So using Democratic proposals and last year's revenue loss estimates, the Democrats have less than $133 billion in surplus left.

You have to keep in mind that these are only the Democrat proposals we are talking about. We have to consider that there are bipartisan tax cuts that passed either or both Houses of Congress during the past year.

There is the retirement security bill that Senator BAUCUS and I will soon be introducing. A similar bill passed the House almost unanimously. That bill will run about $52 billion.

There is a bill to repeal the Spanish-American War phone tax that passed the House last year by an overwhelming bipartisan margin, and that will run about $50 billion.

Then there is the small business and agricultural tax cuts that everyone supports. That package totals over $17 billion.

The education tax relief that unanimously passed the Finance Committee last month runs about $20 billion.

Now, you have to add up all these bipartisan tax cuts and, when you do, we have now exceeded the $133 billion that was left in the Democrat budget. It is all gone. And we haven't even factored in their greatest objection to the President's proposal, and that is the problem with the alternative minimum tax.

We have heard a lot of pointed criticism of the President's tax plan from Senators on the other side of the aisle on the issue of the alternative minimum tax. Senator CONRAD has said that it takes $200 billion to $300 billion to fix the AMT problem under the Bush plan. Senator CONRAD is correct that the President's plan could make the problem worse. As I have said, I intend to address that problem.

The Senate Democratic stimulus and rate reduction package does nothing about the AMT problem that they have addressed and found fault with in the President's program. In fact, their legislation will make this problem worse. According to the Joint Tax Committee, the Democrats' package will subject an additional 7 million taxpayers to the AMT.

So if Senator CONRAD and other Senators on the other side of the aisle want to practice what they preach, they will have to raise their budget's tax cut numbers to deal with the alternative minimum tax. As they have said, that is another $200 billion to $300 billion.

But at this point, after including their priorities and the bipartisan tax cuts, they don't have any surplus left to redress the AMT problem. So, as you can see, the Democratic budget number of $900 billion does not even accommodate their own tax priorities.

Mr. CONRAD. Will the Senator yield?

Mr. GRASSLEY. I believe many on the other side, like Senator BREAUX, know this.

I would like to finish, and then I'll respond; but I only have 25 minutes allotted.

Mr. CONRAD. Will the Senator yield on my time?

Mr. GRASSLEY. Yes, I will yield on his time.

Mr. CONRAD. Mr. President, I have great respect for the chairman. He and I have worked on many matters together. I want to take this moment to advise the Senator that we have $125 billion of our $750 billion tax cut unallocated. We have specifically not allocated it all so that some of it could be used to address the alternative minimum tax problem. So we have not done what we have criticized the other side for doing.

Mr. GRASSLEY. Mr. President, I thank the Senator for what he thinks is a clarification. But he, I think, makes my point. They have reserved some money, but when you add all of their proposals, and when you take into consideration the AMT, and when you also take into consideration their votes on bipartisan tax proposals, there is no way that you are going to squeeze that into their numbers.

Let me tell you, we have had problems on this side of the aisle. Even if we go at $1.6 trillion, there is going to be a difficulty squeezing everything in. But we have a problem of having the greatest amount of flexibility that we can.

Now, as has been said, the Democratic budget number of $900 billion does not even accommodate their own tax priorities. I believe Senator BREAUX knows that.

I think those who have proposed numbers in the range of $2 trillion to $2.4 trillion are also pushing the wrong number.

That tax cut number doesn't balance our priorities in paying down debt and targeted spending increases.

Senator BREAUX's number is better than the Democratic number because it allows more tax cuts to be addressed. However, it does not have enough room. Unlike the Democratic number, Senator BREAUX's number might be enough to cover Democratic priorities, plus a little bit more; but it would ignore the President's priorities.

So I believe the number that the President has proposed is appropriate but not just because he proposed it. It is appropriate because it will allow us to accommodate the bipartisan tax cut priorities before us.

Senator BAUCUS and I will need the full $1.6 trillion to make the tax cuts for all of you, through these votes and through these proposals, have indicated that you are interested in, and to make it work.

The Democrat side has said they want bipartisan legislation. So in order to do that, the Finance Committee will need $1.6 trillion in tax cut relief authority from the Senate through the budget resolution.

I also think that many in this body are looking at the number too much in terms of a win or loss for President Bush. This is true of Republicans, who tend to look at the $1.6 trillion number, or anything higher, as a win for the President. Democrats are looking at anything less than that number as somewhat of a loss for the President.

Democratic leaders, budgetwise and their elected leadership, have been explicit in this objective. They have worked very hard to try to defeat the President's tax cut. All the amendments we have been voting on take money from the tax cut, which indicates that is their strategy.

We ought to look at the numbers in terms of the tax cut agenda, including the President's proposal, the bipartisan and the bicameral proposals and, of course, the Senate's own proposals.

Senator BREAUX's amendment, while well intentioned, does not provide the Finance Committee with the tools necessary to do the job of delivering bipartisan tax relief to the American people.

I want to bring this down State by State. All politics is local, we are told. The Treasury Department has released data showing the number of individual tax returns on a State-by-State basis that will benefit from the President's tax relief plan. These returns are a mix of married couples filing jointly, single return filers, and heads of household.

The data is significant for all Senators. For example, in my home State of Iowa, over 1 million individual returns would benefit under the President's plan. If even half of those returns are married filing jointly, that means over 1.5 million people in my State will receive a tax benefit from the President's plan.

The numbers are even greater for larger States. For example, the number of individual returns that would receive a tax benefit under the President's plan in: Arkansas, 787,000; California, 11 million; Florida, 5.5 million; Georgia, 2.7 million; Illinois, 4.5 million; Louisiana, 1.3 million; Missouri, 1.9 million; Nebraska, 631,000; New Jersey, 3.2 million; New York State, 6.5 million; North Carolina, 2.7 million.

Keep in mind that these numbers I just listed are the number of individual tax returns. If a substantial portion in each of these States were married filing jointly, the number of taxpayers benefiting under the President's plan could nearly double.

The number of individual taxpayers benefiting under the President's proposal is simply too big to ignore; unless, of course, we focus on the smaller States that do not file as many individual tax returns. For example, North Dakota has only 230,000 individual returns filed. South Dakota has only 236,000 returns; Maine, 465,000; Rhode Island, 385,000; Vermont, 232,000.

Perhaps the tax benefits offered by the President's plan are not relevant to these smaller States. Those taxpayers do not really count, but they certainly count in my State, and I suspect they count in many of the other States as well.

An interesting study was recently released by the Tax Foundation, a nonpartisan tax-exempt organization.

I yield myself 5 more minutes.

The PRESIDING OFFICER (Mr. BENNETT). The Senator has yielded 5 more minutes and is recognized.

Mr. GRASSLEY. I am not going to go through this chart, but one can see we list the benefits of the households in the States, so one can see there is tremendous benefit and savings to the people living in these States.

Just think what these families can do with those dollars if we let them keep their hard-earned money instead of taking it away to squander in Washington. For example, I know the cost-of-living in California is high, but $15,800 in the pockets of the average household in that State would buy quite a bit. If they decide to pay down early on their 30-year mortgage, the interest saved would save them a tremendous number of house payments. It can buy kids clothes, family vacations. Let the family decide how to spend it.

The tax savings offered to the residents of each State is laid out in these charts, and I hope our constituents in each of these States hold us accountable to provide tax savings.

It is time to wrap up the debate on whether the Finance Committee will have an opportunity to cut taxes up to $1.6 trillion over 10 years. I underscore the word ''opportunity'' because that is what this debate is all about: the opportunity for a tax cut.

This vote is not about what the tax cut contains. That debate and vote will come later. That debate and vote comes when the Finance Committee marks up tax cut legislation. This vote is about whether we will consider the tax cut under reconciliation.

Reconciliation plain and simple, as we sit here today, is the only way we are going to get a tax cut for the American people in a timely manner.

There have been strong statements made by some on the other side about tax cuts and reconciliation. From the tone of the statements, one would think that a reconciled tax cut is a new event. We have gone through the history of it, and I do not want to repeat that history. It has been discussed between the Senator from New Hampshire and the Senator from New Mexico to a great extent, but I think it boils down to the question of cooperation and shared responsibility. A 50/50 Senate means shared power and, just as important, shared responsibility.

The Senate today is operating under a historic powersharing arrangement reached on January 5, 2001. Republicans following our leader yielded a significant concession to the Democrats. What did we get in exchange? What we got was, as Senator LOTT put it, a good-faith promise on the part of Democrats to cooperate.

In the Senate Finance Committee, I have had this sort of cooperation from Senator BAUCUS, and we will continue to do it. However, the opponents of Senator DOMENICI's amendment depart from the spirit of that historic agreement.

In 1993, with a new President and majorities in both Houses, Democrats used reconciliation to raise taxes. Democrats in 1993 used reconciliation within their right to further their President's program, a partisan-designed major tax increase.

Eight years later, we are faced with a similar situation, though I am hopeful more than one Member of the other side will support us. Republicans, by a razor-thin edge, have control of Congress and the Presidency. The core of President Bush's program, much as President Clinton's program 8 years ago, involves taxes. The difference is that President Bush wants to return a portion of the record level of income taxes to folks who pay them. Republicans did not object to use of reconciliation in 1993; Democrats should not object to Republicans' use of reconciliation today.

For those of us on this side of the aisle, this is a very compelling point, especially in the context of our concession in powersharing. I want to quote Senator BYRD from West Virginia on this point. He made this point on January 5, 2001, when this agreement was reached.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. May I do this one quote and then I will quit.

Mr. DOMENICI. I yield whatever the Senator needs.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Senator BYRD said:

> I know it has been difficult for Members, particularly on the Republican side to come to an agreement such as has been reached here, but they have been willing to give up their partisanship for the moment in the interests of the Nation.
>
> Also, it is exceedingly important—I have already mentioned it here—to George Bush. . . . It is vitally important to him, if he is to expect to see his programs considered and adopted. And hopefully, from his standpoint, certainly, and from the standpoint of many others, if he is to see those programs succeed, he—

Meaning President Bush—

> is going to have to have help. He can't depend on all of it coming just from his side—

Meaning the Republican side of the aisle.

> He is going to have some help over here. . . .

Meaning the Democrats side of the aisle.

As always, Senator BYRD said it very well. At this point in history, the President's agenda, including the cornerstone of his proposed tax relief for working men and women, is tied in with his power-sharing agreement. With this power-sharing agreement that govern the operation of this Senate, this year, certainly from the perspective of those on this side of the Aisle, there is a connection.

Therefore, it strikes us as particularly unfortunate that in the context of power sharing a new obstacle is raised to the use of the reconciliation process. It is particularly disappointing to this side of the aisle that this argument on reconciliation is forthcoming now. We believe the Domenici amendment should not be necessary. Reconciliation affords the President an opportunity to consider his program. It is an appropriate opportunity in the context of the history of the budget Act. It is also appropriate, and maybe more so, in the context of the power-sharing agreement governing the operation of the Senate, in this Congress, because the Senate is 50/50.

A vote for the Domenici amendment is not a vote for a tax cut; it is a vote to give the Senate the opportunity we ought to have to consider such tax relief for working men and women.

The PRESIDING OFFICER. The Senate from the North Dakota.

Mr. CONRAD. Mr. President, I remind the Senator form Iowa it was entirely appropriate to use reconciliation in 1993 because that was a deficit reduction piece of legislation. That is the difference. This is not deficit reduction.

Mr. LEVIN. Mr. President, I cannot support including reconciliation instructions in this resolution. This is a very important issue for the Senate as an institution and a very important issue for the future economic well-being of the nation. The Senate is a great legislative body, a deliberative body unique in the world. The central feature of the unique role the Senate plays is the fullness of debate and the openness of the amendment process.

The reconciliation process is a feature of the Budget Act which was adopted in 1974. When it was adopted, it was contemplated that the reconciliation process would be used as a tool of fiscal restraint. That is, that reconciliation would be used to reduce deficits.

The Chairman of the Budget Committee, Senator DOMENICI, himself, said in 1985:

> Frankly, as the chairman of the Budget Committee I am aware of how beneficial reconciliation can be to deficit reduction. But I'm also totally aware of what can happen when we choose to use this kind of process to basically get around the rules of the Senate as to limiting debate. Clearly, unlimited debate is the prerogative of the Senate that is greatly modified under this process. I have grown to understand this institution. While it has a lot of shortcomings, it has some qualities that are rather exceptional. One of those is the fact that it is an extremely free institution, that we are free to offer amendments, that we are free to take as much time as this Senate will let us, to debate and have those issues thoroughly understood both here and across the country.

And, in 1989, Senator DOMENICI said:

> There are a few things about the U.S. Senate that people understand to be very, very significant. One is that you have the right, the rather broad right, the most significant right among all parliamentary bodies in the world, to amend freely on the floor. The other is the right to debate and to filibuster. When the Budget Act was drafted, the reconciliation procedure was crafted very carefully. It was intended to be used rather carefully because, in essence, Mr. President, it vitiated those two significant characteristics of this place that many have grown to respect and admire. Some think it is a marvelous institution of democracy. And if you lose those two qualities you just about turn this U.S. Senate into the U.S. House of Representatives or other parliamentary body.

In 1981, former Majority Leader Howard Baker stated,

> Reconciliation was never meant to be a vehicle for an omnibus authorization bill. To permit it to be treated as such is to break faith with the Senate's historical uniqueness as a forum for the exercise of minority and individual rights.

The amendment before us today would add reconciliation instructions to this budget resolution for a totally different purpose. The purpose is to shield the massive tax cut proposed by President Bush from full debate and the amending process in the Senate. This is the opposite of fiscal restraint. This is the opposite of deficit reduction. The reconciliation process would restrict debate to only twenty hours and potentially less time and would constrain amendments. It reduces the likelihood of compromise. It reduces the likelihood of the enactment of a tax cut with broad bipartisan support because it weakens minority rights and tempts the majority to force their version on the minority.

This would be a misuse of the reconciliation process and a disservice to the American people. The tax bill will impact the federal budget and the nation's economy for many years to come. It will cost more than $1.6 trillion over the next decade, probably much more. The American people, the people who send us here as their representatives have the right to have this tax cut considered and evaluated, debated and amended under the normal procedures which have made the Senate a great deliberative body.

In 1981, the reconciliation process was used to enact spending reductions which President Reagan sought. That was appropriate. However, the major

tax cut which was the centerpiece of his program was considered that same year as a free-standing tax bill in the Senate. That is, it was considered under the normal Senate rules. The tax bill was fully debated for about twelve days and more than a hundred amendments were considered. There were fifty roll call votes. That was a process in the tradition of the Senate and did it credit. I was one of eleven Senators that voted against that bill. But the process that was used to adopt that tax bill was the appropriate and normal process. This is what makes the Senate the world's preeminent deliberative body.

Today, we are being asked to turn our backs on Senate history by adding language to this budget resolution which will make it more difficult for the Senate to fully debate, amend and work its will on tax legislation which we will consider in the weeks ahead. I support a tax cut, but not President Bush's version which I think is too large, relies on highly problematical projections. But, I cannot support this effort the circumvent the Senate's rules in order to pass without full debate and amendment any tax cut bill. Doing so is the opposite of the intent of reconciliation.

Mr. CONRAD. I yield 5 minutes to the Senator from Montana.

Mr. BAUCUS. Mr. President, I think it is useful to sit back and reflect, get a little perspective on this issue.

I remind Members we have a Constitution. Under the Constitution there is an article I, an article II, and an article III. Article I is the legislative article; article II, the executive article; and article III, the judicial.

Why is that important? It is important because we are separate branches of government: The legislative branch, the executive. Why is article I the legislative branch? Our Founding Fathers said because it is where laws are written, it is the most important. We are coequal branches, but article I is legislative, essentially because this is where the laws are made.

We all run for office. We are elected or unelected by our people, the citizens of our States, the people for whom we work. It is a wonderful form of government. It works. We are not a parliamentary form of government. We are not a parliamentary form of government because we have a separate legislative branch. In the parliamentary form of government, the majority party that is elected in the elections is the Government.

Under the Constitution, we are treated differently. We are separate. Of course, we have political parties. That complicates matters. I have the utmost respect for the President of the United States, whether he or she be Republican or Democrat. It is important to state, however, that we are Senators, with all that means, proudly doing what we think is right, representing the people of our States, which is no small matter. It is a tremendous burden, a tremendous responsibility, and a tremendous privilege. That is why we sought this office, that is why we like this job so much, and that is why most Members want to continue and seek reelection.

The question tonight is very narrow. It is whether or not the tax legislation that will be contemplated this year should be within the narrow confines of reconciliation. It is conceded, it is agreed, that reconciliation and all its very narrow constraints is very proper in order to reduce deficits, to raise taxes, or cut spending. No one disputes that. Under reconciliation, the Senate is not the Senate; the Senate is a different institution with very narrow constraints on amendments, germaneness, and debate.

Rather, the issue before the Senate is whether those extremely tight constraints should also apply to cutting taxes and increasing outlays. That is the question.

It has been argued on the other side, yes, it should. It has been argued that reconciliation is policy neutral. If we do believe that, then we believe that anything can be in reconciliation that in any way affects outlays or revenues—anything: The highway bill, the former health care bill that has been mentioned. That is what that argument means.

I ask my good friend from Iowa, the chairman of the Finance Committee, who enjoys the prerogatives of the chairman of the Finance Committee—I plead with him—to have a process where the Finance Committee has more opportunity to write more legislation in the committee and also on the floor.

The central point is, we have an opportunity tonight to do what is right. There have been a lot of red herrings. For example, the point has been made that Senator BYRD should have made the argument 27 years ago. That is irrelevant. We are the Senate. We can vote on what we want to vote on. Tomorrow we can vote again on a different matter. It is up to us to decide what is right.

What is right is to use reconciliation where it should be used, in reducing deficits. It should not be used to craft anything else under the sun. Because the latter approach disenfranchises, literally, a majority of Americans. The right to offer amendments on the floor of the Senate and the right of unlimited debate are essential. Under reconciliation, we have constraints on unlimited debate—which disenfranchises voters.

It is wrong for this amendment to pass. It is undermining why we came here. I urge Senators to vote against the pending amendment.

Mr. CONRAD. I yield 3 minutes to the Senator from Florida.

Mr. GRAHAM. Mr. President, the issue is not whether we are going to have a tax cut or what the specific details of the tax cut will be. The question is, Are we going to take this historic opportunity with over $5.5 trillion of surplus available in the next 10 years and make decisions on how to allocate that surplus in the most rational manner?

One of the issues, I am afraid, that will be trampled upon if we do not defeat this amendment, and deny us the opportunity for full debate, is the question of how we will finance a prescription drug benefit through Medicare. Virtually every Member of the Senate, on both sides of the aisle, has voted in favor of a prescription drug benefit. Virtually every Member has also voted that that benefit should be in the range of $300 billion to $311 billion over the next 10 years. Where we disagree is how we should pay for it.

This side of the aisle has voted to pay for it in the traditional manner, general revenue and premiums paid by the beneficiaries. The other side of the aisle has voted to pay for it by taking the excess funds that are in the hospital trust fund.

For 35 years, there has been a contract between the people of the United States and their Federal Government. That contract has said: You pay me every month 1.5 percent of your salary, and when you reach retirement age, we will provide you a range of benefits that includes hospital, skilled nursing home, and home health care.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. That contract is now about to be broken. We should have a full debate in the Senate before we engage in that unilateral abolition of a 35-year commitment by the American people. Before I yield the remainder of my time to the Senator from Michigan, I ask unanimous consent that a letter from the American Hospital Association dated today be printed in the RECORD, which states:

> We believe the Part A Trust Fund should be used for the purpose for which it was intended.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN HOSPITAL ASSOCIATION,
Washington, DC, April 5, 2001.

Hon. BOB GRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAHAM: On behalf of the American Hospital association (AHA), I would like to express our strong support of your amendment to H. Con. Res. 83, the fiscal year (FY) 2002 budget resolution requiring a ''super majority'' of 60 votes in the Senate in order to spend Hospital Insurance (HI) Trust Fund dollars for non-Part A services.

The AHA represents nearly 5,000 hospitals, health systems, networks and other health care provider members.

The Medicare program is expected to experience very rapid growth over the next decade as our nation's 78 million ''baby boomers'' begin to retire. The Part A Trust Fund, which is supported by a payroll tax, is projected to see its obligations exceed its income by 2015, and its assets could be exhausted by 2029.

We believe that the Part A Trust Fund should be used for the purpose for which it

was intended: to provide beneficiaries with the highest quality hospital acute care services. Congress must be careful not to dilute the trust fund or divert dollars currently in the trust fund for other purposes. It is imperative that Congress avoids legislation that accelerates the insolvency of the Medicare Part A Trust Fund. We need to ensure that Medicare Part A services are there when our seniors need them.

Since its inception, the Medicare program has ensured seniors access to high quality affordable health care. It is incumbent upon all of us to ensure that the program is preserved, protected and strengthened for future generations.

Sicnerely,

RICK POLLACK,
Executive Vice President.

Mr. GRAHAM. I yield the remainder of my time to my distinguished colleague from Michigan.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from North Dakota.

Mr. CONRAD. I yield 2 minutes to the Senator from North Dakota.

Mr. DORGAN. Mr. President, this is a debate about a reconciliation process by which a tax cut will occur. I think most Members of this Congress would, in quiet moments, agree we are unlikely to have 10 years of relentless surpluses. This is truly a triumph of hope over experience, but that is the way politics is sometimes.

I want to introduce into the RECORD a memorandum by Alan Blinder, Gene Sperling, and Jason Furman, three very distinguished economists who have reviewed the assessment of the 51 leading private sector forecasts with respect to recent economic trends on the surplus.

I am going to ask consent to have it printed in the RECORD in its entirety, but essentially they say:

. . . altering only the 2001 growth forecast [with the last three months of information] leaving all other projections unchanged, would result in a roughly $215 billion reduction in the unified surplus. . . .

They go on to say the effect of the stock market difficulties could well lower the unified surplus by $1 trillion or more.

Standard & Poor's DRI, for example, project stock market factors could reduce the unified surplus by more than $1 trillion over the next decade.

My point is very simply if we proceed with the size of a tax cut proposed by the Republican Party and by the President and do not experience these surpluses, which is very likely—very likely we will not experience these surpluses—we will head back into big deficits. The discussion is as if these surpluses already exist. They do not. They are not in a silk purse; they are not in a mattress; they are not in a bank account. They do not exist. They are projections and they are projections which we may not see. Let's be cautious and conservative. Let's have a tax cut, yes; pay down the debt, yes; meet our priorities—improving schools and other things—but do it in a prudent and thoughtful way.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DORGAN. I ask unanimous consent the memorandum be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR DORGAN

From: Alan Blinder, Princeton University, Gene Sperling, Brookings Institution, Jason Furman, Harvard University

Subject: Analysis of the impact of recent economic conditions on the 10-year projection of the surplus

Summary

Many observers have questioned whether or not the most recent surplus projections would be altered by the recent slowdown in economic activity and fall in the stock market. Although many of the fundamentals of the economy remain strong—with unemployment near 30 year lows, productivity growth still high, and many indications that consumer demand is holding up—other weaker indicators have led many forecasters to lower their growth projections for 2001. In assessing the impact of recent economic trends on the surplus, we have chosen not to offer our own economic projections, but simply to examine how changes in the 51 leading private-sector forecasters who make up the Blue Chip consensus would impact surplus projections.

The analysis is informative for at least a couple of key reasons. First, this analysis highlights the degree of uncertainty surrounding the projection of the surplus. Indeed, it shows that altering only the 2001 growth forecast, leaving all the other projections unchanged, would result in a roughly $215 billion reduction in the unified surplus relative to the CBO baseline projection. It should be noted that this change is result of taking into account only three months of new information, representing just 2½ percent of the 10-year period. Second, the recent fall in the stock market further highlights the uncertainty of budget projections that are based not only on economic growth projections but on projections of revenues from taxation of capital gains, stock options, and taxable withdrawals from retirement accounts—all of which are highly dependent on the level of stock market. Indeed, if individual income tax receipts as a share of GDP fall back slightly from the very high levels achieved in 2000, the unified surplus could be lowered by $1 trillion or more. Standard & Poor DRI, for example, project that stock market factors could reduce the unified surplus by more than $1 trillion over the next decade.

While we remain optimistic about the future of the American economy, such significant swings in just three months show why even optimists should exercise prudence when making ten-year policy commitments based on ten-year projections. Over the next ten years, there are likely to be many other periods in which economic activity departs substantially from the current projections, resulting in substantial deviations of the actual surplus from the projections that are being made today. CBO estimates that, based on their track record, the unified surplus in 2002 could be anywhere from $69 billion to $556 billion. The uncertainty grows so that in 2006, with no tax cuts or spending increases in the interim, the budget balance could be anywhere from a $92 billion deficit to a $1.1 trillion surplus. After setting aside the Social Security and Medicare surpluses, the probability of running into deficits increases substantially: the Center for Budget and Policy Priorities (CBPP), relying on CBO analysis, has estimated that there is a ''20 percent chance that, under current law, the budget excluding Social Security and Medicare will be in deficit in each year from 2002 through 2006.''

These reductions in the projected surplus and uncertainty come on top of the predictable factors that will reduce the surplus over the next decade, including the likelihood that real discretionary spending will grow with population, several popular tax credits will be extended, and the Alternative Minimum Tax (AMT) will be reformed so that it does not affect a growing share of middle-class families. These factors will likely reduce the available surplus by an additional $800 billion.

Revisions to GDP Growth and Their Impact on the Surplus

The Congressional Budget Office (CBO) finalized the economic forecast underlying their latest budget projections in December 2000. Both CBO and the Administration project 2.4 percent GDP growth in 2001.

When CBO made its economic forecast, 2.4 percent GDP growth was consistent with the Blue Chip consensus of leading forecasters. Since December, however, the Blue Chip consensus has been revised down and now stands at 1.9 percent growth for 2001. The Blue Chip forecasters have also revised down their predictions for growth in 2002 to 3.4 percent, the same rate predicted by CBO, and left their growth predictions essentially unchanged thereafter.

Estimating the budget impact of the latest Blue Chip short-run macroeconomic forecast provides an example of how just three months of data might lead to revisions in the projected surplus. It is important to note that although the Blue Chip forecast is slightly more pessimistic than CBO, it is still relatively optimistic compared to the recessionary projections of many commentators. Nevertheless, even this relatively small change in the outlook would result in a substantial reduction in the projected surplus over the next decade.

To estimate the likely magnitude of this reduction we have relied on Table 1–6 ''Sensitivity of the Budget to Economic Assumptions'' from the Analytical Perspectives volume of the Administration's FY 2001 budget. We updated these estimates to reflect a GDP slowdown in 2001 and projected them forward to cover the period 2002–11 (the Analytical Perspectives table only covers 2000–05). Based on this, every one percentage point reduction of GDP growth in 2001—with unchanged growth projections in 2002–11—will reduce the unified surplus by about $430 billion over 10 years:

IMPACT OF A 1 PERCENTAGE POINT REDUCTION IN GDP GROWTH IN 2001 ON THE UNIFIED SURPLUS

	2001	2002	2003	2004	2005	2006	2007	2008	2009	210	2011	2002–2011
Receipts	9	19	23	24	25	26	27	28	30	31	33	265
Outlays	2	6	6	6	6	6	7	7	7	8	8	67
Interest	0	1	2	4	6	8	10	13	16	18	22	100
Total	11	27	31	34	37	40	44	48	52	57	62	432

Source: Authors' calculations based on Table 1–6 of FY 2001 Analytical Perspectives

Based on the latest Blue Chip projections, the slowdown would reduce GDP growth by 0.5 percentage point relative to the current CBO forecast—reducing the unified surplus by about $215 billion over 10 years.

The actual revision to the surplus forecast based on the latest outlook for aggregate economic activity could be more or less than this $215 billion prediction which is based on the assumption that the level of real GDP remains 0.5 percent lower from 2002–11. On the one hand, the reduction to the surplus would be even larger if the future growth rate of real GDP were slower. CBO estimates that if the GDP growth rate were 0.1 percentage point lower per year, the unified surplus would be reduced by an additional $244 billion. On the other hand, the reduction to the surplus would be less than $215 billion if the current slowdown is followed by a period of stronger growth that returns the economy to potential GDP. In its recent Economic and Budget Outlook CBO presents a ''recession scenario'' in which a sharp slowdown in 2001 is followed by substantially stronger growth, leading to only a $133 billion reduction in the unified surplus from 2002–11. CBO's scenario, however, would be less likely if the economy in 2000 was well above potential, if the recent slowdown causes economists to revise down their estimate of the level of potential GDP, or if the adjustment back to potential is very slow.

Uncertainty from the short-term economic outlook

The key point from examining the impact of recent economic changes on the long-run surplus projections is the large amount of uncertainty, which has only been increased by the uncertainty over the short-run outlook. The bottom 10 Blue Chip forecasters project growth of 1.3 percent in 2001—compared to the 2.6 percent GDP growth projection of the top 10 Blue Chip forecasters. Taking the range of Blue Chip projections for GDP growth in 2001 and 2002 would lead to a range in projections of the unified surplus of roughly $370 billion more than CBO's current forecast to roughly $730 billion less than CBO's current forecast.

Additional sources of downward revisions in the surplus: The impact of the stock market on Revenues

The level of economic activity is not the only factor that affects the surplus. A major factor in the recent rise in the surplus is the increase in individual income tax receipts from 8.1 percent of GDP in 1995 to 10.2 percent of GDP in 2000. Although legislation in 1997 reduced taxes, several factors contributed to tax receipts growing more quickly than the economy. CBO estimates that half of the recent increase has been due to rising capital gains realizations and higher income for high-income taxpayers. The strong stock market has clearly played an important role in these strong tax receipts.

Going forward, CBO projects that individual income tax receipts will stay above 10.2 percent of GDP for the next decade. Part of this is driven by the projection of continued strong capital gains. Although CBO builds in some declines in capital gains from the extraordinarily high levels in the last few years, it still projects capital gains realizations of around 4½ percent of GDP going forward, which is substantially higher than the 2.4 percent of GDP that prevailed from 1990–96.

In addition to capital gains, the level of the stock market has a substantial impact on individual income tax receipts as a share of GDP through its impact on the flow of nonqualified stock options (which are taxed as ordinary income) and withdrawals from taxable savings accounts. Standard & Poors DRI estimates that 15 percent of Federal revenue ''is coming from the stock market.''

With the broad Wilshire 5000 stock index down 14 percent since December 31st, this factor is likely to reduce the surplus even more than the conservative projection based on the GDP slowdown alone. It is difficult to estimate the impact of the past changes in the stock market, let alone to predict future changes in the stock market. But even small changes could have a big impact on the surplus. For example, if individual income tax receipts stay at 9.6 percent of GDP—their level in 1998–99 and well above their level from 1994–97—then the unified surplus over the next decade would be $1.2 trillion lower than the current projections. In this example, receipts as a share of GDP are still substantially higher than CBO's ''pessimistic scenario,''

Severla investment banks and economic forecasters have made rough estimates about the likely impact of economic conditions on the surplus that are very large in magnitude. These predications include:

Merrill Lynch has projected that the surplus for FY 2001 will be $250 billion, $31 billion less than CBO's projection. Merrill Lynch's more pessimistic projections for GDP growth only accounts for about one-quarter of this difference from CBO; the majority of the difference is due to other factors like the fall in the stock market.

Standard & Poors DRI estimates that CBO's underestimate of the impact of the stock market on the economy could wipe out $1 trillion of the projected surplus over 10 years.

Mark Zandi, chief economist of economy.com, has been quoted as saying that the 10-year surplus could be half the current projections—$2.7 trillion downward revision.

General uncertainty about the future

If a new budget forecast were to take into account the news from the last three months, it would most likely revise down the projected surplus. As an example, just taking into account the revised short-run economic outlook by the Blue Chip forecasters would lead to a downward revision of about $215 billion in the projected surplus. Taking into account the stock market and other factors could reduce the surplus by substantially more.

These changes appear to be relatively small compared to the projected $5.6 trillion surplus. But these revisions, which are only based on three months of additional data, highlight how much uncertainty surrounds projections of the forecast ten years in the future. The uncertainty in the projection of the unified surplus grows over time, from a margin of error of plus or minus $244 billion in 2002 to plus or minus $612 billion in 2006. This is especially important in light of the fact that 71 percent of the 10-year non-Social Security, non-Medicare surplus occurs after 2005.

CBO itself captures the uncertainty in its estimates by making projections for an ''optimistic scenario'' and a ''pessimistic scenario.'' On this basis the projected 10-year non-Social Security balance ranges from a $525 billion deficit to a $6.2 trillion surplus. In assessing these projections, CBO writes ''If CBO's track record is any guide, both the optimistic and pessimistic scenarios lie well within the range of uncertainty of the budget projections.''

Likely expenditures not included in CBO's forecast

In addition to the uncertainties about the future, there are several ways that policies are likely to deviate from the interpretation of ''current law'' that is used by CBO and the Administration in putting together their budget baselines. Independent groups and experts like the Concord Coalition, the Center on Budget and Policy Priorities, and William Gale and Alan Auerbach have all estimated that the available surplus is about $900 billion to $1.4 trillion lower than the projected on-budget surplus. The elements of this predictable reduction in the surplus are:

Medicare off-budget. Virtually the entire House and a majority of the Senate have voted to make the Medicare HI surplus unavailable for tax cuts or spending increases—taking $392 billion off CBO's projection of the non-Social Security surplus.

Real discretionary spending rising with population. The current baseline does not incorporate the impact that increasing population has on the cost of maintaining a constant level of government services. This could reduce the surplus by $300 billion.

Alternative Minimum Tax. The Alternative Minimum Tax will affect an increasing number of middle-class families over the next decade; policymakers are likely to fix this provision so that it serves its historic intent which is to ensure a minimum level of taxation for upper-income taxpayers. This reform would cost about $80 billion.

Expiring tax provisions. Several popular tax provisions are set to expire at the end of this year; extending them, as is likely, will cost $112 billion over 10 years according to CBO.

Taking into account these realistic expenditures reduces the available surplus to about $2 trillion over 10 years—without even taking into account the recent changes in the outlook for the economy. Taking recent economic factors into account, it is more than likely that less $2 trillion will be available for tax cuts, spending increases, or additional debt reduction.

Mr. CONRAD. How much time is remaining on this side?

The PRESIDING OFFICER. There is 4 minutes 44 seconds.

Mr. CONRAD. I yield 3 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. I hope all of our colleagues were listening very carefully to Senator BYRD as he made that very powerful statement about the Senate as an institution.

The reconciliation process, this great exception to Senate rules, was allowed and adopted in order to bring down the deficit. It has been twisted all out of shape. This amendment proposes to use it for a purpose that is not relevant to reducing the deficit.

They talk about taxes going up, taxes going down—the end objective is supposed to be reducing the deficit. That is absent in this situation. Reconciliation is now being used, in effect, for any purpose whatsoever.

I very much hope the Senate will reject this amendment. I thank Senator BYRD for a very powerful statement. I also want to commend the very able Senator from North Dakota for his leadership on the budget. As he has often said, it is a matter of balance. It is a matter of prudence. It is a matter of restraint. We can do a tax cut to help working people, we can strengthen Social Security and Medicare, we can pay down the national debt, and we can invest in the future of our country, in education, in health, in environment, in infrastructure. All of this can be done if we use prudence and caution. But we cannot do it if we go to excess.

That was demonstrated yesterday when we adopted an important education amendment. But in order to do it, we had to bring down the amount of the tax proposal.

What matters is how you blend these priorities together. What balance do you achieve? The Senator from North Dakota, in my judgment, has done an extraordinary job of laying out an approach which encompasses these multiple goals, reconciles them, and moves the Nation forward. That is what we ought to be doing. That would not give away our fiscal responsibility. Under that approach, we would not do a huge tax cut based on 10-year surplus projections, 70 percent of which appear only in the last 5 years of the 10-year period. No one in their private or business life would engage in that kind of reliance on tenuous projections. We ought not to do it on the floor of the Senate.

I thank the Senator from North Dakota for the tremendous leadership he has provided and the vision he has outlined of a balanced program that will encompass tax reduction, protect Social Security and Medicare, pay down the debt, and invest in the future of our country.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from New Mexico.

Mr. DOMENICI. I yield 3 minutes to my good friend, Senator Sessions from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senators DOMENICI and GRASSLEY for their courageous effort to make sure this body has a full chance to vote on the President's tax cut proposal. It has been objected to by a host of procedural objections in a desperate effort to throw it off track, but we are going to get that vote up, I believe, and have a chance to let the American people fully consider the issue.

The question I want to raise is why do we have this extraordinary surplus? Why are we having big surpluses this year? In fact, we were told recently, within the last week, that even though we have had a slowdown in this year's economy, our projection of last year underestimates the surplus we will have this year—maybe by 20 or more billion dollars. We will see how it turns out. But even with this slowdown, we have more coming in than we projected and we have had more coming in for the last 3 years than has been projected by the CBO or OMB.

Why is it happening? It is because the Federal Government not only is taking in more, and not only are the American people making more, the Federal Government is taking a larger percentage. It is taking a larger percentage of America's wealth—too much.

In 1992, the Federal Government took 17.6 percent of the total gross domestic product, all that we make and manufacture in the United States. Today it has hit 20.7 percent, a monumental increase. That is the highest percentage of the economy taken by the Federal Government since the height of World War II. The American people are entitled to not see that continue upwards. In fact, this tax reduction, if passed fully, would not really reduce that number but just flatten it out and keep it from going up.

We need this tax cut now. We need to have this bill on the floor so we can fully debate the President's proposals. I say let it go. Let the Senators vote, vote to move this budget forward.

I thank the Senator from New Mexico for his effective leadership.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I note the presence on the floor of Senator CLINTON. I want to say if I referred to the distinguished Senator in the first person an hour or so ago, I apologize.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, will the distinguished Senator from New Mexico yield?

Mr. DOMENICI. Yes. I yield.

Mrs. CLINTON. Thank you very much.

Mr. President, I say to the chairman of the Budget Committee, on which I am honored to serve, that I appreciate those words. I came down to the floor after hearing that to say just two quick things.

One, in 1993, we made a considerable effort to reform health care. I learned a lot from that experience. I learned that we had to go in a step-by-step, progressive way to try to achieve quality, affordable health care. I also learned that we needed to have an open, spirited debate about what needed to be done for the good of our country.

I appreciate the chance to rise and state my objections to adding reconciliation instructions to the budget resolution because I think the lesson we learned is a lesson we should apply.

I thank the distinguished Senator for his remarks.

Mr. DOMENICI. I am glad to do that.

Mr. President, to all of those on the other side who have spoken eloquently about the Senate rules and the fact that we ought to have free and open debate, I want to say one more time that the time for those arguments was 27 years ago. When this bill, the Budget Impoundment Act, was adopted, it essentially permitted reconciliation instructions. And if they were given by majority vote of the Senate and the House, then a committee had to adopt laws consistent with it.

If that was too early, we have adopted 15 tax bills under this Budget Act—10 were tax increases; 5 were tax decreases. If 27 years ago was too long ago to raise the objection, we had 15 different budget resolutions that came to the floor that had taxes in them. Some might have objected. But the truth is, the strongest arguments have been made on this particular reconciliation instruction. I believe it is because some don't want to let the President have a chance to have his taxes voted on—plain, pure, and simple. I think that is going to fail tonight. He is going to get his chance. I think eventually his tax plan will get taken care of in the Finance Committee and the Ways and Means Committee. Those members will pass the bill out of their committee and it will come to the floor under this Budget Act, which is now 27 years old.

I yield the floor. Whatever time I have remaining, I yield to the majority leader. However, he doesn't need my time.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I yield myself such time as I might need off the leader time for the opportunity to sort of go over what is going to be the process at this point. The chairman and ranking member might want to be prepared to comment or respond.

For the information of all Senators, we are about to start a series of votes, which has been unfortunately referred to correctly as the ''vote-arama.'' The first of these votes will be in relation to the Domenici amendment regarding reconciliation. Following that vote, we will have votes on the remaining pending amendments in the order in which they have been offered. I believe Senators have access to those amendments in their order and, therefore, will know when they will come up.

I also announce that in order for us to be able to bring this to some conclusion, it is going to be necessary to move forward into the night, and we will shorten the voting period from 15 minutes after the first vote to 10 minutes on the subsequent amendments.

There are approximately, as I understand it, 160 amendments that have been filed. I hope Senators will show restraint, not offer the amendments, and work with the chairman and the manager to identify the amendments we really do want to consider. If we did all of the amendments on the list that are available here tonight, assuming we could do about three votes an hour, we would be here until I guess until 9 or 9:30—something such as that.

I know the chairman, the manager, and the sponsors will work with them. Maybe they can work through some of those amendments to reduce them. Of course, tomorrow morning we will continue with the so-called vote-arama every 15 minutes to vote on other amendments that would be pending or would be necessary to be voted on, with the idea that we would get conclusion of voting sometime and final passage tomorrow around 2:30.

I know it is going to take a lot of patience to get to that point. But that is our goal. I believe that is the way it is presently lined up. Is that correct?

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. LOTT. Yes.

Mr. REID. Mr. President, one of the things that would help tremendously

and which would help the staff is when we have a 10-minute vote, it should end at 10 minutes. These votes take forever. Members walk off, go back to their offices, or go have dinner, whatever it is. I think if you called the vote to an end at 10 minutes and set an example, some Members would simply miss the votes, but I think we can move this along.

Mr. LOTT. I think we need to do that. We quite often have legitimate requests. Senators are stuck in elevators, are in the area and we can't find them, or whatever. After the first vote I will remind Senators again, if you will join me and remind them that we need them to stay in the Chamber, we can get through at a more reasonable hour and still be able to complete the list of amendments tomorrow and get to final passage at a reasonable time tomorrow afternoon.

Senator DASCHLE I see just came on the floor. I was just going over the process of how we will proceed tonight and tomorrow.

With that, I believe we are ready to proceed to the first vote.

Mr. DOMENICI. Mr. President, will the distinguished leader yield to me for a couple of observations? I believe both the ranking member and I have agreed on sense-of-the-Senate resolutions that are nongermane, both of us will object to them, which I believe means that they are going to fall. I think that is the rule now if they are not germane. We will make a point of order, which means they will fall. There are a lot of sense-of-the-Senate proposals.

But I would like to yield to my ranking member of the committee for his observations on those kinds of amendments that are pending.

Mr. CONRAD. Mr. President, it should sober us up to understand that if we don't show some restraint and self-discipline, we face 50 hours of straight voting. That is the harsh reality of what confronts us tonight—50 straight hours of voting every 10 minutes. That is not a good process. It is not credible. And it can't be allowed to happen.

We have to simply say to Members that they cannot expect to have each and every one of these amendments voted on. We will join in resisting amendments that are not practical, that are not fiscally responsible, and others that are just sense-of-the-Senate amendments. We hope that message goes out very clearly. We ask leaders, if they could, to rivet that point to our colleagues.

Mr. LOTT. We will do that on an individual basis, and also publicly after the next vote. We don't want to eat up a lot of time. We will remind them of that.

Mr. DASCHLE. Mr. President, I wanted to weigh in as well. I appreciate so much the leadership and partnership shown by our chairman and ranking member.

Let me go to the point the majority leader has made. If we want to finish by 2:30 tomorrow—and the reason we need to finish by 2:30 tomorrow, of course, is that we have a Jewish holiday coming up, and there are a number of personal matters that have to be tended to. I hope we can get everyone's cooperation tomorrow morning. If we are going to do that, we have to be at a point tonight with no more than 20 amendments, and 2 minutes on each, if we come in at 9 o'clock in the morning. That doesn't leave us with a lot tomorrow. In other words, we have to virtually finish our work tonight.

A number of us are going to go to our colleagues and ask for their full cooperation and partnership and effort to try to get us to the point that we have nothing left but no more than 20 amendments in the morning. I hope we can all work together to make that happen.

I appreciate very much the leader yielding.

Mr. LOTT. I thank Senator DASCHLE. We will work with you on that.

Parliamentary inquiry: Has all time expired?

The PRESIDING OFFICER. All time has expired.

Mr. LOTT. Are we prepared to go to the first in a series of votes? Have the yeas and nays been ordered?

Mr. CONRAD. Parliamentary inquiry: Has all time expired? We understood that we had 1 minute left, and that the other side had 1 minute 30 seconds. We have been on leader time.

The PRESIDING OFFICER. The Senator from New Mexico yielded his time to the leader, which was used. Then leader time was used. The Senator from North Dakota spoke and he was charged 1 minute 40 seconds.

Are you pondering a request to have 1 minute 30 seconds restored?

Mr. CONRAD. I ask unanimous consent that we have 1 minute restored on both sides so the managers can conclude the argument on this amendment.

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

Mr. CONRAD. Mr. President, it may sound, to those listening, as though this is a debate on the President's tax cut. It is not. This is a debate on how the President's tax cut will be considered.

On our side, we do not believe we should restrict the Senators' right of freedom to debate and freedom to amend. That is what this vote is about.

Let me cite Senator DOMENICI in a debate in 1989 on an amendment from the majority and minority leaders at the time to limit the scope of the bill that was then being considered to deficit reduction. Senator DOMENICI said:

> We are going to use the process available under the Budget Act to strip from this bill not only those matters which the Parliamentarian would call extraneous but also those which were never intended because they were not pure deficit reduction matters.

That is the issue. This is not a deficit reduction matter. It should not be considered under reconciliation.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, deficit reduction was the issue then; surpluses are the issue today.

But the real issue is whether or not we are going to consider and give the American people a tax break. The issue is whether the President of the United States is going to have his proposals considered by a committee and then voted on by the Senate, instead of being whittled away by time and by the consumption of all types of amendments and all types of dilatory tactics.

Last, without question, we have tried by unanimous consent—we have offered unanimous consent approaches—so we would not have to do reconciliation. We cannot get that done. When that cannot be done, we have to do this one, or we will not get a tax cut for the American people. That is the issue. The rest is talk. The issue tonight is, will we or will we not have a tax cut for the American people?

I yield whatever time I have and ask for the yeas and nays on the Domenici amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 345.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—51

Allard	Fitzgerald	Miller
Allen	Frist	Murkowski
Bennett	Gramm	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Craig	Jeffords	Stevens
Crapo	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Ensign	McCain	Voinovich
Enzi	McConnell	Warner

NAYS—49

Akaka	Dodd	Lieberman
Baucus	Dorgan	Lincoln
Bayh	Durbin	Mikulski
Biden	Edwards	Murray
Bingaman	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Graham	Reed
Byrd	Harkin	Reid
Cantwell	Hollings	Rockefeller
Carnahan	Inouye	Sarbanes
Carper	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	
Dayton	Levin	

The amendment (No. 345) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ALLEN). The Senator from Nevada is recognized.

Mr. REID. Mr. President, is the Senate in order at this time? There is no quorum call; right?

The PRESIDING OFFICER. The Senate is not in order.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I thank my colleague, the Senator from Nevada, as well as the Senator from North Dakota for their willingness to work with the majority leader and me and others to try to reduce the amount of amendments and the time and try to get through this process as best we can. These vote-aramas are not pretty or very pleasant.

Mr. President, I ask for the regular order with respect to the amendment so that we will vote on the remaining amendments in the order offered and, further, that the next votes in this series be limited to 10 minutes in length.

Mr. REID. Reserving the right to object—how about all votes rather than just the next vote?

Mr. NICKLES. All the votes in this series.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. We have some problems we need to work out before the first vote. With everybody's cooperation, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

AMENDMENT NO. 202

Mr. REID. Mr. President, on the Durbin amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are 2 minutes equally divided in favor and in opposition to the amendment.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment. This is the economic stimulus amendment that provides an immediate rebate to the taxpayers of America, both income-tax payers and payroll-tax payers, of at least $300 per person, $600 per family.

It also provides a permanent rate reduction of the lowest rate from 15 percent to 10 percent. It will cost us $60 billion. It will go into effect immediately. It will help families across America this year.

This also provides that the total tax cut in addition to this will be $745 billion. This has been mischaracterized as a tax increase. We do not have a tax cut in place. We are debating the size of the tax cut.

We think a third of the surplus should go to a tax cut, a third to deficit reduction, and a third to crucial priorities, such as Social Security, Medicare, and investments in education. I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I want to correct the record. The pending amendment provides additional tax relief in the year 2002, $31 billion, and in 2003, $11 billion, but it also has over $400 billion in tax increases compared to the resolution before us.

If we adopt this amendment, the net tax cut will boil down to not $1.6 trillion, not $1.1 trillion, which is where we ended up last night, but a total of $746 billion. That means the President gets less than half the tax cut he proposed.

There is a lot of spending. My colleagues on the Democratic side have offered $697 billion in new spending and higher taxes, now $1.3 trillion.

The pending amendment raises taxes $418 billion over and above the tax increase we passed last night, which was $448 billion.

If my colleagues want a tax cut that is less than half of what the President proposed, adopt this amendment. I urge my colleagues to vote no on the underlying amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 202. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 39, nays 61, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—39

Akaka	Dorgan	Levin
Bayh	Durbin	Lieberman
Biden	Edwards	Mikulski
Bingaman	Feingold	Murray
Boxer	Feinstein	Nelson (FL)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Clinton	Hollings	Rockefeller
Conrad	Inouye	Sarbanes
Corzine	Kennedy	Schumer
Daschle	Kerry	Stabenow
Dayton	Kohl	Wellstone
Dodd	Leahy	Wyden

NAYS—61

Allard	Cleland	Gregg
Allen	Cochran	Hagel
Baucus	Collins	Hatch
Bennett	Craig	Helms
Bond	Crapo	Hutchinson
Breaux	DeWine	Hutchison
Brownback	Domenici	Inhofe
Bunning	Ensign	Jeffords
Burns	Enzi	Johnson
Campbell	Fitzgerald	Kyl
Carnahan	Frist	Landrieu
Carper	Gramm	Lincoln
Chafee	Grassley	Lott
Lugar	Santorum	Thomas
McCain	Sessions	Thompson
McConnell	Shelby	Thurmond
Miller	Smith (NH)	Torricelli
Murkowski	Smith (OR)	Voinovich
Nelson (NE)	Snowe	Warner
Nickles	Specter	
Roberts	Stevens	

The amendment (No. 202) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I had understood from the distinguished Senator who offered the next amendment there was no need to have a rollcall vote on it.

Mr. CONRAD. If I may say, we have not yet cleared this on this side. We are not prepared. I recommend we go to a quorum call.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DOMENICI. May we have order.

AMENDMENT NO. 216

The PRESIDING OFFICER. The Senate will please come to order.

The question is on agreeing to the amendment.

The amendment (No. 216) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 215

The PRESIDING OFFICER. We have 2 minutes. We have 2 minutes now on the amendment of the Senator from Tennessee, Mr. FRIST.

Mr. DOMENICI. Mr. President, the Senator can take his minute, but I wonder if we need a rollcall vote. We are willing to accept it.

Mr. FRIST. I would like a rollcall vote.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Might I say to the Senator from Tennessee, if he can accept a voice vote, he will have strong support. If we have to go to a vote, he may lose the amendment.

We urge the Senator to think about the circumstance and to accept the voice vote.

Mr. FRIST. I request a rollcall vote.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have had 154 amendments. We are never going to end this thing unless people cooperate a little bit. If the other side is worried about us getting out of here

tomorrow, they had better start cooperating a little bit. There is no need to have a vote on this amendment. We agree. We accept it.

Mr. DOMENICI. Mr. President, I have done my best. I talked to Senators. He has requested a rollcall vote since early this afternoon. He told me about it. We can waste more time talking about why he should not get it than to go ahead and have the vote. Then we will get on to the next one and do everything we can to avoid it.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CONRAD. 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. CONRAD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. CONRAD. Mr. President, I recommend we move to a vote.

The PRESIDING OFFICER. There is 2 minutes equally divided on the amendment of the Senator from Tennessee, Mr. FRIST.

The Senator from Nevada.

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

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

Mr. DOMENICI. Mr. President, we have the concurrence of the distinguished Senator from Tennessee and the ranking member of our committee that we set this amendment aside temporarily. I ask unanimous consent that be the status of the amendment.

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

Mr. DOMENICI. I thank the Chair.

Mr. CONRAD. Mr. President, if I might just say to our colleagues, please understand. We are set up to have 50 straight hours of voting unless people show a little restraint, a little discipline, and a little courtesy towards our colleagues. Please, let's not get into a circumstance in which we spend the next 50 hours in this Chamber voting every 10 minutes.

The PRESIDING OFFICER. The question is now on the Corzine amendment.

AMENDMENT NO. 346

Mr. DOMENICI. Mr. President, I understand the situation is such that Senator MURKOWSKI wants to offer a second degree. But I understand that we want to handle that as we have handled other second-degree amendments.

Is that correct?

Mr. CONRAD. That is correct.

Mr. DOMENICI. That means they will have an amount of time to debate between them. It should be 2 minutes. It was going to be 1. Then we will be able to vote on the two amendments side by side.

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

The clerk will please report the amendment.

The legislative clerk read as follows:

The Senator from Alaska (Mr. MURKOWSKI) proposes an amendment No. 346.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. MURKOWSKI. Mr. President, this amendment would raise the level of the conservation spending cap to the statutory level of $1.76 billion in budget authority and $1.38 billion in outlays at 2002.

Last year, this cap was created through careful compromise in the Interior appropriations bill. It assures funding for certain high-priority conservation programs. Those include the Land and Water Conservation Fund; National Park Service; management urban and community forestry; State wildlife grants; Pacific coastal salmon recovery; urban parks restoration; historic preservation; payment in lieu of taxes; and other important programs which provide funding to maintain our national parks, provide funding to help support communities with large Federal land ownership, help create urban parks, assure the survival of the Pacific salmon, and many other worthwhile projects.

Last year, we made a commitment to these programs. We should keep our commitment to these programs and to our natural resources.

I urge my colleagues to join me in support of the amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Thank you, Mr. President.

Mr. President, I rise in support of the amendment. The amendment will restore $50 billion in cuts included in the underlying resolution. The amendment will fund priority environmental and natural resource energy conservation programs—programs such as brownfield restoration, wildfire prevention, sewer and water infrastructure programs, energy conservation and efficiency programs, and the Land and Water Conservation Fund. These restorations are offset by reduced tax cuts and administrative savings.

The amendment also sets aside an additional $50 billion for debt reduction. I urge my colleagues to stand up for our legacy to future generations. I urge my colleagues to stand up for our environment and support the amendment.

Thank you, Mr. President.

The PRESIDING OFFICER. The question is on the Murkowski amendment.

Mr. MURKOWSKI. Mr. President, I ask for the yeas and nays.

Mr. CONRAD. Mr. President, let me ask colleagues, we are going to have to exercise discipline tonight or we are going to have chaos. This is just as clear as it can be. So, please, let's try to be quiet while Senators are speaking, and let's try to restrict debate so that we can finish. The manager and I believe, given the fact that none of us have seen the amendment of the Senator from Alaska, that it would be appropriate to give him another minute to explain his amendment, and another minute on the side of the Senator from New Jersey in response. We ask unanimous consent for an additional minute for the Senator from Alaska and an additional minute for the Senator from New Jersey.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I yield time to the Senator from Texas on the amendment that I have offered.

Mr. GRAMM. Mr. President, the Corzine amendment spends another $46 billion, adding to total spending in a budget which is now already grossly bloated. Our Democrat colleagues in the last 2 days have in the process of adding spending, added $697 billion of new spending in their amendments. That is more than the entire Government spent in the first 150 years of our great Republic.

If anybody has any doubt as to what the two parties are about, all they have to do is look at this spending orgy.

I urge my colleagues to vote no on the Corzine amendment.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for a minute

Mr. CORZINE. Mr. President, I yield 1 minute to the distinguished Senator from Nevada.

Mr. REID. Mr. President, in the short time we have had to look at the amendment of the distinguished Senator from Alaska, we recognize that it is quite good. It has $200 million to help fund CARA. It is ''CARA-lite,'' though.

What the Senator from New Jersey has done is recognize that there have been tremendous cuts in this underlying budget in programs in which we all believe, not the least of which is arsenic in the water and all these things we talked about during the day.

We believe the amendment of the Senator from Alaska is very weak. It is about $50 billion weak. It does nothing to address the real problems this country faces, and it does not reduce the debt.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment of the Senator from Alaska.

Mr. DOMENICI. Mr. President, I ask the distinguished ranking member if

we could let Senator CORZINE have the first vote.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, the amendment of the Senator from Alaska was an amendment in the second degree. Normally that would be the first vote.

Mr. MURKOWSKI. That is correct.

Mr. CONRAD. So the amendment of the Senator from Alaska would normally be considered as the first vote.

Mr. DOMENICI. Senator, that isn't true. Just a while ago we agreed to a unanimous consent that they would be side-by-side amendments. That is not a second-degree amendment.

Mr. REID. No. No.

Mr. CONRAD. But it is in the form of a second degree.

I think we have also in every one of these circumstances but one——

Mr. DOMENICI. I am not going to argue. We are going to vote for Senator MURKOWSKI's first. I hope they vote for it because the alternative is going to be the Corzine amendment.

I yield the floor.

The PRESIDING OFFICER. The time has expired.

Mr. DOMENICI. I ask for the yeas and nays.

Mr. CONRAD. Might I ask that we take the Senator's vote on a voice vote? Would the Senator accept a voice vote?

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

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

Mr. CONRAD. We believe we have an agreement to go to a voice vote on the amendment by the Senator from Alaska.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 346.

The amendment (No. 346) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 257

The PRESIDING OFFICER. The question is on agreeing to Corzine amendment No. 257.

Mr. REID. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. CONRAD. 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.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—46

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murray
Biden	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Boxer	Graham	Reed
Byrd	Harkin	Reid
Cantwell	Hollings	Rockefeller
Carnahan	Inouye	Sarbanes
Carper	Johnson	Schumer
Clinton	Kennedy	Stabenow
Conrad	Kerry	Torricelli
Corzine	Kohl	Wellstone
Daschle	Leahy	Wyden
Dayton	Levin	
Dodd	Lieberman	

NAYS—54

Allard	Enzi	McConnell
Allen	Fitzgerald	Miller
Bennett	Frist	Murkowski
Bond	Gramm	Nickles
Breaux	Grassley	Roberts
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Campbell	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Hutchison	Snowe
Cochran	Inhofe	Specter
Collins	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Landrieu	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Ensign	McCain	Warner

The amendment (No. 257) was rejected.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 211

The PRESIDING OFFICER. There are 2 minutes now on the Bond amendment.

Mr. DOMENICI. Mr. President, I suggest that as to the Bond amendment, which is going to be discussed, and the Dodd-Collins amendment which follows, we accept those two amendments. They are bipartisan. I am willing to accept them, and we won't have to have votes. That means the next vote will be on the Voinovich amendment, which is an appeal.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we are willing to accept those mentioned amendments as well, the Bond-Mikulski amendment and the Dodd-Collins amendment.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, this amendment, cosponsored by Senators MIKULSKI, LIEBERMAN, ALLEN, BINGAMAN, and DOMENICI, adds a very important $1.4 billion to function 250, the general science function.

Basic science research in this country is suffering because we have not adequately funded the National Science Foundation in recent years. The funding in this function leverages the research done in NIH and other areas. We believe it is extremely important. We expect that we are on a path for doubling the NSF budget in 5 years. This will put us back on the path.

I yield to my colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, the United States of America every year wins Nobel Prizes. We want to be sure that every year we win the global markets, as well as the Nobel Prizes. By doubling the National Science Foundation, by increasing funding for NASA and increasing funding for the Department of Energy, we are making public investments in great core science and engineering laboratories.

This is where we create the new ideas that lead to new products as well as educate the next generation of Sally Rides, of other great scientists, the Dr. Varmuses who go on and lead our Nation. If we don't increase the funding for the National Science Foundation, we are not going to have the mathematicians, the physicists, and the engineers we need.

We are the greatest country in the world because we are willing to take risks. We are the greatest country in the world because we are inventors and we are discoverers. Why don't we put our public money where our national values are? Let's pass the Bond-Mikulski amendment and take America right into the 21st century.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I want to proceed with the first of those amendments, the Bond amendment No. 211.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 211.

The amendment (No. 211) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 322, AS MODIFIED

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, on behalf of myself and the Senator from Maine, we offer this amendment which restores some funding that is being cut for children's hospitals, as well as for the child care development block grant and the child abuse prevention programs. These moneys total around $270 million, which gets us back to the level of funding for this year. It is not beyond that at all. It just brings these numbers up to the present year level.

I thank my colleague from Maine, who has worked tirelessly over the years on this issue.

I urge my colleagues' support. I thank the chairman of the Budget Committee for his support, as well as my own ranking Democrat on the Budget Committee.

Mr. DOMENICI. Mr. President, we are prepared to vote.

The PRESIDING OFFICER (Mr. THOMAS). The question is on agreeing to the amendment.

The amendment (No. 322), as modified, was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. DODD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 288

Mr. DOMENICI. The next amendment is Senator VOINOVICH's appeal of the ruling of the Chair.

I yield the floor.

Mr. VOINOVICH. Mr. President, I am offering this amendment with my colleagues, Senators FEINGOLD, GREGG, and DOMENICI. This amendment we are offering helps to refine the procedures in the budget process that are designed to control spending. It is clear from the egregious levels of spending in the past couple of years that the existing process needs reinforcement. That is what this amendment does.

Our amendment is designed to tighten the enforcement of existing spending controls. To do this, we create an explicit point of order against the emergency spending that doesn't meet the definition for emergency spending as laid out by OMB.

The amendment also closes budget loopholes by creating a point of order against actions that raise the discretionary spending caps; creating a point of order against efforts to waive sequesters, which is a budget enforcement mechanism; and last, creating a point of order against directed scoring—in essence, telling OMB and CBO how to treat spending that others use in order to dodge spending limits. Any waiver of these measures will require 60 votes.

I urge my colleagues' support. It will guarantee that the budget process is more transparent.

I ask unanimous consent that Senators DOMENICI and GRAMM be added as cosponsors.

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

Mr. CONRAD. Mr. President, this is a nongermane amendment. As a result, this is subject to a 60-vote point of order. This amendment has some parts that are good, but, unfortunately, it also contains a fatal flaw. It would establish a 60-vote point of order against all emergency designations, both defense and nondefense. I don't think we want to set a precedent here that we require supermajority points of order to respond to a defense emergency or a natural disaster emergency.

I urge colleagues to defeat the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I say to the Senate we thank you very much for the way things are going. We very much appreciate your attention. We haven't had much disturbance or much talking on the floor. For that, I thank each Senator on both sides of the aisle. We thank you very much for your cooperation.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 54, nays 46, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—54

Allard	Enzi	Lugar
Allen	Feingold	McCain
Bayh	Fitzgerald	McConnell
Bennett	Frist	Murkowski
Bond	Graham	Nelson (NE)
Brownback	Gramm	Nickles
Bunning	Grassley	Roberts
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Carnahan	Hatch	Shelby
Carper	Helms	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Craig	Inhofe	Thomas
Crapo	Kohl	Thompson
DeWine	Kyl	Thurmond
Domenici	Landrieu	Voinovich
Ensign	Lott	Warner

NAYS—46

Akaka	Dorgan	Miller
Baucus	Durbin	Murray
Biden	Edwards	Nelson (FL)
Bingaman	Feinstein	Reed
Boxer	Harkin	Reid
Breaux	Hollings	Rockefeller
Byrd	Inouye	Sarbanes
Cantwell	Jeffords	Schumer
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Stevens
Conrad	Leahy	Torricelli
Corzine	Levin	Wellstone
Daschle	Lieberman	Wyden
Dayton	Lincoln	
Dodd	Mikulski	

The PRESIDING OFFICER (Mr. ALLEN). On this vote, the yeas are 54, the nays are 46. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, we laid aside the amendment of the distinguished Senator from Tennessee, Mr. FRIST. He will accept a voice vote. If we can proceed to that now, he will not ask for a rollcall.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I want to publicly apologize to my friend from Tennessee for raising my voice to him and the rest of the Senate. I recognize being unreasonable is not only on one side of the aisle. I apologize to the Senator.

AMENDMENT NO. 215

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, it is time for the world to wake up. We are confronted today with the worst international health crisis in 600 years: the international scourge of HIV/AIDS; 8,000 people died today, 15,000 new infections today.

In Africa, the life expectancy in more than a handful of the countries has been cut in half.

Currently, the United States spends about $500 million annually. Our amendment increases that by $200 million next year, ultimately doubling our commitment.

The goal is simple: Reduce the devastation of the most significant moral, humanitarian, and developmental challenges of our time.

Mr. KERRY. Mr. President, a year ago we joined together in the Senate with Senator HELMS as leader, and others in the Foreign Affairs Committee, to make a major effort with respect to the international AIDS program. President Bush and his security team the other day joined what President Clinton and his security team had found, which is that this is an international security issue. It is a national security issue for the United States. I hope all of our colleagues will join together in restoring this critical funding that will deal with prevention, care, and treatment across the globe.

The PRESIDING OFFICER. Without objection, the yeas and nays are vitiated.

The question is on agreeing to the amendment of the Senator from Tennessee.

The amendment (No. 215) was agreed to.

Mr. SANTORUM. I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 225

Mr. DOMENICI. I understand the next amendment is amendment No. 225 offered by the distinguished Senator HOLLINGS. We have a second-degree amendment we will offer, but we would like to treat them side by side as we have other amendments. Senator HUTCHISON of Texas will offer it.

I yield the floor.

Mr. HOLLINGS. I didn't know about the second degree. I thought there would not be a second-degree amendment.

Mr. DOMENICI. It is a simple amendment. It is an amendment about which the Senator feels strongly.

Mr. HOLLINGS. I think the real point here is to send a message to the market, to the consumers, and to the people of this country that we feel their pain. As the old expression goes around this town, we know that we need an immediate stimulus to the economy to stop this downturn. This is divorced entirely from the tax cut, divorced entirely from budgets for 10-year considerations. It is a 1-year immediate repayment to the 95 million income-tax payers and another $500 to the 25 million payroll-tax payers who

do not pay income tax for a total of 120 million, as recommended by Harvard Business School, Lester Thurow, the Concord Coalition, Business Week, former Secretary of the Treasury Bob Rubin, the Economic Policy Institute, and others.

This is the need. We have been going on and on about the tax cut for the rich, poor, and everyone else.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 347

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk which adds language to the Hollings amendment that basically assures the marriage penalty is fully repealed.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 347.

The amendment is as follows:

At the appropriate place add:

SEC. . Notwithstanding any other provision of this resolution, the revenue levels and other aggregates in this resolution shall be adjusted to reflect an additional $69 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Mrs. HUTCHISON. It would add $69 billion to assure that there is a marriage penalty elimination for this country. We have said we want to eliminate it. Now is the time to do it. We want to add the amount we believe it will cost to fully eliminate the marriage penalty in this country.

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

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

Mr. CONRAD. Mr. President, I rise in opposition to the amendment of the Senator from Texas because after doing an analysis of the amendments previously agreed to and passed, it is very clear that this amendment will raid the Medicare trust fund. We can't accept an amendment that would do that. I am asking colleagues to oppose this amendment because it raids the Medicare trust fund in the years 2004, 2005, 2006, 2007, 2008, and 2009.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CONRAD. Parliamentary inquiry: On whose time is the Senator from Texas proceeding?

The PRESIDING OFFICER. There are 2 minutes allotted before each vote.

Mr. CONRAD. The Senator from Texas already spoke.

Mr. DOMENICI. Would the Senator like another minute?

Mrs. HUTCHISON. I don't think we exhausted the time. I spoke, but I did not speak for 2 minutes.

Mr. CONRAD. The Senator had 1 minute.

Mr. DOMENICI. Will the Chair explain this to Senators.

Mrs. HUTCHISON. Mr. President, I ask for 30 seconds to respond to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from Texas spoke for 1 minute in opposition to the Hollings amendment. She is allowed 1 minute to speak in favor of her own amendment.

The Senator from Texas is recognized for 1 minute.

Mrs. HUTCHISON. Mr. President, I respectfully disagree with the numbers that my colleague from North Dakota has given. We did not raid the Medicare trust fund when we had $1.6 billion in tax cuts. Now we are talking about $1.1 billion or so, and we are adding $69 billion. This is to eliminate the marriage penalty tax. We are squeezing down the tax cuts and I do not want married couples in this country to think that it is not important for us to eliminate the marriage penalty. We should not penalize people for getting married. I hope you will vote for my amendment, and I hope you will vote for the amendment of Senator HOLLINGS as well.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the budget resolution does not determine any specific tax policy. All of us know that. This does not eliminate the marriage penalty or anything else. It simply adds $69 billion to the tax cut, which raids the Medicare trust funds in each of the years I previously referenced.

Mrs. HUTCHISON. The $69 billion will go to the marriage penalty because we will say so. I hope my colleagues will support elimination of the marriage penalty.

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the Hutchison amendment.

Mrs. HUTCHISON. 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 result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—50

Allard	Enzi	Lugar
Allen	Fitzgerald	McCain
Bennett	Frist	McConnell
Bond	Gramm	Miller
Brownback	Grassley	Murkowski
Bunning	Gregg	Nickles
Burns	Hagel	Roberts
Campbell	Hatch	Santorum
Cochran	Helms	Sessions
Collins	Hutchinson	Shelby
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Smith (OR)
DeWine	Jeffords	Snowe
Domenici	Kyl	Specter
Ensign	Lott	Stevens
Thomas	Thompson	Voinovich
	Thurmond	Warner

NAYS—50

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	Mikulski
Bingaman	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Breaux	Feinstein	Nelson (NE)
Byrd	Graham	Reed
Cantwell	Harkin	Reid
Carnahan	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Johnson	Schumer
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the amendment is agreed to.

The amendment (No. 347) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 225

The VICE PRESIDENT. The question is on agreeing to the Hollings amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—94

Akaka	Edwards	McConnell
Allard	Ensign	Mikulski
Allen	Enzi	Miller
Baucus	Feinstein	Murkowski
Bayh	Fitzgerald	Murray
Bennett	Frist	Nelson (NE)
Biden	Gramm	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Breaux	Harkin	Rockefeller
Brownback	Hatch	Santorum
Bunning	Helms	Sarbanes
Burns	Hollings	Schumer
Byrd	Hutchinson	Sessions
Campbell	Hutchison	Shelby
Cantwell	Inhofe	Smith (NH)
Carnahan	Inouye	Smith (OR)
Chafee	Jeffords	Snowe
Cleland	Johnson	Specter
Clinton	Kennedy	Stabenow
Cochran	Kerry	Stevens
Collins	Kohl	Thomas
Conrad	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Domenici	Lott	Wyden
Dorgan	Lugar	
Durbin	McCain	

NAYS—6

Carper	Dodd	Graham
Corzine	Feingold	Nelson (FL)

The amendment (No. 225) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, may I just inform Senators where we are. People would like to go home this evening. The next amendment is that of Senator ALLEN from Virginia. We have a minute; whoever opposes him has a minute. The next amendment would be Senator WELLSTONE with reference to veterans spending, and we have a second-degree amendment to that. They will be voted side by side. If we can get those finished, that is all we have lined up by way of votes.

We have an amendment on vote-arama and streamlining the process so we won't get into these problems next year.

We should proceed with the votes we have: Senator ALLEN, to be followed by WELLSTONE and a second degree.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I want to indicate to our colleagues and to the manager of the bill that there will be a second-degree amendment to Senator ALLEN's amendment as well, so everybody is on notice with respect to how that amendment will be treated.

AMENDMENT NO. 201

The PRESIDING OFFICER. The Senator from Virginia has 1 minute.

Mr. ALLEN. Mr. President, on behalf of Senators BROWNBACK, HUTCHISON, CRAIG, WARNER, and myself, the tax cut accelerator ensures that unexpected on-budget surpluses are used to accelerate tax cuts rather than accelerate more Government spending. The tax relief accelerator provides a tax relief insurance policy so that the Federal Government will fulfill its promise to return excess tax collections to the taxpayer. The tax cut accelerator does not touch Social Security or Medicare. It does not threaten funding for current programs. It allows us to set priorities in education, national defense, and scientific research.

It does hold the Government accountable to the American people, setting priorities, determining the amount and type of tax relief, taking action, and justifying our decisions to the American people.

I respectfully ask my colleagues to please say yes to the taxpayers of America and improve our economic vitality.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from North Dakota.

Mr. CONRAD. Mr. President, this amendment is a nongermane amendment. It is subject to a 60-vote point of order. We have brought that order under the Budget Act. I hope my colleagues will support that point of order.

This would require fully expedited procedures beyond even what reconciliation provides. I hope our colleagues will reject this amendment on a point of order.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 45, nays 55, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—45

Allard	Frist	Miller
Allen	Gramm	Murkowski
Bennett	Grassley	Nelson (NE)
Bond	Gregg	Nickles
Brownback	Hagel	Roberts
Bunning	Hatch	Santorum
Burns	Helms	Sessions
Campbell	Hutchinson	Shelby
Cochran	Hutchison	Smith (NH)
Craig	Inhofe	Smith (OR)
Crapo	Kyl	Thomas
Domenici	Lott	Thompson
Ensign	Lugar	Thurmond
Enzi	McCain	Voinovich
Fitzgerald	McConnell	Warner

NAYS—55

Akaka	DeWine	Lieberman
Baucus	Dodd	Lincoln
Bayh	Dorgan	Mikulski
Biden	Durbin	Murray
Bingaman	Edwards	Nelson (FL)
Boxer	Feingold	Reed
Breaux	Feinstein	Reid
Byrd	Graham	Rockefeller
Cantwell	Harkin	Sarbanes
Carnahan	Hollings	Schumer
Carper	Inouye	Snowe
Chafee	Jeffords	Specter
Cleland	Johnson	Stabenow
Clinton	Kennedy	Stevens
Collins	Kerry	Torricelli
Conrad	Kohl	Wellstone
Corzine	Landrieu	Wyden
Daschle	Leahy	
Dayton	Levin	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 55. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment fails.

Mr. CONRAD. I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. 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. CONRAD. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CONRAD. Mr. President, I will address colleagues on my side for a moment to say we still have 27 amendments pending. This would be a wonderful opportunity, while we are waiting to work things out, for colleagues to come down and voluntarily give up their amendment in the interest of the whole body. What a good way to end the evening, to have a few more amendments given up so we could finish by our goal of 2:30 tomorrow afternoon.

I am making the offer. We will be here. We will be in business, and we will be eagerly awaiting our colleagues who want to give up amendments this evening.

Mr. DOMENICI. Might I thank the distinguished Senator. I thank him for his request on his side. I say to our side, we have 10 amendments. We sure hope we can find some way to narrow that down to three or four. We will be working with Senators when we finish tonight.

Let me tell Members what these amendments are: 289 is Crapo-Murray; 237 is Grassley; 286, Santorum; 236, DeWine; 214, Collins; and four Smith amendments, 83, 46, 45, and 57.

We very much would like to get the list down to about three.

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 the order for the quorum call be dispensed with.

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

Mr. LOTT. Mr. President, we have been consulting on both sides of the aisle as to how to complete action tonight and how we will begin in the morning. I think everybody understands the best way to proceed at this point. I ask consent the Wellstone amendment be laid aside and the Senator from Louisiana be recognized to offer a first-degree amendment; that it be laid aside and the Senator from Maine, Ms. COLLINS, offer a first-degree amendment; that no amendments be in order to these amendments prior to the votes, and votes occur in relation to these amendments, also in a stacked sequence, first in relation to the Breaux amendment and then in relation to the Collins amendment.

I further ask consent the first vote tomorrow morning occur in relation to the Wellstone amendment beginning at 9:30.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. I object.

Mr. LOTT. To clarify that, on the two I just outlined, the Collins and the Breaux amendments, those votes would occur tonight. Then tomorrow, of course, we would have the Wellstone amendment which would have the parallel second-degree amendment to it also.

The PRESIDING OFFICER. Did the Senator from Minnesota object?

Mr. WELLSTONE. Mr. President, I object for right now. I want to try to understand a little bit further how we are proceeding.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. 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. WELLSTONE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. WELLSTONE. Mr. President, I do not object.

Mr. LOTT. I renew my request, Mr. President.

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

Mr. LOTT. I believe we are ready to proceed, then, with the two amendments. Of course, they would be 10-minute votes with a brief explanation of the two amendments, a minute each.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 348

Mr. BREAUX. Mr. President, I have an amendment at the desk. I ask it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. BREAUX], for himself and Mr. JEFFORDS, proposes an amendment numbered 348.

Mr. BREAUX. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for IDEA amendment)

At the appropriate place add:

SEC. . Notwithstanding any other provision of this resolution, the spending aggregates, functional totals, allocations, and other levels in this resolution shall be adjusted to reflect an additional $70 billion in budget authority and outlays for function 500 for the period of fiscal years 2002 through 2011, and a reduction of $70 billion in revenue reductions (and an increase of $70 billion in total revenues) for the period of fiscal years 2002 through 2011.

Mr. BREAUX. Mr. President, we have only a minute. For the sake of our colleagues, this amendment simply takes $70 billion off the tax cut which is now at approximately a level of $1.275 trillion, I think. It says that $70 billion is going to be used for education purposes, and the purpose is to fund the Individuals with Disabilities Education Act, IDEA; to put the money back where I think it is a high priority. This amendment is offered on behalf of myself and Senator JEFFORDS who has been a long-time champion for the funding of the IDEA program.

This amendment does not take it out of the contingency fund. There is no more contingency fund. Remember the spectrum? Remember how many times we spent it? It is gone; agriculture and defense and everything else ate it up. If you want the $70 billion, there is only one place to get it, and my amendment provides the one place to get it by reducing the tax cuts. I ask my colleagues to support this effort.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. GRAMM. I reserve the time.

Mr. DOMENICI. Senator COLLINS would like to offer an amendment. I think that is the way we have been doing it.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 349

Ms. COLLINS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 349.

Ms. COLLINS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Propose: To provide tax credits for small business to purchase health insurance for their employees and to provide for the deductibility of health insurance for the self-employed and those who don't receive health insurance from their employers and for long-term care)

At the appropriate place, insert:

SEC. . Notwithstanding any other provision of this resolution, the revenue levels and other aggregates in this resolution shall be adjusted to reflect an additional $70 billion in revenue reductions for the period of fiscal years 2002 through 2011.

Ms. COLLINS. Mr. President, first let me make clear that the amendment I am offering does not change the amendment offered by the distinguished Senator from Louisiana. What it would do instead is add to the tax cut $70 billion in order to cover the following: A tax credit for small businesses to help them purchase health insurance.

This is based on legislation that the Senator from Louisiana—the other Senator from Louisiana, Ms. LANDRIEU—and I recently introduced to address the problem of small businesses having a difficult time in affording health insurance for their employees. It would provide for full deductibility of health insurance for the self-employed, an issue that I know is something the Senator from Illinois, Mr. DURBIN, and the Senator from Missouri, Mr. BOND, have worked on. And it would provide for long-term care insurance above the line deduction to help people and encourage them to purchase long-term care insurance.

The combined total of those provisions would be approximately $70 billion over the next 10 years. That would bring the total tax cut to approximately $1.3 trillion.

I reserve the remainder of my time.

Mr. BREAUX. Mr. President, how much time is left in opposition to the amendment of the Senator from Maine?

The PRESIDING OFFICER. The opposition has 1 minute remaining.

Mr. BREAUX. I might just take a minute in opposition to the Senator's amendment. I have a great deal of respect for her, but I suggest the budget authorization doesn't do any of those things. The respective committees that are going to be authorizing this will decide how it is going to be spent. While the list is a nice list, it has nothing to do with reality because the Budget Committee does not make that decision. The respective committees that had jurisdiction are going to make the decision on how to spend the money.

Anyone can stand up and read a laudatory list of noble things, but there is no assurance that will happen. I respect everything she said about the intent, but the committee of jurisdiction has to make those decisions. We do not make those decisions on the floor.

Our amendment, however, does provide $70 billion specifically for education which allows that decision to be made. It does not come out of a nonexistent fund. That is the big difference.

Mr. GRAMM. Mr. President, we have 1 minute in opposition to the Breaux amendment. Exactly the same argument is true with regard to the Breaux amendment.

Nothing in the Breaux amendment in any way requires that the money go for the purpose he specifies. All his amendment does is basically reduce the tax cut by $70 billion and add it to spending. What Senator COLLINS has done is given us an opportunity as a Senate to go on record in favor of something we all claim we are for; that is, to provide $70 billion for the purpose of making a health insurance tax credit for small business, so they can cover their employees, and to give deductibility for health insurance.

I yield to the Senator from Oklahoma.

Mr. NICKLES. Mr. President, how much time has expired?

The PRESIDING OFFICER. The Senator from Louisiana has 11 seconds.

Mr. BREAUX. I can only say in 11 seconds that it specifies it has to be for education, and it comes out of the function 500. That is the education function. It can't be used for anything else.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment by the Senator from Louisiana.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. VOINOVICH). Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—54

Akaka	Dayton	Levin
Baucus	Dodd	Lieberman
Bayh	Dorgan	Lincoln
Biden	Durbin	McCain
Bingaman	Edwards	Mikulski
Boxer	Feingold	Murray
Breaux	Feinstein	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Harkin	Reed
Carnahan	Hollings	Reid
Carper	Inouye	Rockefeller
Chafee	Jeffords	Sarbanes
Cleland	Johnson	Schumer
Clinton	Kennedy	Snowe
Collins	Kerry	Stabenow
Conrad	Kohl	Torricelli
Corzine	Landrieu	Wellstone
Daschle	Leahy	Wyden

NAYS—46

Allard	Frist	Nickles
Allen	Gramm	Roberts
Bennett	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Specter
Cochran	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	
Fitzgerald	Murkowski	

The amendment (No. 348) was agreed to.

Mr. CONRAD. I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 349

The PRESIDING OFFICER. The question is on agreeing to the Collins amendment No. 349.

Mr. GRAMM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—49

Allard	Frist	Nickles
Allen	Gramm	Roberts
Bennett	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
DeWine	Lugar	Thurmond
Domenici	McCain	Voinovich
Ensign	McConnell	Warner
Enzi	Miller	
Fitzgerald	Murkowski	

NAYS—51

Akaka	Dayton	Leahy
Baucus	Dodd	Levin
Bayh	Dorgan	Lieberman
Biden	Durbin	Lincoln
Bingaman	Edwards	Mikulski
Boxer	Feingold	Murray
Breaux	Feinstein	Nelson (FL)
Byrd	Graham	Nelson (NE)
Cantwell	Harkin	Reed
Carnahan	Hollings	Reid
Carper	Inouye	Rockefeller
Chafee	Jeffords	Sarbanes
Cleland	Johnson	Schumer
Clinton	Kennedy	Stabenow
Conrad	Kerry	Torricelli
Corzine	Kohl	Wellstone
Daschle	Landrieu	Wyden

The amendment (No. 349) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Mr. President, we are working on a UC. We are going to try not to delay the Senate. We have four amendments that have been approved on both sides. I may call them up and ask that they be adopted en bloc.

Mr. CONRAD. What is the chairman's intention about how we proceed? Does the Senator want to do them one at a time?

AMENDMENT NO. 208

Mr. DOMENICI. Mr. President, we will just do these one at a time. I will call up 208.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BYRD, proposes an amendment numbered 208.

The amendment reads as follows:

(Purpose: To foster greater debate of amendments to a reconciliation bill or a budget resolution)

At the end of title II, insert the following:

SEC. ___. LIMITATION ON CONSIDERATION OF AMENDMENTS UNDER RECONCILIATION AND A BUDGET RESOLUTION.

(a) RECONCILIATION AND BUDGET RESOLUTIONS.—For purposes of consideration of any reconciliation bill reported under section 310(e) of the Congressional Budget Act of 1974 or any budget resolution reported under section 305(b) of the Congressional Budget Act of 1974—

(1) debate, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours;

(2) time on a bill or resolution may only be yielded back by consent;

(3) time on amendments shall be limited to 60 minutes to be equally divided in the usual form and on any second degree amendment or motion to 30 minutes to be equally divided in the usual form;

(4) no first degree amendment may be proposed after the 10th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 10th hour;

(5) no second degree amendment may be proposed after the 20th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 20th hour; and

(6) after not more than 40 hours of debate on a bill or resolution, the bill or resolution shall be set aside for 1 calendar day, so that all filed amendments are printed and made available in the Congressional Record before debate on the bill or resolution continues.

(b) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. DOMENICI. Mr. President, we are willing to accept this amendment. It is a procedural change that makes all of the processes much better. We will work on it in conference. On our side we are willing to accept it.

Mr. CONRAD. We are as well.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 208) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 289

Mr. DOMENICI. I send to the desk amendment No. 289, the Crapo-Murray amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. CRAPO and Mrs. MURRAY, proposes an amendment numbered 289.

The amendment reads as follows:

(Purpose: To ensure that the Department of Energy's Environmental Management program is funded at a level adequate to continue progress in waste treatment and management, site maintenance and closure, environmental restoration, and technology development, while meeting its legally binding compliance commitments to the states, the Atomic Energy Defense Account is increased by $1 billion in fiscal year 2002)

On page 10, line 21, increase the amount by $1 billion. On page 10, line 22, increase the amount by $650 million. On page 43, line 15, decrease the amount by $1 billion. On page 43, line 16, decrease the amount by $650 million. On page 48, line 8, increase the amount by $1 billion. On page 48, line 9, increase the amount by $650 million.

Mr. DOMENICI. Mr. President, we should note that the cosponsor is Senator MURRAY, so that we have the right sponsors. We have no objection to this amendment. It has to do with funding environmental cleanup that we are committed to doing. Most of us think we are going to have to do it in any event. This makes it clear that we have the money to do that.

Mr. CONRAD. Mr. President, we are willing to accept this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 289) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 210

Mr. CONRAD. Mr. President, we have clearance for another amendment on the list, No. 210, the Bond amendment.

Mr. DOMENICI. Mr. President, we have been willing to do that. Senator BOND has graciously told us he would not insist on a rollcall vote. He said that to us an hour ago.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. BOND, proposes an amendment numbered 210.

The amendment reads as follows:

(Purpose: To provide funds for consolidated health centers under section 330 of the Public Health Service Act and for children's hospitals graduate medical education programs under section 340E of such Act)

On page 28, line 23, increase the amount by $136,000,000.

On page 28, line 24, increase the amount by $136,000,000.

On page 43, line 15, decrease the amount by $136,000,000.

On page 43, line 16, decrease the amount by $136,000,000.

On page 48, line 8, increase the amount by $136,000,000.

On page 48, line 9, increase the amount by $136,000,000.

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON CONSOLIDATED HEALTH CENTERS.—It is the sense of the Senate that appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health services at community, migrant, homeless, and public housing health centers.

Mr. DOMENICI. Mr. President, we accept the amendment.

Mr. CONRAD. We have no objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 210) was agreed to.

AMENDMENT NO. 237

Mr. CONRAD. Mr. President, we have good news. We have another amendment on which we have agreement, and that is amendment No. 237. We just received clearance on amendment No. 237, the Grassley-Kennedy amendment.

Mr. DOMENICI. It is OK on our side.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. GRASSLEY, for himself and Mr. KENNEDY, proposes an amendment numbered 237.

The amendment is as follows:

(Purpose: To establish a reserve fund for the Family Opportunity Act)

At the appropriate place, insert the following:

SEC. ____. RESERVE FUND FOR FAMILY OPPORTUNITY ACT.

If the Committee on Finance of the Senate reports a bill or joint resolution, or if an amendment is offered, or a conference report is submitted which provides States with the opportunity to expand medicaid coverage for children with special needs, allowing families of disabled children with the opportunity to purchase coverage under the medicaid program for such children (commonly referred to as the ''Family Opportunity Act of 2001''), the Chairman of the Committee on the Budget of the Senate may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $200,000,000 in new budget authority and outlays for fiscal year 2002 and $7,900,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously-enacted legislation, reduce the on-budget surplus below the level of the Medicare Federal Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. It is acceptable on our side.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. No objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 237) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VITIATION OF ACTION ON AMENDMENT NO. 237

Mr. DOMENICI. I ask unanimous consent we vitiate the adoption of the amendment numbered 237 because it has technical problems we have to work out. We will work them out overnight.

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

AMENDMENT NO. 256

Mr. CONRAD. We have now cleared on this side amendment 256, the Reid-Hutchinson amendment.

Mr. DOMENICI. We call up amendment No. 256, Reid-Hutchinson.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. REID of Nevada and Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, and Mr. LEVIN, proposes an amendment numbered 256.

Mr. DOMENICI. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To establish a reserve fund for the payment of retired pay and compensation to disabled military retirees)

At the end of title II, insert the following:

SEC. . RESERVE FUND FOR THE PAYMENT OF RETIRED PAY AND COMPENSATION TO DISABLED MILITARY RETIREES.

If the Committee on Armed Services of the Senate or the House of Representatives reports the Department of Defense authorization bill and includes a provision to fund the payment of retired pay and compensation to disabled military retirees, the chairman of the Committee on the Budget of the Senate or the House of Representatives, as applicable, may increase the allocation of new budget authority and outlays to that committee by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $2,900,000,000 in new budget authority and outlays for fiscal year 2002, and $40,000,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011, subject to the condition that such legislation will not, when taken together with all other previously enacted legislation, reduce the on-budget surplus below the level of the Medicare Hospital Insurance Trust Fund surplus in any fiscal year covered by this resolution.

Mr. DOMENICI. We have no objection.

Mr. CONRAD. No objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment, No. 256.

The amendment (No. 256) was agreed to.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak up to 10 minutes each.

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

INTERNATIONAL ROMA DAY

Mr. CAMPBELL. Mr. President, in my capacity as chairman of the Helsinki Commission, I take this opportunity to let my colleagues know that on Sunday, April 8, Roma from around the world will commemorate the 30th anniversary of the inaugural meeting of World Romani Congress. In countries across Europe as well as in North America, Roma will gather together to demonstrate solidarity with each other and to draw attention to the human rights violations they continue to face.

Roma are a dispersed minority, present in virtually every country in the region covered by the Organization for Security and Cooperation in Europe, OSCE, including the United States. They first arrived in Europe around the 13th century, after migrating from Northern India and their language, Romani, is related to Sanskrit. Roma were enslaved in what is now modern Romania and Moldova until 1864 and, in much of the rest of Europe, the Romani experience has been marked by pronounced social exclusion.

The single most defining experience for Roma in the 20th century was the Holocaust, known in Romani as the Porrajmos, the Devouring. During the war itself, Roma were targeted for death by the Nazis based on their ethnicity. At least 23,000 Roma were brought to Auschwitz. Almost all of them perished in the gas chambers or from starvation, exhaustion, or disease.

Not quite a year ago, the Helsinki Commission, which I now chair, held a hearing on Romani human rights issues. I heard from a panel of six witnesses, four of whom were Romani, about the problems Roma continue to face. Unfortunately, since the fall of Communism, the situation for Roma in many post-Communist countries has actually gotten worse. As Ina Zoon said, ''the defense of Roma rights in

Europe is probably one of the biggest failures of the human rights battle in the last ten years.''

The more I learn about the plight of Roma, the more I am struck by certain parallels with the experience of American Indians here in our own country. Increasingly, Roma have begun to raise their voices not in search of special treatment, but for an opportunity to freely exercise their human rights and fundamental freedoms without discrimination.

At the OSCE's Summit of Heads of State and Government, held in Istanbul in 1999, the United States strongly supported the commitment, adopted by all OSCE participating States, to adopt anti-discrimination legislation to protect Roma. It is heartening that a number of Central European governments, countries where Roma are the most numerous, have publicly recognized the need to adopt legislation that will protect Roma from the discrimination they face. The adoption last year of the European Union's ''race directive'', which will require all current EU member states, as well as applicant countries to adopt comprehensive anti-discrimination legislation, should spur this effort.

The Helsinki Commission will continue to monitor the plight of the Roma in the 107th Congress.

CHINA RISKS FLUNKING INTERNATIONAL RELATIONS 101

Mr. AKAKA. Mr. President. Ralph Cossa, President of the Pacific Forum CSIS, which is based in Honolulu, recently published an insightful analysis in the International Herald Tribune entitled ''Spy Plane Poses Test That Beijing Risks Flunking.'' I will ask unanimous consent that his article be printed in the RECORD following my remarks, and I urge my colleagues and Chinese officials to read carefully his article. A recent colleague of Mr. Cossa's at CSIS, James Kelly, has been nominated by President Bush to be the Assistant Secretary of State for East Asia and the Pacific.

The Center for Strategic and International Studies' pacific Forum has a long history of both monitoring and working to improve relations between the United States and China. For this reason especially, Mr. Cossa's analysis of the current crisis in American-Chinese relations is particularly disturbing.

As Mr. Cossa points out, ''Beijing's automatic reaction to any mishap is to quickly incite anti-American sentiments. This is contrary to China's stated desire to develop improved relations with Washington.''

He makes the point that some in China in the past have accused the United States of a ''Cold War mentality'' but that today it is China ''that is demonstrating such a mindset in the way it has reacted to this accident.''

Yesterday, Secretary of State Colin Powell expressed regret for the death of the Chinese pilot and has made suggestions to the Chinese on how to resolve the current crisis and prevent further such incidents. Now it is time for China to respond with similar magnanimous gestures by releasing our air men and women and returning our aircraft. Any further delay may damage American-Chinese relations in an irreparable way.

I ask unanimous consent that the analysis to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the International Herald Tribune, Apr. 4, 2001]

SPY PLANE POSES TEST THAT BEIJING RISKS FLUNKING

(By Ralph A. Cossa)

HONOLULU—The collision between a Chinese fighter and an American reconnaissance aircraft in international airspace over the South China Sea is an unfortunate, unplanned, but nonetheless important test of the maturity of both the relationship between China and the United States. So far, Beijing appears to be flunking the test.

The collision, about 70 miles southeast of China's Hainan Island while the American plane was on a routine, unarmed surveillance mission, was probably caused by overzealousness on the part of the Chinese pilot.

Chinese jets routinely conduct intercept training against such convenient American ''targets'' but have reportedly become more aggressive, if not reckless, in recent months. The rules of the road call for the faster, more maneuverable Chinese F–8 jets that were involved in the collision to yield to the slower, larger EP–3 propeller-driven aircraft.

China's immediate handling of the incident—to publicly blame the United States even before the facts were known and to protest the U.S. spy plane's ''violation'' of Chinese airspace—was reminiscent of Beijing's handling of the aftermath of the Belgrade bombing, which was immediately branded a deliberate act. It seems that Beijing's automatic reaction to any mishap is to quickly incite anti-American sentiments. This is contrary to China's stated desire to develop improved relations with Washington.

Equally disturbing was Chinese refusal to grant American diplomats immediate access to the crew or to the plane, which is loaded with sensitive surveillance equipment (although much of it was no doubt destroyed by the crew before landing at the Chinese airfield).

Will China, the self-proclaimed defender of national sovereign rights, treat the plane as the piece of American sovereign territory that it is, or—as it has already done, according to some reports—board the plane and attempt to exploit its sensitive equipment? How China behaves will be a sign of just how important maintaining good relations with Washington really are for Beijing.

Some elements in China have long accused the United States of harboring a Cold War mentality. But it is China today that is demonstrating such a mindset in the way it has reacted to this accident. In his recent meeting with Deputy Prime Minister Qian Qichen of China, President George W. Bush pledged to treat the Chinese with respect. But respect must work both ways. The longer the release of the crew members is delayed, the more one must conclude that Mr. Qian's pledge to cooperate with Washington was an empty promise.

Continued Chinese heavy-handedness will certainly result in more calls for increased arms sales by Taiwan's supporters in the United States. Any attempt by Beijing to trade the crew or aircraft's release for a reduction in arms sales is sure to backfire.

Poor handling of this incident by either side could result in a serious setback in the broader relationship and would magnify the impact of other decisions. Instead of merely asserting that the other is to blame, both sides should agree to cooperate in a full inquiry into the accident, aimed first and foremost at ensuring that this type of tragedy does not occur again.

The Chinese government should also ensure that a full, fair, and objective accounting of what actually happened reaches the Chinese people.

UND HOCKEY TEAM

Mr. CONRAD. Mr. President, I would like to take a few minutes to recognize the University of North Dakota's Hockey team. As a native North Dakotan, I am very proud of the rich hockey tradition at the University of North Dakota. The defending NCAA Champion ''Fighting Sioux'' defeated Michigan State in NCAA hockey's ''frozen four'' semi-final today in Albany, New York by a final score of 2–0. They will defend their title Saturday at 4 p.m. in the national championship game.

Dean Blais, the team's coach, has done a fantastic job in continuing the UND hockey program's tradition of excellence. The ''Fighting Sioux'' have won a total of 7 national championships. In just 6 years as head coach, Blais has led the team to four Western Collegiate Hockey Association regular season titles in the past five years and National championships in 1997 and 2000. Last year, the ''Fighting Sioux'' were honored as the first collegiate hockey team ever invited to the White House.

The ''Fighting Sioux'' are led by Jeff Panzer, a Grand Forks, North Dakota native who is nominated for the Hobey Baker Award, which recognizes college hockey's top play. Panzer had 26 goals and 55 assists during the regular season and led the Nation in scoring with 81 points. But at UND, teamwork and team spirit has always been a paramount, and the team's success this year has once against been the product of a team effort.

On behalf of the entire State of North Dakota, I wish the ''Fighting Sioux'' the best of luck in the championship game on Saturday. I'll be cheering for you.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, April 4, 2001, the Federal debt stood at $5,777,864,856,329.85, Five trillion, seven hundred seventy-seven billion, eight hundred sixty-four million, eight hundred fifty-six thousand, three hundred twenty-nine dollars and eighty-five cents.

One year ago, April 4, 2000, the Federal debt stood at $5,758,855,000,000, Five trillion, seven hundred fifty-eight billion, eight hundred fifty-five million.

Five years ago, April 4, 1996, the Federal debt stood at $5,137,761,000,000, Five trillion, one hundred thirty-seven billion, seven hundred sixty-one million.

Ten years ago, April 4, 1991, the Federal debt stood at $3,465,170,000,000, Three trillion, four hundred sixty-five billion, one hundred seventy million.

Fifteen years ago, April 4, 1986, the Federal debt stood at $2,021,383,000,000, Two trillion, twenty-one billion, three hundred eighty-three million, which reflects a debt increase of almost $4 trillion, $3,756,481,856,329.85, Three trillion, seven hundred fifty-six billion, four hundred eighty-one million, eight hundred fifty-six thousand, three hundred twenty-nine dollars and eighty-five cents during the past 15 years.

ADDITIONAL STATEMENTS

TRIBUTE TO L. RICHARDSON PREYER, FORMER NORTH CAROLINA CONGRESSMAN AND JUDGE

• Mr. EDWARDS. Mr. President, I rise today to note with sadness the death of a truly great North Carolinian and a great personal friend of mine, Richardson Preyer. Richardson Preyer succumbed to cancer on April 3 at the age of 82 after a long and productive life serving the people of North Carolina.

Many of you may remember Richardson Preyer from his distinguished service in the House, but I'd like to share with you today a few things you may not know about this truly inspirational North Carolinian.

Rich Preyer left his native Greensboro, NC as a young man to attend college at Princeton University and law school at Harvard. He served honorably in World War II, earning a Bronze Star from the Navy for his courage at Okinawa.

After the war, Rich could've chosen a lucrative career in the family business, Vick Chemical, or made his mark and fortune in any number of fields. Instead, he dedicated his life to public service, and went on to become one of the finest, noblest servants of the public good my state has ever known.

Richardson Preyer began his career in Greensboro as a municipal court judge before rising to the state Superior Court bench. In a landmark 1957 decision, Judge Preyer courageously upheld a ruling that allowed five African-American children to attend an all-white Greensboro school. This marked the first time that black and white children would learn together in a Greensboro school.

Rich's courage and his absolute respect for the law and for people caught the eye of President John F. Kennedy, who named him to a U.S. District Court judgship in 1961. Judge Preyer stepped down in 1963 to launch an unsuccessful bid for Governor.

Now, the early '60's were a contentious time in this country, particularly in the South. Many people speculated that he could win the governor's race if he would just denounce school integration, but anyone who knew Richardson Preyer knows that he could never compromise his principles for victory.

An unabashed optimist, Rich turned his loss into opportunity. Four years after his defeat, he ran for Congress. Congressman Preyer went on to serve the people of North Carolina's 6th District for 6 terms, from 1968 to 1980.

As a member of Congress, he won the respect of both Republicans and Democrats for his dignity, intelligence and integrity. He chaired the House Select Committee on Ethics, crafting the Congressional code of ethics. He also served on the House Select Committee on Assassinations, helping to investigate the deaths of President Kennedy and Martin Luther King Jr.

Congressman Preyer left the House of Representatives in 1980. He and his wife Emily returned home to Greensboro, where they continued to touch the lives of so many in their community and in their state. I am personally grateful to Rich for encouraging me during my Senate campaign in 1998.

Richardson Preyer was truly a blessing to those of us who knew him, and to all the people of North Carolina. We will miss him deeply. Our prayers go out to his family.•

TRIBUTE TO JOHN ''ANDY'' LOVE'S PROMOTION TO MAJOR GENERAL

• Mr. CAMPBELL. Mr. President, today I want to recognize and congratulate a special Coloradan, John A. Love, for his promotion to Major General of the Colorado Air National Guard.

Just last week, on March 30, 2001, John Love, who is better known as Andy by his family and friends, earned his second star as a Major General when the U.S. Senate unanimously approved his promotion. His promotion to Major General was Andy's 7th promotion since he first started his military career with the Colorado National Guard as a Second Lieutenant on June 1st, 1968. I send my congratulations to Andy from the floor of the U.S. Senate for this well deserved promotion.

Major General Andy Love's roots run deep and true in Colorado. His distinguished father, John Arthur Love, was elected to serve as the Governor of Colorado three times. Governor Love was first elected Governor in 1962 and served the people of Colorado well. Governor Love also served as the Chairman of the National Governors' Conference from 1969–1970. In 1972, his time as Governor ended when he was appointed by President Nixon to serve as our nation's first Director of the Energy Policy Office, a predecessor of the U.S. Department of Energy.

In addition, Andy's sister, Rebecca Love Kourlis, currently serves the people of Colorado as a Justice on the Colorado Supreme Court. Other members of the Love family have also served Colorado, and continue to serve to this day.

Major General Love's career with the Colorado Air National Guard has gone far beyond the ''one weekend a month, two weeks a year'' commitment we usually think of when we think of this kind of service. For the past 34 years, Andy has dedicated time every week, putting in more than 2,500 flying hours. He did this to keep his skills as a fighter pilot sharp and current. Over the past 34 years he has mastered several generations of fighters, including the F–100, A–7 and F–16. Andy's proficiency and commitment has been underscored twice by his winning the squadron's ''Top Gun'' award, and he won these distinctions on two different fighter jets.

In his newest role, Major General Love serves as an assistant to the commander of the Air Force Space Command and the director of Air National Guard Forces at Peterson Air Force Base. He is responsible for advising the commander on all issues impacting the Air National Guard and provides administrative oversight of assigned personnel. He also is slated with assuring the successful planning, programming and execution of the Guard's missions, including total force and space operations.

While serving our nation, and the state of Colorado, is an important part of Andy's active and busy life's work, it is important to point out that it is just one of numerous other important parts of his life. He also has a civilian job as a Principal of Morrison, Love & Company.

For nearly 10 years, Andy has been married to a charming and successful lady, Virginia Morrison Love. Not only is Virginia his partner in life, she is also one of Andy's key partners in his civilian job. Virginia's 15-plus years of government affairs experience and accumulated expertise enable her as a partner in her role as a Principal at Morrison, Love & Company. Her community service also distinguishes her as one of Colorado's leading ladies.

Like his wife, Major General Love also has dedicated many hours to community service. He serves as the Chairman of the Denver Health and Hospital Foundation, as a member of Colorado's State Board of Agriculture and as a member of the Cherry Hills Planning and Zoning Commission, just to name a few.

In his free time, which I understand is quite limited due to his public service and work and family commitments, Andy enjoys fly fishing and vigorous horseback riding. I understand that each summer, Andy sets off on a week-long pack trip along Colorado's Continental Divide with the Roundup Riders of the Rockies.

Major General Love is an outstanding Coloradan and a patriotic American. He has earned, and deserves, our appreciation and applause.•

TRIBUTE TO SCARLET CROW

• Mr. DORGAN. Mr. President, I rise today to pay tribute and restore honor

to a Native American who contributed much to the expansion of our Nation and the development of what would later become my home State of North Dakota.

After seeing an exhibit at the Library of Congress recently, I became interested in learning more about the Native Americans who are buried in the Congressional Cemetery. Through my research, I came across the name of Scarlet Crow. Scarlet Crow, a member of the Wahpeton Sisseton Sioux Tribe, died in Washington, DC., under mysterious circumstances in 1867, and was buried in the Congressional Cemetery east of Capitol Hill.

I learned from further research that Scarlet Crow's death certificate reported his cause of death to be suicide. But the facts reveal a different, more tragic story.

In February 1867, Scarlet Crow left a family that included eight children to undertake a long journey from the Dakota Territory to Washington, DC. He was a tribal chief who came here to renegotiate a treaty with the U.S. Government. He was, in fact, one of many Native Americans who came to the Nation's capital in those days to negotiate in good faith, only to discover that the United States continued to mistreat Native Americans by forging agreements the Government subsequently failed to honor.

Before his work here was done, tragedy struck. Scarlet Crow was reported missing on February 24th that year. Two weeks later, his body was discovered near the Occoquan Bridge in Northern Virginia several miles outside Washington. At first, his death was reported to be a suicide. But investigators later described evidence that could not support that conclusion.

The mystery of what really happened to Scarlet Crow still remains. We do know that criminal investigators pointed out that the cloth Scarlet Crow would have used to hang himself would not have supported a weight of more than 40 pounds. The branch from which he supposedly hung himself would have broken under the weight of a small child, they said. In addition, his blanket was folded neatly by his body, with no signs of a struggle. Despite this evidence, which might suggest that Scarlet Crow was murdered, there is no record that anyone followed up on the investigation. And today, Scarlet Crow's death certificate still lists suicide as the cause of death.

There are no records to tell us when and how Scarlet Crow's family learned of his death, or what happened to his family afterward. Records do tell us, however, that he was an honorable and trustworthy man who devoted his efforts to a peaceful life with the settlers who came to tame the great Midwest. He is described in one Government letter as an industrious man who worked to promote agriculture among his fellow Native Americans. And at one time, it was reported that his ''laborious habits had made him a prosperous farmer,'' a prosperity that was later lost during hostilities in 1862.

In 1916, Congress voted to provide a headstone for Scarlet Crow's grave, at the request of North Dakota Senator Asle J. Gronna. Since that action nearly a century ago, the memory of Scarlet Crow has been relegated to obscurity.

The mysterious circumstances of Mr. Crow's death and the unusual story about his burial in the Congressional Cemetery led me to visit the cemetery recently to locate his tombstone.

The cemetery has fallen into some disrepair over the years and it is in some ways a rather forlorn place. Perhaps as we move forward with our planning for this year, Congress can find the resources to restore dignity to our Congressional Cemetery. In the meantime, I urge my colleagues to find time to visit this cemetery. And while there, I hope you will pause a moment in tribute to this dedicated Native American, Scarlet Crow, whose life came to such a tragic and untimely end in our Nation's capital.●

CONGRATULATIONS TO SENATOR BUNNING

● Mr. SANTORUM. Mr. President, I rise today to congratulate our friend and colleague from the Commonwealth of Kentucky, Senator BUNNING, on the occasion of his number being retired by the Philadelphia Phillies.

On April 6, Senator BUNNING's number, 14, will become only the fifth number to be retired in the franchise's 119-year history. The Senator from Kentucky will join fellow Hall of Famers Robin Roberts, Richie Ashburn, Steve Carlton, and Mike Schmidt. The honor to be bestowed is fitting for the pitcher who led the majors in wins, innings and strikeouts from 1955 to 1971.

This is one of many accolades in a distinguished career in professional athletics and public service. Senator BUNNING was elected to the baseball Hall of Fame after a career in the Major Leagues which spanned seventeen seasons. At the time of his retirement from the big leagues in 1971, he ranked second only to the great Walter Johnson in career strikeouts with 2,855. The Senator is identified as an ''intimidating right-handed sidearmer'' on his Hall of Fame plaque. His brilliant career may have reached its pinnacle on June 21, 1964, Father's Day, when the father who has raised nine children threw a perfect game. With this feat Jim Bunning became the first pitcher in the twentieth century to throw a no-hitter both in the National and American leagues.

I have been fortunate enough to witness many of the distinguished Senator's accomplishments in public service. I first met Jim Bunning in the House of Representatives in the 102nd Congress. My wife Karen also met Mary Bunning, Jim's amazing wife and mother of those nine children. She was Karen's big sister and continues to be a great friend to both of us. During the 103rd Congress I served with Jim on the Ways and Means Committee. In 1998, the people of Kentucky elected Jim Bunning to the U.S. Senate where I am proud to serve with him once again.

It is with great pleasure that I commend my friend and colleague, Senator BUNNING, for his remarkable career as a Hall of Fame pitcher. I ask my colleagues to join with me in congratulating him on this milestone relative to his performance as a member of the Philadelphia Phillies. Once again quoting from the right-hander's Hall of Fame plaque, he has ''maintained dedication and consistency'' throughout his career as a Major League pitcher, as a member of the U.S. House of Representatives and the U.S. Senate. His service is an example of excellence for young and old, including his thirty-five grandchildren. I congratulate him and I applaud him for his service.●

TRIBUTE TO WILLIE LOUIS KING

● Mrs. CLINTON. Mr. President, Willie Louis King of Niagara Falls, NY, took seriously his role as citizen-activist and acted on the democratic ideals that many of us only talk about. To honor Mr. King's memory, I ask that Ken Hamilton's eloquent tribute be printed in the RECORD.

The tribute follows:

WILLIE KING WALKED TO THE CIRCLE'S EDGE

I read Willie King's obituary, and it did not say enough. One of the problems with obituaries is that they are hastily written biographies of loved ones that attempt to convey to the world ''who'' the individual was and ''whom'' they leave to mourn. For most of us, that is fine, because our lives are about the ''whos'' (ourselves) and ''whoms'' closest to us, those who will mourn the end of our existence, as we know it.

More often than we know, many of those same people were about much more than just ''who'' and ''whom,'' and their lives are not simply measured in the many names that are listed in the ''survived by'' paragraph of their obituaries. Though their lives were not ideal, nonetheless, they lived their lives based on ideals.

It was hard for the principled Willie King to change his mind about the things he strongly believed in. He was a dyed-in-the-wool Democratic committeeman, and I, a registered Republican and former committeeman who believes, among other things, that while party affiliation is a consideration, the value of the person is more important.

We were members of the same church, but even there, our encounters ended in political talk. Though Willie King and I disagreed upon many issues, he was the one man I knew who believed in one thing more than anything else in the world: It was more than everyone's right to vote; it was their responsibility to do so.

Perhaps it was his rural, southern upbringing and the associated hardships and attitude that were endemic in a then-segregated South, that led him to believe that ideal. He often spoke, and was qualified to do so, of those who had died—of all races—so that we might have that privilege. Yet while the youthful Willie King endured inequity in the South, the elder King believed in, and at every opportunity that he had, practiced equality in the North.

I know this because, as expected, this dyed-in-the-wool Democrat crossed racial lines and voted against me when I ran for state Senate and boldly let me know that he did so. Moreover, our mutual dear and tearful Italian friend, Tony Mondi, called me to tell me of Willie's passing. In the telling, he spoke of his last time seeing Willie.

It was Election Day, and Tony had talked to Zola, Willie's wife, and found that Willie, who was rapidly succumbing to the cancer that was ravaging his body, was too sick to go to the polls to vote. As far as anyone knew, this would be the first time that he would not exercise that privilege—no—responsibility, that he so dearly believed in.

Hanging around campaign headquarters that day were a couple of firefighters. Tony knowing how important it was to his friend, talked to them about the situation. ''No problem,'' they said. ''We'll go get him so that he can vote.''

Tony called Zola, and all that she asked for was for 15 minutes. Off they went, into the rain, to exercise the ideal. Tony ''chauffeured'' his own big, black Cadillac, and the two firefighters, Greg Colangelo and Rick Horn, went into the house to ''pick up'' this man and ''carry'' him to the polls. There was a wheelchair available, but Willie was not going to have that! For as many years that he had voted, he had proudly walked into the polls and done so. There would be no prouder time for him than Tuesday, November 2, 1999. With all of the strength that he, and all of his ancestors, could muster, he again ''walked'' into those polls and voted—most probably, straight across the line!

Yes, this one-time fruit picker, Willie King, one rainy afternoon, dragging death behind him and carrying with him the memories of counseling with great political leaders, walked into the polls.

You know, I often hear people speak of others whom I have never met, and whom I will never know, of how they gave their lives for the ideal of democracy and our right to vote. These heroes all stand together in a very special place in history—Abraham, Martin, John, and others. On Nov. 12, as Willie King slept, cared for by his beloved wife; those heroes welcomed him, another King, to the edge of that very special circle.

Therefore, next Election Day, I am interested in hearing your excuse for knowing the issues, but not going out to vote. Walk proudly into those polls.

Willie did.●

KARI WARBERG WINS ENTREPRENEURIAL AWARD

● Mr. DORGAN. Mr. President, I want to congratulate Kari Warberg, a constituent of mine from New Town, ND, who was recently awarded the Regional Working Women's Excellence Award for 2001. Kari's farm-based business, Earthkind, Inc, was determined to have demonstrated the most outstanding entrepreneurial achievement for a woman-owned business in a region that covers eight States.

Earthkind, Inc. sells potpourri, candles, air freshener, and other products using plants from her garden. Kari spent five years developing her products, and through self-discipline and perseverance, she has made her business a success. Currently these products are sold in 5,000 stores throughout the U.S., Canada, and Europe. She also sells her wares over the Internet.

This well-deserved award is a great honor for Kari Warberg, and I applaud her inventive spirit and her hard work. I hope that my colleagues will join me in sending her our congratulations.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:58 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 8. An act to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period, and for other purposes.

H.R. 642. An act to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 66. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled ''Women in Congress, 1917–1990.''

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 642. An act to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 66. Concurrent resolution authorizing the printing of a revised and updated version of the House document entitled: ''Women in Congress, 1917–1990''; to the Committee on Rules and Administration.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 700. A bill to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 8. An act to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted on April 5, 2001:

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 219: A bill to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counternarcotics programs, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. HELMS for the Committee on Foreign Relations.

Argeo Paul Cellucci, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

Nominee: Argeo Paul Cellucci.

Post: Ambassador to Canada.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self, $50, 2000, Elmer Eubanks Committee, Candidate for State Representative; $100, 2000, Friends of George Allen, Candidate for U.S. Senate; $100, 1998, Richard Tisei Committee, Candidate for State Senator; and $50, 1998, Committee, to elect Robert Taki, Candidate for State Representative.

2. Spouse: Janet Garnett Cellucci (none).

3. Children and Spouses: Kate Cellucci (none); Anne Cellucci (none).

4. Parents: Argeo R. Cellucci, Jr. (see attachment); Priscilla M. Cellucci (none).

5. Grandparents: Argeo L. Cellucci (deceased), Rose Cellucci (deceased) and Julian Rose (deceased), Mildred Rose (deceased).

6. Brothers and Spouses: Peter Cellucci (see attachment); Barbara Cellucci (none).

7 Sisters and Spouses: Roseann Canny (see attachment); Brian W. Canny (see attachment).

ATTACHMENT.

Argeo R. Cellucci, Jr. (father).

1997: Republican National Committee, $25; Massachusetts Republican Party, $50; Campaign to re-elect Gladys Beaudette, $25; Committee to Elect Anthony Ranieri, $25; and Westboro Republican Town Committee, $20.

1998: Massachusetts Republican Party, $100; Committee to Elect Anthony Ranieri, $20; The Doug MacLean Committee, $50; Jane Swift Committee, $100; Brad Bailey Committee, $50; Jane Swift Committee, $100; Brad Bailey Committee, $50; Citizens for Peter Torkildsen, $50; Dale Jenkins Committee, $50; Matthew Amorello for Congress, $100; and Jane Swift Committee, $100.

1999: Dick Yurkus Committee, $100; McCain 2000, $25; Massachusetts Republican Party, $25; Jane Swift Committee, $50; Matthew Amorello for Congress, $50; Bush for President, $100; and Massachusetts Republican Party, $50.

2000: Friends of Rudy Giuliani, $100; Republican National Committee, $30; Jane Swift

Committee, $100; Republican National Committee, $25; Massachusetts Republican Party, $100; Republican National Committee, $20; Massachusetts Republican Party, $100; RNC Victory 2000, $100; Rick Lazio 2000, $35; Rick Lazio 2000, $50; RNC Victory 2000, $100; Committee to Re-elect Sue Pope, $50; Republican National Committee, $25; Elmer Eubanks Committee, $50; Massachusetts Republican Party, $100; RNC Victory 2000, $100; Rick Lazio 2000, $100; RNC Victory 2000, $100; and Jane Swift Committee, $100.

Peter Cellucci (brother).

1997: Committee to Elect Clair Schroeder, $20

Roseann Canny (sister).

1997: CONNPIRG, $10 and Cellucci Committee, $100.

1998: Republican Women of Boston, $20; Republican Women of Boston, $35; Republican Women of Boston, $20; Republican Women of Boston, $20; Mass Federation of Republican Women, $25; Republican Women of Massachusetts, $40; Cellucci Committee, $500; Women's Republican Club of Worcester, $13.50; and Swift Committee, $50.

1999: Republican Women of Boston, $35; Cellucci Committee, $500; Gov. G.W. Bush Presidential Exploratory Committee, $1,000; Swift Committee, $30; Swift Committee, $200; Swift Committee, $100; and Massachusetts Republican Party, $50.

2000: Committee to Elect Dottrice McPherson, $35 and Republican Women of Boston, $20.

2001: Swift Committee, $100.

Brian W. Canny (brother-in-law).

1997: COPE (IBEW Political Action Committee), $10.

1998: Re-Elect Tony Guglielmo, $50 and COPE (IBEW Political Action Committee), $20.

1999: COPE (IBEW Political Action Committee), $20.

2000: Connecticut Republicans, $20 and RNC Presidential, $1,000.

Janet Cellucci (wife). (None).

Priscilla Cellucci (sister). (None).

Barbara Cellucci (sister-in-law). (None).

(The above nomination was reported with the recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS:

S. 701. A bill to amend the Internal Revenue Code of 1986 to provide special rules for the charitable deduction for conservation contributions of land by eligible farmers and ranchers, and for other purposes; to the Committee on Finance.

By Mr. ALLEN (for himself, Mr. WARNER, Mr. HELMS, Mr. SPECTER, Mr. BROWNBACK, Mrs. FEINSTEIN, and Mr. HUTCHINSON):

S. 702. A bill for the relief of Gao Zhan; to the Committee on the Judiciary.

By Mr. SMITH of New Hampshire (for himself, Mr. LEAHY, Mr. JEFFORDS, Mr. GREGG, Mr. LIEBERMAN, Mr. DODD, Mr. KENNEDY, and Mr. KERRY):

S. 703. A bill to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and creating the Connecticut River Atlantic Salmon Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. CAMPBELL:

S. 704. A bill to prohibit the cloning of humans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 705. A bill to establish a health information technology grant program for hospitals and for skilled nursing facilities and home health agencies, and to require the Secretary of Health and Human Services to establish and implement a methodology under the medicare program for providing hospitals with reimbursement for costs incurred by such hospitals with respect to information technology systems; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. JEFFORDS, Mr. DASCHLE, Mrs. HUTCHISON, Mr. LEAHY, Mr. REID, Mr. HOLLINGS, Mr. JOHNSON, Mr. SCHUMER, Ms. MIKULSKI, Mrs. MURRAY, Mr. TORRICELLI, Mr. INOUYE, Mr. REED, Mrs. CLINTON, Mr. BINGAMAN, Mr. HARKIN, Mr. SARBANES, Mr. LIEBERMAN, Mr. ROCKEFELLER, Mr. KENNEDY, Mrs. LINCOLN, and Ms. SNOWE):

S. 706. A bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes; to the Committee on Finance.

By Mr. CRAPO:

S. 707. A bill to provide grants for special environmental assistance for the regulation of communities and habitat (''SEARCH grants'') to small communities; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. HARKIN, Mr. CAMPBELL, Mr. DURBIN, Mr. DASCHLE, Mr. ROBERTS, Mr. DAYTON, Mr. CONRAD, Mr. DORGAN, Mr. JOHNSON, Mr. FEINGOLD, Mr. KOHL, Mr. NELSON of Nebraska, Mr. GRASSLEY, Mr. LUGAR, Mr. BOND, Mr. BROWNBACK, Mrs. FEINSTEIN, Mr. AKAKA, Mr. BINGAMAN, Mr. BAUCUS, Mr. BURNS, Mr. CRAIG, Mr. ENZI, Mr. THOMAS, Mrs. LINCOLN, Mr. EDWARDS, Mr. HOLLINGS, Mr. HELMS, Mrs. CLINTON, Mr. CRAPO, Ms. MIKULSKI, Mr. LEAHY, Mr. FITZGERALD, Mr. WYDEN, Mr. ROCKEFELLER, Mr. ALLARD, and Ms. STABENOW):

S. 708. A bill to provide the citizens of the United States and Congress with a report on coordinated actions by Federal agencies to prevent the introduction of foot and mouth disease and bovine spongiform encephalopathy into the United States and other information to assess the economic and public health impacts associated with the potential threats presented by those diseases; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 709. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of Alaska Native Settlement Trusts; to the Committee on Finance.

By Mr. KENNEDY (for himself and Mr. HELMS):

S. 710. A bill to require coverage for colorectal cancer screenings; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 711. A bill to amend the Internal Revenue Code of 1986 to maintain exemption of Alaska from dyeing requirements for exempt diesel fuel and kerosene; to the Committee on Finance.

By Mr. THOMAS:

S. 712. A bill to prohibit commercial air tour operations over Yellowstone National Park and Grand Teton National Park; to the Committee on Commerce, Science, and Transportation.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 713. A bill to amend the Internal Revenue Code of 1986 to provide a charitable deduction for certain expenses incurred in support a Native Alaskan subsistence whaling; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 714. A bill to urge the United States Trade Representative to pursue the establishment of a small business advocate within the World Trade Organization, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS:

S. 715. A bill to designate 7 counties in the State of Montana as High Intensity Drug Trafficking Areas and authorize funding for drug control activities in those areas; to the Committee on the Judiciary.

By Mr. SANTORUM:

S. 716. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agricultural to make grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. McCAIN:

S. 717. A bill to provide educational opportunities for disadvantaged children, and for other purposes; to the Committee on Finance.

By Mr. McCAIN (for himself, Mr. BROWNBACK, and Mr. JEFFORDS):

S. 718. A bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WELLSTONE (for himself, Mr. KERRY, Mrs. CLINTON, and Ms. CANTWELL):

S. 719. A bill to amend Federal election law to provide for clean elections funded by clean money; to the Committee on Rules and Administration.

By Ms. LANDRIEU (for herself and Ms. STABENOW):

S. 720. A bill to amend the Public Health Service Act to provide for awards by the National Institute of Environmental Health Sciences to develop and operate multidisciplinary research centers regarding the impact of environmental factors on women's health and disease prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HUTCHINSON (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ENZI, Mr. BINGAMAN, Mr. ROBERTS, Mr. FRIST, and Ms. COLLINS):

S. 721. A bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST (for himself, Mr. REED, and Mr. LUGAR):

S. 722. 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; to the Committee on Commerce, Science, and Transportation.

By Mr. SPECTER (for himself, Mr. HARKIN, Mr. THURMOND, Mr. CHAFEE, Mr. SMITH of Oregon, Mr. HOLLINGS, Mr. REID, Mrs. MURRAY, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KERRY, and Mr. INOUYE):

S. 723. A bill to amend the Public Health Service Act to provide for human embryonic

stem cell generation and research; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THOMAS (for himself, Mr. KERRY, Mr. WARNER, Mrs. FEINSTEIN, Mr. MURKOWSKI, Mr. BIDEN, Mr. LUGAR, Mr. SMITH of Oregon, Mrs. CLINTON, Mr. BROWNBACK, Mr. BAUCUS, Mr. ROBERTS, Mr. NELSON of Florida, Mr. LIEBERMAN, Mr. KENNEDY, Mr. DODD, Mr. TORRICELLI, Mr. CORZINE, Mr. MCCONNELL, Mr. LEVIN, Mrs. BOXER, Mr. WELLSTONE, Mr. DASCHLE, Mr. ROCKEFELLER, Mrs. CARNAHAN, Mr. CONRAD, Mrs. MURRAY, Mr. THURMOND, Mr. CRAPO, Mr. DORGAN, Mr. BAYH, Mr. CAMPBELL, Ms. CANTWELL, Ms. COLLINS, Mr. EDWARDS, Mr. KOHL, Mr. HUTCHINSON, Mr. FITZGERALD, Mr. INOUYE, Mr. JOHNSON, and Ms. SNOWE):

S. Res. 66. A resolution expressing the sense of the Senate regarding the release of twenty-four United States military personnel currently being detained by the People's Republic of China; to the Committee on Foreign Relations.

By Mr. HELMS (for himself and Mr. EDWARDS):

S. Res. 67. A resolution commending the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Men's Basketball Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 127

At the request of Mr. MCCAIN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 127, a bill to give American companies, American workers, and American ports the opportunity to compete in the United States cruise market.

S. 131

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 145

At the request of Mr. THURMOND, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 145, a bill to amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 170

At the request of Mr. REID, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177

At the request of Mr. AKAKA, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 237

At the request of Mr. HUTCHINSON, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 237, a bill to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits.

S. 255

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 255, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 258

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of annual screening pap smear and screening pelvic exams.

S. 261

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 261, a bill to amend the Public Health Service Act to provide, with respect to research on breast cancer, for the increased involvement of advocates in decisionmaking at the National Cancer Institute.

S. 280

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 280, a bill to amend the Agriculture Marketing Act of 1946 to require retailers of beef, lamb, pork, and perishable agricultural commodities to inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

S. 281

At the request of Mr. HAGEL, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 283

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 283, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue code of 1986 to protect consumers in managed care plans and other health coverage.

S. 284

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 284, a bill to amend the Internal Revenue Code of 1986 to provide incentives to expand health care coverage for individuals.

S. 350

At the request of Mr. CHAFEE, the names of the Senator from Tennessee (Mr. THOMPSON), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. 350, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 403

At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 403, a bill to improve the National Writing Project.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 462

At the request of Mr. KYL, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 462, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to charitable organizations which provide scholarships for children to attend elementary and secondary schools.

S. 503

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 503, a bill to amend the Safe Water Act to provide grants to small public drinking water system.

S. 543

At the request of Mr. DOMENICI, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of

S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 548

At the request of Mr. HARKIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 548, a bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the medicare program, and for other purposes.

S. 572

At the request of Mr. CHAFEE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 572, a bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000.

S. 697

At the request of Mr. BAUCUS, the names of the Senator from Montana (Mr. BURNS) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

S. CON. RES. 8

At the request of Ms. SNOWE, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. RES. 16

At the request of Mr. THURMOND, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Res. 16, a resolution designating August 16, 2001, as ''National Airborne Day''.

S. RES. 44

At the request of Mr. COCHRAN, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. Res. 44, a resolution designating each of March 2001, and March 2002, as ''Arts Education Month''.

AMENDMENT NO. 179

At the request of Mr. KERRY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of Amendment No. 179 intended to be proposed to H. Con. Res. 83, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

AMENDMENT NO. 183

At the request of Mr. KERRY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of Amendment No. 183 intended to be proposed to H. Con. Res. 83, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

AMENDMENT NO. 190

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of Amendment No. 190 proposed to H. Con. Res. 83, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALLEN (for himself, Mr. WARNER, Mr. HELMS, Mr. SPECTER, Mr. BROWNBACK, Mrs. FEINSTEIN, and Mr. HUTCHINSON):

S. 702. A bill for the relief of Gao Zhan; to the Committee on the Judiciary.

Mr. ALLEN. Mr. President, I rise to introduce legislation on behalf of myself, Senators WARNER, HELMS, SPECTER, BROWNBACK, FEINSTEIN and TIM HUTCHINSON. This bill will grant citizenship to a Chinese woman, Gao Zhan, who has been living in Virginia and is a researcher at American University.

Early this year, Gao Zhan, her husband, Dong Hua Xue and their 5-year-old son, Andrew, went to the People's Republic of China to visit the parents of Gao Zhan and Dong Hua. On February 11, 2001, Gao, Dong Hua, and Andrew were detained as they were leaving the People's Republic of China. They were separated, blindfolded and taken incommunicado to unknown locations.

After 26 days of separated detention, Chinese authorities released Dong Hua and Andrew. Dong Hua and Andrew returned to their home in Virginia. Gao Zhan has remained in a Chinese prison. We do not know where she is and no one has been permitted to visit her.

The U.S. Department of State has made over a dozen protests to the government of the People's Republic of China about this matter but the government of the People's Republic of China has refused to permit access to Gao Zhan.

The requirements to become a U.S. citizen are: Establishing residency for five years prior to application; Passing the INS test on U.S. history, government and language; Passing the FBI background investigation; and Taking the oath of renunciation and allegiance.

Gao Zhan and her husband, Dong Hua, have been permanent resident aliens of the United States since September 28, 1993. They filed applications to become citizens on August 3, 1998. Their applications to become citizens were granted on November 24, 1999. The only step that remained before they could become citizens was to take their oath of renunciation and allegiance.

Gao Zhan and Dong Hua had completed the first three of these requirements before they visited the People's Republic of China. Last Friday, March 30, Dong Hua took his oath of renunciation and allegiance.

This legislation would permit Gao Zhan to become a U.S. citizen without her having to take the oath. In addition, the legislation provides that the Attorney General may deliver the certificate indicating that Gao Zhan is a citizen to her husband if it cannot be delivered personally to her.

This bill will be referred to the Subcommittee on Immigration of the Senate Committee on the Judiciary. I have spoken with Senator BROWNBACK, chairman of the Subcommittee, as well as Senator FEINSTEIN ranking member, and Senator HATCH, chairman of the full Committee, and urged them to move this bill as rapidly as possible.

The first step that will be taken by the Subcommittee on Immigration is to request a report on this case from the Immigration and Naturalization Service, INS, which will provide the Subcommittee with a factual record from which to operate. I have been told that this report may take about two weeks to prepare.

When the Deputy Prime Minister of the People's Republic of China visited the United States last month, President Bush raised the issue of Gao Zhan's continued detention and the refusal to permit officials of the U.S. government to visit her.

Secretary of State Colin Powell recently called for the release of Gao Zhan on humanitarian grounds and criticized the People's Republic of China for holding Andrew, Gao Zhan's 5 year old son and a U.S. citizen, without notifying our Embassy in Beijing as required by treaty.

It has been reported that this past Tuesday, the People's Republic of China formally accused Gao Zhan of ''accepting money from a foreign intelligence agency and participating in espionage activities in China.'' If Gao Zhan is tried on this charge, she is likely to be convicted and given a long prison sentence. China tries such security cases in secret and allows little chance for defendants to respond to the charges.

I hope the introduction of this bill and its consideration by the Congress

will improve Gao Zhan's conditions in the People's Republic of China, afford her protections and rights that she doesn't currently have as a permanent resident alien and hopefully lead to her release. I ask unanimous consent that the text 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. 702

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

SECTION 1. NATURALIZATION OF GAO ZHAN.

(a) NATURALIZATION.—Notwithstanding any other provision of law, the Attorney General shall naturalize Gao Zhan as a citizen of the United States, without her being administered the oath of renunciation and allegiance pursuant to section 337(a) of the Immigration and Nationality Act (8 U.S.C. 1448(a)), not later than 5 days after the date of the enactment of this Act.

(b) CERTIFICATE OF NATURALIZATION.—Not later than 5 days after the date of naturalization under paragraph (1), an appropriate official of the United States Government designated by the Attorney General shall deliver to Gao Zhan a certificate of naturalization prepared by the Attorney General. If the Attorney General determines that delivery of the certificate of naturalization cannot be made within the period specified, the Attorney shall furnish the certificate to Gao Zhan's spouse, Xue Donghua, on her behalf.

By Mr. SMITH of New Hampshire (for himself, Mr. LEAHY, Mr. JEFFORDS, Mr. GREGG, Mr. LIEBERMAN, Mr. DODD, Mr. KENNEDY, and Mr. KERRY):

S. 703. A bill to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and creating the Connecticut River Atlantic Salmon Commission, and for other purposes; to the Committee on the Judiciary.

Mr. SMITH of New Hampshire. Mr. President, I rise today to introduce a bill to extend the authorization of the Connecticut River Atlantic Salmon Commission, CRASC, for an additional 20 years.

CRASC is a cooperative effort that includes multiple state and federal agencies, conservation organizations, industry and citizens throughout the Connecticut River basin. It was initially recognized by Congress in 1983. For the past twenty years, the Commission has been working to restore Atlantic salmon and other anadromous fish populations in the Connecticut River watershed.

The Connecticut River basin runs through the states of New Hampshire, Vermont, Massachusetts and Connecticut. The native Atlantic salmon stocks declined through the 18th century, and disappeared from the Connecticut River and its tributaries in the 1800s. Since 1983, CRASC has been successful in reintroducing the Atlantic salmon throughout the watershed.

The success of the CRASC is due to the cooperative nature in which it runs. Without the support of all the stakeholders, the restoration efforts would be slower and more difficult. Restoration efforts include the construction and maintenance of fish passage systems; salmon hatcheries and reintroduction; habitat restoration; research, monitoring and evaluation; and education and public outreach. The health of the salmon population is directly related to the quality of the river, and without these efforts, the two million people who live in the basin would be unable to enjoy the benefits that can be derived from a cleaner, healthier river system.

The legislation that I am introducing does two basic things. First, it reauthorizes the Connecticut River Atlantic Salmon Commission for another twenty years. Second, the bill authorizes $9 million in appropriations to the Secretary of the Interior through 2010 to carry out Atlantic salmon and anadromous fish restoration activities. The U.S. Fish and Wildlife Service provides the Commission with just over half of its annual expenditures; however, the level of funding has not kept pace with needs. This authorization level would provide $5 million a year to federal and state agencies for operations and maintenance needs, and $4 million a year for construction and capital improvement needs for the hatcheries and fish passage systems.

The Connecticut River Atlantic Salmon Commission is the perfect example of federal and state agencies and the public working together to conserve our natural resources. In the past twenty years, this cooperative approach to conservation has resulted in the successful conservation of anadromous fish populations throughout the Connecticut River basin, as well as the improvement in the quality of the river and its tributaries. This kind of effort deserves the continued support of Congress.

By Mr. CAMPBELL:

S. 704. A bill to prohibit the cloning of humans; to the Committee on Health, Education, Labor, and Pensions.

Mr. CAMPBELL. Mr. President, today I am introducing a bill to prohibit the cloning of human beings. This bill, which is similar to the bill I introduced in 1998, would be an outright ban on human cloning, whether publicly or privately funded.

My bill intends to prohibit human reproductive cloning in a comprehensive manner. It includes a ban on the use of human and animal tissues for the purpose of creating a cloned human child. However, this bill does not address the prohibition of embryo cloning, nor does this bill extend to cloning technologies for animals or plants.

Though an executive order in 1997 banned the use of federal money for any project involving the cloning of humans, no law limits such research with private funds. And, though the Food and Drug Administration has declared its authority to regulate human cloning, we have very recently heard testimony before a House subcommittee stating that several research groups are moving ahead in their experiments without such approval.

In addition to the moral dilemma this process presents, a recent Time/CNN poll shows 90 percent of the respondents think it is a bad idea to clone human beings. And, as a nation, we are not alone in rejecting both the notion and the practice of altering creation. There is broad international agreement that the cloning of human beings for reproductive purposes should be prohibited.

I am not a scientist and do not wish to insert myself in the process of scientific research and the advances from that research from which we all benefit. However, when science and technology cross over the boundary of what is ethically and morally appropriate, I believe I have an obligation to respond on behalf of myself and my constituents. Congress, and its law-making authority, is the only mechanism available to assert the will of the American people that human cloning not go forward.

I believe now is the time to enact an immediate ban on such efforts before this research opens doors we will never be able to close.

I urge my colleagues to take swift action to impose a ban on human cloning. In doing so, we must ensure that the prohibition is comprehensive, and covers all possible techniques in this rapidly advancing field. We are all aware of the announced efforts to move forward with human cloning experiments so we must act quickly. I urge my colleagues to work together so we can pass a bill to prevent these and future efforts to clone humans.

I thank the chair and ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 704

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 ''Human Cloning Prohibition Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) HUMAN CLONING PROCEDURE.—The term ''human cloning procedure'' means—

(A) the use of somatic cell nuclear transfer or any other cloning technique for the purpose of initiating or attempting to initiate a human pregnancy;

(B) the implantation of a conceptus, blastocyst, or embryo created through somatic cell nuclear transfer into a mammalian uterus; or

(C) the creation of genetically identical siblings by dividing a conceptus, blastocyst, or embryo for the purpose of initiating or attempting to initiate a human pregnancy.

(2) EGG.—The term ''egg'' means a mature female germ cell of any species.

(3) OOCYTE.—The term ''oocyte'' means an immature female germ cell of any species.

(4) PERSON.—The term ''person'' includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

(5) SOMATIC CELL.—The term ''somatic cell'' means any diploid cell of the human organism, including a cell of a conceptus, embryo, fetus, child, or adult, not existing as a haploid germ cell.

(6) SOMATIC CELL NUCLEAR TRANSFER.—The term ''somatic cell nuclear transfer'' means transferring the nucleus of a human somatic cell into an oocyte or egg from which the nucleus has been removed or rendered inert.

SEC. 3. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—It shall be unlawful for any person to engage in a human cloning procedure.

(b) FEDERAL FUNDS.—No Federal funds may be obligated or expended to conduct or support any research the purpose of which is to engage in a human cloning procedure.

SEC. 4. ENFORCEMENT.

(a) CIVIL PENALTIES.—Any person found to be in violation of section 3 shall be subject to a civil penalty of not more than $10,000,000 for each such violation.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—An individual found to be in violation of section 3 shall not be eligible to receive any Federal funding for any research for a period of 15 years after such violation.

(c) CRIMINAL PENALTY.—Any person who is convicted of violating any provision of section 3 shall be fined according to the provisions of title 18, United States Code, or sentenced to up to 10 years in prison, or both.

By Mr. KERRY (for himself, Mr. JEFFORDS, Mr. DASCHLE, Mrs. HUTCHISON, Mr. LEAHY, Mr. REID, Mr. HOLLINGS, Mr. JOHNSON, Mr. SCHUMER, Ms. MIKULSKI, Mrs. MURRAY, Mr. TORRICELLI, Mr. INOUYE, Mr. REED, Mrs. CLINTON, Mr. BINGAMAN, Mr. HARKIN, Mr. SARBANES, Mr. LIEBERMAN, Mr. ROCKEFELLER, Mr. KENNEDY, Mrs. LINCOLN, and Ms. SNOWE.

S. 706. A bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, I am pleased to join my colleague Senator JEFFORDS in introducing the Nurse Reinvestment Act. This legislation will increase the number of nurses in our country, and also ensure that every nurse in the field has the skills he or she needs to provide the quality care patients deserve.

We are in the midst of a serious nursing workforce shortage. Every type of community, urban, suburban and rural, is touched by it. No sector of our health care system is immune to it. Across the country, hospitals, nursing homes, home health care agencies and hospices are struggling to find nurses to care for their patients. Patients in search of care have been denied admission to facilities and told that there were ''no beds'' for them. Often there are beds, just not the nurses to care for the patients who would occupy them.

Our Nation has suffered from nursing shortages in the past. However, this shortage is particularly severe because we are losing nurses at both ends of the pipeline. Over the past five years, enrollment in entry-level nursing programs has declined by 20 percent. Lured to the lucrative jobs of the new economy, high school graduates are not pursuing careers in nursing in the numbers they once had. Consequently, nurses under the age of 30 represent only 10 percent of the current workforce. By 2010, 40 percent of the nursing workforce will be over the age of 50, and nearing retirement. If these trends are not reversed, we stand to lose vast numbers of nurses at the same time that they will be needed to care for the millions of baby boomers enrolling in Medicare.

The Nurse Reinvestment Act will support the recruitment of new students into our nation's nursing programs. The bill will fund national and local public service announcements to enhance the profile of the nursing profession and encourage students to commit to a career in nursing. Our legislation will also expand school-to-career partnerships between health care facilities, nursing colleges, middle schools and high schools to show our youth the value of a nursing degree.

Our legislation will ensure that barriers to higher education do not dissuade Americans who are interested in nursing from pursuing a degree in the field. The Nurse Reinvestment Act will support remedial education for students who need help getting-up to speed on math, science and medical English. Our legislation will also ensure that there is support for single moms and dads with children who need a hand in daycare or a lift in getting to their classroom because they are without transportation.

In addition to recruiting new nurses, our legislation will reinvest in nurses who are already practicing by providing them with education and training at every step of the career ladder and at every health care facility in which they work. It will ensure that nurses can obtain advanced degrees, from a B.S. in Nursing to a PhD in Nursing. It will enable nurses to access the specialty training they require to learn how to treat a specific disease or utilize a new piece of technology. Our bill will also help colleges and universities develop curriculum in gerontology and long-term care so that nursing students can pursue concentrations, minors and majors in this growing field of health care and be ready to apply their knowledge to the current and future senior population.

To assist institutions in providing advanced education and training for nurses across the career ladder, our bill will strengthen the partnerships between colleges of nursing and health care facilities. Grants will be available to support such initiatives as the teaching of a courses in gerontology in the conference rooms of a hospital or nursing home. Grants will also support the use of distance learning technology to extend education and training to rural areas, and specialty education and training to all areas.

The Nurse Reinvestment Act will authorize, for the first time in history, a National Nurse Service Corps. Separate from, though modeled after, the National Health Service Corps, the NNSC will administer scholarships to students who commit to working in a health care facility that is experiencing a shortage of nurses. In urban, suburban and rural communities across the country, where facilities turn away patients due to staff shortages, the NNSC will send qualified nurses to serve and provide the care that patients deserve.

Our legislation will place nursing students in hospital-based programs on equal footing with medical students by enabling those nurses to obtain training in community health centers, federally qualified health centers and rural health clinics. To support nurse education and training in non-hospital-based programs, which are not eligible to bill Medicare for their training expenses, our bill establishes a Dedicated Fund for Clinical Nurse Education. Home health care agencies and hospices would be able to draw from the fund to establish new or upgrade old training programs. Finally, the Nurse Reinvestment Act will reauthorize the 1987 Omnibus Budget Reconciliation Act's enhanced federal Medicaid match for clinical nurse education and training in nursing homes. Under our bill, states will be eligible to receive an enhanced federal match of 90 percent for the costs of nurse education and training in nursing homes.

Our country boasts the best health care system in the world. But, that health care system is being jeopardized by the shortage plaguing our nursing workforce. Indeed, state-of-the-art medical facilities are of no use if their beds go unfilled and their floors remain empty because the nurses needed to staff them are not available. The Nurse Reinvestment Act not only seeks to increase the numbers of new nurses in our country, but also ensures that all nurses have the skills they need to provide the high quality care that makes our health care system the best in the world.

Mr. JEFFORDS. Mr. President, in response to the nursing shortage, I am joining Senators KERRY, HUTCHINSON, DASCHLE, and other in introducing the Nurse Reinvestment Act. Our legislation increases the number of qualified individuals entering the nursing profession and provides them with the skills they need to provide care in the twenty-first century.

We are facing a looming crisis. There is a need to encourage more dedicated Americans to enter the profession, and to support them once they are there. All facets of the health care system will have a role to play in ensuring a strong nursing workforce. Nurses, physicians, hospitals, nursing homes, academia, community organizations and state and federal governments all must accept responsibility and work towards a solution.

Yet, the size of our nursing workforce is remaining stagnant, while its average age is increasing rapidly. In 1980, 53 percent of all nurses were under the age of 40. In 2000 that percentage dropped to 32 percent. In Vermont the numbers are even lower, where only 28 percent of nurses are under the age of 40.

The major medical advances of the nineteenth century were in the area of public health. The world population growing exponentially as we expanded access to clean water, sanitary environments, and immunization. Later, driven by numerous wars, the twentieth century saw advances in surgery and clinical care for specific conditions. Likewise, pharmaceutical therapies have improved our ability to cure or manage hundreds of diseases and conditions. All of these developments mean that more of us are living, and we are living longer.

This leads us to the twenty-first century, where I believe we will face the challenge of providing quality long-term care to the very elderly and the chronically ill. We know the population of people over the age of 85 is growing and we know the ''Baby-boom'' generation is approaching retirement. Much of the care for this population will need to be provided by a skilled nursing workforce.

I would now like to enumerate some of the ways in which the Nurse Reinvestment Act expands and improves the federal government's support of ''pipeline'' programs which maintain a strong talent pool and develop a workforce that can address the increasingly diverse needs of America's population.

First and foremost, our legislation creates a National Nursing Service Corps that provides scholarships to nursing schools in exchange for a commitment to serve two years in a health facility determined to have a critical shortage of nurses. We have developed this scholarship program to mirror the current Nursing Loan Repayment Program, and we specify that these nursing scholarships shall be qualified as non-taxable income.

The Act authorizes two new grant programs under the Health Resources and Service Administration's Division of Nursing. The first program, Initiatives to Combat Nursing Shortages, develops national, state, and local public service announcements to enhance the profile of nursing. It conducts outreach at primary and secondary schools, and provides appropriate student support services to individuals from disadvantaged backgrounds.

The second grant program, Initiatives to Strengthen the Nursing Workforce, provides financial incentives for the pursuit of additional education across the nursing career ladder. It also helps schools develop curriculums in gerontology, and establishes distance learning partnerships between schools and providers to improve access to care in underserved communities. Such measures recognize the changes in the delivery of care that nurses will face in the coming decades.

Finally, the Nurse Reinvestment Act expands and adjusts the Medicare payments for clinical nurse education to reimburse qualified hospitals for the costs of training nurses in hospital-affiliated provider sites, such as federally qualified community health centers, rural health clinics, nursing homes, home health care agencies and hospices. Nurses will therefore be able to receive their clinical training in the settings in which they are increasingly likely to practice.

I am aware that there is other legislation being introduced today that addresses the nursing shortage. I applaud that action. I believe the numerous nursing bills demonstrate the deep congressional interest in reducing the nursing shortage, and the broad choice of policy proposals available. This is an issue that rises above partisanship and I anticipate that we will be able to work together to produce the very best policy.

Adequate health care services cannot survive any further diminishing of the nursing workforce. All patients depend on the professional care of nurses, and we must make sure it will be there for them. Once again, I want to thank all my fellow cosponsors, and I urge my colleagues to support the Nurse Reinvestment Act.

By Mr. CRAPO:

S. 707. A bill to provide grants for special environmental assistance for the regulation of communities and habitat (''SEARCH grants'') to small communities; to the Committee on Environment and Public Works.

Mr. CRAPO. Mr. President, I rise today to introduce legislation to authorize a national environmental grants program for small communities called Project SEARCH.

I am particularly excited about the proposal because with each passing month, I have been hearing from new interested partners in helping with the legislation or have seen similar concepts advanced by others. Because of our mutual interest in helping small communities respond to environmental problems, I invite my colleagues to join me in supporting this measure.

The national Project SEARCH, Special Environmental Assistance for the Regulation of Communities and Habitat, concept is based on a pilot program that operated with great success in Idaho in 1999 and 2000. In short, the bill establishes a simplified application process for communities with populations under 2,500 to receive assistance grants for meeting a broad array of federal, state, or local environmental regulations. Grants would be available for initial feasibility studies, to address unanticipated costs arising during the course of a project, or when a community has been turned down or underfunded by traditional sources. The program would require no match from the recipients.

Some of the major highlights of the program are: A simplified application process—no special grants coordinators required; No unsolicited bureaucratic intrusions into the decision-making process; Communities must first have attempted to receive funds from traditional sources; It is open to studies or projects involving any environmental regulation; Applications are reviewed and approved by citizens panel of volunteers; The panel chooses the number of recipients and size of grants; The panel consists of volunteers representing all regions of the state; and No local match is required to receive the SEARCH funds.

Over the past several years, it has become increasing apparent that small communities are having problems complying with environmental rules and regulations due primarily to lack of funding, not a willingness to do so. They, like all of us, want clean water and air and a healthy natural environment. Sometimes, they simply cannot shoulder the financial burden with their limited resources.

In addition, small communities wishing to pursue unique collaborative efforts might be discouraged by grant administrators who prefer conformity. Some run into unexpected costs during a project and have borrowed and bonded to the maximum. Others are in critical habitat locations and any project may have additional costs, which may not be recognized by traditional financial sources. Still others just need help for the initial environmental feasibility study so they can identify the most effective path forward.

With these needs in mind, in 1998, I was able to secure $1.3 million through the Environmental Protection Agency, EPA, for a grant program for Idaho's small communities. Idaho's program does not replace other funding sources, but serves as a final resort when all other means have been exhausted.

The application process was simplified so that any small town mayor, county commissioner, sewer district chairman, or community leader could manage it without hiring a professional grant writer. An independent citizens committee with statewide representation was established to make the selections and get the funds on the ground as quickly as possible. No bureaucratic or political intrusions were permitted.

Although the EPA subsequently insisted that grants be limited to water and wastewater projects, forty-four communities in Idaho ultimately applied, not including two that failed to meet the eligibility requirements. Ultimately, twenty-one communities were awarded grants in several categories, and ranged in size from $9,000 to $319,000. Communities serving Native Americans and migrants, as well as several innovative collaborative efforts were included in the successful applicants. The communities that were not selected are being given assistance in exploring other funding sources and other advice.

The response and feedback from all participants has been overwhelmingly positive. Environmental officials from the state and EPA who witnessed the process have stated that the process worked well and was able to accomplish much on a volunteer basis. There was even extraordinary appreciation from other funding agencies because some communities they were not able to reach were provided funds for feasibility studies. The only negative comments were from those who wished that the EPA had not limited the program to water and wastewater projects.

The conclusion of all participants was that Project SEARCH is a program worthy of being expanded nationally. So many small communities in so many states can benefit from a program that assists underserved and often overlooked communities. This legislation provides us the opportunity to help small communities throughout the United States.

I have been encouraged by statements from regulatory officials at the federal, state, and local level that have identified small communities as particularly in need of assistance in this area. Environmental organizations have also made favorable remarks about the importance of assisting small communities with the compliance costs of environmental regulations. Finally, I should also note that organizations representing small towns and rural areas recognize this long overlooked problem.

I invite my colleague to take this opportunity to assist small communities in each of their states. Although the grant program provided for in this bill is not large in comparison to other things the federal government funds, these resources could be put to good and effective use, as Idaho has proven. Moreover, I will remind everyone that nowhere does this measure contemplate a change in environmental regulations or standards. This is simply about relief for small communities that would not otherwise be able to serve the public interest or the environment.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 709. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of Alaska Native Settlement Trusts; to the Committee on Finance.

Mr. MURKOWSKI. Mr. President, I am pleased to be joined by Senator STEVENS in introducing legislation that will allow Alaska Native Corporations to establish settlement trusts designed to promote the health, education, welfare and cultural heritage of Alaska Natives.

Mr. President, in 1987, the Alaska Native Claims Settlement Act was amended to permit Native Corporations to establish settlement trusts to hold lands and investments for the benefit of current and future generations of Alaska Natives. Assets in these trusts are insulated from business exposure and risks and can be invested to provide distributions of income to Native shareholders and their future generations.

Although the 1987 amendments were designed to facilitate the development of settlement trusts, many Native Corporations have been stymied in their efforts because the tax law, in many cases, imposes onerous penalties on the Native shareholders when the trusts are created. For example, when assets are transferred to the trust, they are treated as a de facto distribution of assets directly to the shareholders themselves to the extent of the corporation's earnings and profits.

Even though the current shareholders receive no actual income at the time of the transfer into the trust, they are liable for income taxes as if they received an actual distribution. This not only requires the shareholder to come up with money to pay taxes on a distribution he or she never received, but also can result in a situation where a trust fund beneficiary is required to prepay taxes on his share of the entire trust corpus, which may be substantially more in taxes than the amount of cash benefits he or she will actually receive in the future.

Our legislation remedies this inequity by allowing an Alaska Native Corporation to transfer property to an electing trust without tax to the beneficiaries. Electing trusts would annually pay tax on their and future distributions to beneficiaries would be taxable only to the extent such distributions exceeded the taxable income of the trust in that year and all prior years for which an election was in effect.

Alaska Native Corporations are unique entities. Unlike Native American tribes in the lower 48, Alaska Native corporations are subject to income tax. But unlike ordinary C corporations, Alaska Native corporations have diverse purposes, one of which is to preserve and protect the heritage of the Native shareholders. The settlement trust concept is well suited to the special needs of Alaska's Natives. As the Conference Committee Report to ANSCA amendments of 1987 stated:

''Trust distributions may be used to fight poverty, provide food, shelter and clothing and served comparable economic welfare purposes. Additionally, cash distributions of trust income may be made on an across-the-board basis to the beneficiary population as part of the economic welfare function.''

Settlement trusts will ensure that for generations to come, Native Alaskans will have a steady stream of income on which to continue building an economic base. The current tax rules discourage the creation of such trusts with the result that Native corporations are under extreme pressure to distribute all current earnings rather than prudently reinvesting for the future.

It is my hope that we will be able to see this legislation adopted into law this year. For the long-term benefit of Alaska Natives, this tax law change is fundamentally necessary.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 709

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 ''Alaska Native Settlement Trust Tax Fairness Act of 2001''.

SEC. 2. TAX TREATMENT AND INFORMATION REQUIREMENTS OF ALASKA NATIVE SETTLEMENT TRUSTS.

(a) TREATMENT OF ALASKA NATIVE SETTLEMENT TRUSTS.—Subpart A of part I of subchapter J of chapter 1 of the Internal Revenue Code of 1986 (relating to general rules for taxation of trusts and estates) is amended by adding at the end the following new section:

''SEC. 646. TAX TREATMENT OF ALASKA NATIVE SETTLEMENT TRUSTS.

''(a) IN GENERAL.—Except as otherwise provided in this section, the provisions of this subchapter and section 1(e) shall apply to all Settlement Trusts.

''(b) TAXATION OF INCOME OF TRUST.—Except as provided in subsection (f)(1)(B)(ii)—

''(1) IN GENERAL.—There is hereby imposed on the taxable income of an electing Settlement Trust, other than its net capital gain, a tax at the lowest rate specified in section 1.

''(2) CAPITAL GAIN.—In the case of an electing Settlement Trust with a net capital gain for the taxable year, a tax is hereby imposed on such gain at the rate of tax which would apply to such gain if the taxpayer were subject to a tax on its other taxable income at only the lowest rate specified in section 1.

''(c) ONE-TIME ELECTION.—

''(1) IN GENERAL.—A Settlement Trust may elect to have the provisions of this section apply to the trust and its beneficiaries.

''(2) TIME AND METHOD OF ELECTION.—An election under paragraph (1) shall be made by the trustee of such trust—

''(A) on or before the due date (including extensions) for filing the Settlement Trust's return of tax for the first taxable year of such trust ending after the date of the enactment of this section, and

''(B) by attaching to such return of tax a statement specifically providing for such election.

''(3) PERIOD ELECTION IN EFFECT.—Except as provided in subsection (f), an election under this subsection—

''(A) shall apply to the first taxable year described in paragraph (2)(A) and all subsequent taxable years, and

''(B) may not be revoked once it is made.

''(d) CONTRIBUTIONS TO TRUST.—

''(1) BENEFICIARIES OF ELECTING TRUST NOT TAXED ON CONTRIBUTIONS.—In the case of an electing Settlement Trust, no amount shall be includible in the gross income of a beneficiary of such trust by reason of a contribution to such trust.

''(2) EARNINGS AND PROFITS.—The earnings and profits of the sponsoring Native Corporation shall not be reduced on account of any contribution to such Settlement Trust:

''(e) TAX TREATMENT OF DISTRIBUTIONS TO BENEFICIARIES.—Amounts distributed by an electing Settlement Trust during any taxable year shall be considered as having the following characteristics in the hands of the recipient beneficiary:

''(1) First, as amounts excludable from gross income for the taxable year to the extent of the taxable income of such trust for such taxable year (decreased by any income tax paid by the trust with respect to the income) plus any amount excluded from gross income of the trust under section 103.

''(2) Second, as amounts excludable from gross income to the extent of the amount described in paragraph (1) for all taxable years for which an election is in effect under subsection (c) with respect to the trust, and not previously taken into account under paragraph (1).

''(3) Third, as amounts distributed by the sponsoring Native Corporation with respect to its stock (within the meaning of section 301(a)) during such taxable year and taxable to the recipient beneficiary as amounts described in section 301(c)(1), to the extent of current accumulated earnings and profits of the sponsoring Native Corporation as of the close of such taxable year after proper adjustment is made for all distributions made by the sponsoring Native Corporation during such taxable year.

''(4) Fourth, as amounts distributed by the trust in excess of the distributable net income of such trust for such taxable year.

Amounts distributed to which paragraph (3) applies shall not be treated as a corporate distribution subject to section 311(b), and for purposes of determining the amount of a distribution for purposes of paragraph (3) and the basis to the recipients, section 643(e) and not section 301(b) or (d) shall apply.

''(f) SPECIAL RULES WHERE TRANSFER RESTRICTIONS MODIFIED.—

''(1) TRANSFER OF BENEFICIAL INTERESTS.—If, at any time, a beneficial interest in an electing Settlement Trust may be disposed of to a person in a manner which would not be permitted by section 7(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(h)) if such interest were Settlement Common Stock—

''(A) no election may be made under subsection (c) with respect to such trust, and

''(B) if such an election is in effect as of such time—

''(i) such election shall cease to apply as of the first day of the taxable year in which such disposition is first permitted,

''(ii) the provisions of this section shall not apply to such trust for such taxable year and all taxable years thereafter, and

''(iii) the distributable net income of such trust shall be increased by the current and accumulated earnings and profits of the sponsoring Native Corporation as of the close of such taxable year after proper adjustment is made for all distributions made by the sponsoring Native Corporation during such taxable year.

In no event shall the increase under clause (iii) exceed the fair market value of the trust's assets as of the date the beneficial interest of the trust first becomes so disposable. The earnings and profits of the sponsoring Native Corporation shall be adjusted as of the last day of such taxable year by the amount of earnings and profits so included in the distributable net income of the trust.

''(2) STOCK IN CORPORATION.—If—

''(A) the Settlement Common Stock in the sponsoring Native Corporation may be disposed of to a person in any manner not permitted by section 7(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(h)), and

''(B) at any time after such disposition of stock is first permitted, such corporation transfers assets to a Settlement Trust,

paragraph (1)(B) shall be applied to such trust on and after the date of the transfer in the same manner as if the trust permitted dispositions of beneficial interests in the trust in a manner not permitted by such section 7(h).

''(3) CERTAIN DISTRIBUTIONS.—For purposes of this section, the surrender of an interest in a Native Corporation or an electing Settlement Trust in order to accomplish the whole or partial redemption of the interest of a shareholder or beneficiary in such corporation or trust, or to accomplish the whole or partial liquidation of such corporation or trust, shall be deemed to be a transfer permitted by section 7(h) of the Alaska Native Claims Settlement Act.

''(g) TAXABLE INCOME.—For purposes of this title, the taxable income of an electing Settlement Trust shall be determined under section 641(b) without regard to any deduction under section 651 or 661.

''(h) DEFINITIONS.—For purposes of this section—

''(1) ELECTING SETTLEMENT TRUST.—The term 'electing Settlement Trust' means a Settlement Trust which has made the election, effective for a taxable year, described in subsection (c).

''(2) NATIVE CORPORATION.—The term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

''(3) SETTLEMENT COMMON STOCK.—The term 'Settlement Common Stock' has the meaning given such term by section 3(p) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(p)).

''(4) SETTLEMENT TRUST.—The term 'Settlement Trust' means a trust that constitutes a settlement trust under section 3(t) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(t)).

''(5) SPONSORING NATIVE CORPORATION.—The term 'sponsoring Native Corporation' means the Native Corporation which transfers assets to an electing Settlement Trust.

''(i) SPECIAL LOSS DISALLOWANCE RULE.—Any loss that would otherwise be recognized by a shareholder upon a disposition of a share of stock of a sponsoring Native Corporation shall be reduced (but not below zero) by the per share loss adjustment factor. The per share loss adjustment factor shall be the aggregate of all contributions to all electing Settlement Trusts sponsored by such Native Corporation made on or after the first day each trust is treated as an electing Settlement Trust expressed on a per share basis and determined as of the day of each such contribution.

''(j) CROSS REFERENCE.—

"For information required with respect to electing Settlement Trusts and sponsoring Native Corporations, see section 6039H.".

(b) REPORTING.—Subpart A of part III of subchapter A of chapter 61 of subtitle F of such Code (relating to information concerning persons subject to special provisions) is amended by inserting after section 6039G the following new section:

"SEC. 6039H. INFORMATION WITH RESPECT TO ALASKA NATIVE SETTLEMENT TRUSTS AND SPONSORING NATIVE CORPORATIONS.

''(a) REQUIREMENT.—The fiduciary of an electing Settlement Trust (as defined in section 646(h)(1)) shall include with the return of income of the trust a statement containing the information required under subsection (c).

''(b) APPLICATION WITH OTHER REQUIREMENTS.—The filing of any statement under this section shall be in lieu of the reporting requirements under section 6034A to furnish any statement to a beneficiary regarding amounts distributed to such beneficiary (and such other reporting rules as the Secretary deems appropriate).

''(c) REQUIRED INFORMATION.—The information required under this subsection shall include—

''(1) the amount of distributions made during the taxable year to each beneficiary,

''(2) the treatment of such distribution under the applicable provision of section 646, including the amount that is excludable from the recipient beneficiary's gross income under section 646, and

''(3) the amount (if any) of any distribution during such year that is deemed to have been made by the sponsoring Native Corporation (as defined in section 646(h)(5)).

''(d) SPONSORING NATIVE CORPORATION.—

''(1) IN GENERAL.—The electing Settlement Trust shall, on or before the date on which the statement under subsection (a) is required to be filed, furnish such statement to the sponsoring Native Corporation (as so defined).

''(2) DISTRIBUTEES.—The sponsoring Native Corporation shall furnish each recipient of a distribution described in section 646(e)(3) a statement containing the amount deemed to have been distributed to such recipient by such corporation for the taxable year.''.

(c) CLERICAL AMENDMENT.—

(1) The table of sections for subpart A of part I of subchapter J of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 646. Tax treatment of Alaska Native Settlement Trusts.''.

(2) The table of sections for subpart A of part III of subchapter A of chapter 61 of subtitle F of such Code is amended by inserting after the item relating to section 6039G the following new item:

''Sec. 6039H. Information with respect to Alaska Native Settlement Trusts and sponsoring Native Corporations.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act and to contributions made to electing Settlement Trusts for such year or any subsequent year.

By Mr. KENNEDY (for himself and Mr. HELMS):

S. 710. A bill to require coverage for colorectal cancer screenings; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today, I am introducing the ''Eliminate Colorectal Cancer Act of 2001''. I am pleased to have my colleague, Senator HELMS, as the leading co-sponsor of this important legislation.

Colorectal cancer is the second leading cause of cancer deaths among men and women in America. Over 50,000 Americans will die of this disease this year alone.

The good news on colorectal cancer is that if it is detected early, we can dramatically improve the chance of survival. We have tried and true screening techniques that can not only discover this cancer early, but can prevent this disease by finding and eliminating growths before they become cancerous.

The tragedy is that too often Americans do not get these lifesaving screenings. Today, only one-third of those at-risk for colorectal cancer are screened—and screening rates for minorities and women are even lower. All Americans age 50 and over should be screened for this disease, and there are many at increased risk who may need to start screening even earlier.

Some are simply not aware they should be screened and others cannot afford to get this lifesaving test. We must work together for the day when no American is denied access to these lifesaving screening procedures simply because their health insurance company would not foot the bill.

Medicare offers this important benefit. Now it's time that every American has that same assurance.

That is why this week we are introducing ''The Eliminate Colorectal Cancer Act of 2001'', bipartisan legislation that will ensure that all health insurance covers screening procedures that can discover colorectal cancer in its earliest and most treatable stages.

I am pleased that Representative SLAUGHTER and Representative MORELLA are offering a similar bipartisan bill in the House, and I express my appreciation of so many from the cancer community on this legislation over the past couple of years.

In this case, an ounce of prevention brings a lifesaving cure that could save tens of thousands of lives this year.

I ask unanimous consent that the text of the ''Eliminate Colorectal Cancer Act of 2001'' be printed in the RECORD with a bill summary.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

S. 710

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

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Eliminate Colorectal Cancer Act of 2001''.

(b) FINDINGS.—The Congress finds the following:

(1) Colorectal cancer is the second leading cause of cancer deaths in the United States for men and women combined.

(2) It is estimated that in 2001, 135,400 new cases of colorectal cancer will be diagnosed in men and women in the United States.

(3) Colorectal cancer is expected to kill 56,700 individuals in the United States in 2001.

(4) The adoption of a healthy lifestyle at a young age can significantly reduce the risk of developing colorectal cancer.

(5) Appropriate screenings and regular tests, can save large numbers of lives by leading to earlier identification of colorectal cancer.

(6) The Centers for Disease Control and Prevention, the Health Care Financing Administration, and the National Cancer Institute have initiated the Screen for Life Campaign targeted to individuals age 50 and older to spread the message of the importance of colorectal cancer screening tests.

(7) Education helps to inform the public of symptoms for the early detection of colorectal cancer and methods of prevention.

SEC. 2. COVERAGE FOR COLORECTAL CANCER SCREENING.

(a) GROUP HEALTH PLANS.—

(1) PUBLIC HEALTH SERVICE ACT AMENDMENTS.—

(A) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–4 et seq.) is amended by adding at the end the following:

''SEC. 2707. COVERAGE FOR COLORECTAL CANCER SCREENING.

''(a) COVERAGE FOR COLORECTAL CANCER SCREENING.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, shall provide coverage for colorectal cancer screening at regular intervals to—

''(A) any participant or beneficiary age 50 or over; and

''(B) any participant or beneficiary under the age of 50 who is at a high risk for colorectal cancer, or who may have symptoms or circumstances that indicate a need for colorectal cancer screening.

''(2) DEFINITION OF HIGH RISK.—For purposes of subsection (a)(1)(B), the term 'high risk for colorectal cancer' has the meaning given such term in section 1861(pp)(2) of the Social Security Act (42 U.S.C. 1395x(pp)(2)).

''(3) METHOD OF SCREENING.—The group health plan or health insurance issuer shall cover the method and frequency of colorectal cancer screening deemed appropriate by a health care provider treating such participant or beneficiary, in consultation with the participant or beneficiary. Such coverage shall include the procedures in section 1861(pp)(1) of the Social Security Act (42 U.S.C. 1395x(pp)(1)) and section 4104(a)(2) of the Balanced Budget Act of 1997.

''(b) NOTICE.—A group health plan under this part shall comply with the notice requirement under section 714(b) of the Employee Retirement Income Security Act of 1974 with respect to the requirements of this section as if such section applied to such plan.

''(c) NON-PREEMPTION OF MORE PROTECTIVE STATE LAW WITH RESPECT TO HEALTH INSURANCE ISSUERS.—This section shall not be construed to supersede any provision of State law which establishes, implements, or continues in effect any standard or requirement solely relating to health insurance issuers in connection with group health insurance coverage that provides greater protections to participants and beneficiaries than the protections provided under this section.''.

(B) TECHNICAL AMENDMENT.—Section 2723(c) of the Public Health Service Act (42 U.S.C. 300gg–23(c)) is amended by striking ''section 2704'' and inserting ''sections 2704 and 2707''.

(2) ERISA AMENDMENTS.—

(A) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following new section:

''SEC. 714. COVERAGE FOR COLORECTAL CANCER SCREENING.

''(a) COVERAGE FOR COLORECTAL CANCER SCREENING.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, shall provide coverage for colorectal cancer screening at regular intervals to—

''(A) any participant or beneficiary age 50 or over; and

''(B) any participant or beneficiary under the age of 50 who is at a high risk for colorectal cancer, or who may have symptoms or circumstances that indicate a need for colorectal cancer screening.

''(2) DEFINITION OF HIGH RISK.—For purposes of subsection (a)(1)(B), the term 'high risk for colorectal cancer' has the meaning given such term in section 1861(pp)(2) of the Social Security Act (42 U.S.C. 1395x(pp)(2)).

''(3) METHOD OF SCREENING.—The group health plan or health insurance issuer shall cover the method and frequency of colorectal cancer screening deemed appropriate by a health care provider treating such participant or beneficiary, in consultation with the participant or beneficiary. Such coverage shall include the procedures in section 1861(pp)(1) of the Social Security Act (42 U.S.C. 1395x(pp)(1)) and section 4104(a)(2) of the Balanced Budget Act of 1997.

''(b) NOTICE UNDER GROUP HEALTH PLAN.—The imposition of the requirements of this section shall be treated as a material modification in the terms of the plan described in section 102(a), for purposes of assuring notice of such requirements under the plan; except that the summary description required to be provided under the third to last sentence of section 104(b)(1) with respect to such modification shall be provided by not later than 60 days after the first day of the first plan year in which such requirements apply.''.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 731(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191(c)) is amended by striking ''section 711'' and inserting ''sections 711 and 714''.

(ii) Section 732(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191a(a)) is amended by striking ''section 711'' and inserting ''sections 711 and 714''.

(iii) The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 713 the following new item:

''Sec. 714. Coverage for colorectal cancer screening.''.

(b) INDIVIDUAL HEALTH INSURANCE.—

(1) IN GENERAL.—Part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–41 et seq.) is amended by inserting after section 2752 the following new section:

''SEC. 2753. COVERAGE FOR COLORECTAL CANCER SCREENING.

''(a) IN GENERAL.—The provisions of section 2707(a) shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as it applies to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.

''(b) NOTICE.—A health insurance issuer under this part shall comply with the notice requirement under section 714(b) of the Employee Retirement Income Security Act of 1974 with respect to the requirements referred to in subsection (a) as if such section applied to such issuer and such issuer were a group health plan.''.

(2) TECHNICAL AMENDMENT.—Section 2762(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–62(b)(2)) is amended by striking ''section 2751'' and inserting ''sections 2751 and 2753''.

(c) EFFECTIVE DATES.—

(1) GROUP HEALTH PLANS.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by subsection (a) shall apply with respect to group health plans for plan years beginning on or after January 1, 2002.

(B) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by subsection (a) shall not apply to plan years beginning before the later of—

(i) the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act), or

(ii) January 1, 2002.

For purposes of clause (i), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by subsection (a) shall not be treated as a termination of such collective bargaining agreement.

(2) INDIVIDUAL HEALTH INSURANCE.—The amendments made by subsection (b) shall

apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after January 1, 2002.

(d) COORDINATED REGULATIONS.—The Secretary of Labor and the Secretary of Health and Human Services shall ensure, through the execution of an interagency memorandum of understanding among such Secretaries, that—

(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which both Secretaries have responsibility under the provisions of this section (and the amendments made thereby) are administered so as to have the same effect at all times; and

(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.

ELIMINATE COLORECTAL CANCER ACT OF 2001

ENDORSEMENTS AND BILL SUMMARY

Colorectal cancer is the second leading cause of cancer deaths among men and women. Each year, more than 56,000 Americans die from this devastating disease, yet colorectal cancer can be easily prevented or treated when it is diagnosed early through regular, appropriate screening tests. Unfortunately, only one-third of the at-risk United States population is currently screened for colorectal cancer. In the Balanced Budget Act of 1997, Congress acted to encourage more screening by creating a new colorectal cancer screening benefit for Medicare beneficiaries. We believe the time has come for persons under age 65.

The Eliminate Colorectal Cancer Act of 2001 would require all health insurance plans to cover colorectal cancer screening for all patients age 50 and over and for others who have significant risk factors for the disease. The screening method and frequency of the test would be based on the patient's medical condition and decided by the treating physician, in consultation with the patient. Methods covered under the Act are those that are available under Medicare.

As colorectal cancer survivors in every state will attest, early detection and treatment are essential to winning this battle. More than 90 percent of people whose colorectal cancer is detected and treated early are able to resume active and productive lives.

This legislation is strongly supported by these and many other leading organizations:

American Cancer Society, American Gastroenterological Association, Cancer Research Foundation of America, American Association for Clinical Chemistry, Digestive Disease National Coalition, Association of Community Cancer Centers, American Association of Homes and Services for the Aging, American College of Gastroenterology, American Society for Gastrointestinal Endoscopy, Colon Cancer Alliance, Hereditary Colon Cancer Association, Crohn's and Colitis Foundation of America, Men's Health Network, Cancercare, Society for Gastroenterological Nurses and Associates.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 711. A bill to amend the Internal Revenue Code of 1986 to maintain exemption of Alaska from dyeing requirements for exempt diesel fuel and kerosene; to the Committee on Finance.

Mr. MURKOWSKI. Mr. President, today I am joined by Senator TED STEVENS in introducing legislation that would clarify a provision in the tax code that exempts the State of Alaska from the IRS diesel dyeing rules.

The Small Business Job Protection Act of 1996 included a provision that exempted Alaska from the diesel dyeing requirements during the period the state was exempted from the Clean Air Act low sulfur diesel dyeing rules. For various reasons, it was believed at the time that Alaska would ultimately be permanently exempted from the Clean Air Act rules. However, technological changes suggest that Alaska may in the next few years lose its exemption from the low sulfur rules.

However, in our view, whether Alaska is exempted from the low sulfur rules, it is imperative that Alaska be permanently exempted from the IRS diesel dyeing rules. That is what our bill does.

Today, more than 95 percent of all diesel fuel used in Alaska is exempt from tax because it is used for heating, power generation, or in commercial fishing boats. Under the diesel dyeing rules in place in 49 states, exempt diesel must be dyed. If these diesel dyeing rules were applied to Alaska, refiners would have to buy huge quantities of dye, along with expensive injection systems, to dye all of this non-taxable diesel fuel.

Although the Joint Tax Committee originally estimated in 1996 that repealing the dyeing rules for Alaska could cost the Treasury $500,000 a year, some refiners were spending as much as $750,000 on dye alone. Add on another $100,000 for injection systems and you begin to wonder what happened to common sense regulation. Congress saw it that way and decided to exempt Alaska. Now that exemption should be made permanent.

Approximately 65 percent of the state's communities are served solely by barges. For many of these communities, the fuel oil barge comes in only once a year when the waterways are not frozen. It is absurd to require these communities to build a second storage facility for undyed taxable fuel simply for the few vehicles in town that are subject to tax.

It is currently projected that the state will have to spend from $200 million to $400 million just to repair fuel storage tanks in hundreds of rural communities because of leaking fuel problems. If IRS dyeing rules were in place, millions more would have to be spent simply to maintain a small supply of taxable diesel in each of these communities.

In 1996, Congress acted sensibly in exempting Alaska from the IRS diesel dyeing rules. It is my hope that we will again see the wisdom of exempting Alaska, this time making it a permanent exemption.

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. 711

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

SECTION 1. ALASKA EXEMPTION FROM DYEING REQUIREMENTS.

(a) EXCEPTION TO DYEING REQUIREMENTS FOR EXEMPT DIESEL FUEL AND KEROSENE.—Paragraph (1) of section 4082(c) of the Internal Revenue Code of 1986 (relating to exception to dyeing requirements) is amended to read as follows:

''(1) removed, entered, or sold in the State of Alaska for ultimate sale or use in such State, and''.

(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to fuel removed, entered, or sold on or after the date of the enactment of this Act.

By Mr. THOMAS:

S. 712. A bill to prohibit commercial air tour operations over Yellowstone National Park and Grand Teton National Park; to the Committee on Commerce, Science, and Transportation.

Mr. THOMAS. Mr. President, I rise today to introduce legislation to protect two crown jewels of the National Park Service, Yellowstone and Grand Teton National Parks.

The ''Yellowstone and Teton Scenic Overflight Act of 2001'' is similar to legislation I introduced last Congress regarding an important issue facing these two parks. Specifically, this legislation would prohibit all scenic flights—both fixed wing and helicopter—over Yellowstone and Grand Teton National Parks. Recently, a proposed scenic helicopter tour operation near Grand Teton had many folks concerned about the impact its operations would have on these magnificent areas.

This legislation is designed to protect Yellowstone and Teton and the natural and historic values of these parks in the interest of all who visit and enjoy these areas. I am aware of that the National Parks Air Tour Management Act, which became law during the 106th Congress, provides a process that attempts to address scenic overflight operations in our parks. Unfortunately, the regulations being developed for the Act continue to be delayed and it is unclear when they will ultimately be published. The unique nature of Yellowstone and Teton parks requires us to act in a quick and decisive manner to address this issue as soon as possible.

Grand Teton National Park is home to the only airport in the continental United States that is entirely within a national park. Commercial air tours by their very nature, fly passengers purposefully over the parks, at low altitudes, often to the very locations and attractions favored by ground-based visitors. The threats posed by these operations to Yellowstone and Teton require our quick action.

As Chairman of the Senate Energy Committee's Subcommittee on National Parks and Historic Preservation, I understand the importance of our nation's parks. They are our national treasures and deserve to be protected to the best of our ability. I hope the

Senate will take quick action on this legislation so that visitors can enjoy the sounds of nature at Grand Teton and Yellowstone National Parks now and in the future.

By Mr. MURKOWSKI (for himself and Mr. STEVENS):

S. 713. A bill to amend the Internal Revenue Code of 1986 to provide a charitable deduction for certain expenses incurred in support of Native Alaskan subsistence whaling; to the Committee on Finance.

Mr. MURKOWSKI. Mr. President, I rise on behalf of myself and Senator STEVENS to introduce legislation that would resolve a dispute that has existed for several years between the IRS and native whaling captains in my state. Our legislation would amend the Internal Revenue Code to ensure that a charitable donation tax deduction would be allowed for native whaling captains who organize and support subsistence whaling activities in their communities.

Subsistence whaling is a necessity to the Alaska Native community. In many of our remote village communities, the whale hunt is a tradition that has been carried on for generations over many millennia. It is the custom that the captain of the hunt make all provisions for the meals, wages and equipment costs associated with this important activity.

In most instances, the Captain is repaid in whale meat and muktuck, which is blubber and skin. However, as part of the tradition, the Captain is required to donate a substantial portion of the whale to his village in order to help the community survive.

The proposed deduction would allow the Captain to deduct up to $7,500 to help defray the costs associated with providing this community service.

I want to point out that if the Captain incurred all of these expenses and then donated the whale meat to a local charitable organization, the Captain would almost certainly be able to deduct the costs he incurred in outfitting the boat for the charitable purpose. However, the cultural significance of the Captain's sharing the whale with the community would be lost.

This is a very modest effort to allow the Congress to recognize the importance of this part of our native Alaskan tradition. When this measure passed the Senate two years ago, the Joint Committee on Taxation estimated that this provision would cost a mere three million dollars over a 10 year period. I think that is a very small price for preserving this vital link with our natives' heritage.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 713

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 ''Native Alaskan Subsistence Whaling Act of 2001''.

SEC. 2. CHARITABLE CONTRIBUTION DEDUCTION FOR CERTAIN EXPENSES INCURRED IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.

(a) IN GENERAL.—Section 170 of the Internal Revenue Code of 1986 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following new subsection:

''(m) EXPENSES PAID BY CERTAIN WHALING CAPTAINS IN SUPPORT OF NATIVE ALASKAN SUBSISTENCE WHALING.—

''(1) IN GENERAL.—In the case of an individual who is recognized by the Alaska Eskimo Whaling Commission as a whaling captain charged with the responsibility of maintaining and carrying out sanctioned whaling activities and who engages in such activities during the taxable year, the amount described in paragraph (2) (to the extent such amount does not exceed $7,500 for the taxable year) shall be treated for purposes of this section as a charitable contribution.

''(2) AMOUNT DESCRIBED.—

''(A) IN GENERAL.—The amount described in this paragraph is the aggregate of the reasonable and necessary whaling expenses paid by the taxpayer during the taxable year in carrying out sanctioned whaling activities.

''(B) WHALING EXPENSES.—For purposes of subparagraph (A), the term 'whaling expenses' includes expenses for—

''(i) the acquisition and maintenance of whaling boats, weapons, and gear used in sanctioned whaling activities,

''(ii) the supplying of food for the crew and other provisions for carrying out such activities, and

''(iii) storage and distribution of the catch from such activities.

''(3) SANCTIONED WHALING ACTIVITIES.—For purposes of this subsection, the term 'sanctioned whaling activities' means subsistence bowhead whale hunting activities conducted pursuant to the management plan of the Alaska Eskimo Whaling Commission.''

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2000.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 714. A bill to urge the United States Trade Representative to pursue the establishment of a small business advocate within the World Trade Organization, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce legislation designed to promote export opportunities for our nation's small businesses.

Nationwide, an estimated 13 to 16 million small businesses account for over 99 percent of all employers. They also employ over 50 percent of the workforce, and account for virtually all of the new jobs being created. Maine, in particular, is a state with a historical record of self-reliance and small business enterprise. Of the roughly 37,000 employers, about 97 percent are small firms. Maine also boasts an estimated 73,000 self-employed persons. Surveys credit small businesses with virtually all of the new job creation in the state as well.

In addition, small firms played a central role in the latest economic expansion. From 1992 to 1996, for example, small firms created 75 percent of the new jobs, up 10.5 percent, while large company employment grew only 3.7 percent. In the trade arena, according to the U.S. Small Business Administration, SBA, the number of small U.S. firms engaged in exporting has tripled since 1987, and over the past five years, the dollar value of small business exports has grown 300 percent. Small business now accounts for 31 percent of the value of U.S. exports. Overall, 97 percent of all exporters are small businesses, with the most dramatic export growth among companies employing less than 20 people. Firms engaged in international trade are 20 percent more productive, and employee wages are 15 percent higher in firms that trade as compared to firms that do not engage in trade. These firms are also 9 percent less likely to go bankrupt, and experience 20 percent greater job growth than non-traders.

Despite these impressive statistics, less than one percent of U.S. small businesses are engaged in international trade-related business activities. That is why I believe so strongly that there is substantial export potential in the small business community that has yet to be fully realized.

Small and medium-sized businesses are the fastest growing segment of the international business community. However, many report that their interests have not been given sufficient attention by our international trade negotiators. In addition, small businesses often cannot afford to maintain in-house international trade expertise to resolve complex trade problems. Small business advocacy groups often lack political influence in foreign markets, which hinders solving problems outside of the legal process. Small firms often do not have the sales volume to overcome the costs of trade barriers and substantial overhead expenses in international transactions.

With these concerns in mind, in January, I introduced the Small Business Enhancement Act of 2001, which contains a provision to establish the position of Assistant United Trade Representative for Small Business. I believe that this important step would ensure that small businesses have a seat at the table when international trade agreements are being negotiated.

The measure I am introducing today takes this concept one step further by expressing the sense of the Senate that the United States Trade Representative, USTR, should pursue the establishment of a small business advocate within the World Trade Organization, WTO, as a matter of U.S. policy.

Because the WTO is the principal international organization for rules governing world-wide international trade, it has the potential to address a range of global trade issues of concern to small businesses in the U.S. In addition, it stands to reason that better coordination is needed between small business support and advocacy agencies around the world and small firms and trade associations.

My bill requires the USTR to pursue the establishment of a small business advocate at the WTO in order to safeguard the interests of small firms and represent those interests in trade negotiations and disputes. It also directs the USTR to submit a report to Congress on the steps taken to establish this advocate.

I hope this legislation will provide a foundation for small businesses during the next round of WTO negotiations. I look forward to working with the Senate Small Business Committee and the Senate Finance Committee as we work to ensure that U.S. businesses enjoy the full benefits of international trade.

By Mr. BAUCUS:

S. 715. A bill to designate 7 counties in the State of Montana as High Intensity Drug Trafficking Areas and authorize funding for drug control activities in those areas; to the Committee on the Judiciary.

Mr. BAUCUS, Mr. President, I rise today to introduce critical legislation in the fight against methamphetamine use in rural America.

Methamphetamine also known as ''meth'' is a powerful and addictive drug. Considered by many youths to be a casual, soft-core drug with few lasting effects. They couldn't be more wrong. Meth can actually cause more long-term damage to the body than cocaine or crack. The physical damage is just the beginning. The societal damage resulting from rampant meth use is incalculable. The damage caused ranges from broken homes to violent crime such as increased child abuse to a higher robbery rate.

Meth use in Montana alone has skyrocketed in the past few years. During 1996, 1 meth lab was seized statewide, 4 in 1997, twelve in 1998, 50 in 1999, 100 in 2000, and at least 150 expected this year. The DEA reported an increase of meth lab seizures in Montana of 900 percent from 1993 to 1998. And according to the Office of National Drug Control Policy, based on admission rates per 100,000 persons, Montana is one of the eight states with a ''serious methamphetamine problem.''

The meth problem is particularly severe on Montana's Indian reservations, of which our state has seven. Life is hard there. In some reservation towns, over half of the working age adults are unemployed. Because meth is cheap and relatively easy to make, these lower-income individuals are a natural target for meth peddlers. Without viable employment options, too often these young people turn to drugs.

So how does a rural state like Montana deal with such a scourge? The answer is not very well. The fact is, there are a good many talented Montanans working on the meth problem, but they have few resources with which to wage the battle. Fewer every day with no options for leveraging additional resources. Moreover, their efforts are often fragmented, not coordinated to the extent they could be, particularly among the treatment, prevention, and law enforcement communities. Again, it's simply an issue of scarcity of resources.

To make their job easier, Montana has petitioned to be considered part of the Rocky Mountain High Intensity Drug Trafficking Area (HIDTA). Although the Rocky Mountain HIDTA authorities have stated their willingness to include Montana in its organization, they lack the resources to make that happen.

The bill I am introducing today would authorize funding to make Montana's admission to the Rocky Mountain HIDTA a reality. This legislation would provide Montana the resources to put forth a coordinated effort in the fight against meth in Montana. By admitting the seven counties included in the legislation, we begin to attack the scourge at its roots-where it enters the state and is the most problematic for meth use. In a perfect world, we could include all 56 Montana counties, but I believe this is a good start. It will increase law enforcement and forensic personnel in Montana; coordinate efforts to exchange information among law enforcement agencies; and engage in a public information campaign to educate the public about the dangers of meth use.

Mr. President, the time has come to fight this scourge. Montana is under siege by meth, and we must do all we can to continue our efforts to stop it.

By Mr. SANTORUM:

S. 716. A bill to amend the Consolidated Farm and Rural Development Act to authorize the Secretary of Agriculture to make grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANTORUM. Mr. President, I rise today to introduce the ''Affordable Drinking Water Act of 2001.'' I am pleased to reintroduce this bill in the 107th Congress as I believe it sets out an innovative approach to meet the safe drinking water needs of rural Americans nationwide.

The Affordable Drinking Water Act of 2001 provides a targeted alternative to water delivery in rural areas. Low to moderate income households who would prefer to have their own well, or are experiencing drinking water problems, could secure financing to install or refurbish an individually owned household well. In my home state of Pennsylvania, 2.5 million citizens currently choose to have their drinking water supplied by privately-owned individual water wells.

The approach envisioned under this bill would establish a partnership between the federal government and nonprofit entities to administer grants to eligible homeowners for the purposes of: bringing old household water wells up to current standards; replacing systems that have met their expected life; or providing homeowners without a drinking water source with a new individual household water well system.

Another important component of this legislation will afford rural consumers with individually owned water wells the same payment flexibility as other utility customers. Centralized water systems currently are eligible to receive federal grants and loans with repayment spread out over 40 years. The Affordable Drinking Water Act of 2001 would provide loans to low to moderate income homeowners to upgrade or install a household drinking water well now, and then repay the cost through monthly installments. This ability to stretch out payments over the life of the loan gives rural well owners an affordable option that they otherwise do not have.

Mr. President, I am pleased to introduce this legislation today, and believe that it is appropriately balanced to meet the safe-drinking water needs of rural households.

By Mr. McCAIN:

S. 717. A bill to provide educational opportunities for disadvantaged children, and for other purposes; to the Committee on Finance.

Mr. McCAIN. Mr. President, today, I am introducing legislation to authorize a three-year nationwide school choice demonstration program targeted at children from economically disadvantaged families. The program would expand educational opportunities for low-income children by providing parents and students the freedom to choose the best school for their unique academic needs, while encouraging schools to be creative and responsive to the needs of all students.

This bill authorizes $1.8 billion annually for fiscal years 2002 through 2004 to be used to provide school choice vouchers to economically disadvantaged children through the nation. The funds would be divided among the states based upon the number of children they have enrolled in public schools. Then, each state would conduct a lottery among low-income children who attend the public schools with the lowest academic performance in their state. Each child selected in the lottery would receive $2,000 per year for three years to be used to pay tuition at any school of their choice in the state, including private or religious schools. The money could also be used to pay for transportation to the school or supplementary educational services to meet the unique needs of the individual student.

In total, this bill authorizes $5.4 billion for the three-year school choice demonstration program, as well as a GAO evaluation of the program upon its completion. The cost of this important test of school vouchers is fully offset by eliminating more than $5.4 billion in unnecessary pork and inequitable corporate tax loopholes.

Mr. President, we all know that one of the most important issues facing our nation is the education of our children. Providing a solid, quality education for each and every child in our nation is a critical component in their quest for

personal success and fulfillment. A solid education for our children also plays a pivotal role in the success of our nation; economically, intellectually, civically and morally.

We must strive to develop and implement initiatives which strengthen and improve our education system thereby ensuring that our children are provided with the essential academic tools for succeeding professionally, economically and personally. I am sure we all agree that increasing the academic performance and skills of all our nation's students must be the paramount goal of any education reform we implement.

School vouchers are a viable method of allowing all American children access to high quality schools, including private and religious schools. Every parent should be able to obtain the highest quality education for their children, not just the wealthy. Tuition vouchers would finally provide low-income children trapped in mediocre, or worse, schools the same educational choices as children of economic privilege.

Some of my colleagues may argue that vouchers would divert money away from our nation's public schools and instead of instilling competition into our school systems we should be pouring more and more money into poor performing public schools. I respectfully disagree. While I support strengthening financial support for education in our nation, the solution to what ails our system is not simply pouring more and more money into it.

Currently our nation spends significantly more money that most countries and yet our students scored lower than their peers from almost all of the forty countries which participated in the last Third International Mathematics and Science Study (TIMMS) test. Students in countries which are struggling economically, socially and politically, such as Russia, outscored U.S. children in math and scored far above them in advanced math and physics. Clearly, we must make significant change beyond simply pouring more money into the current structure in order to improve our children's academic performance in order to maintain a viable force in the world economy.

It is shameful that we are failing to provide many of our children with adequate training and quality academic preparation for the real world. The number of college freshman who require remedial courses in reading, writing and mathematics when they begin their higher education is unacceptably high. In fact, presently, more than 30 percent of entering freshman need to enroll in one of more remedial course when they start college. It does not bode well for our future economy if the majority of workers are not prepared with the basic skills to engage in a competitive global marketplace.

I concede that school vouchers are not the magic bullet for eradicating all that is wrong with our current educational system, but they are an important opportunity for providing improved academic opportunities for all children, not just the wealthy. Examination of the limited voucher programs scattered around our country reveal high levels of parent and student satisfaction, an increase in parental involvement, and a definite improvement in attendance and discipline at the participating schools. Vouchers encourage public schools, communities and parents to all work together to raise the level of education for all students. Through this bill, we have the opportunity to replicate these important attributes throughout all or nation's communities.

Thomas Jefferson said, ''The purpose of education is to create young citizens with knowing heads and loving hearts.'' If we fail to give our children the education they need to nuture their heads and hearts, then we threaten their futures and the future of our nation. Each of us is responsible for ensuring that our children have both the love in their hearts and the knowledge in their heads to not only dream, but to make their dreams a reality.

The time has come for us to finally conduct a national demonstration of school choice to determine the benefits or perhaps disadvantages of providing educational choices to all students, not just those who are fortunate enough to be born into a wealthy family. I urge my colleagues to support this bill and put the needs of America's school children ahead of pork barrel projects and tax loopholes benefitting only special interests and big business.

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. 717

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

SECTION 1. PURPOSES.

The purposes of this Act are—

(1) to assist States to—

(A) give children from low-income families the same choices among all elementary and secondary schools and other academic programs as children from wealthier families already have;

(B) improve schools and other academic programs by giving parents in low-income families increased consumer power to choose the schools and programs that the parents determine best fit the needs of their children; and

(C) more fully engage parents in their children's schooling; and

(2) to demonstrate, through a 3-year national grant program, the effects of a voucher program that gives parents in low-income families—

(A) choice among public, private, and religious schools for their children; and

(B) access to the same academic options as parents in wealthy families have for their children.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act (other than section 10) $1,800,000,000 for each of fiscal years 2001 through 2004.

(b) EVALUATION.—There is authorized to be appropriated to carry out section 10 $17,000,000 for fiscal years 2002 through 2005.

SEC. 3. PROGRAM AUTHORITY.

(a) IN GENERAL.—The Secretary shall make grants to States, from allotments made under section 4 to enable the States to carry out educational choice programs that provide scholarships, in accordance with this Act.

(b) LIMIT ON FEDERAL ADMINISTRATIVE EXPENDITURES.—The Secretary may reserve not more than $1,000,000 of the amounts appropriated under section 2(a) for a fiscal year to pay for the costs of administering this Act.

SEC. 4. ALLOTMENTS TO STATES.

(a) ALLOTMENTS.—The Secretary shall make the allotments to States in accordance with a formula specified in regulations issued in accordance with subsection (b). The formula shall provide that the Secretary shall allot to each State an amount that bears the same relationship to the amounts appropriated under section 2(a) for a fiscal year (other than funds reserved under section 3(b)) as the number of covered children in the State bears to the number of covered children in all such States.

(b) FORMULA.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue regulations specifying the formula referred to in subsection (a).

(c) LIMIT ON STATE ADMINISTRATIVE EXPENDITURES.—The State may reserve not more than 1 percent of the funds made available through the State allotment to pay for the costs of administering this Act.

(d) DEFINITION.—In this section, the term ''covered child'' means a child who is enrolled in a public school (including a charter school) that is an elementary school or secondary school.

SEC. 5. ELIGIBLE SCHOOLS.

(a) ELIGIBILITY.—

(1) IN GENERAL.—Schools identified by a State under paragraph (2) shall be considered to be eligible schools under this Act.

(2) DETERMINATION.—Not later than 180 days after the date the Secretary issues regulations under section 4(b), each State shall identify the public elementary schools and secondary schools in the State that are at or below the 25th percentile for academic performance of schools in the State.

(b) PERFORMANCE.—The State shall determine the academic performance of a school under this section based on such criteria as the State may consider to be appropriate.

SEC. 6. SCHOLARSHIPS.

(a) IN GENERAL.—

(1) SCHOLARSHIP AWARDS.—With funds awarded under this Act, each State awarded a grant under this Act shall provide scholarships to the parents of eligible children, in accordance with subsections (b) and (c). The State shall ensure that the scholarships may be redeemed for elementary or secondary education for the children at any of a broad variety of public and private schools, including religious schools, in the State.

(2) SCHOLARSHIP AMOUNT.—The amount of each scholarship shall be $2000 per year.

(3) TAX EXEMPTION.—Scholarships awarded under this Act shall not be considered income of the parents for Federal income tax purposes or for determining eligibility for any other Federal program.

(b) ELIGIBLE CHILDREN.—To be eligible to receive a scholarship under this Act, a child shall be—

(1) a child who is enrolled in a public elementary school or secondary school that is an eligible school; and

(2) a member of a family with a family income that is not more than 200 percent of the poverty line.

(c) AWARD RULES.—

(1) PRIORITY.—In providing scholarships under this Act, the State shall provide scholarships for eligible children through a lottery system administered for all eligible schools in the State by the State educational agency.

(2) CONTINUING ELIGIBILITY.—Each State receiving a grant under this Act to carry out an educational choice program shall provide a scholarship in each year of the program to each child who received a scholarship during the previous year of the program, unless—

(A) the child no longer resides in the area served by an eligible school;

(B) the child no longer attends school;

(C) the child's family income exceeds, by 20 percent or more, 200 percent of the poverty line; or

(D) the child is expelled or convicted of a felony, including felonious drug possession, possession of a weapon on school grounds, or a violent act against an other student or a member of the school's faculty.

SEC. 7. USES OF FUNDS.

Any scholarship awarded under this Act for a year shall be used—

(1) first, for—

(A) the payment of tuition and fees at the school selected by the parents of the child for whom the scholarship was provided; and

(B) the reasonable costs of the child's transportation to the school, if the school is not the school to which the child would be assigned in the absence of a program under this Act;

(2) second, if the parents so choose, to obtain supplementary academic services for the child, at a cost of not more than $500, from any provider chosen by the parents, that the State determines is capable of providing such services and has an appropriate refund policy; and

(3) finally, for educational programs that help the eligible child achieve high levels of academic excellence in the school attended by the eligible child, if the eligible child chooses to attend a public school.

SEC. 8. STATE REQUIREMENT.

A State that receives a grant under this Act shall allow lawfully operating public and private elementary schools and secondary schools, including religious schools, if any, serving the area involved to participate in the program.

SEC. 9. EFFECT OF PROGRAMS.

(a) TITLE I.—Notwithstanding any other provision of law, if a local educational agency in the State would, in the absence of an educational choice program that is funded under this Act, provide services to a participating eligible child under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the State shall ensure the provision of such services to such child.

(b) INDIVIDUALS WITH DISABILITIES.—Nothing in this Act shall be construed to affect the requirements of part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

(c) AID.—

(1) IN GENERAL.—Scholarships under this Act shall be considered to aid families, not institutions. For purposes of determining Federal assistance under Federal law, a parent's expenditure of scholarship funds under this Act at a school or for supplementary academic services shall not constitute Federal financial aid or assistance to that school or to the provider of supplementary academic services.

(2) SUPPLEMENTARY ACADEMIC SERVICES.—

(A) IN GENERAL.—Notwithstanding paragraph (1), a school or provider of supplementary academic services that receives scholarship funds under this Act shall, as a condition of participation under this Act, comply with the provisions of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

(B) REGULATIONS.—The Secretary shall promulgate regulations to implement the provisions of subparagraph (A), taking into account the purposes of this Act and the nature, variety, and missions of schools and providers that may participate in providing services to children under this Act.

(d) OTHER FEDERAL FUNDS.—No Federal, State, or local agency may, in any year, take into account Federal funds provided to a State or to the parents of any child under this Act in determining whether to provide any other funds from Federal, State, or local resources, or in determining the amount of such assistance, to such State or to a school attended by such child.

(e) NO DISCRETION.—Nothing in this Act shall be construed to authorize the Secretary to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school participating in a program under this Act.

SEC. 10. EVALUATION.

The Comptroller General of the United States shall conduct an evaluation of the program authorized by this Act. Such evaluation shall, at a minimum—

(1) assess the implementation of educational choice programs assisted under this Act and their effect on participants, schools, and communities in the school districts served, including parental involvement in, and satisfaction with, the program and their children's education;

(2) compare the educational achievement of participating eligible children with the educational achievement of similar non-participating children before, during, and after the program; and

(3) compare—

(A) the educational achievement of eligible children who use scholarships to attend schools other than the schools the children would attend in the absence of the program; with

(B) the educational achievement of children who attend the schools the children would attend in the absence of the program.

SEC. 11. ENFORCEMENT.

(a) REGULATIONS.—The Secretary shall promulgate regulations to enforce the provisions of this Act.

(b) PRIVATE CAUSE.—No provision or requirement of this Act shall be enforced through a private cause of action.

SEC. 12. FUNDING.

The Committee on Finance and the Committee on Appropriations of the Senate and the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives shall identify wasteful spending (including loopholes to revenue raising tax provisions) by the Federal Government as a means of providing funding for this Act. Not later than 60 days after the date of enactment of this Act, the committees referred to in the preceding sentence shall jointly prepare and submit to the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, a report concerning the spending (and loopholes) identified under such sentence.

SEC. 13. DEFINITIONS.

In this Act:

(1) CHARTER SCHOOL.—The term ''charter school'' has the meaning given the term in section 10310 of the Elementary and Secondary Education Act of 1965 (as redesignated in section 3(g) of Public Law 105–278; 112 Stat. 2687).

(2) ELEMENTARY SCHOOL; LOCAL EDUCATIONAL AGENCY; PARENT; SECONDARY SCHOOL; STATE EDUCATIONAL AGENCY.—The terms ''elementary school'', ''local educational agency'', ''parent'', ''secondary school'', and ''State educational agency'' have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(3) POVERTY LINE.—The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(5) STATE.—The term ''State'' means each of the 50 States.

By Mr. MCCAIN (for himself, Mr. BROWNBACK, and Mr. JEFFORDS):

S. 718. A bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Mr. President, I am joined by my colleagues, Senators BROWNBACK and JEFFORDS, today in introducing the Amateur Sports Integrity Act. This bill does two things: it amends the Ted Stevens Olympic and Amateur Sports Act to make it illegal to gamble on Olympic, college, and high school sports, and it authorizes appropriations for the National Institute of Standards and Technology to fund the detection and prevention of athletic performance-enhancing drugs.

This bill implements a recommendation made by the congressionally created National Gambling Impact Study Commission. In the summary of its comprehensive report to Congress dated June 1999, the Commission noted that ''There is growing concern regarding increasing levels of sports wagering by adolescents in high school and by young adults on college campuses. A 1996 study sponsored by the National Collegiate Athletic Association found that of the over 200 student athletes surveyed in Division I basketball and football programs, 25.5 percent admitted betting on college sports events while in school.''

In its report, the NGISC recommended that betting on collegiate and amateur athletic events that is currently legal be banned altogether. The bill that we are introducing today does just that. Just as the use of performance enhancing drugs threatens the integrity of amateur sports, so does gambling. Betting on amateur athletics invites public speculation as to their legitimacy and transforms student athletes into objects to be bet upon. Adding unwarranted pressure from corrupting influences to the pressures that these intensely competitive young people already feel is unacceptable. Congress must act to close the loophole that currently allows one state to serve as a national clearinghouse for betting on our youth.

Let me make one thing clear: Although the Amateur Sports Integrity Act bans legal gambling on amateur athletics, I expect that it also will reduce a substantial amount of illegal gambling as well. The relationship between legal and illegal gambling was addressed by the NGISC, which observed that ''legal sports wagering—especially the publication in the media of Las Vegas and offshore-generated point spreads fuels a much larger amount of illegal sports wagering.'' I won't pretend, however, that closing the one-state loophole on legal gambling on amateur sports will put an end to illegal gambling on these athletes and competitions. For this reason, I say to my colleagues who are backing a bill that has the support of the gaming industry and that provides additional resources to combat illegal gambling—I agree with the intent of your legislation and appreciate your recognition that gambling on amateur athletics is a problem that must be addressed at the federal level. That bill, however, while perhaps acceptable as a complement, is not acceptable as an alternative to the Amateur Sports Integrity Act.

Mr. President, in its report the NGISC recommended that all students should be warned of the dangers of gambling, from the time they are in elementary school to when they finish college. As the Commission concluded, the loophole that currently encourages gambling by, and on, these young people, should be closed. The bill we are introducing today codifies the NGISC recommendation, and further ensures the integrity of amateur sports by addressing athlete doping. I urge my colleagues to support its swift passage.

Mr. BROWNBACK. Mr. President, I am pleased to reintroduce today with Senator MCCAIN, the Amateur Sports Integrity Act. This legislation combats performance enhancing drugs use by athletes, as well as the corruptive influence of legal gambling on high school, college, and amateur sports. I would like to thank my colleague for his continued interest in and leadership on this issue. I look forward to winning an up or down vote on this bill this Congress.

The Amatuer Sports Integrity Act serves two purposes. First, it combats the use of performance enhancing drugs by athletes through the creation a new grant program to be administered by the National Institute of Science and Technology. This program will support research on the use of performance-enhancing drugs, and methods of detecting their use. Quite simply, Mr. President, we need to find out who's cheating and how they're doing it so we can disqualify their dishonorable efforts to compete. The Act will achieve this goal.

Our legislation will also ban the continued and unseemly practice of legal wagering on high school, college, and amateur sports at the expense of the achievements of our nation's student and amateur athletes. This bill closes the loophole in the Professional and Amateur Sports Protection Act that allows legal sports betting in Nevada to negatively impact student athletics in other states.

This bill is supported by the National Collegiate Athletic Association, which represents more than 1000 colleges and universities nationwide. In addition, numerous coaches among the college ranks support this effort, and I can think of no better advocate then the coaches who spend time day in and day out with the athletes and prized sporting institutions negatively affected by legal sports gambling.

My continuing efforts on this issue are in direct response to the recommendation made by the National Gambling Impact Study Commission (NGISC), which in 1999 concluded a two-year study on the impact of legalized gambling in our country. The Commission's recommendation called for a complete ban on all legalized gambling on amateur sports.

The Commission in its report recognized the potential harm of legalized gambling by stating that sports gambling ''can serve as a gateway behavior for adolescent gamblers, and can devastate individuals and careers.'' This Amateur Sports Integrity Act will serve notice that betting on college games or amateur athletics is not only inappropriate but can result in these significant social costs.

Legislation addressing illegal gambling has been introduced in the House and Senate by members of the Nevada delegation. I would like to take a moment to commend my colleagues, Senators REID and ENSIGN, for recognizing that the social consequences of gambling for the public must be addressed. I agree with the Nevada delegation that we should be vigilant in our efforts to increase our knowledge regarding illegal gambling activities, and find ways to help law enforcement combat such activities. As a member of the Senate Judiciary Committee to which that bill has been referred, I look forward to working with the Nevada delegation to improve the bill and, ultimately, support its passage.

However, we must also address the fact that legal gambling has a real and telling impact on high school, college, and amateur athletics and the public, and in fact facilitates illegal gambling activity. If there are any doubts, just ask Kevin Pendergast who orchestrated the basketball point-shaving scandal at Northwestern University. He had stated that he never would have been able to pull off his scheme if it weren't for the ability to lay a large amount of money on the Las Vegas sports books.

The frequency of point shaving scandals over the last decade, and the tie-in to the Vegas sports books of the episodes at Northwestern and Arizona State is a clear indication that legal gambling on college sports stretches beyond Nevada, impacting the integrity of other state's sporting events. The now familiar opposition to this bill on the theory of states rights simply does not hold water, and I categorically reject the notion that Kansas college athletics should be jeopardized so the casinos in Vegas can rake in some additional gambling revenues.

Mr. President, I encourage my colleagues to cosponsor the Amateur Sports Integrity Act and I look forward to a vote before the full Senate.

By Mr. WELLSTONE (for himself, Mr. KERRY, Mrs. CLINTON, and Ms. CANTWELL):

S. 719. A bill to amend Federal election law to provide for clean elections funded by clean money; to the Committee on Rules and Administration.

Mr. WELLSTONE. Mr. President, the Senate this week took a historic step toward fairer elections. I was proud to join a solid majority of my colleagues in voting for the McCain-Feingold bill. However, passage of that bill is not the end of the reform debate, but hopefully merely a beginning.

It is clear to me that we need to go still further to reform our elections comprehensively, and for that reason I rise today along with Senators KERRY, CLINTON and CANTWELL to re-introduce ''Clean Money, Clean Elections'' campaign finance reform legislation.

Debates about campaign finance reform should be debates about who is at the table and how to level the playing field. Looking back at the two weeks of debate on McCain-Feingold from this perspective highlights the importance of and also the severe limitations of the bill. I say importance of the bill, because if you believe that reform of our federal elections is essential for the reasons I believe, restoring the centrality of one person, one vote, then you need to get soft money out of the system since it allows too much political power to flow from too few. I say severe limitations of the bill because even if we ban soft money and sham issue ads, we will still have too much money in American politics. And, the wealthy investors will still have an all too prominent role in our elections.

Fundamentally, we need to go beyond legislation that merely seeks to patch a badly broken system. The McCain-Feingold legislation seeks to stop a leak here, and block a loophole there. It does not eliminate private, special interest money flowing to candidates and parties. The Clean Money, Clean Elections legislation that I am reintroducing today will fix this problem—it will reduce the costs of campaigns and provide public funds to eliminate the dependence on wealthy investors entirely. Hence the Clean Money, Clean Elections legislation will truly level the playing field for all candidates and ensure fair elections.

Now that the Senate will finally go on record in favor of the modest reform that McCain-Feingold represents, I believe the time is right to begin the fight for fundamental reform: public financing of elections.

The Clean Money, Clean Elections bill is the ''gold standard'' of true campaign finance reform, against which any more modest legislation ought to be assessed. The conceptual approach it embodies, replacing special interest money in our current system with clean money, is being adopted by state legislatures and in referenda across the country.

In Maine, for example, there was broad participation in the Clean Money, Clean Elections program during the last election with 116 out of 352 general election candidates both Republicans and Democrats participating. In Maine, Arizona and Vermont, Clean Money, Clean Elections reduced the influence of special interest money and provided a level playing field by offering qualified candidates a limited and equal amount of public funds. The earliest indications from Maine's first election under the Clean Elections law do inspire hope. Far more candidates than expected stepped forward to seek Clean Elections financing, and all but one succeeded in qualifying. There comments about the process tell us we are on the right track. Some of their comments are for example: ''Without Clean Elections I couldn't even think about running for office. I just couldn't afford it.'' said Shlomit Auciello, democrat challenger; ''The main reason I did it was that this is what people want.'' Chester Chapman, Republican challenger; ''I spent a lot of kitchen table time explaining the system to people. Once they knew what it was they really liked it. They like that it means no soft money and no PAC money will be used. I want to work for the people of Maine and I don't want to be beholden to anyone else.'' Glenn Cummings, Democrat challenger; ''It will definitely change some things. For one thing I will have about half the amount of money I raised last time but much more time to talk with people which is a good thing.'' Gabrielle Carbonear; and ''We have an obligation to put into practice the system that was approved by voters in 1996. Maine is in the lead in this area. It will only work if it is used, and it is important for incumbents to embrace it. Also, the Clean Election Act is making it easier to recruit candidates to run for office.'' Rick Bennet, Republic incumbent, Assistent Senate Minority Leader and a candidate for reelection.

When asked, 60 percent of Americans say they think that reforming the way campaigns are financed should be a high priority on our National agenda. There is no question in my mind that these people are right, reforming the way campaigns are financed should be, must be, a high priority.

Many people believe our political system is corrupted by special interest money. I agree with them. It is not a matter of individual corruption. I think it is probably extremely rare that a particular contribution causes a member to cast a particular vote. But the special interest money is always there, and I believe that we do suffer under what I have repeatedly called a systemic corruption. Unfortunately, this is no longer a shocking announcement, even if it is a shocking fact. Money does shape what is considered do-able and realistic here in Washington. It does buy access. We have both the appearance and the reality of systemic corruption. And we must act. Here in the Senate, we must push forward this spring on tough, comprehensive reform.

I wonder if anyone would bother to argue that our budget debates are unaffected by the connection of big special-interest money to politics? The budget cuts proposed most deeply affect those who are least well off, while the tax cuts proposed mostly go to the wealthy. That is well-documented. The tax breaks we offer benefit not only the most affluent as a group, but numerous very narrow wealthy special interests. Does anyone wonder why we retain massive subsidies and tax expenditures for oil and pharmaceutical companies? What about tobacco? Are they curious why we promote a health care system dominated by insurance companies? Or why we promote a version of ''free trade'' which disregards the need for fair labor and environmental standards, for democracy and human rights, and for lifting the standard of living of American workers, as well as workers in the countries we trade with? How is it that we pass major legislation that directly promotes the concentration of ownership and power in the telecommunications industry, in the agriculture and food business, and in banking and securities? For the American people, how this happens, I think, is no mystery.

I think most citizens believe there is a connection between big special interest money and outcomes in American politics. People realize what is ''on the table'' or what is considered realistic here in Washington often has much to do with the flow of money to parties and to candidates. We must act to change this.

We must act to change this because too many people have lost faith in the system. People are turning away from the political process. They are surrendering what belongs most exclusively to them, their right to be heard on the issues that affect them, simply because they don't believe their voices will carry over the sound of all that cash. The degree of distrust, dissatisfaction, and outright hostility expressed by the American people when asked about the political process overwhelms me.

We must act on comprehensive campaign finance reform. We must act to restore Americans' trust in our political process. We must act to renew their hope in the capacity of our political system to respond to our society's most basic problems and challenges. We must act to provide a channel for the anger that many Americans feel about the current system, and acknowledge the grassroots reform movement that's been building for years. These are our duties, and we must act to move the reform debate forward.

As Members of Congress, most pressing for us should be the question of why so many people no longer trust the political process, especially here in Congress, and what we can do to restore that trust. Polls and studies continue to show a profound distrust of Congress, and of our process. Many Americans see the system as inherently corrupt, and they despair of making any real changes because they figure special interests have the system permanently rigged.

Too many Americans believe that a small but wealthy and powerful elite controls the levers of government through a political process which rewards big donors, a system in which you have to pay to play. Why do you think corporate welfare has barely been nicked, but welfare for the poor and needy in this country has been gutted? The not-so-invisible hand of corporate PACs and well-heeled lobbyists, and huge corporate soft money contributions can be seen most openly here.

Too many Americans see our failures: to alleviate the harsh poverty that characterizes the lives of far too many of our inner-city residents; to reduce the widening gulf between rich and poor; to combat homelessness, drug addiction, decaying infrastructure, rising health care costs, and an unequal system of education.

And they want to know why we can't, or won't, act to address these problems head-on. Americans understand that without real reform, attempts to restructure our health care system, create jobs and rebuild our cities, protect our environment, make our tax system fairer and more progressive, fashion and energy policy that relies more on conservation and renewable sources, and solve other pressing problems will remain frustrated by the pressures of special interests and big-money politics.

In thinking about reform legislation, I start with the premise that political democracy has several basic requirements: First, free and fair elections. It is hard to argue plausibly that we have them now. That's why people stay home on election day, why they don't participate in the process. Incumbents outspend challengers 8 or 10–1, and special interests buy access to Congress itself, all of which warps and distorts the democratic process.

Second, the consent of the people. The people of this country, not special interest big money, should be the source of all political power. Government must remain the domain of the general citizenry, not a narrow elite.

Third, political equality. Everyone must have equal opportunity to participate in the process of government. This means that the values and preferences of all citizens, not just those who can get our attention by waving large campaign contributions in front

of us, must be considered in the political debate. One person, one vote—no more and no less—the most fundamental of democratic principles.

Each of these principles is undermined by our current system, funded largely through huge private contributions. Contributions that come with their own price tag attached—greater access and special consideration when push comes to shove. It's time for real reform.

Which is why I stand here today, reintroducing the ''Clean Money, Clean Elections'' legislation that we introduced during the last Congress. We have tightened and strengthened some of the nuts and bolts of the legislation, but it is much the same bill that it was when we first introduced it: simple and sweeping, fundamental campaign finance reform.

Money has always played a role in American politics and campaign spending is not a new problem, but it has exploded during the 1990s. In the 1993–94 election cycle, the national political parties raised $101.6 million dollars in soft money contributions. By the 1997–98 election cycle that figure was up to $224.4 million dollars in soft money. In the 99–2000 election cycle that figure more than doubled to more than $487.5 million.

However, we must not forget that nearly 80 percent of the money spent on elections during the last cycle was hard money. All together, over $2.2 billion in hard money was raised by federal candidates and parties during the 2000 elections, a figure that dwarfs party soft money. Unfortunately, under McCain-Feingold, even more hard money will pour into our elections.

Of all the money given to Congressional candidates, almost none represented the millions of Americans who are poor, or parents of public school children, or victimized by toxic dumping or agri-chemical contamination, or who are small bank depositors and borrowers, or people dependent on public housing, transportation, libraries, and hospitals. It is clear who is represented under the current system and who is shut out.

During the last election, only 4 out of every 10,000 Americans made a contribution greater than $200. Only 232,000 Americans gave contributions of $1000 or more to federal candidates—one ninth of one percent of the voting age population. By raising the hard money limits in McCain-Feingold, the Senate voted to increase the amount of special interest money in politics and entrench candidates' dependence on a narrow, political, elite made up of wealthy individuals. This was step backward and it makes Clean Money reform all the more necessary.

The bill I am introducing today strikes directly at the heart of the crisis in the current system of campaign finance: the only way for candidates of ordinary means to run for office and win is to raise vast sums of money from special interests, who in turn expect access and influence on public policy. Real campaign finance reform needs to restore a level playing field, open up federal candidacies to all citizens, end the perpetual money chase for Members of Congress, and limit the influence of special interest groups. This legislation does all of these things by offering: The strictest curbs on special-interest money and influence. The ''Clean Money, Clean Elections'' legislation bans completely the use of ''soft money'' to influence elections, discourages electioneering efforts masquerading as non-electoral ''issue ads,'' provides additional funding to clean money candidates targeted by independent expenditures, and most importantly, allows candidates to reject private contributions if they agree to participate in the clean money system of financing. The greatest reduction in the cost of campaigns. Because it eliminates the need for fundraising expenses and provides a substantial amount of free and discounted TV and/or radio time for Federal candidates, this legislation allows candidates to spend far less than ever before on their campaigns. The most competitive and fair election financing. By providing limited but equal funding for qualified candidates, and additional funding for clean money candidates if they are outspent by non-participating opponents, this legislation allows qualified individuals to run for office on a financially level playing field, regardless of their economic status or access to larger contributors. Right now, the system is wired for incumbents because they are connected to the connected. The big players, the heavy hitters, tend to be attracted to incumbents, becuase that is where the power lies. This bill would allow all citizens to compete equally in the Federal election process. And an end to the money chase, shorter elections, and stronger enforcement. ''Clean Money, Clean Elections'' campaign finance reform frees candidates and elected officials from the burden of continuous fundraising and thus allows public officials to spend their time on their real duties. In effect, it also shortens the length of campaigns, when the public is bombarded with broadcast ads and mass mailings, by limiting the period of time during which candidates receive their funding. Moreover it strengthens the enforcement and disclosure requirements in Federal campaigns.

What I am proposing are fundamental changes, necessary changes if we hope to ever regain the public's confidence in the political process. This legislation is both simple to understand and sweeping in scope. As a voluntary system this bill is constitutional, and it effectively provides a level playing field for all candidates who are able to demonstrate a substantial base of popular support. ''Clean Money, Clean Elections'' strengthens American democracy by returning political power to the ballot box and by blocking special interests' ability to skew the system through large campaign contributions.

Most importantly, this legislation attacks the root cause of a system founded on private special interest money, curing the disease rather than treating the symptoms. The issue is no longer one of tightening already existing campaign financing laws, no longer a question of what's legal and what's illegal. The real problem is that most of what's wrong with the current system is perfectly legal. Big money special interests know how to get around the letter of the law as it is now written. This current system of funding congressional campaigns is inherently anti-democratic and unfair. It creates untenable conflicts of interests and screens out many good candidates. By favoring the deep pockets of special interest groups, it tilts the playing field in a way that sidelines the vast majority of Americans. This legislation takes special interest out of the election process and replaces it with the public interest, returning our political process to the hallowed principle of one person, one vote.

This week the Senate took an excellent, but limited, step forward. A complete overhaul of the financing of elections is required to fully restore the public confidence in our democracy. I believe the Clean Money approach is what is needed to get the job done.

By Mr. HUTCHINSON (for himself, Ms. MIKULSKI, Mr. WARNER, Mr. ENZI, Mr. BINGAMAN, Mr. ROBERTS, Mr. FRIST, and Ms. COLLINS):

S. 721. A bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes; to the Committee on Health, Education, Labor, and Pension.

Mr. HUTCHINSON. Mr. President, today, I am pleased to introduce the Nurse Employment and Education Development—or NEED Act—critical legislation to address the current and impending nursing shortages in our country. I am joined by Senators MIKULSKI, WARNER, ENZI, BINGAMAN, ROBERTS, FRIST and COLLINS.

This year, the first order of business of the Aging Subcommittee, of which I am Chairman, was to hold a hearing on the nursing shortage and its impact on our health care delivery system. Recent nursing statistics paint a grim picture for the future of the nursing workforce, when millions of Baby Boomers will retire and place an unprecedented strain on the health care system. By the year 2020, it is projected that nursing needs will be unmet by at least 20 percent.

This is in large part due to a shrinking pipeline. The average age of Registered Nurses is 43.3 years. Nurses under age 30 comprise less than 10 percent of today's nurse workforce. Minorities, including men, remain a minuscule percentage of the workforce.

The cumulative effect of all this is that nurses and nurse faculty are retiring or leaving the profession at a rapid rate, and only a small number of nurses and nurse educators are taking their place.

In my home state of Arkansas, 153 eligible nursing students were turned away in 1999 because of the lack of faculty to teach them. In the meantime, over 750 nursing vacancies have been reported by Arkansas hospitals, and I know that this trend is being experienced by many more health care providers across the state. What is happening in Arkansas is becoming a major issue across the country.

The NEED Act builds on the programs currently in the Nurse Education Act and adds several new, innovative approaches to alleviate the nursing shortage. In the area of recruitment, the NEED Act establishes a Nurse Corps, which is essential to attracting able individuals into the nurse workforce to fill current and future health needs. In particular, the NEED Act expands the existing nurse loan repayment program under the Nurse Education Act and by adding scholarships for which nursing students can qualify in exchange for at least 2 years of service in a critical nurse shortage area or in a variety of health care facilities determined to have a shortage in nursing. In addition, the NEED Act adds nursing homes, home health agencies, public health departments and nurse management health centers to the list of eligible entities to fulfill this service requirement.

Changing the image of nursing and promoting workforce diversity is another key recruiting factor to get people, especially young people, interested in nursing careers. The NEED Act provides funding for multi-media campaigns at the federal and state level to reach out to individuals to encourage them to consider nursing as they make career choices.

The NEED Act also provides grants for community partnerships to develop innovative nurse recruiting and retention strategies tailored to a particular community, and authorizes additional funding for workforce diversity grants already provided for under the Nurse Education Act.

In order to strengthen the existing workforce, the NEED Act provides grant funding for: career ladder programs to facilitate educational advancement for individuals with existing nursing degrees or health care training; long-term care training for nurses who will inevitably be dealing with an older patient population; and nursing internships and residencies to meet the current demand for nurses with specialty training, be it in the ER or the labor and delivery room

Finally, the NEED Act provides for a fast-track faculty development program, which seeks to encourage master's and doctoral students to rapidly complete their studies through loans and scholarships. We must realize that getting people into the pipeline will mean very little if we do not have the teachers to teach them. Individuals receiving financial assistance through the fast-track faculty program must agree to teach at an accredited school of nursing in exchange for this assistance.

This is a bipartisan issue and it is becoming a nationwide concern. I hope that we can work together to successfully secure passage of the NEED Act and other meaningful solutions.

I ask unanimous consent that the text of the Nurse Employment and Education Development (NEED Act) be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 721

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 ''Nursing Employment and Education Development Act'' or the ''NEED Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) NURSE CORPS LOAN REPAYMENT PROGRAM.—Section 846 of the Public Health Service Act (42 U.S.C. 297n) is amended by—

(1) in subsection (a)(3), by inserting ''in a skilled nursing facility, in a home health agency, in a public health department, in a nurse-managed health center,'' after ''in a public hospital,''; and

(2) in subsection (g), by striking ''$5,000,000'' and all that follows to the period and inserting ''$10,000,000 for fiscal year 2002 and $15,000,000 in 2003''.

(b) GRANT PROGRAMS.—Title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.) is amended by adding at the end the following:

''PART H—NURSE CORPS SCHOLARSHIP PROGRAM

''SEC. 851. NURSE CORPS SCHOLARSHIP PROGRAM.

''(a) PROGRAM AUTHORIZED.—The Secretary shall establish a Nurse Corps Scholarship program (referred to in this section as the 'program') to provide scholarships to individuals seeking nursing education in exchange for service from such individuals in a critical nursing shortage area upon completion of such education.

''(b) PURPOSE.—The purpose of the program is to assure that—

''(1) an adequate supply of nurses, at all preparation levels up to the doctoral level, are available to meet the nursing needs in critical nursing shortage areas;

''(2) an adequate supply of nurse educators are available to meet the nursing education needs of the Nation; and

''(3) preference will be given to the preparation of minority nurses and individuals who demonstrate greatest financial need for nursing and nurse faculty scholarships.

''(c) CRITICAL NURSING SHORTAGE AREA.—

''(1) IN GENERAL.—The term 'critical nursing shortage area' means—

''(A) an urban or rural area that the Secretary determines is experiencing a nursing shortage;

''(B) a population that the Secretary determines has such a shortage; or

''(C) a medical facility or other public or private facility that the Secretary determines has a shortage.

''(2) FACTORS TO CONSIDER.—In making a determination regarding a critical nursing shortage area, the Secretary shall the criteria in section 846 for not more than 12 months, and after such period, the following:

''(A) The ratio of available nurses to the number of individuals in the area or population group.

''(B) The demonstrated need of a medical facility or other public health facility in the area.

''(C) The presence of innovative retention strategies utilized by eligible facilities.

''(d) ELIGIBILITY.—To be eligible for the program an individual shall—

''(1) be accepted for enrollment, or be enrolled, as a full- or part-time student in an accredited nursing program; and

''(2) submit an application for the program; and

''(3) submit a written contract, at the time of submitting the application, accepting payment of a scholarship in exchange for providing the required service in a critical nursing shortage area.

''(e) PREFERENCE.—In selecting individuals to participate in the program, the Secretary shall give priority to any application submitted by an individual—

''(1) who has characteristics that increase the probability that the individual will continue to serve in a critical nursing shortage area after the period of obligated service is complete;

''(2) who has an interest in a practice area of nursing, including teaching nursing, that has unmet needs; and

''(3) who is from a disadvantaged background or demonstrates the greatest financial need.

''(f) APPLICATION.—The Secretary shall create an application form for any individual desiring to participate in the program, and include in such form—

''(1) a summary of the rights and liabilities of an individual whose application is approved (and whose contract is accepted) by the Secretary;

''(2) information respecting meeting a service obligation through private practice under an agreement; and

''(3) any other information that the individual needs to understand the program, including a statement of all factors considered in approving applications for the program.

''(g) CONTRACT.—

''(1) IN GENERAL.—The Secretary shall prepare a written contract for the program that shall be provided to any individual desiring to participate in the program at the time that an application is provided to such individual.

''(2) CONTENT.—The contract described in paragraph (1) shall be an agreement between the Secretary and individual that states that, subject to paragraph (3)—

''(A) the Secretary agrees to—

''(i) provide the individual with a scholarship in each such school year or years for a period of years (not to exceed 4 school years) determined by the individual, during which period the individual is pursuing a course of study; and

''(ii) accept the individual into the Corps (or for equivalent service as otherwise provided in this section); and

''(B) the individual agrees to—

''(i) accept provision of such a scholarship to the individual;

''(ii) maintain enrollment in a course of study until the individual completes the course of study;

''(iii) while enrolled in such course of study, maintain an acceptable level of academic standing (as determined under regulations of the Secretary by the educational institution offering such course of study); and

''(iv) serve for required period of service equal to—

''(I) 1 year for each school year for which the individual was provided a scholarship under the program, or

''(II) 2 years,

whichever is greater, as a provider of nursing services in a critical nursing shortage area to which he or she is assigned by the Secretary as a member of the program, or as otherwise provided in this section.

''(3) LIMITATION.—The contract described in paragraph (1) shall contain a provision that any financial obligation of the United States arising out of a contract entered into under this section and any obligation of the individual which is conditioned thereon, is contingent upon funds being appropriated for scholarships under this section.

''(h) PAYMENT.—

''(1) IN GENERAL.—A scholarship provided to a student for a school year under a written contract under the program shall consist of—

''(A) payment to, or (in accordance with paragraph (2)) on behalf of, the student of the amount of—

''(i) the tuition of the student in such school year; and

''(ii) all other reasonable educational expenses, including fees, books, and laboratory expenses, incurred by the student in such school year; and

''(B) payment to the student of a stipend of $400 per month (adjusted in accordance with paragraph (3)) for each month the student is enrolled.

''(2) CONTRACT.—The Secretary may contract with an educational institution, in which a participant in the program is enrolled, for the payment to the educational institution of the amounts of tuition and other reasonable educational expenses described in paragraph (1)(A).

''(3) MONTHLY STIPEND.—The amount of the monthly stipend, specified in paragraph (1)(B) and as previously adjusted (if at all) in accordance with this paragraph, shall be increased by the Secretary as the Secretary determines to be reasonable.

''(i) BREACH OF AGREEMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), if an individual participates in the program under this section and agrees to provide health services for a period of time in consideration for receipt of an award of Federal funds for education as a nurse, the following applies:

''(A) FAILURE REGARDING EDUCATION.—The individual is liable to the Federal Government for the amount of such award (including amounts provided for expenses related to such attendance), and for interest on such amount at the maximum legal prevailing rate, if the individual—

''(i) fails to maintain an acceptable level of academic standing in the nursing program (as indicated by the program in accordance with requirements established by the Secretary);

''(ii) is dismissed from the nursing program for disciplinary reasons; or

''(iii) voluntarily terminates the nursing program.

''(B) FAILURE REGARDING SERVICE.—The individual is liable to the Federal Government for the amount of such award (including amounts provided for expenses related to such attendance), and for interest on such amount at the maximum legal prevailing rate, if the individual fails to provide health services in accordance with the program for the required time period.

''(2) WAIVER OR SUSPENSION OF LIABILITY.—The Secretary shall waive liability under paragraph (1) if compliance by the individual with the agreement involved is impossible, or would involve extreme hardship to the individual, and if enforcement of the agreements with respect to the individual or facility would be unconscionable.

''(j) INFORMATION OF THE PROGRAM.—The Secretary shall distribute material regarding the program to junior and senior high schools, community colleges, universities, and schools of nursing. The Secretary shall encourage such schools to disseminate such material to the students of such schools.

''(k) SERVICE INFORMATION.—The Secretary shall provide to an individual who has participated in the program and is nearing the conclusion of his or her service obligation, information regarding other opportunities for nursing in critical nursing shortage areas.

''(l) REPORT.—Not later than 18 months after the first loan cycle, and annually thereafter, the Secretary shall prepare and submit to Congress a report describing the program, including statements regarding—

''(1) the number of enrollees, scholarship, and grant recipients by year of study;

''(2) the number of graduates;

''(3) the amount of scholarship payments made for each of tuition, stipends, and other expenses;

''(4) which educational institutions the scholar attended;

''(5) the number and placement location of the scholars;

''(6) the default rate and actions required;

''(7) the amount of outstanding default funds;

''(8) to the extent that can be determined, the reason for the default;

''(9) the demographics of the individuals participating in the scholarship program; and

''(10) recommendations for future modifications of the scholarship program.

''(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002 and $15,000,000 for fiscal years 2003 and 2004.

''PART I—NURSE RECRUITMENT

''SEC. 855. PUBLIC AWARENESS AND EDUCATION CAMPAIGN.

''(a) NATIONAL CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall develop and administer a comprehensive national multi-media public education campaign to enhance the image of the nursing profession, promote diversity in the workforce, encourage individuals to enter the nursing profession, and encourage career development for individuals in the nursing profession.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection, $5,0000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

''(b) STATE CAMPAIGNS.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible entities to establish the multi-media campaigns described in subsection (a) at a State level.

''(2) DEFINITIONS.—

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means a professional State nursing association, State health care provider association, school of nursing, and any other entity that provides similar services or serves a like function.

''(B) STATE HEALTH CARE PROVIDER ASSOCIATION.—The term 'State health care provider association' means a professional association of hospitals, nursing homes, home health care agencies, hospices, consortia of said associations, or other such entities deemed eligible by the Secretary.

''(3) LIMITATION.—An eligible entity that receives a grant under this subsection shall not use funds received through such grant to advertise particular employment opportunities or recruit members or affiliates of such entity.

''(4) APPLICATION.—Each eligible entity that desires a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(5) EQUITABLE BROADCASTING.—The campaigns described in paragraph (1) shall be broadcast in such a manner as to inform diverse populations throughout the State of nursing opportunities, including rural populations.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

''SEC. 856. AREA HEALTH EDUCATION CENTERS PROGRAM.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to schools of nursing to expand the operation of area health education centers under section 751 to work in communities to develop models of excellence for school nurses, public health nurses, perinatal outreach nurses, and other community-based nurses, or to expand any junior and senior high school mentoring programs to include a nurse mentoring program.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

''SEC. 857. COMMUNITY NURSE OUTREACH GRANTS.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Director of the Office of Rural Health Policy (of the Health Resources and Services Administration) shall award grants to community-based partnerships to establish programs to recruit and retain nurses.

''(b) COMMUNITY-BASED PARTNERSHIPS.—The term 'community-based partnerships' means a health care provider and a community partner, such as a school, nursing program, faith-based organization, university, community college, public health department, State health care provider association, professional State nursing association, hospice care program or other entity deemed eligible by the Secretary, that forms a partnership with not less than 2 other entities in the community to develop a network to recruit and retain nurses in the community.

''(c) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to—

''(1) community-based partnerships seeking to recruit and retain nurses in rural communities and medically underserved urban communities, and other communities experiencing a nursing shortage; and

''(2) community-based partnerships seeking to address such needs as dependent care, transportation, or others as deemed appropriate by the Secretary.

''(d) APPLICATION.—A community-based partnership seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

"SEC. 858. EDUCATIONAL ASSISTANCE IN NURSING REGARDING INDIVIDUALS FROM DIVERSE OR DISADVANTAGED BACKGROUNDS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to assist individuals from disadvantaged backgrounds to pursue nursing education opportunities and nursing career positions.

''(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' has the same meaning given such term in section 801(1).

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use funds received under such grant to increase nursing education opportunities for individuals from disadvantaged backgrounds, including by providing student scholarships, stipends, pre-entry preparation, and retention activities.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

"PART J—STRENGTHENING THE NURSE WORKFORCE

"SEC. 861. GRANTS FOR CAREER LADDER PROGRAMS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to develop programs that aid and encourage individuals in nursing programs to pursue additional nursing education and training.

''(b) DEFINITIONS.—

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a school of nursing or a health care facility, or a partnership of such school and facility.

''(2) HEALTH CARE FACILITY.—The term 'health care facility' means a hospital, nursing home, home health care agency, hospice, federally qualified health center, federally qualified community health center, rural health clinic, or public health clinic.

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use such funds received through such grant to—

''(1) provide career counseling to individuals seeking to advance within the nursing profession;

''(2) promote career mobility for nursing personnel by providing training in a variety of settings and specialty training; and

''(3) develop programs to facilitate educational advancement for individuals with existing degrees or health care training.

''(d) APPLICATION.—An eligible entity seeking a grant under subsection (a) shall submit an application to the Secretary at such time, in such a manner, and containing such information as the Secretary may reasonably require.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

"SEC. 862. GRANTS FOR NURSE TRAINING.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to encourage individuals to enter the nursing profession with a focus on providing long-term care.

''(b)(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a school of nursing or a health care facility, or a partnership of such school and facility.

''(2) HEALTH CARE FACILITY.—The term 'health care facility' means a hospital, nursing home, home health care agency, hospice, federally qualified health center, federally qualified community health center, rural health clinic, or public health clinic.

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use such funds received through such grant to—

''(1) provide education and training to individuals who will provide long-term care; and

''(2) expand the enrollment in nursing programs, especially programs that focus on training individuals in the provision of long-term care.

''(d) APPLICATION.—An eligible entity seeking a grant under subsection (a) shall submit an application to the Secretary at such time, in such a manner, and containing such information as the Secretary may reasonably require.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

"SEC. 863. GRANTS FOR INTERNSHIP AND RESIDENCY PROGRAMS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to an eligible entity to develop internship and residency programs that encourage mentoring and the development of specialties.

''(b) DEFINITIONS.—

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a health care facility, or a partnership of a school of nursing and health care facility.

''(2) HEALTH CARE FACILITY.—The term 'health care facility' means a hospital, nursing home, home health care agency, hospice, federally qualified health center, federally qualified community health center, rural health clinic, or public health clinic.

''(c) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use such funds received through such grant to—

''(1) develop internship and residency programs and curriculum and training programs for graduates of a nursing program;

''(2) provide funding for faculty and mentors; and

''(3) provide funding for nurses participating in internship and residency programs on both a full-time and part-time basis.

''(d) APPLICATION.—An eligible entity seeking a grant under subsection (a) shall submit an application to the Secretary at such time, in such a manner, and containing such information as the Secretary may reasonably require.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004.

"PART K—NURSE FACULTY DEVELOPMENT

"SEC. 865. FAST-TRACK NURSING FACULTY LOAN PROGRAM.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to enter into an agreement for the establishment and operation of a student loan fund with any public or nonprofit private school of nursing to aid masters or doctoral level students.

''(2) LIMITATION.—Assistance provided under paragraph (1) for a part-time masters degree program shall be provided for not more than 6 years and for a part-time doctoral degree program for not more than 7 years.

''(b) AGREEMENT.—Each agreement entered into under this section shall—

''(1) provide for the establishment of a student loan fund by the school;

''(2) provide for the deposit in the fund of Federal contributions, additional amounts received from other sources, collections of principal and interest on loans made from the fund, and any other earnings of the fund;

''(3) provide that the fund shall only be used for loans to students of the school in accordance with the agreement and for costs of collection of such loans and interest thereon; and

''(4) provide that the loan shall only be used to meet the costs of projects that help individuals seek a masters degree or a doctoral degree.

''(c) LIMITATIONS.—The total of the loans for any academic year made by schools of nursing from loan funds established pursuant to agreements under this section may not exceed $35,000 in the case of any student. In the granting of such loans, a school shall give preference to persons with exceptional financial need.

''(d) TERMS AND CONDITIONS OF LOANS.—Loans from any student loan fund by any school shall be made on such terms and conditions as the school may determine, subject to limitations the Secretary may prescribe (by regulation or in the agreement with the school) to prevent the impairment of the capital of such fund while enabling the student to complete his course of study, except that—

''(1) such a loan may be made only to a student who—

''(A) is in financial need of the amount of the loan to pursue a full- or part-time course of study at the school to obtain a masters degree with a concentration in education or a doctoral degree; and

''(B) is capable, in the opinion of the school, of maintaining good standing in such course of study;

''(2) such a loan shall be repayable in equal or graduated periodic installments (with the right of the borrower to accelerate repayment) over the 10-year period which begins 9 months after the student ceases to pursue a full- or part-time course of study at a school of nursing, excluding from such 10-year period all—

''(A) periods (up to 3 years) of—

''(i) active duty performed by the borrower as a member of a uniformed service; or

''(ii) service as a volunteer under the Peace Corps Act; and

''(B) periods (up to 10 years) during which the borrower is pursuing a full-time or half-time course of study in advanced nursing education at a school of nursing;

''(3) the liability to repay the unpaid balance of such loan and accrued interest thereon shall be canceled upon the death of the borrower, or if the Secretary determines that the borrower has become permanently and totally disabled;

''(4) such a loan shall bear interest on the unpaid balance of the loan, computed only for periods during which the loan is repayable, at the rate of 5 percent per annum;

''(5) such a loan shall be made without security or endorsement, except that if the borrower is a minor and the note or other evidence of obligation executed by the borrower would not, under the applicable law, create a binding obligation, either security or endorsement may be required;

''(6) no note or other evidence of any such loan may be transferred or assigned by the school making the loan except that, if the borrower transfers to another school participating in the program, such note or other evidence of a loan may be transferred to such other school;

''(7) any student receiving a loan shall agree to teach at an accredited school of nursing for each year of assistance after the masters or doctoral degree has been obtained; and

''(8) pursuant to uniform criteria established by the Secretary, the repayment period established under paragraph (2) for any student borrower who during the repayment period failed to make consecutive payments

and who, during the last 12 months of the repayment period, has made at least 12 consecutive payments may be extended for a period not to exceed 10 years.

''(e) CANCELED LOAN.—Where all or any part of a loan, or interest, is canceled under this section, the Secretary shall pay to the school an amount equal to the school's proportionate share of the canceled portion, as determined by the Secretary.

''(f) PAYMENTS.—Any loan for any year by a school from a student loan fund established pursuant to an agreement under this section shall be made in such installments as the Secretary determines, and, upon notice to the Secretary by the school that any recipient of a loan is failing to maintain satisfactory standing, any or all further installments of the loans shall be withheld, as may be appropriate.

''(g) CHARGES.—Subject to regulations of the Secretary and in accordance with this section, a school shall assess a charge with respect to a loan from the loan fund established pursuant to an agreement under this section for failure of the borrower to pay all or any part of an installment when it is due and, in the case of a borrower who is entitled to deferment of the loan under subsection (d)(2), for any failure to file timely and satisfactory evidence of such entitlement. No such charge may be made if the payment of such installment or the filing of such evidence is made within 60 days after the date on which such installment or filing is due. The amount of any such charge may not exceed an amount equal to 6 percent of the amount of such installment. The school may elect to add the amount of any such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the school not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

''(h) REPAYMENT.—Upon application by a person who received and is under an obligation to repay, any loan made under this section, the Secretary may repay (without liability to the applicant) all or a part of such loan, and any interest or portion outstanding, if the applicant—

''(1) failed to complete the nursing studies with respect to which such loan was made;

''(2) is in exceptionally needy circumstances; and

''(3) has not resumed, or cannot reasonably be expected to resume, such nursing studies within 2 years following the date upon which the applicant terminated the studies with respect to which such loan was made.

''(i) APPLICATIONS.—The Secretary shall from time to time set dates by which schools of nursing must file applications for Federal capital contributions.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002 and $15,000,000 for fiscal years 2003 and 2004.

''SEC. 866. STIPEND AND SCHOLARSHIP PROGRAM.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary shall establish a scholarship and stipend program to encourage individuals to seek a masters degree or a doctoral degree at a school of nursing.

''(2) LIMITATION.—Assistance provided under paragraph (1) for a part-time masters degree program shall be provided for not more than 6 years and for a part-time doctoral degree program not more than 7 years.

''(b) ELIGIBILITY.—To be eligible to receive a scholarship or stipend under this section, an individual shall—

''(1) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require;

''(2) enter into an agreement with the Secretary to accept the scholarship in consideration for remaining enrolled in a nursing school and teaching at an accredited school of nursing for 1 year for each year of assistance with a course load determined by the school of nursing where the teaching will take place.

''(c) APPLICATION.—The Secretary shall disseminate application forms to individuals and in such forms, include—

''(1) a summary of the rights and liabilities of an individual whose application is approved by the Secretary; and

''(2) information respecting meeting the service obligation described in subsection (b)(2).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2002 and $15,000,000 for fiscal years 2003 and 2004.

''PART L—NATIONAL COMMISSION ON NURSING CRISIS

''SEC. 871. NATIONAL COMMISSION ON NURSING CRISIS.

''(a) IN GENERAL.—There is established a commission known as the National Commission on the Nursing Crisis (referred to in this section as the 'Commission').

''(b) DUTIES.—The Commission shall meet at least four times and shall study and make recommendations to the appropriate committees of Congress regarding—

''(1) agency initiatives and legislative actions that are necessary to address the nursing shortage in the short and long term;

''(2) nurse training, nurse recruitment, retention of nurses, workplace issues for nurses, funding for nursing programs in this Act and the Social Security Act, and infrastructure issues;

''(3) the facilitation of career advancement within the nursing profession;

''(4) attracting middle and high school students into nursing careers;

''(5) nurse education issues; and

''(6) the effectiveness of current nursing recruitment and retention programs, and what changes might be needed.

''(c) MEMBERSHIP.—Not later than 3 months after the date of enactment of this section, the Comptroller General shall appoint members of the Commission (taking into account rural and urban areas, geographic diversity, and the diversity of the patient population within such areas) which shall be composed of 19 members of whom—

''(1) at least ⅔ of such members shall be nurses and nursing assistants with different levels of education, and a significant portion of such shall be currently practicing as nurses; and

''(2) the other portion of such members shall be—

''(A) representatives of schools of nursing;

''(B) nursing students;

''(C) representatives of primary and secondary schools;

''(D) representatives of the Departments of Health and Human Services and Education;

''(E) representatives of public health departments;

''(F) representatives of employers and facilities, such as hospitals, long term care facilities, and home health agencies;

''(G) patients and representatives of patients;

''(H) representatives of professional nursing associations;

''(I) representatives of health plans or health insurance issuers;

''(J) union representatives who are nurses; and

''(K) representatives of other health care provider groups.

''(d) CHAIRPERSON.—The Secretary shall serve as the chairperson of the Commission.

''(e) SUBCOMMITTEES.—The Chairperson shall have the authority to create subcommittees as the Chairperson determines is necessary.

''(f) STAFF.—The Secretary shall provide any staff that the Commission shall require.

''(g) QUORUM.—Nine members of the Commission shall constitute a quorum.

''(h) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner as the original appointment and shall be made not later than 30 days after the date on which the Commission is given notice of such vacancy.

''(i) COMPENSATION.—Members of the Commission shall receive no additional compensation by reason of their service to the Commission. Each member shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

''(j) REPORT.—Not later than 15 months after the date of enactment of this section, the Commission shall prepare and submit to Congress and the Secretary, a report that makes the recommendations described in subsection (b) and reports on any best practices that such Commission determines.

''(k) SUNSET.—This section shall be effective for 15 months from the date of enactment of this section.

''(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $500,000 for fiscal year 2002.''.

Mr. FRIST. Mr. President, we are in the midst of a nursing workforce shortage. Not only are fewer people entering and staying in the nursing profession, but we are losing nurses at a time of growing need. Today, nurses are needed in a greater number of settings, such as nursing homes, extended care facilities, community and public health settings, nursing education, and ambulatory care settings. Nationally, health care providers, ranging from hospitals and nursing homes to home health agencies and public health departments are struggling to find qualified nurses to provide safe, efficient quality care for their patients.

Though we have faced nursing shortages in the past, this shortage is particularly troublesome because it reflects two trends that are occurring simultaneously: (1) a shortage of people entering the profession and (2) the retirement of nurses who have been working in the profession for many years. Over the past 5 years, enrollment in entry-level nursing programs has declined by 20%, mirroring the declining awareness of the nursing profession among high school graduates. Consequently, nurses under the age of 30 represent only 10% of the current workforce; and by 2010, 40% of the nursing workfoce will be over the age of 50 and nearing retirement. If these trends are not reversed, we stand to lost vast numbers of nurses at the vert time that they will be needed to care for the millions of baby boomers reach retirement age.

Further, greater efforts must be made to recruit more men and minorities to this noble profession. Currently, only 10% of the registered nurses in the United States are from racial or ethnic minority backgrounds, even though these individuals comprise 28% of the total United States population. In 2000, only 5.9% of the registered nurses were men. We must work to promote diversity in the workforce, not only to increase the number of individuals within the profession but also to promote culturally competent and relevant care.

Even if nursing schools could recruit more students to deal with the shortage, many schools could not accommodate higher enrollments because of faculty shortages. There are nearly 400 faculty vacancies at nursing schools in this country. And, an even greater faculty shortage looms in the next 10–15 years as many current nursing faculty approach retirement and fewer nursing students pursue academic careers.

Therefore, I am pleased to join Senator HUTCHINSON in introducing the Nursing Employment and Education Development (NEED) Act to expand current programs addressing the increasing number of settings which rely on nurses to provide care, to attract young people to the nursing profession, and to promote career mobility. The NEED Act complements legislation that I am developing as Chairman of the Subcommittee on Public Health—the reauthorization of the National Health Service Corps (NHSC). The NHSC, a program designed to address the geographic maldistribution of health professionals, cannot be the only solution sought to deal with our nursing shortage. Initiatives like the NEED Act are also a critical component of a comprehensive strategy to address this growing problem.

Specifically, the NEED Act will develop a national Nurse Corps Program that will allow nurses to receive scholarships and loan repayment assistance for agreeing to serve at least two years in nursing homes, home health agencies, public health departments, health centers, public hospitals, or rural health clinics. This program expansion more accurately address the number of settings affected by the nursing shortage and allows for stronger recruitment efforts for disadvantaged students.

The bill will also help to attract young people to the profession by funding a multi-media, public campaign to enhance the image of the nursing profession, promote diversity in the workforce, and encourage career development for those already in the profession. The NEED Act further promotes community involvement by providing community outreach grants to providers and community partners to develop and implement creative strategies for nurse recruitment and retention. The bill also expands the Area Health Education Centers program to enhance recruitment and retention of nurses in rural areas.

The NEED Act promotes career mobility by expanding career ladder programs and encouraging individuals to pursue advanced education through available scholarships and stipends. The bill also authorizes a Fast-Track Nursing Faculty Scholarships and Loan Program—a program providing scholarships, loans, and monthly stipends to college graduates and master's students to allow full-time study and faster completion of doctoral studies. To assist nursing schools in preparing those students, the NEED Act provides needed funding for long-tern care training and for internship or residency programs to encourage mentoring and the development of subspecialists.

The NEED Act will help assure a strong and vibrant nursing workfoce, allowing us to avoid the harmful effects of a long-term nursing shortage. I appreciate Senator HUTCHINSON's work on this issue, and I am pleased to join him to day to introduce a bill that represents an important and thoughtful response to this pressing issue.

Ms. MIKULSKI. Mr. President, I rise to join with my colleague, Senator TIM HUTCHINSON, today to introduce the Nursing Employment and Education Development or ''NEED'' Act. This bill is sorely needed, because we have a nursing shortage. In Maryland, 15% of the nursing jobs are vacant. Last year, it took an average of 68 days to fill a nurse vacancy, and we need about 1,600 more full-time nurses to fill those vacancies. There were 2,000 fewer nurses in Maryland in 1999 than there were in 1998. The shortage exists across the United States, and will get worse in the future. Nationwide, we will need 1.7 million nurses by the year 2020, but only about 600,000 will be available.

We depend on nurses every day to care for millions of Americans, whether in a hospital, nursing home, health center, hospice, or through home health. They are the backbone of our health care system. If we don't effectively address the crisis in nursing, those hospitals, nursing homes and clinics will soon be on life support.

This bill is a downpayment. It doesn't address the fact that nurses are underpaid, overworked, and undervalued, but it does focus on education. The NEED Act seeks to help bring men and women into the nursing profession, and help them advance within it. The bill does this under five major approaches:

Nurse Corps: Creates a Nurse Corps Scholarhip Program, which provides scholarships in exchange for at least 2 years of service in a critical nurse shortage area, authorizes increased funding for the nursing education loan repayment program,

Nurse Recruitment and Retention:

Creates a public awareness and education campaign, to be carried out on the state and national level, to enhance the image of nursing, promote diversity in the nursing workforce, and encourage people to enter the nursing profession, enables Area Health Education Centers (AHECs) to expand their junior and senior high school mentoring programs for nurses and develop ''models of excellence'' for community-based nurses, creates networks between health care facilities and community organizations that will recruit and retain nurses in the community.

Nurse Training: Creates ''career ladder'' programs that will encourage nurses and nursing students to pursue additional education and training and advance within the profession, encourages students to enter the nursing profession with a focus on long-term care develops internship and residency programs that encourage mentoring and the development of specialties such as labor and delivery and emergency room nursing.

Nursing Faculty Development: Provides scholarships and loans for graduate-level education in nursing, to help ensure that we have enough teachers at our nursing schools.

National Commission on the Nursing Crisis: Creates a National Commission on the Nursing Crisis, modeled after the Maryland Commission on the Crisis in Nursing, which will study and make recommendations to Congress within 1 year on how to address the nursing shortage in the short and long term.

This bill is about nursing education, but it's also about empowerment. We can empower people to have a better life and go into a career to save lives.

The bill will empower the single mom who has been working in a dead-end retail job to forge a better life for herself and her family. It will help her get a scholarship to help pay for tuition, books, and lab fees, and by funding child care programs to help her balance work and family.

The bill empower the nurse who has a baccalaureate degree, but wants to get a Master's degree so she can teach nursing at a community college. It will help her get loans, scholarships, and living stipends to pursue that degree.

This bill also will fund partnerships between schools and health care providers to inspire the next generation of nurses. For example, a 12-year old boy or girl in Suitland, Maryland who is interested in nursing, could like up with a ''buddy'' or mentor at the local hospital. That mentor could help the student with science homework, or even let the student ''shadow'' the mentor at work.

It is important that we add these programs to the federal law books. But as a member of the Appropriations Committee, I know how important it is that we fund them and our existing programs in the federal checkbook. That's why I was disturbed to read in the newspaper yesterday that President Bush plans to cut funding for education and training programs for doctors, nurses, pharmacists, and other health professionals from $353 million to just $140 million. That's a cut of $213 million! Such a move would be penny-wise and pound-foolish.

President Bush wants to slow the growth of federal spending, but he can't slow the growth of illness, or of our aging population. He adds money for community health centers, which I support. But who will staff them? Without nurses, more community health centers are a hollow opportunity. He adds more money for medical research at the National Institutes of Health, which I support. But he

doesn't fund the programs that will train the pharmacists who will dispense the medicines that come from that medical research, or a real Medicare prescription drug benefit so that seniors can afford them. Again, this is a hollow opportunity. I urge the President to reconsider, and the Congress to reject his approach.

I hope to work with my colleagues on both sides of the aisle to enhance opportunity for nurses and recruit new nurses into the profession by enacting this bill into law this year. Thank you.

By Mr. FRIST (for himself, Mr. REED, and Mr. LUGAR):

S. 722. 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; to the Committee on Commerce, Science, and Transportation.

Mr. FRIST. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 722

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 ''Telemarketer Identification Act of 2001''.

SEC. 2. PROHIBITION ON INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.

(a) IN GENERAL.—Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) PROHIBITION ON INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.—

''(1) IN GENERAL.—It shall be unlawful for any person or entity within the United States, in making any commercial telephone solicitation, to interfere with or circumvent the ability of a caller identification service to access or provide to the recipient of the call the information about the call (as required under the regulations issued under paragraph (2)) that such service is capable of providing.

''(2) REGULATIONS.—Not later than 18 months after the date of the enactment of the Telemarketer Identification Act of 2001, the Commission shall prescribe regulations to implement this subsection. The regulations shall—

''(A) require any person or entity making a commercial telephone solicitation to make such solicitation in a manner such that a recipient of such solicitation having a caller identification service capable of providing such information will be provided by such service with—

''(i) the name of the person or entity on whose behalf such solicitation is being made, or the name of the person or entity making the solicitation; and

''(ii) a valid and working telephone number at which the person or entity making such solicitation or the person or entity on whose behalf such solicitation was made may be reached during regular business hours for the purpose of requesting that the recipient of such solicitation be placed on the do-not-call list required under section 64.1200 of the Commission's regulations (47 CFR 64.1200) to be maintained by the person making such solicitation; and

''(B) provide that any person or entity who receives a request from a person to be placed on such do-not-call list may not use such person's name and telephone number for any other telemarketing purpose (including transfer or sale to any other entity for telemarketing use) other than enforcement of such list.

''(3) PRIVATE RIGHT OF ACTION.—A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State—

''(A) an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation;

''(B) an action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each such violation, whichever is greater; or

''(C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B).

''(4) DEFINITIONS.—In this subsection:

''(A) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of an incoming telephone call.

''(B) TELEPHONE CALL.—The term 'telephone call' means any telephone call or other transmission which is made to or received at a telephone number of any type of telephone service. Such term includes calls made by an automatic telephone dialing system, an integrated services digital network, and a commercial mobile radio source.''.

(b) DELAYED EFFECTIVE DATE.—

(1) IN GENERAL.—The regulations prescribed by the Federal Communications Commission under subsection (e) of section 227 of the Communications Act of 1934, as added by subsection (a), shall take effect on the date that is two years after the date of the enactment of this Act.

(2) ADDITIONAL DELAY FOR GOOD CAUSE SHOWN.—The Commission may grant a wavier from compliance with the regulations referred to in paragraph (1) for a period of not more than 24 months upon application (made at such time, in such form, and containing such information as the Commission may require), and after notice to the public and an opportunity for comment, to any person who demonstrates to the satisfaction of the Commission that—

(A) it will comply with the regulations before the expiration of the period of time for which the waiver is requested;

(B) without the requested waiver, timely compliance with the regulations would be technically infeasible because of technical problems associated with the telecommunications equipment used by the applicant; and

(C) replacement or upgrading of the telecommunications equipment used by the applicant in order to comply with the regulations in a timely manner without the waiver—

(i) would impose an unduly onerous financial burden on the applicant;

(ii) is not feasible because the equipment, software, or technical assistance necessary for the replacement or upgrade is not available; or

(iii) cannot be completed before the effective date of the regulations.

SEC. 3. EFFECT ON STATE LAW AND STATE ACTIONS.

(a) EFFECT ON STATE LAW.—Subsection (f)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227), as redesignated by section 2 of this Act, is further amended—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) in subparagraph (D), by striking the period and inserting ''; or''; and

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

''(E) interfering with or circumventing caller identification services.''.

(b) ACTIONS BY STATES.—The first sentence of subsection (g)(1) of such section 227, as so redesignated, is further amended by inserting after ''this section,'' the following: ''or has engaged or is engaging in a pattern or practice of interfering with or circumventing caller identification services of residents of that State in violation of subsection (e) or the regulations prescribed under such subsection,''.

By Mr. SPECTER (for himself, Mr. HARKIN, Mr. THURMOND, Mr. CHAFEE, Mr. SMITH of Oregon, Mr. HOLLINGS, Mr. REID, Mrs. MURRAY, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KERRY, and Mr. INOUYE):

S. 723. A bill to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; to the Committee on Health, Education, Labor, and Pensions.

Mr. SPECTER. Mr. President, I have sought recognition today to introduce the ''Stem Cell Research Act of 2001.'' As chairman of the Senate appropriations subcommittee that funds medical research, my distinguished colleague, Senator TOM HARKIN and I convened a series of seven hearings to learn more about an exciting medical discovery and the promise it holds. The source of this new hope is what scientists call ''stem cells.'' These are living cells which, in their earliest stages, have the ability to transform into any type of cell in the human body. If the scientists are correct, a stem cell implanted in a heart, for example, would become a healthy heart cell; if the same stem cell were implanted in a liver, it would grow into a healthy liver cell. It is this remarkable adaptability that leads scientists to believe that one day, stem cells could be transplanted to any part of the body to replace tissue that has been damaged by disease, injury or aging.

A team of researchers also found that human embryonic stem cells that were injected into the spinal cords of monkeys stricken with Lou Gehrig's disease showed promising signs of movement. These early research findings indicate that stem cells hold hope for countless patients with cancer, Parkinson's, heart disease, Alzheimer's and spinal cord injury, just to name a few. These cells could become a veritable fountain of youth.

What had been delaying the advancement of this new line of research is a provision in the Labor-HHS appropriations bill that prohibits research on

human embryos. In early 1999, the Department of Health and Human Services ruled that Federal researchers could conduct research on stem cell lines derived from private sources. I applaud the HHS ruling and encourage the NIH to review, on an expedited basis, the compliance applications they recently received. However, we have a duty to accelerate medical research by allowing researchers to utilize Federal funds to derive their own stem cells.

Human embryonic stem cell research holds such potential for millions of Americans who are sick and in pain that we believe it is wrong for us to prevent or delay our world-class scientists from building on the progress that has been made.

Our legislation creates one narrow and specific source for Federal researchers to obtain embryos for use in stem cell research: embryos which would otherwise be discarded from in-vitro fertilization clinics, with the expressed consent of the donating families. In addition, a provision is included which requires that all Federally-funded research must adhere to strict procedural and ethical guidelines to ensure that such research is conducted in an ethical, sound manner. It is important to note that as it stands today, embryonic stem cell research in the private sector is not subject to Federal monitoring or ethical requirements.

I am pleased that my colleagues, Senators THURMOND, CHAFEE, G. SMITH, HOLLINGS, REID, MURRAY, CLINTON, CORZINE, FEINSTEIN, KERRY, and INOUYE have joined me and Senator HARKIN as original cosponsors of this vital legislative effort. I urge all of my colleagues to join us in supporting this important legislation that will give many Americans the promise to treat diseases that today are incurable.

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. 723

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 ''Stem Cell Research Act of 2001''.

SEC. 2. HUMAN EMBRYONIC STEM CELL GENERATION AND RESEARCH.

Part H of the Title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 498B the following:

''SEC. 498C. HUMAN EMBRYONIC STEM CELL GENERATION AND RESEARCH.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may only conduct, support, or fund research on human embryos for the purpose of generating embryonic stem cells and utilizing stem cells that have been derived from embryos in accordance with this section.

''(b) SOURCES OF EMBRYONIC STEM CELLS.—For purposes of carrying out research under subsection (a), the human embryonic stem cells involved shall be derived only from embryos that have been donated from in-vitro fertilization clinics after compliance with the following:

''(1) Prior to the consideration of embryo donation and through consultation with the progenitors, it is determined that the embryos will never be implanted in a woman and would otherwise be discarded.

''(2) The embryos are donated with the written informed consent of the progenitors.

''(c) RESTRICTIONS.—

''(1) IN GENERAL.—The following restriction shall apply with respect to human embryonic stem cell research conducted or supported under subsection (a):

''(A) The research involved shall not result in the creation of human embryos.

''(B) The research involved shall not result in the reproductive cloning of a human being.

''(2) PROHIBITION.—

''(A) IN GENERAL.—It shall be unlawful for any person receiving Federal funds to knowingly acquire, receive, or otherwise transfer any human embryos for valuable consideration if the acquisition, receipt, or transfer affects interstate commerce.

''(B) DEFINITION.—In subparagraph (A), the term 'valuable consideration' does not include reasonable payments associated with transportation, transplantation, processing, preservation, quality control, or storage.

''(d) GUIDELINES.—The Secretary, in conjunction with the Director of the National Institutes of Health, shall issue guidelines that expand on the rules governing human embryonic stem cell research (as in effect on the date of enactment of this section) to include rules that govern the derivation of stem cells from donated embryos under this section.

''(e) REPORTING REQUIREMENTS.—The Secretary shall annually prepare and submit to the appropriate committees of Congress a report describing the activities carried out under this section during the preceding fiscal year, and including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.''.

Mr. HARKIN. Mr. President, I am pleased to join my distinguished colleague, Senator SPECTER, on the introduction of the ''Stem Cell Research Act of 2001.'' I want to commend Senator SPECTER for having the leadership and foresight to introduce legislation which will broaden the ability of federally-funded scientists to pursue stem cell research, under certain, limited conditions.

From enabling the development of cell and tissue transplantation, to improving and accelerating pharmaceutical research and development, to increasing our understanding of human development and cancer biology, the potential benefits of stem cell research are truly awe-inspiring.

Stem cells hold hope for countless patients through potentially lifesaving therapies for Parkinson's, Alzheimers, stroke, heart disease and diabetes. Also exciting is the possibility that researchers may be able to alter stem cells genetically so they would avoid attack by the patient's immune system.

Currently, for example, researchers are conducting groundbreaking research on the devastating condition commonly known as ''Lou Gehrig's disease.'' They are injecting stem cells into the spinal cords of moneys in an attempt to treat the disease. And they are reporting very promising early results.

But the potential benefits of this study and others could be delayed or even denied to patients without a healthy partnership between the private sector and the federal government.

While market interest in stem cell technology is strong, and private companies will continue to fund this research, the government has an important role to play in supporting the basic and applied science that underpins these technologies. The problem is that early, basic science is always going to be underfunded by the private sector because this type of research does not get products onto the market quickly enough. The only way to ensure that this research is conducted is to allow the NIH to support it.

The Department of Health and Human Services ruled last year that under the current ban on human embryo research, federally-funded scientists can conduct stem cell research if they use cell lines derived from private sources. Unfortunately, the current administration has placed this ruling under review. We are anxiously awaiting the outcome of this review.

In the meantime, I am pleased to join my colleagues in stating my strong support for stem cell research. There is broad agreement, across party lines, that this research is important, it could save lives, and it should not be halted.

In its report, ''Ethical Issues in Human Stem Cell Research,'' the National Bioethics Advisory Commission (NBAC) concludes that stem cell research should be allowed to go forward with federal support, as long as researchers were limited to only two sources of stem cells: fetal tissue and embryos resulting from infertility treatments. And they recommend that federal support to be contingent on an open system of oversight and review.

NBAC also arrived at the important conclusion that it is ethically acceptable for the federal government to finance research that both derives cell lines from embryos and that uses those cell lines. Their report states, ''Relying on cell lines that might be derived exclusively by a subset of privately funded researchers who are interested in this area could severely limit scientific and clinical progress.''

The Commission goes on to say that ''scientists who conduct basic research and are interested in fundamental cellular processes are likely to make elemental discoveries about the nature of ES [embryonic stem] cells as they derive them in the laboratory.''

NBAC's report presents reasonable guidelines for federal policy. Our bill bans human embryo research, but allows federally-funded scientists to derive human pluripotent stem cells from human embryos if those embryos are obtained from IVF clinics, if the donor has provided informed consent and the embryo was no longer needed for fertility treatments. The American Society of Cell Biology estimates that

100,000 human embryos are currently frozen in IVF clinics, in excess of their clinical need.

In addition, our language requires HHS and NIH to develop procedural guidelines to make sure that stem cell research is conducted in an ethical, sound manner. As it stands today, stem cell research in the private sector is not subject to federal monitoring or ethical requirements.

Mr. President, stem cell research holds such hope, such potential for millions of Americans who are sick and in pain, it is morally wrong for us to prevent or delay our world-class scientists from building on the progress that has been made.

As long as this research is conducted in an ethically validated manner, it should be allowed to go forward, and it should receive federal support. That is why Senator SPECTER and I have joined together on legislation that will allow our nation's top scientists to pursue critical cures and therapies for the diseases and chronic conditions which strike too many Americans. I urge my Senate colleagues to join us in supporting this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 66—EXPRESSING THE SENSE OF THE SENATE REGARDING THE RELEASE OF TWENTY-FOUR UNITED STATES MILITARY PERSONNEL CURRENTLY BEING DETAINED BY THE PEOPLE'S REPUBLIC OF CHINA

Mr. THOMAS (for himself, Mr. KERRY, Mr. WARNER, Mrs. FEINSTEIN, Mr. MURKOWSKI, Mr. BIDEN, Mr. LUGAR, Mr. SMITH of Oregon, Mrs. CLINTON, Mr. BROWNBACK, Mr. BAUCUS, Mr. ROBERTS, Mr. NELSON of Florida, Mr. LIEBERMAN, Mr. KENNEDY, Mr. DODD, Mr. TORRICELLI, Mr. CORZINE, Mr. MCCONNELL, Mr. LEVIN, Mrs. BOXER, Mr. WELLSTONE, Mr. DASCHLE, Mr. ROCKEFELLER, Mrs. CARNAHAN, Mr. CONRAD, Mrs. MURRAY, Mr. THURMOND, Mr. CRAPO, Mr. DORGAN, Mr. BAYH, Mr. CAMPBELL, Ms. CANTWELL, Ms. COLLINS, Mr. EDWARDS, Mr. KOHL, Mr. HUTCHINSON, Mr. FITZGERALD, Mr. INOUYE, Mr. JOHNSON, and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 66

Whereas, at 9:15 a.m. local time on April 1, 2001, a collision occurred between a United States military EP–3E Aries II reconnaissance aircraft and one of two F–8 jet fighters from the People's Liberation Army-Air Force of the People's Republic of China sent to intercept it;

Whereas both countries agree that the collision occurred in international airspace over the South China Sea near the Chinese island province of Hainan;

Whereas due to the damage incurred in the unfortunate accidental collision, the F–8 and its pilot were lost at sea and the EP–3E was required to make a ''Mayday'' distress call on the internationally recognized emergency radio frequency;

Whereas because of the resultant structural damage to the EP–3E aircraft it effectuated an emergency landing at a military airbase at Lingshui, Hainan;

Whereas upon landing the twenty-four United States military personnel aboard the EP–3E were removed from the aircraft by Chinese military personnel and detained in an undisclosed location, notwithstanding the fact that the crew of an aircraft forced to land on foreign soil in an emergency is considered under international norms to have sovereign immunity;

Whereas Chinese authorities unnecessarily prevented United States military and consular officials from meeting with the crew members until April 3, 2001, then permitting only a short, supervised visit, and has, to date, denied further visits;

Whereas in contravention of international norms Chinese officials have boarded the aircraft and may have removed portions of the equipment therefrom;

Whereas international law recognizes both the right of the crew of an aircraft in distress to land safely on foreign soil and the inviolable sovereignty of an aircraft in distress that has landed on foreign soil;

Whereas international law recognizes the right of a nation which has had an aircraft land in distress on foreign soil to have its citizens and aircraft returned safely and without undue delay; and

Whereas President Bush has requested that the People's Republic of China arrange the ''prompt and safe return of the crew and the return of the aircraft without further damage[] or tampering,'' and has noted that a failure by Chinese authorities to do so would be ''inconsistent with standard diplomatic practice;''

Now, therefore, be it

Resolved by the Senate, that:

(1) the Senate expresses its regret at the damage and loss of life occasioned by the accidental collision of the two aircraft;

(2) it is the sense of the Senate that the government of the People's Republic of China should:

(a) immediately release the crew members of the EP–3E into the custody of United States military or consular officials, and allow them to leave the country; and

(b) return the EP–3E aircraft and all its equipment to the possession of the United States, without any further boarding or inspection, or removal of equipment; and

(3) the Senate fully supports the continuing efforts of the President to ensure the safe return of the crew and the aircraft.

SENATE RESOLUTION 67—COMMENDING THE BLUE DEVILS OF DUKE UNIVERSITY FOR WINNING THE 2001 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S BASKETBALL CHAMPIONSHIP

Mr. HELMS (for himself and Mr. EDWARDS) submitted the following resolution; which was considered and agreed to:

S. RES. 67

Whereas the 2000–2001 Duke University Blue Devils' men's basketball team (referred to in this resolution as the ''Duke Blue Devils'') had a spectacular season;

Whereas the Duke Blue Devils finished the regular season with a 26–4 record, claiming a record 5 straight finishes in first place during the Atlantic Coast Conference regular season;

Whereas the Duke Blue Devils won the 2001 Atlantic Coast Conference Tournament Championship, winning the championship of that tournament for the third year in a row;

Whereas the Duke Blue Devils are the first men's basketball team to be a number 1 seed in the National Collegiate Athletic Association's Men's Basketball Tournament during 4 consecutive seasons since that association began seeding teams in 1979;

Whereas the Duke Blue Devils amassed the most wins, 133, in a 4-year period of any National Collegiate Athletic Association men's basketball team in history;

Whereas Shane Battier received the 2001 Naismith Award as men's college basketball Player of the Year;

Whereas Coach Mike Krzyzewski has taken the Duke Blue Devils to 7 national championship games in 16 years;

Whereas Coach Krzyzewski led the Duke Blue Devils to the team's third national championship;

Whereas the Duke Blue Devils are a fine example of academic and athletic dedication and success;

Whereas the team's success during the 2000–2001 season was truly a team accomplishment; and

Whereas the Duke Blue Devils won the 2001 National Collegiate Athletic Association Men's Basketball Championship: Now, therefore, be it

Resolved, That the Senate commends the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Men's Basketball Championship.

AMENDMENTS SUBMITTED AND PROPOSED

SA 192. Mr. DOMENICI submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table.

SA 193. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 194. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 195. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 196. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 197. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 198. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 199. Mr. CLELAND (for himself, Mr. JEFFORDS, Mr. LEVIN, Mr. SARBANES, Mr. LIEBERMAN, and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 200. Mr. BREAUX (for himself, Mr. NELSON, of Nebraska, Ms. LANDRIEU, Mrs. CARNAHAN, Mr. CHAFEE, Mrs. LINCOLN, Mr. BAYH, Mr. TORRICELLI, and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the concurrent resolution H.

Con. Res. 83, supra; which was ordered to lie on the table.

SA 201. Mr. ALLEN (for himself, Mr. BROWNBACK, Mr. WARNER, and Mr. SMITH, of New Hampshire) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 202. Mr. DURBIN (for himself, Mr. BIDEN, Mr. LIEBERMAN, and Mr. DASCHLE) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 203. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 204. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 205. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 206. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 207. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 208. Mr. BYRD submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 209. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 210. Mr. BOND submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 211. Mr. BOND (for himself, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. FRIST, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 212. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 213. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 214. Ms. COLLINS (for herself, Mr. JOHNSON, and Mr. DASCHLE) submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 215. Mr. FRIST (for himself, Mr. SMITH, of Oregon, Mr. LEAHY, Mr. DURBIN, Mr. KERRY, Mr. FEINGOLD, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. LEVIN) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 216. Mr. BENNETT proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 217. Mr. SMITH, of Oregon (for himself, Mrs. CLINTON, Ms. SNOWE, Ms. COLLINS, Mr. SARBANES, and Mr. BAYH) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 218. Mr. KENNEDY (for himself, Mr. WYDEN, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 219. Mr. REID submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 220. Mr. REID (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 221. Mr. JOHNSON (for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. KERRY, Mr. FEINGOLD, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 222. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 223. Mr. BURNS submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 224. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 225. Mr. HOLLINGS (for himself, Mr. BIDEN, and Mr. DASCHLE) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 226. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 227. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 228. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 229. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 230. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 231. Mrs. MURRAY (for herself, Mr. AKAKA, Mr. LIEBERMAN, Mr. EDWARDS, Mrs. LINCOLN, Ms. CANTWELL, Mrs. BOXER, and Mr. REID) submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 232. Mr. KENNEDY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 233. Mr. SARBANES (for himself and Mr. DODD) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 234. Mr. DODD (for himself, Mr. DURBIN, Mr. LEVIN, Mr. FEINGOLD, Mr. CORZINE, Mr. KENNEDY, and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 235. Mr. DODD (for himself, Ms. LANDRIEU, Mr. FEINGOLD, Mr. LEVIN, Mr. BINGAMAN, and Mr. CORZINE) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 236. Mr. DEWINE (for himself, Mr. GRAHAM, Ms. SNOWE, Ms. MIKULSKI, Mr. BREAUX, Ms. LANDRIEU, and Mr. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 237. Mr. GRASSLEY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 238. Mr. LEAHY (for himself and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 239. Mr. DAYTON submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 240. Mr. SMITH, of Oregon (for himself, Mr. WYDEN, Mr. BAUCUS, Mr. KENNEDY, Ms. SNOWE, Mr. SANTORUM, and Ms. COLLINS) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 241. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 242. Mr. BIDEN (for himself, Mrs. BOXER, Mr. DASCHLE, Mrs. CLINTON, Mr. DAYTON, Mr. LEVIN, Ms. STABENOW, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 243. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 244. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 245. Mr. SMITH, of Oregon (for himself, Mrs. CLINTON, Ms. SNOWE, Ms. COLLINS, and Mr. SARBANES) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 246. Mr. SMITH, of Oregon (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 247. Mr. SANTORUM submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 248. Mr. CORZINE (for himself and Mr. BAYH) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 249. Mr. KERRY (for himself, Mr. LIEBERMAN, Mr. REID, Mr. BINGAMAN, Ms. LANDRIEU, Ms. CANTWELL, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 250. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended

to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 251. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 252. Mr. ROCKEFELLER submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 253. Mrs. LINCOLN (for herself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 254. Mrs. LINCOLN (for herself, Mr. KENNEDY, Ms. LANDRIEU, and Mr. CORZINE) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 255. Mr. DODD (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 256. Mr. REID (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, Mr. LEVIN, and Mr. SMITH, of Oregon) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 257. Mr. CORZINE (for himself, Mr. TORRICELLI, Mr. DASCHLE, Mr. REID, Mr. BINGAMAN, Mr. SARBANES, Ms. MIKULSKI, Mrs. MURRAY, Mr. FEINGOLD, Mrs. BOXER, Mr. KERRY, Mr. DORGAN, Mrs. CLINTON, Mr. SCHUMER, Mr. LIEBERMAN, and Mr. DAYTON) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 258. Mr. DOMENICI submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 259. Mr. CONRAD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 260. Mr. CONRAD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 261. Mr. CONRAD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 262. Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 263. Mr. ALLEN (for himself, Mr. BROWNBACK, Mr. CRAIG, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 264. Mr. THOMPSON submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 265. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 266. Mr. WARNER submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 267. Mr. BIDEN (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 268. Mr. HUTCHINSON (for himself, Mr. REID, Mr. WARNER, Ms. COLLINS, and Mr. SMITH, of Oregon) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 269. Mr. WELLSTONE (for himself, Mr. JOHNSON, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. KERRY, Mr. FEINGOLD, Ms. LANDRIEU, Mr. DURBIN, Mr. DASCHLE, Mr. REID, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 270. Mr. KENNEDY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 271. Mr. KENNEDY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 272. Mr. WELLSTONE submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 273. Mr. WELLSTONE submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 274. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 275. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 276. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 277. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 278. Mr. SCHUMER (for himself, Mr. BIDEN, Ms. SNOWE, Mr. LEVIN, Ms. LANDRIEU, Mr. KOHL, Mrs. CLINTON, Mr. KENNEDY, Mr. BAYH, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 279. Mr. SCHUMER (for himself, Mr. BIDEN, Ms. SNOWE, Mr. LEVIN, Ms. LANDRIEU, Mr. KOHL, Mrs. CLINTON, Mr. KENNEDY, Mr. BAYH, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 280. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 281. Mr. GREGG (for himself, Mr. FEINGOLD, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 282. Mr. GREGG (for himself, Mr. FEINGOLD, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 283. Mr. SMITH, of Oregon (for himself, Mr. HARKIN, Mr. LEAHY, Ms. SNOWE, Mr. CRAPO, Mrs. BOXER, Mr. WYDEN, Mr. DAYTON, Mr. BINGAMAN, Mr. LEVIN, Mr. DURBIN, Mr. JOHNSON, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 284. Mr. ENZI (for himself, Mr. CARPER, Mr. BENNETT, Mr. KERRY, Mr. ALLARD, Mr. BAYH, Mr. HUTCHINSON, Mr. GRASSLEY, Ms. COLLINS, Mr. HAGEL, Mr. MILLER, Mr. SCHUMER, Mr. CORZINE, Mr. JOHNSON, Mr. NICKLES, Mr. BUNNING, Mr. DODD, and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 285. Mr. ALLEN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 286. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 287. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 288. Mr. VOINOVICH (for himself, Mr. FEINGOLD, Mr. GREGG, and Mr. DOMENICI) submitted an amendment to amendment SA 170 intended to be proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 289. Mr. CRAPO (for himself, Mrs. MURRAY, Mr. CRAIG, Mr. MCCONNELL, Ms. CANTWELL, and Mr. SMITH, of Oregon) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 290. Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 291. Mr. NICKLES submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 292. Mr. KENNEDY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 293. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 294. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 295. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 296. Mr. BINGAMAN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 297. Mr. BINGAMAN (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 298. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 299. Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Mrs. CLINTON, Mrs. MURRAY, Mr. CORZINE, Mr. LEVIN, and Mr. DAYTON) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 300. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 301. Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. DAYTON, Mr. DORGAN, Mr. KERRY, Mr. LEAHY, Mr. REID, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 302. Mr. BINGAMAN (for himself, Ms. CANTWELL, Mr. DAYTON, Mr. DORGAN, Mr. DURBIN, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Mrs. LINCOLN, Mr. REID, Mr. ROCKEFELLER, Mr. SCHUMER, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 303. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 304. Mr. BINGAMAN (for himself, Mr. DASCHLE, Ms. CANTWELL, Mr. DORGAN, Mr. HARKIN, Mr. KENNEDY, Mr. LEVIN, Mr. KERRY, Mr. REID, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 305. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 306. Mr. DURBIN (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 307. Mr. ROCKEFELLER submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 308. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 309. Mr. DEWINE (for himself, Mr. GRAHAM, Ms. SNOWE, Ms. MIKULSKI, Mr. BREAUX, Ms. LANDRIEU, and Mr. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 310. Mr. JOHNSON (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 311. Mr. JOHNSON submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 312. Mr. JOHNSON (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 313. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 314. Mr. GRAHAM (for himself and Mr. CORZINE) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 315. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 316. Mr. GRAHAM submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 317. Mr. GRAHAM (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 318. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 319. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 320. Mr. BINGAMAN (for himself and Mr. DASCHLE) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 321. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 322. Mr. DODD (for himself and Mr. KENNEDY) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 323. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 324. Ms. LANDRIEU submitted an amendment intended to be proposed by her to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution H. Con. Res. 83, supra: which was ordered to lie on the table.

SA 325. Mr. DASCHLE (for himself, Mr. JOHNSON, Mrs. MURRAY, Mr. BINGAMAN, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 326. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 327. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 328. Mrs. CLINTON (for herself, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, and Mr. DASCHLE) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 329. Mrs. CLINTON (for herself and Mr. CORZINE) submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 330. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 331. Mrs. CLINTON (for herself and Mr. SARBANES) submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, supra; which was ordered to lie on the table.

SA 332. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 333. Mr. CLELAND (for himself, Mr. SCHUMER, Mr. DODD, Mr. DASCHLE, and Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 334. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 335. Mr. NELSON of Florida (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 336. Mr. LIEBERMAN (for himself, Mr. BAYH, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 337. Mr. KENNEDY (for himself, Mr. FEINGOLD, Mr. REED, Mr. WELLSTONE, Mr. BINGAMAN, Mr. SARBANES, Mr. DAYTON, Mr. CORZINE, Mrs. MURRAY, Mr. LEVIN, Mrs. CLINTON, Mr. JOHNSON, Mr. DODD, Mr. LIEBERMAN, and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 338. Mr. REED (for himself, Mr. KENNEDY, Mr. BINGAMAN, Mr. CORZINE, and Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 339. Mr. REED (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 340. Mrs. CLINTON (for herself, Mr. BIDEN, Mr. SCHUMER, Mrs. MURRAY, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 341. Mrs. CLINTON (for herself and Mr. CORZINE) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 342. Mrs. CLINTON (for herself and Mr. SARBANES) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 343. Mrs. CLINTON submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 344. Mrs. CLINTON (for herself, Mr. DASCHLE, Mr. KENNEDY, and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra; which was ordered to lie on the table.

SA 345. Mr. DOMENICI proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 346. Mr. MURKOWSKI (for himself and Ms. LANDRIEU) proposed an amendment to

amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 347. Mrs. HUTCHISON proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 348. Mr. BREAUX (for himself and Mr. JEFFORDS) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 349. Ms. COLLINS proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) supra.

SA 350. Mr. DOMENICI (for Mr. HATCH) proposed an amendment to the bill S. 700, to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States.

TEXT OF AMENDMENTS

SA 192. Mr. DOMENICI submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 2, increase the amount by $23,000,000.

On page 4, line 3, increase the amount by $69,000,000.

On page 4, line 4, increase the amount by $134,000,000.

On page 4, line 5, increase the amount by $164,000,000.

On page 4, line 6, increase the amount by $194,000,000.

On page 4, line 7, increase the amount by $197,000,000.

On page 4, line 8, increase the amount by $201,000,000.

On page 4, line 9, increase the amount by $233,000,000.

On page 4, line 10, increase the amount by $252,000,000.

On page 4, line 11, increase the amount by $266,000,000.

On page 4, line 16, increase the amount by $21,000,000.

On page 4, line 17, increase the amount by $66,000,000.

On page 4, line 18, increase the amount by $130,000,000.

On page 4, line 19, increase the amount by $162,000,000.

On page 4, line 20, increase the amount by $194,000,000.

On page 4, line 21, increase the amount by $197,000,000.

On page 4, line 22, increase the amount by $201,000,000.

On page 4, line 23, increase the amount by $233,000,000.

On page 5, line 1, increase the amount by $251,000,000.

On page 5, line 2, increase the amount by $266,000,000.

On page 5, line 7, decrease the amount by $21,000,000.

On page 5, line 8, decrease the amount by $66,000,000.

On page 5, line 9, decrease the amount by $130,000,000.

On page 5, line 10, decrease the amount by $162,000,000.

On page 5, line 11, decrease the amount by $194,000,000.

On page 5, line 12, decrease the amount by $197,000,000.

On page 5, line 13, decrease the amount by $201,000,000.

On page 5, line 14, decrease the amount by $233,000,000.

On page 5, line 15, decrease the amount by $251,000,000.

On page 5, line 16, decrease the amount by $266,000,000.

On page 5, line 20, increase the amount by $21,000,000.

On page 5, line 21, increase the amount by $86,000,000.

On page 5, line 22, increase the amount by $216,000,000.

On page 5, line 23, increase the amount by $378,000,000.

On page 5, line 24, increase the amount by $571,000,000.

On page 5, line 25, increase the amount by $768,000,000.

On page 6, line 1, increase the amount by $970,000,000.

On page 6, line 8, increase the amount by $21,000,000.

On page 6, line 9, increase the amount by $86,000,000.

On page 6, line 10, increase the amount by $216,000,000.

On page 6, line 11, increase the amount by $378,000,000.

On page 6, line 12, increase the amount by $571,000,000.

On page 6, line 13, increase the amount by $768,000,000.

On page 6, line 14, increase the amount by $970,000,000.

On page 36, line 6, increase the amount by $22,000,000.

On page 36, line 7, increase the amount by $20,000,000.

On page 36, line 10, increase the amount by $66,000,000.

On page 36, line 11, increase the amount by $63,000,000.

On page 36, line 14, increase the amount by $126,000,000.

On page 36, line 15, increase the amount by $122,000,000.

On page 36, line 18, increase the amount by $149,000,000.

On page 36, line 19, increase the amount by $147,000,000.

On page 36, line 22, increase the amount by $169,000,000.

On page 36, line 23, increase the amount by $169,000,000.

On page 37, line 2, increase the amount by $162,000,000.

On page 37, line 3, increase the amount by $162,000,000.

On page 37, line 6, increase the amount by $155,000,000.

On page 37, line 7, increase the amount by $155,000,000.

On page 37, line 10, increase the amount by $175,000,000.

On page 37, line 11, increase the amount by $175,000,000.

On page 37, line 14, increase the amount by $181,000,000.

On page 37, line 15, increase the amount by $180,000,000.

On page 37, line 18, increase the amount by $181,000,000.

On page 37, line 19, increase the amount by $181,000,000.

On page 41, line 19, increase the amount by $1,000,000.

On page 41, line 20, increase the amount by $1,000,000.

On page 41, line 23, increase the amount by $3,000,000.

On page 41, line 24, increase the amount by $3,000,000.

On page 42, line 2, increase the amount by $8,000,000.

On page 42, line 3, increase the amount by $8,000,000.

On page 42, line 6, increase the amount by $15,000,000.

On page 42, line 7, increase the amount by $15,000,000.

On page 42, line 10, increase the amount by $25,000,000.

On page 42, line 11, increase the amount by $25,000,000.

On page 42, line 14, increase the amount by $35,000,000.

On page 42, line 15, increase the amount by $35,000,000.

On page 42, line 18, increase the amount by $46,000,000.

On page 42, line 19, increase the amount by $46,000,000.

On page 42, line 22, increase the amount by $58,000,000.

On page 42, line 23, increase the amount by $58,000,000.

On page 43, line 2, increase the amount by $71,000,000.

On page 43, line 3, increase the amount by $71,000,000.

On page 43, line 6, increase the amount by $85,000,000.

On page 43, line 7, increase the amount by $85,000,000.

SA 193. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 3, increase the amount by $402,000,000.

On page 4, line 4, increase the amount by $579,000,000.

On page 4, line 5, increase the amount by $758,000,000.

On page 4, line 6, increase the amount by $946,000,000.

On page 4, line 7, increase the amount by $1,026,000,000.

On page 4, line 8, increase the amount by $1,118,000,000.

On page 4, line 9, increase the amount by $1,226,000,000.

On page 4, line 10, increase the amount by $1,331,000,000.

On page 4, line 11, increase the amount by $1,450,000,000.

On page 4, line 17, increase the amount by $395,000,000.

On page 4, line 18, increase the amount by $607,000,000.

On page 4, line 19, increase the amount by $706,000,000.

On page 4, line 20, increase the amount by $801,000,000.

On page 4, line 21, increase the amount by $950,000,000.

On page 4, line 22, increase the amount by $1,072,000,000.

On page 4, line 23, increase the amount by $1,178,000,000.

On page 5, line 1, increase the amount by $1,285,000,000.

On page 5, line 2, increase the amount by $1,402,000,000.

On page 5, line 8, decrease the amount by $395,000,000.

On page 5, line 9, decrease the amount by $607,000,000.

On page 5, line 10, decrease the amount by $706,000,000.
On page 5, line 11, decrease the amount by $801,000,000.
On page 5, line 12, decrease the amount by $950,000,000.
On page 5, line 13, decrease the amount by $1,072,000,000.
On page 5, line 14, decrease the amount by $1,178,000,000.
On page 5, line 15, decrease the amount by $1,285,000,000.
On page 5, line 16, decrease the amount by $1,402,000,000.
On page 5, line 21, increase the amount by $395,000,000.
On page 5, line 22, increase the amount by $1,002,000,000.
On page 5, line 23, increase the amount by $1,708,000,000.
On page 5, line 24, increase the amount by $2,509,000,000.
On page 5, line 25, increase the amount by $3,458,000,000.
On page 6, line 1, increase the amount by $4,530,000,000.
On page 6, line 9, increase the amount by $395,000,000,000.
On page 6, line 10, increase the amount by $1,002,000,000.
On page 6, line 11, increase the amount by $1,708,000,000.
On page 6, line 12, increase the amount by $2,509,000,000.
On page 6, line 13, increase the amount by $3,458,000,000.
On page 6, line 14, increase the amount by $4,530,000,000.
On page 17, line 23, increase the amount by $250,000,000.
On page 17, line 24, increase the amount by $199,000,000.
On page 18, line 2, increase the amount by $393,000,000.
On page 18, line 3, increase the amount by $386,000,000.
On page 18, line 6, increase the amount by $544,000,000.
On page 18, line 7, increase the amount by $572,000,000.
On page 18, line 10, increase the amount by $689,000,000.
On page 18, line 11, increase the amount by $637,000,000.
On page 18, line 14, increase the amount by $836,000,000.
On page 18, line 15, increase the amount by $691,000,000.
On page 18, line 18, increase the amount by $869,000,000.
On page 18, line 19, increase the amount by $793,000,000.
On page 18, line 22, increase the amount by $907,000,000.
On page 18, line 23, increase the amount by $861,000,000.
On page 19, line 2, increase the amount by $954,000,000.
On page 19, line 3, increase the amount by $906,000,000.
On page 19, line 6, increase the amount by $993,000,000.
On page 19, line 7, increase the amount by $947,000,000.
On page 19, line 10, increase the amount by $1,040,000,000.
On page 19, line 11, increase the amount by $992,000,000.
On page 41, line 23, increase the amount by $9,000,000.
On page 41, line 24, increase the amount by $9,000,000.
On page 42, line 2, increase the amount by $35,000,000.
On page 42, line 3, increase the amount by $35,000,000.
On page 42, line 6, increase the amount by $69,000,000.
On page 42, line 7, increase the amount by $69,000,000.
On page 42, line 10, increase the amount by $110,000,000.
On page 42, line 11, increase the amount by $110,000,000.
On page 42, line 14, increase the amount by $157,000,000.
On page 42, line 15, increase the amount by $157,000,000.
On page 42, line 18, increase the amount by $211,000,000.
On page 42, line 19, increase the amount by $211,000,000.
On page 42, line 22, increase the amount by $272,000,000.
On page 42, line 23, increase the amount by $272,000,000.
On page 43, line 2, increase the amount by $338,000,000.
On page 43, line 3, increase the amount by $338,000,000.
On page 43, line 6, increase the amount by $410,000,000.
On page 43, line 7, increase the amount by $410,000,000.
On page 43, line 15, decrease the amount by $250,000,000.
On page 43, line 16, decrease the amount by $199,000,000.
On page 48, line 15, increase the amount by $250,000,000.

On page 48, line 16, increase the amount by $199,000,000.

SA 194. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 14, line 11, increase the amount by $1,441,000,000.
On page 14, line 12, increase the amount by $530,000,000.
On page 43, line 15, decrease the amount by $1,441,000,000.
On page 43, line 16, decrease the amount by $530,000,000.
On page 48, line 8, increase the amount by $1,441,000,000.
On page 48, line 9, increase the amount by $530,000,000.

SA 195. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the end of title I, insert the following:

SEC. . RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.

The Committee on Finance of the Senate shall report to the Senate a reconciliation bill—

(1) not later than May 18, 2001; and

(2) not later than September 14, 2001, that consists of changes in laws within its jurisdiction sufficient to reduce the total level of revenues by not more than $1,612,063,000,000 for the period of fiscal years 2001 through 2011 and increase the total level of outlays by not more than $60,000,000,000 for the period of fiscal years 2001 through 2001.

SA 196. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 2, increase the amount by $40,000,000.
On page 4, line 3, increase the amount by $55,000,000.
On page 4, line 4, increase the amount by $70,000,000.
On page 4, line 5, increase the amount by $70,000,000.
On page 4, line 6, increase the amount by $70,000,000.
On page 4, line 7, increase the amount by $70,000,000.
On page 4, line 8, increase the amount by $70,000,000.
On page 4, line 9, increase the amount by $70,000,000.
On page 4, line 10, increase the amount by $70,000,000.
On page 4, line 11, increase the amount by $70,000,000.
On page 4, line 16, increase the amount by $40,000,000.
On page 4, line 17, increase the amount by $55,000,000.
On page 4, line 18, increase the amount by $70,000,000.
On page 4, line 19, increase the amount by $70,000,000.
On page 4, line 20, increase the amount by $70,000,000.
On page 4, line 21, increase the amount by $70,000,000.
On page 4, line 22, increase the amount by $70,000,000.
On page 4, line 23, increase the amount by $70,000,000.
On page 5, line 1, increase the amount by $70,000,000.
On page 5, line 2, increase the amount by $70,000,000.
On page 5, line 7, decrease the amount by $40,000,000.
On page 5, line 8, decrease the amount by $55,000,000.
On page 5, line 9, decrease the amount by $70,000,000.
On page 5, line 10, decrease the amount by $70,000,000.
On page 5, line 11, decrease the amount by $70,000,000.
On page 5, line 12, decrease the amount by $70,000,000.
On page 5, line 13, decrease the amount by $70,000,000.
On page 5, line 14, decrease the amount by $70,000,000.
On page 5, line 15, decrease the amount by $70,000,000.
On page 5, line 16, decrease the amount by $70,000,000.
On page 5, line 20, increase the amount by $40,000,000.
On page 5, line 21, increase the amount by $55,000,000.
On page 5, line 22, increase the amount by $70,000,000.
On page 5, line 23, increase the amount by $70,000,000.
On page 5, line 24, increase the amount by $70,000,000.

On page 5, line 25, increase the amount by $70,000,000.
On page 6, line 1, increase the amount by $70,000,000.
On page 6, line 2, increase the amount by $70,000,000.
On page 6, line 3, increase the amount by $70,000,000.
On page 6, line 4, increase the amount by $70,000,000.
On page 6, line 8, increase the amount by $40,000,000.
On page 6, line 9, increase the amount by $55,000,000.
On page 6, line 10, increase the amount by $70,000,000.
On page 6, line 11, increase the amount by $70,000,000.
On page 6, line 12, increase the amount by $70,000,000.
On page 6, line 13, increase the amount by $70,000,000.
On page 6, line 14, increase the amount by $70,000,000.
On page 6, line 15, increase the amount by $70,000,000.
On page 6, line 16, increase the amount by $70,000,000.
On page 6, line 17, increase the amount by $70,000,000.
On page 21, line 15, increase the amount by $40,000,000.
On page 21, line 16, increase the amount by $40,000,000.
On page 21, line 19, increase the amount by $55,000,000.
On page 21, line 20, increase the amount by $55,000,000.
On page 21, line 23, increase the amount by $70,000,000.
On page 21, line 24, increase the amount by $70,000,000.
On page 22, line 2, increase the amount by $70,000,000.
On page 22, line 3, increase the amount by $70,000,000.
On page 22, line 6, increase the amount by $70,000,000.
On page 22, line 7, increase the amount by $70,000,000.
On page 22, line 10, increase the amount by $70,000,000.
On page 22, line 11, increase the amount by $70,000,000.
On page 22, line 14, increase the amount by $70,000,000.
On page 22, line 15, increase the amount by $70,000,000.
On page 22, line 18, increase the amount by $70,000,000.
On page 22, line 19, increase the amount by $70,000,000.
On page 22, line 22, increase the amount by $70,000,000.
On page 22, line 23, increase the amount by $70,000,000.
On page 23, line 2, increase the amount by $70,000,000.
On page 23, line 3, increase the amount by $70,000,000.
On page 43, line 15, decrease the amount by $40,000,000.
On page 43, line 16, decrease the amount by $40,000,000.
On page 43, line 19, decrease the amount by $55,000,000.
On page 43, line 20, decrease the amount by $55,000,000.
On page 43, line 23, decrease the amount by $70,000,000.
On page 43, line 24, decrease the amount by $70,000,000.
On page 44, line 2, decrease the amount by $70,000,000.
On page 44, line 3, decrease the amount by $70,000,000.
On page 44, line 6, decrease the amount by $70,000,000.
On page 44, line 7, decrease the amount by $70,000,000.
On page 44, line 10, decrease the amount by $70,000,000.
On page 44, line 11, decrease the amount by $70,000,000.
On page 44, line 14, decrease the amount by $70,000,000.
On page 44, line 15, decrease the amount by $70,000,000.
On page 44, line 18, decrease the amount by $70,000,000.
On page 44, line 19, decrease the amount by $70,000,000.
On page 44, line 22, decrease the amount by $70,000,000.
On page 44, line 23, decrease the amount by $70,000,000.
On page 45, line 2, decrease the amount by $70,000,000.
On page 45, line 3, decrease the amount by $70,000,000.

SA 197. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Goverment for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 2, line 17, increase the amount by $230,000,000.
On page 2, line 18, increase the amount by $230,000,000.
On page 3, line 2, increase the amount by $230,000,000.
On page 3, line 3, increase the amount by $230,000,000.
On page 3, line 4, increase the amount by $230,000,000.
On page 3, line 5, increase the amount by $230,000,000.
On page 3, line 6, increase the amount by $230,000,000.
On page 3, line 7, increase the amount by $230,000,000.
On page 3, line 8, increase the amount by $230,000,000.
On page 3, line 13, decrease the amount by $230,000,000.
On page 3, line 14, decrease the amount by $230,000,000.
On page 3, line 15, decrease the amount by $230,000,000.
On page 3, line 16, decrease the amount by $230,000,000.
On page 3, line 17, decrease the amount by $230,000,000.
On page 3, line 18, decrease the amount by $230,000,000.
On page 3, line 19, decrease the amount by $230,000,000.
On page 3, line 20, decrease the amount by $230,000,000.
On page 3, line 21, decrease the amount by $230,000,000.
On page 3, line 22, decrease the amount by $230,000,000.
On page 4, line 17, increase the amount by $230,000,000.
On page 4, line 18, increase the amount by $230,000,000.
On page 4, line 19, increase the amount by $230,000,000.
On page 4, line 20, increase the amount by $230,000,000.
On page 4, line 21, increase the amount by $230,000,000.
On page 4, line 22, increase the amount by $230,000,000.
On page 4, line 23, increase the amount by $230,000,000.
On page 5, line 1, increase the amount by $230,000,000.
On page 5, line 2, increase the amount by $230,000,000.
On page 25, line 6, increase the amount by $2,300,000,000.
On page 25, line 7, increase the amount by $230,000,000.
On page 25, line 11, increase the amount by $230,000,000.
On page 25, line 15, increase the amount by $230,000,000.
On page 25, line 19, increase the amount by $230,000,000.
On page 25, line 23, increase the amount by $230,000,000.
On page 26, line 3, increase the amount by $230,000,000.
On page 26, line 7, increase the amount by $230,000,000.
On page 26, line 11, increase the amount by $230,000,000.
On page 26, line 15, increase the amount by $230,000,000.
On page 26, line 19, increase the amount by $230,000,000.
On page 43, line 15, decrease the amount by $2,300,000,000.
On page 43, line 16, decrease the amount by $230,000,000.
On page 48, line 8, increase the amount by $2,300,000,000.
On page 48, line 9, increase the amount by $230,000,000.
At the end, add the following:

SEC. ___. SENSE OF THE SENATE ON THE USE OF FEDERAL RESERVE SURPLUSES.

It is the sense of the Senate that the levels in this resolution assume that the $2,300,000,000 increase in revenues over the 2002 through 2011 fiscal year period should be achieved through the transfer of funds from the surplus funds of the Federal Reserve banks to the Treasury.

SA 198. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 2, line 17, increase the amount by $713,440,000.
On page 2, line 18, increase the amount by $713,440,000.
On page 3, line 1, increase the amount by $713,440,000.
On page 3, line 2, increase the amount by $713,440,000.
On page 3, line 13, decrease the amount by $713,440,000.
On page 3, line 14, decrease the amount by $713,440,000.
On page 3, line 15, decrease the amount by $713,440,000.
On page 3, line 16, decrease the amount by $713,440,000.
On page 4, line 3, increase the amount by $732,000,000.
On page 4, line 4, increase the amount by $732,000,000.
On page 4, line 5, increase the amount by $732,000,000.
On page 4, line 17, increase the amount by $713,440,000.
On page 4, line 18, increase the amount by $713,440,000.
On page 4, line 19, increase the amount by $713,440,000.
On page 25, line 6, increase the amount by $232,000,000.

On page 25, line 7, increase the amount by $213,440,000.

On page 25, line 10, increase the amount by $232,000,000.

On page 25, line 11, increase the amount by $213,440,000.

On page 25, line 14, increase the amount by $232,000,000.

On page 25, line 15, increase the amount by $213,440,000.

On page 25, line 18, increase the amount by $232,000,000.

On page 25, line 19, increase the amount by $213,440,000.

On page 28, line 23, increase the amount by $500,000,000.

On page 28, line 24, increase the amount by $500,000,000.

On page 29, line 2, increase the amount by $500,000,000.

On page 29, line 3, increase the amount by $500,000,000.

On page 29, line 6, increase the amount by $500,000,000.

On page 29, line 7, increase the amount by $500,000,000.

On page 29, line 10, increase the amount by $500,000,000.

On page 29, line 11, increase the amount by $500,000,000.

On page 43, line 15, increase the amount by $732,000,000.

On page 43, line 16, increase the amount by $713,440,000.

On page 48, line 8, increase the amount by $732,000,000.

On page 48, line 9, increase the amount by $713,440,000.

At the appropriate place, insert the following:

SEC. ___. USE OF FEDERAL RESERVE SURPLUSES.

It is the sense of the Senate that levels in this resolution assume that the $2,853,670,000 increase in revenue over the 2002 through 2005 fiscal year period should be achieved through the transfer of funds from the surplus funds of the Federal reserve banks to the Treasury.

SA 199. Mr. CLELAND (for himself, Mr. JEFFORDS, Mr. LEVIN, Mr. SARBANES, Mr. LIEBERMAN, and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ___. SENSE OF THE SENATE TO SUPPORT THE CONCEPTS OF SMART GROWTH WHEN MAKING APPROPRIATIONS AND REVENUE DECISIONS.

(a) FINDINGS.—The Senate finds the following:

(1) Federal programs and policies influence, to some degree, local growth patterns through the location of Federal facilities, spending on public infrastructure, tax incentives, and Federal regulations.

(2) This inadvertent Federal influence in local land use decisions has both positive and negative implications.

(3) Unplanned and random growth often has the negative consequences of increased commuting times, traffic congestion, impaired air quality, loss of open space, and poor accessibility to critical services such as schools and hospitals.

(4) When not properly planned, local development decisions may actually burden the Federal budget by requiring new water, sewer, and transportation infrastructure in low-density areas.

(5) Continued growth, which is necessary to sustain community development and a healthy economy, can have the positive implications reflected in an increased number of homeowners, consumer savings, and advantages for businesses.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that in making appropriations and revenue decisions, the Senate should—

(1) continue to support economic expansion while taking into consideration the potential effect Federal programs and policies will have in influencing local development and growth patterns;

(2) reject Federal policies which inadvertently encourage growth patterns that are contrary to the wishes of the local community; and

(3) determine whether additional resources are available, in order to allocate budgetary authority and outlays to address the unintended consequences of urban and suburban sprawl resulting from specific Federal programs and policies.

SA 200. Mr. BREAUX (for himself, Mr. NELSON of Nebraska, Ms. LANDRIEU, Mrs. CARNAHAN, Mr. CHAFEE, Mrs. LINCOLN, Mr. BAYH, Mr. TORRICELLI, and Mr. JEFFORDS) sumbitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 2, line 17, increase the amount by $6,400,000,000.

On page 2, line 18, increase the amount by $14,458,000,000.

On page 3, line 1, increase the amount by $21,634,000,000.

On page 3, line 2, increase the amount by $28,782,000,000.

On page 3, line 3, increase the amount by $26,956,500,000.

On page 3, line 4, increase the amount by $42,136,000,000.

On page 3, line 5, increase the amount by $45,567,000,000.

On page 3, line 6, increase the amount by $48,414,000,000.

On page 3, line 7, increase the amount by $53,218,000,000.

On page 3, line 8, increase the amount by $54,846,000,000.

On page 3, line 13, decrease the amount by $6,400,000,000.

On page 3, line 14, decrease the amount by $14,458,000,000.

On page 3, line 15, decrease the amount by $21,634,000,000.

On page 3, line 16, decrease the amount by $28,782,000,000.

On page 3, line 17, decrease the amount by $36,956,500,000.

On page 3, line 18, decrease the amount by $42,136,000,000.

On page 3, line 19, decrease the amount by $45,567,000,000.

On page 3, line 20, decrease the amount by $48,414,000,000.

On page 3, line 21, decrease the amount by $53,218,000,000.

On page 3, line 22, decrease the amount by $54,846,000,000.

On page 5, line 7, increase the amount by $6,400,000,000.

On page 5, line 8, increase the amount by $14,458,000,000.

On page 5, line 9, increase the amount by $21,634,000,000.

On page 5, line 10, increase the amount by $28,782,000,000.

On page 5, line 11, increase the amount by $36,956,500,000.

On page 5, line 12, increase the amount by $42,136,000,000.

On page 5, line 13, increase the amount by $45,567,000,000.

On page 5, line 14, increase the amount by $48,414,000,000.

On page 5, line 15, increase the amount by $53,218,000,000.

On page 5, line 16, increase the amount by $54,846,000,000.

SA 201. Mr. ALLEN (for himself, Mr. BROWNBACK, Mr. WARNER, and Mr. SMITH of New Hampshire) proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

At the appropriate place, insert the following:

SEC. ___. TAX CUT ACCELERATOR.

(a) REPORTING ADDITIONAL SURPLUSES.—If any report provided pursuant to section 202(e)(1) of the Congressional Budget Act of 1974, estimates an on-budget surplus that exceeds the on-budget surplus set forth in such a report for the preceding year, the chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make adjustments in the resolution for the next fiscal year as provided in subsection (b).

(b) ADJUSTMENTS.—The chairmen of the Committee on the Budget of the House of Representatives and of the Senate shall make the following adjustments in an amount not to exceed the difference between the on-budget surpluses in the reports referred to in subsection (a):

(1) Reduce the on-budget revenue aggregate by that amount for the fiscal years included in such reports.

(2) Adjust the instruction to the Committee on Ways and Means and the Committee on Finance to increase the reduction in revenues by the sum of the amounts for the period of such fiscal years in such manner as to not produce an on-budget deficit in the next fiscal year, over the next 5 fiscal years, or over the next 10 fiscal years and to require a report of reconciliation legislation by the Committee on Ways and Means and the Committee on Finance not later than March 15.

(3) Adjust such other levels in such resolution, as appropriate, and the House of Representatives and the Senate pay-as-you-go scorecards.

(c) LEGISLATION.—It shall not be in order in the Senate to consider any bill that is reported by the Committee on Finance pursuant to the adjusted instructions described in subsection (b), unless the bill provides for expedited procedures for the consideration of the bill by the Senate no later than 60 days after the bill is reported by the Committee.

SA 202. Mr. DURBIN (for himself, Mr. BIDEN, Mr. LIEBERMAN, and Mr. DASCHLE) proposed an amendment to

amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $12,100,000,000.

On page 3, line 2, increase the amount by $33,077,000,000.

On page 3, line 3, increase the amount by $57,444,000,000.

On page 3, line 4, increase the amount by $67,821,000,000.

On page 3, line 5, increase the amount by $73,414,000,000.

On page 3, line 6, increase the amount by $71,119,000,000.

On page 3, line 7, increase the amount by $80,281,000,000.

On page 3, line 8, increase the amount by $64,625,000,000.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $10,606,000,000.

On page 3, line 15, decrease the amount by $12,100,000,000.

On page 3, line 16, decrease the amount by $33,077,000,000.

On page 3, line 17, decrease the amount by $57,444,000,000.

On page 3, line 18, decrease the amount by $67,821,000,000.

On page 3, line 19, decrease the amount by $73,414,000,000.

On page 3, line 20, decrease the amount by $71,119,000,000.

On page 3, line 21, decrease the amount by $80,281,000,000.

On page 3, line 22, decrease the amount by $64,625,000,000, and add the following

(a). FINDINGS.—The Senate finds:

(1) That the economy of the United States has consistently grown since 1993, providing increasing prosperity for millions of hard-working Americans;

(2) That the pace of growth of the economy of the United States was measured at only one percent in the fourth quarter of 2000;

(3) That debt reduction is effective in stimulating capital investment that promotes long-term growth.

(4) That the President and Vice President of the United States have noted that the economy of the United States is in need of a stimulus;

(5) That the Democratic Leader of the United States Senate and other Members of the Democratic Caucus have called for immediate passage of a $60 billion Economic Stimulus Package;

(6) That the Chairman of the Senate Committee on the Budget has included in his FY02 budget substitute a $60 billion Economic Stimulus Package;

(7) That the Ranking Member of the Senate Committee on the Budget has also called for a $60 billion Economic Stimulus Package;

(b.) SENSE OF SENATE.—It is the Sense of the Senate that the levels in this resolution assume that the Senate should discharge H.R. 3 from the Senate Committee on Finance, begin floor consideration of H.R. 3 immediately after passage of H. Con. Res. 83, strike all after the enacting clause and insert the text of the agreed upon $60 billion Bipartisan Economic Stimulus Package, including an immediate economic stimulus check for all payroll and income taxpayers and a permanent reduction of the fifteen percent income tax bracket to a ten percent tax bracket, and proceed to a vote on final passage prior to April recess.

SA 203. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE ADOPTION TAX CREDIT.

(a) FINDINGS.—The Senate finds that—

(1) promoting permanency and the well being of children has long been a stated priority for Congress and the President;

(2) in 1996, the Federal Government authorized a $5,000 ($6,000 for special needs adoptions) tax credit for the purpose of providing assistance and support to families who adopt;

(3) last year, approximately 130,000 children from all over the world found permanent homes through adoption;

(4) the adoption tax credit has contributed to the constantly increasing number of children who are adopted by loving families;

(5) the tax credit for families adopting a non-special needs child currently will expire in December of 2001; and

(6) according to a report issued by the United States Department of Treasury, there were 31,000 adoptions of children with special needs in 1998, yet only 4,700 of such children received benefits.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any comprehensive tax relief legislation passed during this session of Congress should include a provision for the permanent extension and expansion of the adoption tax credit.

SA 204. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United states Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 17, increase the amount by $2,422,000,000.

On page 4, line 18, increase the amount by $885,000,000.

On page 4, line 19, increase the amount by $416,000,000.

On page 4, line 20, increase the amount by $259,000,000.

On page 4, line 21, increase the amount by $57,000,000.

On page 5, line 8, decrease the amount by $2,422,000,000.

On page 5, line 9, decrease the amount by $885,000,000.

On page 5, line 10, decrease the amount by $416,000,000.

On page 5, line 11, decrease the amount by $259,000,000.

On page 5, line 12, decrease the amount by $57,000,000.

On page 5, line 21, increase the amount by $2,422,000,000.

On page 5, line 22, increase the amount by $885,000,000.

On page 5, line 23, increase the amount by $416,000,000.

On page 5, line 24, increase the amount by $259,000,000.

On page 5, line 25, increase the amount by $57,000,000.

On page 6, line 9, increase the amount by $2,422,000,000.

On page 6, line 10, increase the amount by $885,000,000.

On page 6, line 11, increase the amount by $416,000,000.

On page 6, line 12, increase the amount by $259,000,000.

On page 6, line 13, increase the amount by $57,000,000.

On page 12, line 16, increase the amount by $493,000,000.

On page 12, line 7, increase the amount by $261,000,000.

On page 12, line 21, increase the amount by $108,000,000.

On page 12, line 25, increase the amount by $57,000,000.

On page 13, line 4, increase the amount by $32,000,000.

On page 13, line 8, increase the amount by $17,000,000.

On page 14, line 11, increase the amount by $457,000,000.

On page 14, line 12, increase the amount by $294,000,000.

On page 14, line 16, increase the amount by $168,000,000.

On page 14, line 20, increase the amount by $24,000,000.

On page 14, line 24, increase the amount by $6,000,000.

On page 15, line 3, increase the amount by $4,000,000.

On page 16, line 5, increase the amount by $215,000,000.

On page 16, line 6, increase the amount by $83,000,000.

On page 16, line 9, increase the amount by $97,000,000.

On page 16, line 12, increase the amount by $23,000,000.

On page 16, line 15, increase the amount by $8,000,000.

On page 16, line 19, increase the amount by $4,000,000.

On page 17, line 23, increase the amount by $638,000,000.

On page 17, line 24, increase the amount by $391,000,000.

On page 18, line 3, increase the amount by $141,000,000.

On page 18, line 7, increase the amount by $59,000,000.

On page 18, line 11, increase the amount by $27,000,000.

On page 18, line 15, increase the amount by $21,000,000.

On page 19, line 19, increase the amount by $116,000,000.

On page 19, line 20, increase the amount by $87,000,000.

On page 19, line 24, increase the amount by $22,000,000.

On page 20, line 3, increase the amount by $3,000,000.

On page 20, line 7, increase the amount by $2,000,000.

On page 20, line 11, increase the amount by $1,000,000.

On page 21, line 15, increase the amount by $15,000,000.

On page 21, line 16, increase the amount by $10,000,000.

On page 21, line 20, increase the amount by $4,000,000.

On page 21, line 24, increase the amount by $1,000,000.
On page 23, line 11, increase the amount by $420,000,000.
On page 23, line 12, increase the amount by $113,000,000.
On page 23, line 16, increase the amount by $176,000,000.
On page 23, line 20, increase the amount by $71,000,000.
On page 23, line 24, increase the amount by $25,000,000.
On page 24, line 3, increase the amount by $17,000,000.
On page 24, line 7, increase the amount by $8,000,000.
On page 25, line 6, increase the amount by $1,254,000,000.
On page 25, line 7, increase the amount by $287,000,000.
On page 25, line 11, increase the amount by $315,000,000.
On page 25, line 15, increase the amount by $336,000,000.
On page 25, line 19, increase the amount by $188,000,000.
On page 25, line 23, increase the amount by $70,000,000.
On page 26, line 3, increase the amount by $49,000,000.
On page 27, line 3, increase the amount by $1,470,000,000.
On page 27, line 4, increase the amount by $473,000,000.
On page 27, line 8, increase the amount by $765,000,000.
On page 27, line 12, increase the amount by $122,000,000.
On page 27, line 16, increase the amount by $53,000,000.
On page 27, line 20, increase the amount by $35,000,000.
On page 28, line 23, increase the amount by $848,000,000.
On page 28, line 24, increase the amount by $347,000,000.
On page 29, line 3, increase the amount by $355,000,000.
On page 29, line 7, increase the amount by $88,000,000.
On page 29, line 11, increase the amount by $33,000,000.
On page 29, line 15, increase the amount by $8,000,000.
On page 30, line 19, increase the amount by $73,000,000.
On page 30, line 20, increase the amount by $60,000,000.
On page 30, line 24, increase the amount by $10,000,000.
On page 31, line 3, increase the amount by $1,000,000.
On page 31, line 7, increase the amount by $1,000,000.
On page 31, line 11, increase the amount by $1,000,000.
On page 32, line 15, increase the amount by $943,000,000.
On page 32, line 16, increase the amount by $782,000,000.
On page 32, line 20, increase the amount by $90,000,000.
On page 32, line 24, increase the amount by $32,000,000.
On page 33, line 3, increase the amount by $21,000,000.
On page 33, line 7, increase the amount by $8,000,000.
On page 34, line 11, increase the amount by $73,000,000.
On page 34, line 12, increase the amount by $64,000,000.
On page 34, line 16, increase the amount by $4,000,000.
On page 34, line 20, increase the amount by $2,000,000.
On page 34, line 24, increase the amount by $1,000,000.
On page 36, line 6, increase the amount by $500,000,000.
On page 36, line 7, increase the amount by $429,000,000.
On page 36, line 11, increase the amount by $53,000,000.
On page 36, line 15, increase the amount by $11,000,000.
On page 36, line 19, increase the amount by $4,000,000.
On page 36, line 23, increase the amount by $1,000,000.
On page 38, line 2, increase the amount by $660,000,000.
On page 38, line 3, increase the amount by $513,000,000.
On page 38, line 7, increase the amount by $84,000,000.
On page 38, line 11, increase the amount by $44,000,000.
On page 38, line 15, increase the amount by $14,000,000.
On page 38, line 19, increase the amount by $4,000,000.
On page 39, line 23, increase the amount by $325,000,000.
On page 39, line 24, increase the amount by $273,000,000.
On page 40, line 3, increase the amount by $30,000,000.
On page 40, line 7, increase the amount by $11,000,000.
On page 40, line 11, increase the amount by $1,000,000.
On page 43, line 15, decrease the amount by $8,500,000,000.
On page 43, line 16, decrease the amount by $4,422,000,000.
On page 48, line 8, increase the amount by $8,500,000,000.
On page 48, line 9, increase the amount by $4,422,000,000.

SA 205. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 17, increase the amount by $55,000,000.
On page 4, line 18, increase the amount by $20,000,000.
On page 5, line 8, decrease the amount by $55,000,000.
On page 5, line 9, decrease the amount by $20,000,000.
On page 5, line 21, increase the amount by $55,000,000.
On page 5, line 22, increase the amount by $20,000,000.
On page 6, line 9, increase the amount by $55,000,000.
On page 6, line 10, increase the amount by $20,000,000.
On page 27, line 3, increase the amount by $100,000,000.
On page 27, line 4, increase the amount by $25,000,000.
On page 27, line 8, increase the amount by $55,000,000.
On page 27, line 12, increase the amount by $20,000,000.
On page 43, line 15, increase the amount by $100,000,000.
On page 43, line 16, increase the amount by $25,000,000.
On page 48, line 8, increase the amount by $100,000,000.

On page 48, line 9, increase the amount by $25,000,000.

SA 206. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 51, following line 21, insert the following:

SEC. . SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following finding:

(1) The demand for domestic energy supplies will increase over the next two decades.

(2) The President, speaking before a joint session of Congress on February 27, 2001, stated that ''our energy demand outstrips our supply.''

(3) The Secretary of Energy, on March 19, 2001, stated that the United States was in an ''energy supply crisis.''

(4) Despite these statements, the administration's proposed Fiscal Year 2002 budget would cut spending within the Department of Energy's Office of Fossil Energy by $150 million from the level enacted for Fiscal Year 2001.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume an increase in Function 270 (Energy) by an amount of $150 million in Fiscal Year 2002 so as not to undercut the vital domestic energy research being conducted by the Department of Energy's Office of Fossil Energy.

SA 207. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 17, increase the amount by $60,000,000;
On page 4, line 18, increase the amount by $30,000,000;
On page 5, line 8, decrease the amount by $60,000,000;
On page 5, line 9, decrease the amount by $30,000,000;
On page 5, line 21, increase the amount by $60,000,000;
On page 5, line 22, increase the amount by $30,000,000;
On page 6, line 9, increase the amount by $60,000,000;
On page 6, line 10, increase the amount by $30,000,000;
On page 16, line 5, increase the amount by $150,000,000;
On page 16, line 6, reduce the negative amount by $60,000,000;
On page 16, line 9, reduce the negative amount by $60,000,000;
On page 16, line 12, reduce the negative amount by $30,000,000;
On page 43, line 15, increase the negative amount by $150,000,000;
On page 43, line 16, increase the negative amount by $60,000,000;
On page 48, line 8, increase the amount by $150,000,000; and
On page 48, line 9, increase the amount by $60,000,000.

SA 208. Mr. BYRD submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table as follows:

At the end of title II, insert the following:

SEC. ___. LIMITATION ON CONSIDERATION OF AMENDMENTS UNDER RECONCILIATION AND A BUDGET RESOLUTION.

(a) RECONCILIATION AND BUDGET RESOLUTIONS.—For purposes of consideration of any reconciliation bill reported under section 310(e) of the Congressional Budget Act of 1974 or any budget resolution reported under section 305(b) of the Congressional Budget Act of 1974—

(1) debate, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 50 hours;

(2) time on a bill or resolution may only be yielded back by consent;

(3) time on amendments shall be limited to 60 minutes to be equally divided in the usual form and on any second degree amendment or motion to 30 minutes to be equally divided in the usual form;

(4) no first degree amendment may be proposed after the 10th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 10th hour;

(5) no second degree amendment may be proposed after the 20th hour of debate on a bill or resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 20th hour; and

(6) after not more than 40 hours of debate on a bill or resolution, the bill or resolution shall be set aside for 1 calendar day, so that all filed amendments are printed and made available in the Congressional Record before debate on the bill or resolution continues.

(b) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 209. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 4, line 17, increase the amount by $180,000,000.

On page 4, line 18, increase the amount by $270,000,000.

On page 4, line 19, increase the amount by $250,000,000.

On page 4, line 20, increase the amount by $160,000,000.

On page 4, line 21, increase the amount by $110,000,000.

On page 5, line 8, decrease the amount by $180,000,000.

On page 5, line 9, decrease the amount by $270,000,000.

On page 5, line 10, decrease the amount by $250,000,000.

On page 5, line 11, decrease the amount by $160,000,000.

On page 5, line 12, decrease the amount by $110,000,000.

On page 5, line 21, increase the amount by $180,000,000.

On page 5, line 22, increase the amount by $270,000,000.

On page 5, line 23, increase the amount by $250,000,000.

On page 5, line 24, increase the amount by $160,000,000.

On page 5, line 25, increase the amount by $110,000,000.

On page 6, line 9, increase the amount by $180,000,000.

On page 6, line 10, increase the amount by $270,000,000.

On page 6, line 11, increase the amount by $250,000,000.

On page 6, line 12, increase the amount by $160,000,000.

On page 6, line 13, increase the amount by $110,000,000.

On page 25, line 6, increase the amount by $1,000,000,000.

On page 25, line 7, increase the amount by $30,000,000.

On page 25, line 11, increase the amount by $180,000,000.

On page 25, line 15, increase the amount by $270,000,000.

On page 25, line 19, increase the amount by $250,000,000.

On page 25, line 23, increase the amount by $160,000,000.

On page 26, line 3, increase the amount by $110,000,000.

On page 43, line 15, increase the negative amount by $1,000,000,000.

On page 43, line 16, increase the negative amount by $30,000,000.

On page 48, line 8, increase the amount by $1,000,000,000.

On page 48, line 9, increase the amount by $30,000,000.

SA 210. Mr. BOND submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table as follows:

On page 28, line 23, increase the amount by $136,000,000.

On page 28, line 24, increase the amount by $136,000,000.

On page 43, line 15, decrease the amount by $136,000,000.

On page 43, line 16, decrease the amount by $136,000,000.

On page 48, line 8, increase the amount by $136,000,000.

On page 48, line 9, increase the amount by $136,000,000.

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE ON CONSOLIDATED HEALTH CENTERS.—It is the sense of the Senate that appropriations for consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b) should be increased by 100 percent over the next 5 fiscal years in order to double the number of individuals who receive health services at community, migrant, homeless, and public housing health centers.

SA 211. Mr. BOND (for himself, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. FRIST, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table as follows:

On page 14, line 11, increase the amount by $1,441,000,000.

On page 14, line 12, increase the amount by $530,000,000.

On page 43, line 15, decrease the amount by $1,441,000,000.

On page 43, line 16, decrease the amount by $530,000,000.

On page 48, line 8, increase the amount by $1,441,000,000.

On page 48, line 9, increase the amount by $530,000,000.

SA 212. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 51, after line 21, insert the following: The Senate finds:

it is the stated mission of the United States Department of Agriculture to improve the quality of life in rural America by providing financial assistance and working with rural communities through partnerships, empowerment, and technical assistance;

the Rural Community Advancement Program includes authorities to provide loan and grant assistance to rural areas for infrastructure improvements related to drinking and wastewater systems;

residents in many parts of rural America do not have access to safe and sanitary drinking and wastewater systems;

the Environmental Protection Agency released a report in 1997 that identified unmet needs to upgrade or establish rural wastewater systems totaling nearly $20 billion;

the Environmental Protection Agency released a report in February of this year that identified unmet needs to upgrade or establish rural drinking water systems totaling $48.1 billion, of which $33.5 billion were identified as immediate needs;

the Rural Utilities Service of the United States Department of Agriculture currently has on hand a backlog of application totaling approximately $800 million in grant funds and $2.2 billion in loan funds;

safe and sanitary drinking and wastewater systems are basic necessities of life to which every American should have ready access;

SEC. . It is the Sense of the Senate that the levels in the resolution assume an increase in Function 450 (Community and Regional Development) by an amount of $1 billion, to be made available for drinking and wastewater systems financed through the Rural Utilities Service of the United States Department of Agriculture.

SA 213. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 51, after line 21, insert the following: The Senate finds:

many of our nation's public schools no longer stress a knowledge of American history;

an American student, regardless of race, religion, or gender, must know the history of the land to which they pledge allegiance;

without this knowledge of the land to which they pledge allegiance; these American students cannot appreciate the hard won freedoms that are their birthright;

the Department of Education has developed a program to improve the teaching of American History in the nation's public schools by providing grants to school districts to improve the teaching of American History through cooperative agreements with institutions of higher learning and other organizations,

Sec. __ It is the Sense of the Senate that the levels in the resolution assume an increase in Function 500 by an amount of $100 million, to be made available for grants to local educational agencies to improve the teaching of American History in public schools through the United States Department of Education.

SA 214. Ms. COLLINS (for herself, Mr. JOHNSON, and Mr. DASCHLE) submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RESERVE FUND FOR VETERANS' EDUCATION.

If the Committee on Veterans' Affairs of the House or the Senate reports a bill, or an amendment thereto is offered or a conference report thereon is submitted, that increases the basic monthly benefit under the Montgomery G.I. Bill to reflect the increasing cost of higher education, the Chairman of the Committee on the Budget of the House or Senate, as applicable, may increase the allocation of new budget authority and outlays to such committee by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $775,000,000 in new budget authority and outlays for fiscal year 2002, $4,300,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2006, and $9,900,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011.

SA 215. Mr. FRIST (for himself, Mr. SMITH of Oregon, Mr. LEAHY, Mr. DURBIN, Mr. KERRY, Mr. FEINGOLD, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. LEVIN) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table as follows:

On page 4, line 3, increase the amount by $500,000,000.

On page 4, line 17, increase the amount by $500,000,000.

On page 5, line 8, decrease the amount by $500,000,000.

On page 12, line 16, increase the amount by $200,000,000.

On page 12, line 17, increase the amount by $200,000,000.

On page 12, line 20, increase the amount by $500,000,000.

On page 12, line 21, increase the amount by $500,000,000.

On page 43, line 15, decrease the amount by $200,000,000.

On page 43, line 16, decrease the amount by $200,000,000.

On page 48, line 8, increase the amount by $200,000,000.

On page 48, line 9, increase the amount by $200,000,000.

Notwithstanding any other provisions of this resolution, it is the sense of the Senate that:

(a) FINDINGS.—The Senate finds the following:

(1) HIV/AIDS, having already infected over 58 million people worldwide, is devastating the health, economies, and social structures in dozens of countries in Africa, and increasingly in Asia, the Caribbean and Eastern Europe.

(2) AIDS has wiped out decades of progress in improving the lives of families in the developing world. As the leading cause of death in Africa, AIDS has killed 17 million and will claim the lives of one quarter of the population, mostly productive adults, in the next decade. In addition, 13 million children have been orphaned by AIDS—a number that will rise to 40 million by 2010.

(3) The Agency for International Development, along with the Centers for Disease Control, Department of Labor, and Department of Defense have been at the forefront of the international battle to control HIV/AIDS, with global assistance totaling $330,000,000 from USAID and $136,000,000 from other agencies in fiscal year 2001, primarily focused on targeted prevention programs.

(4) While prevention is key, treatment and care for those affected by HIV/AIDS is an increasingly critical component of the global response. Improving health systems, providing home-based care, treating AIDS-associated diseases like tuberculosis, providing for family support and orphan care, and making anti-retroviral drugs against HIV available will reduce social and economic damage to families and communities.

(5) Pharmaceutical companies recently dramatically reduced the prices of anti-retroviral drugs to the poorest countries. With sufficient resources, it is now possible to improve treatment options in countries where health systems are able to deliver and monitor the medications.

(6) The UN AIDS program estimates it will cost at least $3,000,000,000 for basic AIDS prevention and care services in Sub-Saharan Africa alone, and at least $2,000,000,000 more if anti-retroviral drugs are provided widely. In Africa, only $500,000,000 is currently available from all donors, lending agencies and African governments themselves.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the spending levels in this budget resolution shall be increased by $200,000,000 in fiscal year 2002 and by $500,000,000 in 2003 and for each year thereafter for the purpose of helping the neediest countries cope with the burgeoning costs of prevention, care and treatment of those affected by HIV/AIDS and associated infectious diseases.

SA 216. Mr. BENNETT proposed an amendment to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; as follows:

On page 2, line 17, decrease the amount by $31,140,000,000.

On page 2, line 18, decrease the amount by $10,606,000,000.

On page 3, line 1, increase the amount by $0.

On page 3, line 2, increase the amount by $0.

On page 3, line 3, increase the amount by $0.

On page 3, line 4, increase the amount by $0.

On page 3, line 5, increase the amount by $0.

On page 3, line 6, increase the amount by $0.

On page 3, line 7, increase the amount by $0.

On page 3, line 8, increase the amount by $0.

On page 3, line 13, increase the amount by $31,140,000,000.

On page 3, line 14, increase the amount by $0.

On page 3, line 15, decrease the amount by $0.

On page 3, line 16, decrease the amount by $0.

On page 3, line 17, decrease the amount by $0.

On page 3, line 18, decrease the amount by $0.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $0.

On page 3, line 21, decrease the amount by $0.

On page 3, line 22, decrease the amount by $0.

SA 217. Mr. SMITH of Oregon (for himself, Mrs. CLINTON, Ms. SNOWE, Ms. COLLINS, Mr. SARBANES, and Mr. BAYH) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 17, line 23, increase the amount by $800,000,000.

On page 17, line 24, increase the amount by $800,000,000.

On page 43, line 15, decrease the amount by $800,000,000.

On page 43, line 16, decrease the amount by $800,000,000.

SA 218. Mr. KENNEDY (for himself, Mr. WYDEN, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government by fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, which was ordered to lie on the table; as follows:

On page 2, line 17, increase the amount by $1,500,000,000.

On page 2, line 18, increase the amount by $2,500,000,000.

On page 3, line 1, increase the amount by $3,000,000,000.

On page 3, line 2, increase the amount by $3,200,000,000.

On page 3, line 3, increase the amount by $4,000,000,000.

On page 3, line 4, increase the amount by $6,000,000,000.

On page 3, line 5, increase the amount by $8,500,000,000.

On page 3, line 6, increase the amount by $12,300,000,000.

On page 3, line 7, increase the amount by $17,000,000,000.

On page 3, line 8, increase the amount by $17,000,000,000.

On page 3, line 13, decrease the amount by $1,500,000,000.

On page 3, line 14, decrease the amount by $2,500,000,000.

On page 3, line 15, decrease the amount by $3,000,000,000.

On page 3, line 16, decrease the amount by $3,200,000,000.

On page 3, line 17, decrease the amount by $4,000,000,000.

On page 3, line 18, decrease the amount by $6,000,000,000.

On page 3, line 19, decrease the amount by $8,500,000,000.

On page 3, line 20, decrease the amount by $12,300,000,000.

On page 3, line 21, decrease the amount by $17,000,000,000.

On page 3, line 22, decrease the amount by $17,000,000,000.

On page 4, line 2, increase the amount by $1,500,000,000.

On page 4, line 3, increase the amount by $2,500,000,000.

On page 4, line 4, increase the amount by $3,000,000,000.

On page 4, line 5, increase the amount by $3,200,000,000.

On page 4, line 6, increase the amount by $4,000,000,000.

On page 4, line 7, increase the amount by $6,000,000,000.

On page 4, line 8, increase the amount by $8,500,000,000.

On page 4, line 9, increase the amount by $12,300,000,000.

On page 4, line 10, increase the amount by $17,000,000,000.

On page 4, line 11, increase the amount by $17,000,000,000.

On page 4, line 16, increase the amount by $1,500,000,000.

On page 4, line 17, increase the amount by $2,500,000,000.

On page 4, line 18, increase the amount by $3,000,000,000.

On page 4, line 19, increase the amount by $3,200,000,000.

On page 4, line 20, increase the amount by $4,000,000,000.

On page 4, line 21, increase the amount by $6,000,000,000.

On page 4, line 22, increase the amount by $8,500,000,000.

On page 4, line 23, increase the amount by $12,300,000,000.

On page 5, line 1, increase the amount by $17,000,000,000.

On page 5, line 2, increase the amount by $17,000,000,000.

On page 28, line 23, increase the amount by $1,500,000,000.

On page 28, line 24, increase the amount by $1,500,000,000.

On page 29, line 1, increase the amount by $2,500,000,000.

On page 29, line 2, increase the amount by $2,500,000,000.

On page 29, line 6, increase the amount by $3,000,000,000.

On page 29, line 7, increase the amount by $3,000,000,000.

On page 29, line 10, increase the amount by $3,200,000,000.

On page 29, line 11, increase the amount by $3,200,000,000.

On page 29, line 14, increase the amount by $4,000,000,000.

On page 29, line 15, increase the amount by $4,000,000,000.

On page 29, line 18, increase the amount by $6,000,000,000.

On page 29, line 19, increase the amount by $6,000,000,000.

On page 29, line 22, increase the amount by $8,500,000,000.

On page 29, line 23, increase the amount by $8,500,000,000.

On page 30, line 2, increase the amount by $12,300,000,000.

On page 30, line 3, increase the amount by $12,300,000,000.

On page 30, line 6, increase the amount by $17,000,000,000.

On page 30, line 7, increase the amount by $17,000,000,000.

On page 30, line 10, increase the amount by $17,000,000,000.

On page 30, line 11, increase the amount by $17,000,000,000.

SA 219. Mr. REID submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 16, line 5 after ''authority,'' strike ''$871,000,000'' insert ''$1,321,000,000 and, notwithstanding any other provisions of the Resolution, it is the Sense of the Senate that the levels in this Resolution assume: (1) That renewable energy resources can provide the nation and the world with clean and sustainable sources of power; (2) That renewable energy technologies developed and deployed in the U.S. and exported abroad will improve our environment and balance of trade; (3) That increased reliance on renewable energy resources to satisfy the nation's growing need for power can provide jobs, reliable electricity supplies, and reduce conventional pollution and greenhouse gas emissions; (4) That research and development of renewable energy resources should be supported strongly by the Federal government; (5) That a minimum of $450 million in FY02 shall be allocated to accelerate the research, development and deployment of wind, photovoltaic, geothermal, solar thermal, biomass and other renewable energy technologies; and, (6) Further, that the amount assumed for renewable energy research and development shall increase by greater than the rate of inflation for each subsequent year.

SA 220. Mr. REID (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. LEAHY, Mr. JOHNSON, Ms. COLLINS, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. ___. RESERVE FUND FOR THE PAYMENT OF RETIRED PAY AND COMPENSATION TO DISABLED MILITARY RETIREES.

If the Committee on Armed Services of the Senate or the House of Representatives reports the Department of Defense authorization bill and includes a provision to fund the payment of retired pay and compensation to disabled military retirees, the chairman of the Committee on the Budget of the Senate or the House of Representatives, as applicable, may increase the allocation of new budget authority and outlays to that committee by the amount of new budget authority (and the outlays resulting therefrom) provided by that measure for that purpose not to exceed $2,900,000,000 in new budget authority and outlays for fiscal year 2002, $17,000,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2006, and $40,000,000,000 in new budget authority and outlays for the period of fiscal years 2002 through 2011, if the enactment of such measure will not cause an on-budget deficit for fiscal year 2002, the period of fiscal years 2002 through 2006, and the period of fiscal years 2002 through 2011.

SA 221. Mr. JOHNSON (for himself, Mr. WELLSTONE, Mr. BINGAMAN, Mr. DORGAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. KERRY, Mr. FEINGOLD, and Ms. LANRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 2, line 17, increase the amount by $1,546,000,000.

On page 2, line 18, increase the amount by $1,689,000,000.

On page 3, line 1, increase the amount by $1,703,000,000.

On page 3, line 2, increase the amount by $1,709,000,000.

On page 3, line 3, increase the amount by $1,718,000,000.

On page 3, line 4, increase the amount by $1,718,000,000.

On page 3, line 5, increase the amount by $1,718,000,000.

On page 3, line 6, increase the amount by $1,718,000,000.

On page 3, line 7, increase the amount by $1,718,000,000.
On page 3, line 8, increase the amount by $1,718,000,000.
On page 3, line 13, decrease the amount by $1,546,000,000.
On page 3, line 14, decrease the amount by $1,689,000,000.
On page 3, line 15, decrease the amount by $1,703,000,000.
On page 3, line 16, decrease the amount by $1,709,000,000.
On page 3, line 17, decrease the amount by $1,718,000,000.
On page 3, line 18, decrease the amount by $1,718,000,000.
On page 3, line 19, decrease the amount by $1,718,000,000.
On page 3, line 20, decrease the amount by $1,718,000,000.
On page 3, line 21, decrease the amount by $1,718,000,000.
On page 3, line 22, decrease the amount by $1,718,000,000.
On page 36, line 6, increase the amount by $1,718,000,000.
On page 36, line 7, increase the amount by $1,546,000,000.
On page 36, line 10, increase the amount by $1,718,000,000.
On page 36, line 11, increase the amount by $1,689,000,000.
On page 36, line 14, increase the amount by $1,718,000,000.
On page 36, line 15, increase the amount by $1,703,000,000.
On page 36, line 18, increase the amount by $1,718,000,000.
On page 36, line 19, increase the amount by $1,709,000,000.
On page 36, line 22, increase the amount by $1,718,000,000.
On page 36, line 23, increase the amount by $1,718,000,000.
On page 37, line 2, increase the amount by $1,718,000,000.
On page 37, line 3, increase the amount by $1,718,000,000.
On page 37, line 6, increase the amount by $1,718,000,000.
On page 37, line 7, increase the amount by $1,718,000,000.
On page 37, line 10, increase the amount by $1,718,000,000.
On page 37, line 11, increase the amount by $1,718,000,000.
On page 37, line 14, increase the amount by $1,718,000,000.
On page 37, line 15, increase the amount by $1,718,000,000.
On page 37, line 18, increase the amount by $1,718,000,000.
On page 37, line 19, increase the amount by $1,718,000,000.
On page 43, line 15, decrease the amount by $1,718,000,000.
On page 43, line 16, decrease the amount by $1,546,000,000.
On page 48, line 8, increase the amount by $1,718,000,000.
On page 48, line 9, increase the amount by $1,546,000,000.
On page 4, line 3, increase the amount by $1,718,000,000.
On page 4, line 4, increase the amount by $1,718,000,000.
On page 4, line 5, increase the amount by $1,718,000,000.
On page 4, line 6, increase the amount by $1,718,000,000.
On page 4, line 7, increase the amount by $1,718,000,000.
On page 4, line 8, increase the amount by $1,718,000,000.
On page 4, line 9, increase the amount by $1,718,000,000.
On page 4, line 10, increase the amount by $1,718,000,000.
On page 4, line 11, increase the amount by $1,718,000,000.
On page 4, line 17, increase the amount by $1,689,000,000.
On page 4, line 18, increase the amount by $1,703,000,000.
On page 4, line 19, increase the amount by $1,709,000,000.
On page 4, line 20, increase the amount by $1,718,000,000.
On page 4, line 21, increase the amount by $1,718,000,000.
On page 4, line 22, increase the amount by $1,718,000,000.
On page 4, line 23, increase the amount by $1,718,000,000.
On page 5, line 1, increase the amount by $1,718,000,000.
On page 5, line 2, increase the amount by $1,718,000,000.

SA 222. Mr. BYRD submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

SEC. ___. UNITED STATES INTERNATIONAL TRADE COMMISSION INVESTIGATION OF STEEL IMPORTS.

(a) FINDINGS.—The Senate finds that—

(1) total steel imports in 2000 were 6.2 percent higher than in 1999, continuing the alarming trend of sharply increasing steel imports over the past decade;

(2) unprecedented levels of steel imports flooded the United States market in 1998 and 1999, causing a crisis—which continues to this day—in which thousands of steelworkers have been laid off and 16 steel companies have declared bankruptcy;

(3) steel prices continue to be depressed, with hot-rolled sheet steel prices approximately 35 percent lower in March 2001 than in May 2000, and cold-rolled sheet steel prices down approximately 25 percent over the same period;

(4) the United States Government must maintain and fully enforce all existing relief against foreign unfair trade;

(5) the United States steel industry is a clean, highly efficient industry having modernized itself at great human and financial cost, shedding over 330,000 jobs and investing more than $50,000,000,000 over the last 20 years;

(6) capacity utilization in the United States steel industry fell sharply during 2000 and the market capitalization and debt ratings of the major United States steel firms are at precarious levels;

(7) the Department of Commerce recently documented the underlying market-distorting practices and long-standing structural problems that plague the global steel trade with excess capacity and cause diversion of unfairly traded foreign steel to the United States; and

(8) a vital steel industry is essential to United States national security and is a key element of the domestic manufacturing base.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that—

(1) the budget of the United States International Trade Commission is increased by $3,340,000 for fiscal year 2002, so that it may improve its utilization of information resources and thereby more effectively assess the impact of steel imports on United States industry;

(2) the President should take all appropriate action within his power to provide the United States steel industry with relief from injury caused by steel imports, without imposing restructuring preconditions that would exact additional human and financial costs on the industry and its employees; and

(3) the President should immediately request that the United States International Trade Commission commence an expedited investigation for positive adjustment under section 201 of the Trade Act of 1974 of such steel imports.

SA 223. Mr. BURNS submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011.

On page 17, line 23, increase the amount by $250,000,000.
On page 17, line 24, increase the amount by $199,000,000.
On page 43, line 15, decrease the amount by $250,000,000.
On page 43, line 16, decrease the amount by $199,000,000.
On page 48, line 15, increase the amount by $250,000,000.
On page 48, line 16, increase the amount by $199,000,000.

SA 224. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 16, line 5, increase the amount by $295,000,000.
On page 16, line 6, increase the amount by $295,000,000.
On page 43, line 15, decrease the amount by $295,000,000.
On page 43, line 16, decrease the amount by $295,000,000.

SA 225. Mr. HOLLINGS (for himself, Mr. BIDEN, and Mr. DASCHLE) submitted an amendment intended to be proposed by him to amendment SA 170 proposed by Mr. DOMENICI to the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table as follows:

On page 43, strike lines 10 through 12, and insert the following:

(A) New budget authority $85,000,000,000.
(B) Outlays, $85,000,000,000.
(C) The Senate finds that
(i) given the apparent economic slow-down, the Congress should stimulate the economy

by passing a 1-year true tax cut stimulus package that provides income tax and payroll tax relief;

(ii) for real economic stimulus the 1-year tax cut should equal approximately 1 percent of the gross domestic product, or $95,000,000,000;

(iii) a meaningful economic stimulus must reach as many taxpayers as possible, or at least 120 million people;

(iv) the broadest range of taxpayers can be reached by offering a direct rebate based on income tax liability or payroll tax liability; and

(v) the tax stimulus bill should be immediate and take effect on or before July 1, 2001.

(D) It is the sense of the Senate that the levels in this resolution assume that the Senate should as soon as practical consider and pass a stimulus tax package pursuant to this budget resolution that will result in a rebate of

(i) up to $500 per individual or $1,000 per couple for 95 million taxpayers who pay income tax; and

(ii) up to $500 for the 25 million taxpayers who pay payroll taxes but do not have income tax liability.

SA 226. Mr. DOMENICI submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 36, line 6, increase the amount by $967,000,000.

On page 36, line 7, increase the amount by $998,000,000.

On page 43, line 15, decrease the amount by $967,000,000.

On page 43, line 16, decrease the amount by $998,000,000.

On page 48, line 8, increase the amount by $967,000,000.

On page 48, line 9, increase the amount by $998,000,000.

SA 227. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

On page 17, line 23, increase the amount by $44,000,000.

On page 17, line 24, increase the amount by $14,960,000.

On page 18, line 3, increase the amount by $29,040,000.

On page 43, line 15, decrease the amount by $44,000,000.

On page 43, line 16, decrease the amount by $14,960,000.

On page 43, line 20, decrease the amount by $29,040,000.

notwithstanding any other provisions of this resolution it is the sense of the Senate that levels in this resolution assume that—

(1) $44,000,000 is provided to the Environmental Protection Agency to assist communities in upgrading their drinking water systems to comply with the arsenic standard; and

(2) the Federal government's travel expense are cut across-the-board by $44,000,000.

SA 228. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, establishing the congressional budget of the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table, as follows:

On page 27, line 3, increase the amount by $250,000,000.

On page 27, line 4, increase the amount by $250,000,000.

On page 43, line 15, decrease the amount by $250,000,000.

On page 43, line 16, decrease the amount by $250,000,000.

notwithstanding any other provisions of this resolution it is the sense of the Senate that the levels in this resolution assume that:

(1) afterschool programs under the 21st Century Community Learning Centers are funded at $1.5 billion in FY 2002; and

(2) the Federal Government's travel expenses are cut across-the-board by $250,000,000.

SA 229. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011; which was ordered to lie on the table; as follows:

SECTION . SENSE OF THE SENATE ON CAPPING THE SIZE OF A TAX CUT THAT ANY ONE INDIVIDUAL RECEIVES IN A YEAR.

(a) FINDINGS—The Senate finds that—

(1) the top one percent of taxpayer's income has grown over the past decade at a faster rate than the minimum wage;

(2) this inequality would grow if a tax cut was provided to any one individual greater than twice the sum of a year's earnings for a minimum wage worker;

(3) President Bush's tax cut proposal would provide $46,000 in tax cuts per year to the average income taxpayer in the top 1%, more than four times greater than a minimum wage worker currently earns in one year; and

(4) if the Senate wishes to increase the amount of a tax cut allowed for any one taxpayer in a year, it first has to increase the minimum wage accordingly.

(b) SENSE OF THE SENATE—It is the sense of the Senate that levels in this resolution assume that any funds designated for tax cuts will not be used to provide an annual tax cut to any individual in an amount more than twice the annual pay of a full-time, minimum wage worker.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR FRIDAY, APRIL 6, 2001

Mr. DOMENICI. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Friday, April 6. I further ask consent that on Friday, 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 resume consideration of H. Con. Res. 83.

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

PROGRAM

Mr. DOMENICI. For the information of all Senators, the Senate will resume the final consideration of amendments to the budget resolution at 9:30 a.m. tomorrow. As a reminder, there will be 2 minutes prior to each vote as amendments are called up. This will be a long day and there are still over 40 amendments that have not been resolved. Senators should know that. There will be votes throughout the day. All votes following the first vote will be limited to 10 minutes in length. It is the intention of the bill manager to complete action on the bill by 2:30 or 3 o'clock. Therefore, Senators are asked to stay in the Senate Chamber between the votes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DOMENICI. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:49 p.m., adjourned until Friday, April 6, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 5, 2001:

DEPARTMENT OF DEFENSE

VICTORIA CLARKE, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE KENNETH H. BACON.

DEPARTMENT OF STATE

LINCOLN P. BLOOMFIELD, JR., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS), VICE ERIC D. NEWSOM.

DEPARTMENT OF LABOR

KRISTINE ANN IVERSON, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE GERI D. PALAST.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 5, 2001:

DEPARTMENT OF STATE

WILLIAM HOWARD TAFT, IV, OF VIRGINIA, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE.

ARGEO PAUL CELLUCCI, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING E. CECILE ADAMS, AND ENDING WILLIAM G.L. GASKILL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 13, 2001.

EXTENSIONS OF REMARKS

BACK TO HEALTH MONTH

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. KELLY. Mr. Speaker, this past Sunday was the first day of ''Back to Health Month,'' a national campaign created to increase awareness of back pain as well as possible causes and prevention. Sponsored by the North American Spine Society, this month is designed to educate Americans about their spine and how they can prevent common back injuries.

The facts of back pain speak for themselves. Did you know that at some point in their lives, more than 80 percent of American adults will experience back pain? Or, that 1 out of 14 adults will visit a physician this year due to back or neck pain, and that back pain is the second most common reason people visit a physician? These statistics demonstrate how important it is to raise awareness about this health problem that affects too many Americans.

One famous American who suffers from back pain is 1993 Major League Baseball Hall of Fame inductee, Reggie Jackson. Jackson was a two-time World Series MVP and Major League Player of the Year in 1973. During his legendary career, Jackson was named to the Major League All-Star team fourteen times. However, last July, like so many other Americans, following a spine injury, Jackson underwent emergency spine surgery and has been undergoing spine rehabilitation ever since.

Another highlight of ''Back to Health Month'' is an event to distribute information about back pain. ''Back to Health Day'' on Capitol Hill will be held on April 24th, in the Rayburn Gold Room. ''Back to Health Day'' will provide an array of educational materials, including guidelines to a healthy back, exercises to strengthen your back, and how to prevent back pain. In addition, representatives from the North American Spine Society will be on hand to discuss commonly asked questions about back pain, causes and prevention. I encourage my colleagues to join us for ''Back to Health Day'' as we learn the most effective ways to prevent and alleviate back pain.

I commend the North American Spine Society for organizing ''Back to Health Month'' and for their commitment to ensuring that Americans learn to keep their backs healthy.

TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY THE AMERICAN SAMOA GOVERNMENT

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to introduce legislation to clarify the tax treatment of bonds and other obligations issued by the American Samoa Government.

Under current federal law, the territories of the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands, have the authority to issue municipal bonds to foster a broad range of economic activity. These bonds are exempt from income taxation by the federal government, state governments, territorial governments, municipal governments, and the government of the District of Columbia. This is known as triple tax exemption. In American Samoa, on the other hand, only industrial development bonds receive triple tax exempt status. The income from all other bonds is subject to taxation by federal, state and municipal governments.

The legislation I am introducing today will give to American Samoa the same authority already held by all other states and territories.

The legislation deletes the current reference to Section 103 of the Internal Revenue Code which excludes interest on qualifying bonds from income, as that cross reference is not necessary. It is the intent of the legislation, however, that interest on qualifying bonds issued by the Government of American Samoa or any of its agencies be exempt from taxation. As with other jurisdictions, the bonds would not be exempt from federal, state or local gift, estate, inheritance, legacy, succession or other wealth transfer taxes which may at any time be in effect.

The legislation uses new language in describing the bonds to reflect changes made to the Internal Revenue Code in 1986.

Finally, this bill repeals current law on this subject—Section 202 of Public Law 98–454 (48 U.S.C. Sec. 1670). Any bonds issued after enactment of the new provision would be subject to the new law; any bonds issued before that date would remain valid and be subject to the current Section 1670 of Title 48.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. MALONEY of New York. Mr. Speaker, on April 3, 2001, I was unavoidably detained and missed Rollcall votes numbered 76 and 77. Rollcall vote 76 was on the motion to suspend the rules and pass H.R. 768, the Need-Based Educational Aid Act. Rollcall vote 77 was on motion to suspend the rules and agree to H. Res. 91, expressing the sense of the House of Representatives regarding the human rights situation in Cuba.

Had I been present I would have voted ''yea'' on both H.R. 768 and H. Res. 91.

TRIBUTE TO TOM KRIEGISH

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to Tom Kriegish upon the occasion of his retirement as Chief of the Electrical Division of the state of Michigan's Bureau of Construction Codes. Tom has spent 35 years to working in the electrical industry and for the past 15 years he has used his vast array of knowledge and training to ensure public confidence in the safety of buildings and structures throughout the state.

Such work is critical to the well-being of citizens all over Michigan and Tom has always approached his job with extraordinary dedication and energy. Tom's work ethic and positive attitude in dealing with management, co-workers and customers have served as a shining example for others to follow. Tom has proved in his years of service that it is possible to exhibit character and professionalism in a job, while simultaneously earning the friendship of those with whom and for whom you work.

Tom's successful efforts in ensuring the electrical safety of Michigan homes and buildings often took him on the road. His time away from home certainly was a sacrifice for his wife, Vicki, and three daughters, Leslie, Sandy and Jill. Michigan residents owe a debt of gratitude both to Tom and his family for an unfailing devotion to duty.

As an electrical inspector, Tom became a legend for his ability to quickly react to a problem and solve it satisfactorily. His responsiveness came in handy during his frequent travels in northern Michigan. Once, Tom, who was known to miss a curve or two on slippery winter roads, found his vehicle heading straight for a dump truck hauling a backhoe. Showing his acumen for swift reaction, Tom regained enough control of his vehicle to bury it in a snowbank. Always faithful to the mission at hand, Tom had plenty of time to reflect on electrical inspections protocol while waiting for a wrecker to arrive.

On a more serious note, Tom has always displayed a willingness to give back to the industry to which he dedicated his life. His active role in the Michigan Chapter of the International Association of Electrical Inspectors, including terms as President and Executive Board Chairman, have contributed greatly to the industry and to the general public by developing professionalism and expertise among his peers.

I ask my colleagues to join me in extending our deep appreciation to Tom and his family for outstanding service and in wishing them well in all future endeavors.

RECOGNIZING DR. STARZL, A PIONEER IN ORGAN TRANSPLANTS

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. ENGLISH. Mr. Speaker, I rise today to recognize the accomplishments of a great man, one who is truly a living legend. Transplant pioneer Thomas E. Starzl not only performed the world's first liver transplant in 1963 and the first successful series of kidney transplants between nonidentical twins between 1963, and 1964, he has for forty decades continued to make equally extraordinary advancements.

For instance, in 1980, just before coming to the University of Pittsburgh, he developed a combination of drugs that transformed transplantation of the liver and heart from an experimental procedure to an accepted form of treatment for patients with end-stage organ failure and opened the door to pancreas and lung transplantation. In 1989, his development of another drug markedly improved survival rates for all kinds of transplants and made possible for the first time successful transplantation of the small intestine.

The entire field of transplantation has advanced because of his courage, his genius, and his compassion for his patients.

When Pittsburgh welcomed him just 20 years ago, no one had any idea the incredible contributions this man would make to medicine and mankind. Indeed, the city has enjoyed an enhanced reputation because he chose to make the University of Pittsburgh his academic home. This year marks the 20th anniversary of the first liver transplant he performed in Pittsburgh. Since then, surgeons at the University of Pittsburgh and the UPMC Health System have performed nearly 6,000 liver transplants and more than 11,300 transplants of all organs. No other center in the world comes close.

But the impact of Dr. Starzl's work goes far beyond Pittsburgh. Patients throughout the world, even those who have not been under his skillful care, have benefited from his contributions. He has trained numerous surgeons and research scientists. In fact, many, if not most of the world's transplant surgeons and physicians have been trained by Dr. Starzl or by those trained by him. Later this month, many of these former students and colleagues will honor Dr. Starzl at a scientific symposium in his honor, and the University of Pittsburgh will unveil his portrait, which will hang in the School of Medicine with the likes of other great pioneers, including Jonas Salk.

Mr. Speaker, I hope my colleagues will join me in honoring and thanking one of history's great surgeons, Dr. Thomas Starzl.

TRIBUTE TO COMMANDER JOHN LITTLE

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize an outstanding Naval Officer, Commander John D. Little who served with distinction and dedication for three years for the Secretary of the Navy and Chief of Naval Operations under the Assistant Secretary of the Navy (FM&C) as the Deputy Director in the Appropriations Matters Office.

It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Department of the Navy, the Congress, and our great Nation as a whole.

During his tenure in the Appropriations Matters Office, which began in April of 1998, Commander Little has provided members of the House Appropriations Committee, Subcommittee on Defense as well as our professional and associate staffs with timely and accurate support regarding Navy plans, programs and budget decisions. His valuable contributions have enabled the Defense Subcommittee and the Department of the Navy to strengthen its close working relationship and to ensure the most modern, well-trained and well-equipped naval forces attainable for the defense of this nation.

Mr. Speaker, John Little and his wife Marianne have made many sacrifices during his naval career. His distinguished service has exemplified honor, courage and commitment. John's first love is to return to the sea as the Commander of a United States Navy Ship. His dream comes true as later this Spring he assumes command of the U.S.S. *Thorn* (DD–988) and her crew of 330 officers and sailors.

As this great Navy couple and their two daughters Mollie and Frances and their new born son John, Jr. depart the Appropriations Matters Office to embark on yet another Navy adventure in the service of a grateful nation, I call upon my colleagues to wish them both every success and the traditional Navy send-off ''fair winds and following seas.''

PLUMBING STANDARDS IMPROVEMENT ACT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KNOLLENBERG. Mr. Speaker, I rise today to introduce the Plumbing Standards Improvement Act of 2001. This bill would begin to restore common sense to our government by repealing the ridiculous Congressional mandates on toilet size and showerhead flow, 1.6 gallons per flush and 2.5 gallons per minute, respectively.

With the help of the U.S. Department of Energy, environmental activist and plumbing manufacturers claimed it was essential to restrict water consumption in toilets and showerheads. Instead of allowing individuals to make their own choices, this group claimed the federal government should choose the types of plumbing fixtures Americans can use in their private and public bathrooms. As a result, this group was able to include an obscure rider at the eleventh hour to the Energy Policy Act (EPA), which Congress passed in 1992.

Since passage of the 1992 EPA, the voices in opposition to this policy have become loud and clear. I have heard the cries from across the country and they want the federal government out of their bathrooms. While support for ending these mandates has steadily grown, the importance of this issue has grown even further. Last year the Department of Energy introduced new regulations on washing machines, air conditioners, and heating pumps. The federal government has become too intrusive; regulating people's private lives.

The Plumbing Standards Improvement Act of 2001 does not implement any new restrictions or standards. It simply allows each individual consumer to make choices that best fits their needs. Washington has no business dictating to American consumers on the size of their toilet or the flow of their shower. One-size-fits-all mandates are unfair and a draconian measure to regulate resources. It assumes that every American faces the same situations in their daily lives.

Our failed policy on plumbing fixtures has strangled the market, created innumerable headaches, and put us at risk of suffering further one-size-fits-all mandates. Now is the time to heed the call of suffering Americans, pass the Plumbing Standards Improvement Act of 2001 and restore wisdom to our federal government.

GREAT BASKETBALL IN THE 6TH DISTRICT OF NORTH CAROLINA

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. COBLE. Mr. Speaker, Durham, North Carolina, is the center of the basketball universe these days as Duke University celebrates its NCAA national men's basketball championship. The Sixth District of North Carolina, however, can also claim to be a basketball hotbed as we celebrate the arrival of two high school basketball champions—and they both reside in the same city. High Point, North Carolina, is the new home of the Girls 2–A state champion High Point Central Bison as well as the Boys 3–A state champion T. Wingate Andrews Red Raiders.

On March 9, the High Point Central girls completed a remarkable basketball season by defeating Eastern Alamance 92–62 to capture the Girls 2–A state title. While the overwhelming victory in the championship game was impressive in itself, it only capped what will be long remembered as one of the greatest high school basketball seasons ever. The Bison completed the season with a perfect record of 30–0. This was High Point Central's first undefeated season since 1993 when the Bison went 31–0 en route to the state 3–A title. Can you mention the word dynasty when you talk about the Bison? Central's championship this year was its second in the last three years and fourth in the last nine years. That's a better record than the Duke Blue Devils!

As the championship game Most Valuable Player Velinda Vuncannon told the High Point Enterprise, ''We just played with a lot of heart tonight,'' she said. ''We played as one, as a unit. We came out with a fire. It's great to have another ring on my finger. It's a wonderful way to go out.'' Vuncannon earned MVP honors with a performance that included 17 points, 13 assists, and four steals. The win, however, was a total team effort. Leslie Cook led the way with 23 points, while Rachel Stockdale added 19 points, and Nikki Warren chimed in with 13.

Congratulations are in order for Head Coach Kenny Carter and his outstanding staff in leading the Bison to their undefeated season. Joining Coach Carter on the bench were Associate Coach Jetanna McClain and Assistant Coaches Chris Martin, Dwain Waddell, Chris Shafer, and Twila Filipiak. Supporting the team effort were Managers Chastity Brown and Shauntae Pratt. Ably assisting were Video Managers Alan Byerly and David Gallemore, along with Scorekeeper Jessica Allen.

Of course, as Coach Carter would be the first to say, the praise must begin with the players. Members of this year's championship squad included Leslie Cook, Kathryn Fulp, Mary Gheen, Erica Green, Brittany Hendley, Laura Kirby, Shameka Leach, Jillian Martin, Krystion Obie, Rachel Stockdale, Velinda Vuncannon, and Nikki Warren. So, we congratulate the players, coaches and staff, along with Athletic Director Gary Whitman and Principal Helen Lankford, and everyone associated with High Point Central High School for winning the Girls 2–A state basketball championship.

Meanwhile, across town, the Red Raiders of T. Wingate Andrews High School are celebrating their own championship. On March 10, Andrews captured the Boys 3–A state basketball championship with a 63–60 victory over Kinston High School. The Raiders proved the old adage that it is good to peak late in the season. Andrews had lost four of its first 10 games to open the season but was riding a 12-game winning streak going into the title contest with the Vikings of Kinston. The Raiders, who finished with a record of 26-6, knew it was their night. ''We wanted this more than anybody,'' Will Price told the High Point Enterprise. ''We won 13 games in a row (counting the title game) and proved we're one of the best teams in the state right now.'' Price, a sophomore point guard, had a game-high 28 points, including hitting 5-of-6 free throws in the final 40 seconds of the contest, to capture Most Valuable Player honors.

This was the second state basketball championship in the school's history. The Red Raiders had last won the state title in 1995. Leading the way this year was Head Coach Frank Hairston. Assistant Coaches David Kirkland and Jim Pierson, Head Athletic Trainer Laura Blacksten and Assistant Athletic Trainer Summer Green, along with Managers Julian Weathers and Aaron Ollis ably assisted him.

The members of the championship squad included Freddie Aughtry-Lindsay, Tim Bowden, Jeff Collie, Lester Dunn, Steve Gillespie, Corey Hill, James Ledbetter, Rod McCollum, Will Price, Brandel Shouse, and Gary Thomas. Everyone at T. Wingate Andrews High School can be justifiably proud of the Red Raiders basketball team. We congratulate Athletic Director David Mizell and Principal Jerry Hairston and everyone at Andrews for winning the state Boys 3–A basketball championship.

While they may still be celebrating in Durham, we know the real home of champions is in High Point, North Caroilna. On behalf of the citizens of the Sixth District, we congratulate High Point Central High School and T. Wingate Andrews High School for winning state basketball championships.

A TRIBUTE TO THE STEWART FAMILY AND THE STEWART FUNERAL HOME 100TH ANNIVERSARY CELEBRATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. NORTON. Mr. Speaker, last December 2, 2000 in Washington, DC, members of the Stewart Family celebrated the 100th year Anniversary of Stewart Funeral Home.

John Thomas Stewart, Sr., a young African-American Christian man traveled along dirt roads and trolley tracks to Washington, DC, holding tight to a big dream. He was determined to serve his community and to provide dignified funeral services for Washingtonians. He borrowed money from his brothers and sisters to purchase a casket and a gravesite, and then walked to a Northeast Washington home and arranged for the burial of a child. Mr. Stewart founded the Stewart Funeral Home at 62 H Street NW, Washington, DC, marking the beginning of a rich heritage and tradition of professionalism and community service in the Washington, DC metropolitan community, referred to by the Stewart family as ''The Tradition of Stewartship.''

To meet the needs of rapid growth, John T. Stewart, Sr. and his family expanded the business and twice moved the funeral home to new locations on H Street NE. During this first half-century, the elder John Stewart became well-known throughout the local community for his Christian charity, kindness and benevolence. The Federation of Civic Associations in 1957 dedicated a booklet in commemoration to him that stated, ''. . . John Stewart did not aspire to be famous or great. Rather, he was a plain, God-fearing man who sought only to live a full and useful life, devoted to his family, his business, his church and the community. He was dedicated to helping others and lending a helping hand to the less fortunate. He carved out a niche in the hearts of his neighbors through his kindness, tolerance and generosity. His unselfish willingness to help others, without thought of credit or reward, looms large in the rich spiritual legacy he left, transcending fame and greatness.'' John T. Stewart, Sr. had the wisdom and forethought to share his knowledge and philosophy with his eventual successor, John T. Stewart, Jr.

John T. Stewart, Jr. was indoctrinated with the proud Tradition of Stewartship and continued his father's legacy. He and his wife, Margaret Stewart, who gave up her career as a teacher in Prince George's County, continued the tradition of sympathy and service to the community, serving in both leadership and advisory roles in numerous civic, religious and public service organizations.

In 1964, with continued growth of the business and inherited dedication to providing top quality care and sympathy, John T. Stewart, Jr. built a first rate facility at 4001 Benning Road, NE, which today stands as a landmark institution in Washington, DC. This new and modem facility was built as a memorial to John, Sr., the founder of Stewart Funeral Home. And like his father, John Stewart, Jr. provided guidance to his sons in funeral service and in the importance of community responsibility.

In 2001, Margaret Stewart, her sons, John T. Stewart III and Carlin O. Stewart, and her granddaughter, Stacye, vigilantly continue the Tradition of Stewartship. Stacye, now under the tutelage of her father, John III, represents the fourth generation of the Stewart Funeral Home family. While their business has changed locations a few times over the last hundred years, the Stewart family has held steadfast to the legacy and landmark principles of quality, integrity, and dignified professional services and community involvement.

Mr. Speaker, I am proud to pay tribute to the Stewart family for their outstanding contributions to our community.

JOSEPH BATTISTO HONORED FOR DISTINGUISHED SERVICE IN LEGISLATURE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my very good friend Joseph W. Battisto, who represented Monroe County with distinction in the Pennsylvania House of Representatives from 1983 to 2000.

Since Joe and I had a shared constituency, I had the privilege of working with him on numerous occasions, and I am pleased to join with his many friends, who will hold a dinner in his honor April 19, to thank him for his exceptional service to the people of Monroe County and the Commonwealth of Pennsylvania.

Joe, who was born in 1931 in Mount Pocono, is a lifelong resident of the Poconos. He graduated from Stroudsburg High School in 1949, earned a bachelor's degree from East Stroudsburg University in 1956 and graduated with a master's degree from the University of Scranton in 1966. He served his country in the U.S. Army from 1953 to 1955.

Joe's dedication to education stems from his 23 years as an English teacher. At the end of his teaching career, he was the head of his department at Pocono Mountain High School.

Before serving the people of Monroe County in Harrisburg, he served as a councilman in Mount Pocono Borough from 1970 to 1973 and as mayor from 1974 to 1981.

Mr. Speaker, Joe's accomplishments in the Legislature are too numerous to list them all here, but a few examples will serve to illustrate his dedication to serving the people. Joe worked with Senator Frank O'Connell to preserve a rail line through the county that a company wanted to dismantle. He also worked to obtain funds to promote tourism in Monroe County, so that the Pocono Mountain Vacation Bureau consistently receives among the highest amounts of state dollars of the more than 50 agencies in Pennsylvania each year. He was a leader in establishing the Pocono Mountain Industrial Park, started the Monroe County Litter Control Program and a signage control committee to preserve the natural beauty of the Poconos.

Joe's legislative accomplishments included authoring the Human Relations Act of 1991 that prevents discrimination in areas such as housing, employment and education, authoring a law to allow people 30 days to return defective hearing aids for a full refund, and a law to allow 14- and 15-year-olds to work at ski facilities, which was of great importance to the

Poconos. In addition, he started the influential House Bipartisan Anti-Gambling Coalition.

As chairman and leading Democrat on the House Transportation Committee, he worked to ensure the safety of all Pennsylvanians, writing a law that regulates the transportation of solid waste, with a ban on ''back hauling'' of garbage in trucks that transport food, and the teen driver licensing law that provides for increased instruction for young drivers.

Working for Monroe County, Joe initiated the Route 209 project that is now beginning final design and right-of-way acquisition, obtained funding for all traffic control devices on Route 611 from Stroud Township to Mount Pocono for 15 years, and personally pushed PennDOT to have a church at the intersection of Shafer Schoolhouse Road and Business Route 209 moved and preserved to correct the dangerous intersection.

And from his post on the Education Committee, he initiated School Performance Grants to reward schools that improve in areas such as the graduation rate and percentage of students who go on to higher education. He also helped to develop charter schools and the Early Intervention Education Program.

Mr. Speaker, Joe Battisto was a devoted and enthusiastic legislator. He cared deeply about the impact that the actions of state government have on the lives of ordinary people, and he carefully studied every issue. I could always count on Joe to give me a thoughtful analysis of any issue affecting the people of Monroe County, and I knew that their interests were always uppermost in his mind.

Unlike some politicians who try to justify their positions with one-sided spin, Joe Battisto took the time to explain the pros and cons of every issue to demonstrate his reasoning. Students and senior citizens alike left a discussion with Joe Battisto with a deeper appreciation for the complexity of state issues.

Joe and his wife, Virginia, have four children and five grandchildren.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the long history of Joe Battisto's service to the people of Monroe County and all of Pennsylvania, and I join his friends and neighbors in wishing him and his wife all the best.

TRIBUTE TO CHIEF OF POLICE STEPHEN W. OTT

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate Chief of Police Stephen W. Ott upon his retirement after forty-eight years of service with the Cheltenham Township Police Department of Montgomery County, Pennsylvania. His long and dedicated service to the citizens of Cheltenham Township has served as an example to all.

Chief Ott was appointed to the Cheltenham Township Police Department on May 11, 1953 and is the longest serving police officer in the history of the Township. He began as a patrol officer and then was quickly promoted to Sergeant. He was promoted to Lieutenant and later was named Chief of Police on February 29, 1980. His tenure as Chief lasted twenty-one years. He has been awarded the Bravery Commendation, which is the department's second highest official commendation that can be awarded.

During his distinguished career, Chief Ott guided the police department as it became the third largest municipal law enforcement agency in Montgomery County. He has been instrumental in adding many special operations units such as the Canine, Highway Safety, Community Relations and Crime Prevention.

Although Chief Ott's tenure began before the information technology age, he embraced technology by adding computers to the Investigative Division, police department operations and record keeping and dispatching. The structure of the department was also overhauled due to Chief Ott's foresight.

It is a privilege to honor the contributions of Chief Stephen W. Ott to the citizens of Cheltenham Township. Chief Ott has my sincere best wishes for a long and happy retirement.

THE NATIONAL AMUSEMENT PARK RIDE SAFETY ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MARKEY. Mr. Speaker, today I am introducing the National Amusement Park Ride Safety Act, to restore safety oversight to an largely unregulated industry. I am joined in this effort by Representatives CONNIE MORELLA, JOHN TIERNEY, CAROLYN MALONEY, BARNEY FRANK, PETER DEFAZIO, EDDIE BERNICE JOHNSON, CYNTHIA MCKINNEY, TOM LANTOS, and JULIA CARSON.

It is shocking to realize that one-third of all roller coasters in this country are never inspected by any public safety official at all. These and other rides are large machines used to carry children at high speeds. Industry trends have been to increase the speed and the force of these machines to levels that exceed the forces experienced by shuttle astronauts. Although many of these rides are operated safely and without incident, nevertheless every day riders are hurt, often seriously, requiring hospitalization, visits to emergency rooms. And occasionally, someone who went to the park for a thrill actually is killed by the operation of these machines.

To me, it is inexcusable that when someone dies or is seriously injured on these rides, there is no system in place to ensure that the ride is investigated, the causes determined, and the flaws fixed, not just on that ride, but on every similar ride in every other state.

The reason there is no national clearinghouse to prevent ride injuries is clear—since 1981, the industry has escaped routine product safety regulation through a loophole in the law. The industry carved out an exemption that says that while the Consumer Product Safety Commission can regulate every other consumer product, and while it can regulate small carnival rides that travel from town to town, it cannot step foot in an amusement park for the purpose of regulating a ride that is fixed to the site, such as a roller coaster.

This is the so-called ''Roller Coaster Loophole'', and it needs to be closed. The bill eliminates the restriction on CPSC safety jurisdiction adopted in 1981. It will allow the CPSC the same scope of authority to protect against unreasonable risks of harm on ''fixed-site'' rides that it currently retains for carnival rides that are moved from site to site (''mobile rides.'') This would include the authority to investigate accidents, to develop and enforce action plans to correct defects, to require reports to the CPSC whenever a substantial hazard is identified, and to act as a national clearinghouse for accident and defect data.

The bill would also authorize appropriations of $500 thousand annually to enable the CPSC to carry out the purposes of the Act.

BACKGROUND

The Consumer Product Safety Act provided the Consumer Product Safety Commission (CPSC) with the same consumer protections authority it has for other consumer products. However, in 1981, following a series of legal challenges by several owners of large theme parks, Congress stepped in and limited CPSC authority only to those rides ''not permanently fixed to a site.'' Thus, the CPSC currently is prohibited from investigating accidents or developing or enforcing safety plans, and manufacturers, owners and operators of rides are not required to disclose to the CPSC defects which would create a substantial hazard of consumer injury. Since it cannot gather the information, the CPSC is also effectively prevented from sharing the information with others so that accidents in one state can be prevented in another.

RISING RISK OF SERIOUS INJURY

The CPSC estimates the number of serious injuries on fixed and mobile amusement park rides using the National Electronic Injury Surveillance System (NEISS). This data includes only injuries severe enough to have led the injured party to go to an emergency room. According to its July 2000 summary, emergency-room injuries on fixed rides increased 95 percent over the previous four years, and they rose most rapidly on the rides that are exempt from CPSC oversight.

When one compares the safety record of this industry to other activities that involve traveling—as a passenger at high speed, such as passenger trains, buses and planes, the amusement park industry's fatality rate is actually worse.

Some states try to step in where the CPSC cannot, but states with inspection programs are very uneven depending on which agency has the responsibility and whether its expertise is design, operator training, manufacturing, etc. No state, and no industry organization, provides the national clearinghouse function that the CPSC currently provides for mobile rides and could provide for fixed-site rides.

FATALITIES

Although the overall risk of death on an amusement park ride is very small, it is not zero. In the course of one week in August 1999, for example, 4 deaths occurred on roller coasters, which U.S. News & World Report termed ''one of the most calamitous weeks in the history of America's amusement parks'':

August 22—a 12-year-old boy fell to his death after slipping through a harness on the Drop Zone ride at Paramount's Great America Theme Park in Santa Clara, California;

August 23—a 20-year-old man died on the Shockwave roller coaster at Paramount King's Dominion theme park near Richmond, Virginia;

August 28—a 39-year-old woman and her 8-year-old daughter were killed when their

car slid backward down a 30-foot ascent and crashed into another car, injuring two others on the Wild Wonder roller coaster at Gillian's Wonderland Pier in Ocean City, New Jersey.

Each of these tragedies is an opportunity for the CPSC to search for causes and share its insights with the operators of other similar rides. Unless the law is changed, however, it cannot perform this role.

One final point—the industry has the unfortunate habit of belittling the risk of loved ones getting mangled or killed on these machines by suggesting that the risk of getting hurt is lower than for ''bowling'' or ''watering your garden.'' In fact, the fatality rate on roller coasters approximates the risk of dying on passenger trains, buses and airplanes. None of those industries claims any exemption from federal oversight, and investigations by federal safety experts of train accidents, bus accidents or plane crashes is central to minimizing the reoccurrence of serious or fatal accidents in America.

Yet this common sense eludes the amusement park industry, to the detriment of the safety of children and adult riders alike.

As the spring and summer riding season begins, I urge my colleagues to cosponsor this modest restoration of safety to all parkgoers. Thank you.

ORGANIZATIONS SUPPORTING THE NATIONAL AMUSEMENT PARK RIDE SAFETY ACT

NATIONAL CONSUMER GROUPS

Consumer Federation of America
Consumers Union
U.S. Public Interest Research Group
National SAFE KIDS Campaign

STATE & LOCAL CONSUMER GROUPS

American Council on Consumer Awareness
Arizona Consumers Council
Center for Public Representation (WI)
Chicago Consumer Coalition
Columbia Consumer Education Council (SC)
The Consumer Alliance (midwest regional alliance)
Consumer Law Center of the South
Democratic Processes Center (AZ)
Empire State Consumer Association (NY)
Massachusetts Public Interest Research Group
Mercer County Community Action Agency (PA)
North Carolina Consumers Council
Oregon Consumer League

THE PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2001

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. NEY. Mr. Speaker, I urge my colleagues to join my friend from Michigan, Mr. KILDEE, me, and 114 of our colleagues to support the Public Safety Employer-Employee Cooperation Act of 2001. I am proud of this bipartisan effort to aid our firefighters and police in this common sense effort to increase fairness.

This bill is supported by the International Association of Fire Fighters, International Brotherhood of Police Officers, International Union of Police Organizations, National Association of Police Organizations, and the Fraternal Order of Police.

Firefighters and police men and women protect the public everyday. These men and women are true public servants who put themselves in harm's way for others. Is it too much to ask that they be allowed to bargain for wages, hours, and safer working conditions? No. This bill helps workers, management, and the general public, because better employer-employee cooperation leads to cost savings and better delivery of services.

Congress has long recognized the importance of assuring and protecting the right of workers to collectively bargain. Federal laws have been extended to guarantee collective bargaining to different sectors and now the only sizeable group of workers without the right to collectively bargain are employees of State and local government.

Fire fighters and police officers take seriously their oath to protect the public and as a result they do not engage in worker slowdowns or stoppages. This bill would not allow for strikes or slowdowns, only the right to bargain collectively. The absence of this collective bargaining denies them opportunity to influence decisions that affect their livelihoods and families.

The Public Safety Employer-Employee Act establishes basic minimum standards that state laws must meet and provides a process to resolve impasses in States without such laws. States that already have collective bargaining laws would be exempt from the Federal statute. Furthermore, this bill prohibits strikes and does not call for mandatory binding arbitration.

I urge my colleagues to join us in supporting the bipartisan Public Safety Employer-Employee Cooperation Act of 2001.

THE PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2001

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KILDEE. Mr. Speaker, today I urge my colleagues to join my friend from Ohio, Mr. Ney, myself, and over 100 of their colleagues, to support the Public Safety Employer-Employee Cooperation Act of 2001.

Congress has long recognized the importance of assuring and protecting the right of workers to collectively bargain. Over the years, federal laws have been extended to guarantee collective bargaining to different sectors and now the only sizeable group of workers without the rights to collectively bargain are employees of state and local government.

Fire fighters and police officers take seriously their oath to protect the public and as a result they do not engage in worker slowdowns or stoppages. The absence of the right to collectively bargain denies them the opportunity to influence decisions that affect their livelihoods and families.

The Public Safety Employer-Employee Act establishes basic minimum standards that state laws must meet and provides a process to resolve impasses in states without such laws. States that already have collective bargaining laws would be exempt from the federal statute. Furthermore, this bill prohibits strikes and does not call for mandatory binding arbitration.

Firefighters and police men and women risk their lives every day to protect the public. At the very least, they should be allowed to bargain for wages, hours, and safe working conditions. This bill helps workers, management, and the general public, because employer-employee cooperation leads to cost savings and better delivery of services.

This bill is supported by the International Association of Fire Fighters, International Brotherhood of Police Officers, International Union of Police Organizations, National Association of Police Organizations, and the Fraternal Order of Police.

I urge my colleagues to join us in supporting the Public Safety Employer-Employee Cooperation Act of 2001.

HONORING DEB BUSWELL OF LACROSSE, WI

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KIND. Mr. Speaker, today I rise to pay tribute to a constituent of mine, and a very special teacher, Debra Buswell. Debra Buswell was recently named Outstanding Environmental Educator of the Year. Debra, a teacher at Longfellow Middle School from my home town of La Crosse, Wisconsin, is currently the team leader for the School on the River program, housed within Longfellow. This program allows students to work on a variety of environmental projects, including stocking fish with Wisconsin's Department of Natural Resources and compiling river information for the U.S. Geological Survey's Upper Midwest Environmental Sciences Center.

It is also with great pleasure that I recognize the School on the River program itself as one of eight recipients to receive a Seaworld/Busch Gardens 2001 Environmental Excellence Award. This award recognizes the efforts of students to protect and preserve the environment at a local level. In addition to national recognition for its outstanding achievements, the School on the River will receive $15,000 for specialized equipment, 100 T-shirts, trophies and certificates, and all-expense-paid trips for three students and one teacher to attend ceremonies in Florida and Missouri.

All of us in the La Crosse area applaud the efforts of Debra Buswell and Principal Glen Jenkins for their outstanding efforts to raise environmental consciousness among Longfellow students, and at the same time, to engage students in non-traditional learning environments. This exposure to critical thinking and higher mathematical skills, management techniques, and team building exercises will benefit them for years to come. With the dedication and support of the school, Principal Jenkins, and Debra Buswell, this ten-year old program is now beginning to receive the national recognition it deserves. I congratulate Principal Jenkins, Debra Buswell, and the students who participate in the program for their hard work and dedication to improving the local environment in their home community.

With the continued awareness of the importance to having a healthy environment, I am

grateful that students and residents from western Wisconsin remain committed to improving the local environment for the benefit of this generation and the many generations to follow. It is my sincere hope that we can here in Congress take this example back to our own communities to strengthen our own constituents' efforts to raise awareness regarding local environmental issues.

Obviously, the teaching going on at Longfellow Middle School is near and dear to my heart. Growing up, I spent a lot of time along the Mississippi River. Now I live right on the Mississippi, and take my two sons down to the River to fish, or just explore, whenever possible. The important role the Mississippi River plays in the lives of my constituents is, in fact, why I helped form the bipartisan Mississippi River Caucus as one of the first things I did when joining Congress. I also continually support initiatives to benefit the river such as the EMP program and the Upper Mississippi Wildlife Refuge. And this year, I will reintroduce my Upper Mississippi River Basin Conservation Act.

On behalf of the residents of western Wisconsin, I proudly commend Debra Buswell on her recognition as an Outstanding Environmental Educator. I also commend the School on the River for being recognized for its efforts to improve the local environment in western Wisconsin. The La Crosse School District and local community are better places to live thanks to the efforts of these middle-school students and their dedicated teacher.

IN HONOR OF RICHARD KWASNESKI, MAYOR OF LEMONT, IL

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. BIGGERT. Mr. Speaker, I rise today to honor Richard Kwasneski, who in just a few weeks will be retiring as Mayor of Lemont, Illinois, which is located in my congressional district.

Our local governments could not work if it were not for people like Rick—they serve their hometowns for no other reason than because they love where they live.

Rick Kwasneski surely loves Lemont. For the past 16 years, Rick has served the people of Lemont with dedication and honor, first as a Village Trustee for eight years and then as Mayor for the past eight.

As Mayor, Rick led the economic and physical revitalization of Lemont's historic downtown area, created a Historic District in the downtown area to promote and preserve the rich history of Lemont, and reconstructed the town's aging infrastructure and roadways. He also lowered the Village's property tax rate to its lowest level in 25 years.

Rick is a tireless champion for Lemont, always working to improve the Village wherever there is a need. The residents of Lemont were lucky to have him as Mayor and I know he will be missed.

I am going to miss Rick as well. Since I came to Congress a little over two years ago, Rick has been a valuable partner on issues important to Lemont, such as the southern extension of I–355 and extra train service on the Heritage Corridor rail line that serves Lemont.

Mr. Speaker, let me close by saying that we need more excellent individuals like Rick Kwasneski to go into public service. His selfless hard work and advocacy for Lemont are a model for all of us.

And even though he will no longer serve as Mayor of Lemont, I know that he will continue to have a strong presence in the community, lending a hand whenever and wherever it is needed.

FEBRUARY 22 FOREST ROUNDTABLE IN MISSOULA

HON. DENNIS REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. REHBERG. Mr. Speaker, on February 22 I sponsored a roundtable discussion in Missoula, Montana on forest health issues. This discussion included presentations from a wide array of interests.

Representing the conservation community were Tom France of the National Wildlife Federation, Cesar Hernandez of the Montana Wilderness Association and Steve Thompson of the Montana Conservation Voters. Forest products industry witnesses were Kim Liles of the Pulp and Paperworkers Resource Council, Jim Hurst of Owens and Hurst Lumber, Sherm Anderson of the Montana Logging Association and Roger Johnson of Pyramid Mountain Lumber. County governments were represented by Commissioners Barbara Evans of Missoula County, Alan Thompson of Ravalli County, Dale Williams of Flathead County and Rita Windham of Lincoln County. Providing creative ideas practiced on non-federal lands were Garry Orr of the Salish-Kootenai Tribes and Tom Schultz with the Montana Department of State Lands. Finally, the scientific and academic communities were represented by Drs. Chuck Keegan and Carl Fiedler of the University of Montana and U.S. Forest Service fire ecologist Steve Arno.

This roundtable, and one scheduled for April 18 in Hamilton, will provide me with firsthand accounts of what is working and not working regarding management of Montana's forests. As a member of both the House Committees on Agriculture and Resources, that have jurisdiction over forest management, I am seeking ''made in Montana'' solutions to our current challenges in forest management.

I encourage my colleagues to read the following article by Sherry Devlin on the Missoula roundtable that appeared in the February 23 Missoulian. I also highly recommend reading the testimony of Kim Liles who is a papermaker for Smurfit-Stone Container in Frenchtown, Montana and a member of Hellgate Local 8–0885 PACE International Union.

[From the Missoulian (MT), Feb. 23, 2001]

REHBERG GETS EARFUL ON FORESTS

INDUSTRY OFFICIALS SAY CONTROL SHOULD STAY WITH LOCAL EXPERTS

(By Sherry Devlin)

The rest of the country should just ''butt out'' and let Montanans manage the national forests in their back yards, a Eureka sawmill owner told U.S. Rep. Denny Rehberg's forest-management roundtable Thursday.

''I'm not going to tell the people of New York City how to manage Central Park,'' said Jim Hurst, owner of Owens and Hurst Lumber Co. ''So why should they be telling us how to manage the Kootenai National Forest? I say they should butt out.''

Montanans, Hurst said, can work their way through even the thorniest forest-management issues. It's the national dictates—of presidents, congressmen and bureaucrats—that make people dig in their heels.

So went the conversation during a four-hour, four-panel series of roundtable discussions at the University of Montana, called by Rehberg—he said—to learn more about forest-management issues and to look for common ground. ''Is there anything that we can all agree on?'' he asked.

''Yes,'' said paper maker Kim Liles. ''I share everyone's concern for the health, conservation and beauty of this great state. I most certainly do not want to destroy the environment.''

''Yes,'' said environmental lawyer Tom France. ''If it's not just a rush to get timber off the hill, but a rush to do right by the land.''

''Good,'' said Rehberg, the Republican elected in November to Montana's single seat in the House of Representatives. ''People have this preconceived notion that I have a preconceived notion about forest management. And I don't. I am serious about the consensus process.''

Collaboration can work; it can yield timber cutting and endangered-species recovery, said France, an attorney for the National Wildlife Federation in Missoula.

Loggers and environmentalists have been able to look at specific pieces of land and agree upon ''appropriate timber harvest'' that ''lays lightly on the land,'' he said. ''It works best when we are discussing specific tracts of land in our own, local area.''

''Let's start talking about salvage logging in burned areas and restoration projects in the urban-wildland interface,'' said Anne Dahl of the Swan Ecosystem Center. ''We are very capable of making good decisions as a community.''

''We need to start over and practice sustainable forestry on the millions and millions of acres of forest land that we already roaded and developed,'' said Steve Thompson, a Whitefish consultant, writer and environmental activist.

Don't get distracted, Thompson advised, by focusing your energy on a repeal of President Clinton's roadless initiative—the last administration's controversial ban on road building and logging on 58 million acres of undeveloped national forest land.

''Many of the forest issues that we face are very polarized, very difficult,'' France said. ''They are not easily resolved by even powerful congressmen in Washington, D.C. I encourage you to focus on the places where we can actually make progress on the ground.''

Loggers—who sat with Rehberg on another of the roundtable panels—emphasized that there will be no consensus unless the discussion and decisions are local.

''To manage our national forests from an office back East is unacceptable,'' said Liles, who works at Smurfit-Stone Container Corp.'s Frenchtown linerboard plant. ''The national folks don't have to experience the economic devastation their policies cause. They don't know us or our geography. We have very good people right here in Missoula, Montana, in the Forest Service. We need to allow them to do their jobs.''

Hurst told Rehberg that federal land management policies have bankrupted his community and broken its spirit. ''Eureka, Montana, is going broke,'' he said. Earlier this month, he laid off 40 percent of his employees.

Local management works, Hurst said. ''Look at Alberta, the most prosperous piece

of real estate in North America. Why is that? Why is Alberta so prosperous when Montana is the Appalachian West? The key there is the province has all the control over the natural resources. The local people have control.''

Sherm Anderson, who owns Sun Mountain Logging Co., told Rehberg he could help by educating people back East about forests and how they live and grow and die. ''If I were king and could change one thing, it would be the perception that our forests—if we don't touch them—will stay the same forever,'' he said.

''You can't legislate perception,'' Rehberg said.

''But if people could understand how a forest operates,'' Anderson said, ''maybe we could get some intelligence back into our national forest management.''

Forest Service officials were not invited to participate in any of the day's roundtable talks, but several sat in the audience of more than 100 people who crowded around Rehberg and the panelists to listen. And Maggie Pittman, a spokeswoman for the agency's Northern Region office in Missoula, asked Rehberg to include agency officials next time around.

''We are thrilled that Denny Rehberg is holding this forum,'' Pittman said later. ''It's a wonderful way for Denny and his staff to get up to speed fairly quickly. We would have enjoyed a place at that table today. There are some misperceptions that we would like to talk about, but also we consider ourselves a key part of the conversation.

''Public land managers need to be part of the discussion about public land management.''

TESTIMONY OF KIM LILES

Representative Rehberg, ladies and gentlemen. I am happy to be here with you today, to have an opportunity to express my concerns and that of my co-workers regarding our ability to continue to earn a living in the natural resource based industries.

I am a member of The Pulp and Paperworkers' Resource Council, a grassroots organization representing over 350,000 workers in the pulp and paper, solid wood manufacturing and related industries. I am also employed by Smurfit-Stone Container and I am a member of Hellgate Local 8–0885 PACE International Union.

First of all let me say that I am an environmentalist like I hope everyone in this room is. I share everyone's concern for the health and conservation of our natural resources, our environment and the beauty of our state. I hope that just because I am employed in the timber industry, people don't assume I want to destroy the environment, or degrade our environmental controls. I most certainly do not and neither do those I work with and for. We all enjoy this great state and most of us are outdoorsmen, Hunters, campers, mountain bikers, snowmobilers and fishermen. We have a vested interest in being good stewards of the land as much as anyone else.

Today, America has 630 wilderness areas encompassing 102 million acres of land under federal control. The National Forest System with 155 national forests, encompassing 200 million acres of land, has in the past been guided by the concept of multiple use for sustained yield—a policy of wise conservation. These uses have always included managed timber harvesting, recreation of all sorts, including skiing, fishing, hunting, camping, snowmobiling and others. These forests have also at the same time been managed for wildlife and the environment.

I as well as my co-workers and others involved in natural resource based industries are deeply concerned with the management of our public lands. To manage our National Forests and public lands from an office back east, by the stroke of a pen is unacceptable. These people do not have to live with outcome of their actions. We can be better served by people here locally and on the State level. They are in touch with the needs of the area and have the know how, ability and a vested interest in being good Stewards of the land as well.

Whether we want to admit it or not this is about jobs, it's about economies, families and communities. How many school closures, plant shutdowns, and economically devastated families and communities are we going to have to endure before we come to the realization that in order to sustain an economy, you have to produce a value added product somewhere in the equation. You cannot sustain an economy with service-based jobs, tourism nor education, it doesn't work. You cannot support a family on a $6.00 an hour job either.

Montana used to be about 7th in the nation in average per capita income. Today we are now 50th in that category. We are however #1 in one area, that being heads of households holding two jobs to support their families, a very sad commentary.

In Montana since 1989, over 17 mills have been shut down, over 2,000 jobs have been eliminated. That is jobs in the timber industry alone, that is not including mining jobs and support industry jobs that have also been eliminated. The cumulative effect of extreme environmental regulations, regulatory rules and a smothering bureaucracy are having and have had a negative impact on our States economy.

I submit to you that we can have both, a vibrant economy utilizing our natural resources, supplying good paying jobs and a healthy and stable environment. We need to find that balance. There is middle ground to be had here. Let common sense be a part of any and all decisions we might make regarding these issues.

I am proud to say I'm a native Montanan and have lived here all of my life. I can only hope my four children can also have that opportunity. I see so many young people leaving our state today to earn a living elsewhere simply because there are no jobs that pay a living wage suitable for raising or sustaining a family. What a sad truth that is.

Again, we need to find the middle ground here. It seems the pendulum has swung too far in one direction, believe me, I do not want to see it go all the way in the other direction. We need to stop it (the pendulum), in the middle. We can do that, and we must do that.

FORTY-THREE BRAVE AMERICAN SOLDIERS

HON. JIM TURNER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. TURNER. Mr. Speaker, history almost forgot forty-three American soldiers who were involved in one of the hottest firefights of the Cold War. The morning after Thanksgiving in 1984, the soldiers monitoring the demilitarized zone on the North Korean border saw their North Korean counterparts race across the border towards them, in hot pursuit after a fleeing Soviet defector. What followed for almost an hour was a gunfight between the forty three American soldiers, their South Korean allies, and dozens of attacking North Koreans. In the exchange of fire, an American soldier was injured, one South Korean was killed, and at least two North Koreans were killed and another two wounded.

The forty-three American soldiers faced the danger of combat, protecting our liberty and our commitment to democracy. But for years, they were never recognized with the Combat Infantryman's Badge—a mark of honor and distinction reserved for those American soldiers who faced enemy fire and survived.

Finally, after seventeen years, these brave men will receive the recognition they deserve. The reasons for the delay—bureaucratic politics and inconsistent regulations—might just as well be forgotten by history. But we must never let these men, their courage, their sacrifice, and their honor, be relegated to the status of a footnote in the history books.

Our nation has always had its heros. From the great revolutionaries like Patrick Henry and George Washington to the pioneers like Daniel Boone and Davy Crockett, we have always looked to those who risked themselves for a greater purpose. Some of our heros left their mark with a flourish, and some carried out their role with only silent dignity, yet we have always respected them with out gratitude and our honor.

The Combat Infantryman's Badge is a simple piece of cloth; a musket bordered by a wreath on a pale blue background. But the risk, sacrifice, and indeed, heroism that it represents is real.

To these forty-three brave American soldiers, we owe a great debt. Decades may have passed since that November morning they stood tall and protected us, but the memory shall not fade. History will never forget their courage.

GETTING OUR GIRLS READY FOR THE 21ST CENTURY ACT (GO GIRL!)

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. WOOLSEY. Mr. Speaker, what's wrong with this picture? Females make up slightly more than 50 percent of this country's population, yet, less than 30 percent of America's scientists are women. Even fewer engineers are women—less than 10 percent!

In 1994 there were 209 tenured faculty at the Massachusetts Institute of Technology—and 15 of them were women!

Of course, these figures aren't surprising when you learn that in 1985 women earned less than thirty percent of the bachelor degrees in the physical sciences, and, less than ten percent of the bachelor degrees in engineering.

You don't even want to hear the percentage of PhD's in science and math-based fields that are earned by women. Just to give you an example, about eight percent of the PhDs in physics in 1988 were awarded to women.

My colleagues may be asking themselves, ''So what . . . is this some national problem?''

Yes—this is a big problem. A big problem for employers; a big problem for women as future wage earners; and a big problem for our nation as we compete in the global marketplace.

The Bureau of Labor Statistics projects that between 1994 and 2005, the number of

women in the labor force will be growing twice as quickly as men.

A recent study of school-to-work projects found ninety percent of the girls clustered in five traditionally female occupations. My colleagues do not need me to tell them that careers in traditionally female occupations pay far less than careers in science, math, and technology. For example, a data analyst can expect to make $45,000 a year while a licensed practical nurse makes less than $25,000 a year. And a kindergarten teacher makes only $18,044 a year.

In addition, the National Science Foundation reports that the jobs facing workers will require higher skill levels in science, math, and technology than ever before.

The NSF report is verified by a letter I recently received from the American Electronics Association. They wrote to tell me that today the hi-tech industry is facing a critical shortage of skilled workers. And, the future looks even worse. A recent AEA report showed that the number of degrees in computer science, engineering, mathematics and physics have actually declined since 1990.

Quite clearly, there is no way that America can have a technically competent workforce if the majority of students—females—continue not to study science, math and technology.

That is why today I am introducing a bill to help school districts encourage girls to pursue careers in science, math, and technology.

Although my bill is formally titled ''Getting Our Girls Ready for the 21st Century Act'' it will be known as ''Go Girl!''

''Go Girl'' will create a bold new workforce of energized young women in science, math and technology.

''Go Girl'' is modeled on the Trio program, which has successfully encouraged two million low income students, whose parents never attended college, to attend and graduate from college. Similarly, the lack of female role models hamper female interest in studying science, math, and technology.

Girls, and their parents, first, must be able to envision a career in these fields for themselves and their daughters. Then, they need practical advice on what to study and how to achieve the necessary academic requirements.

''Go Girl'' follows girls from the fourth grade, the grade in which girls typically begin to fall behind boys in math and science, through high school.

To encourage girls' interest in math, science and technology in the early grades, girls will participate in events and activities that increase their awareness of careers in these fields, and they will meet female role models.

Older girls will visit college campuses and meet with students and professors in these fields.

''Go Girl'' participants benefit from tutoring and mentoring, including programs using the internet, such as the ''design your future program'' started by Carol Bartz, the president of Autodesk Software Company.

American school girls are close to fifty percent of america's future workforce. If they turn away from careers in science, math, and technology, we will be short changing our employers and our young women.

I hope that my colleagues will join me in sending a new message to our girls in school—a message that says, ''you go, girl'' to a career in science, mathematics and technology.

WAGE AND LABOR RIGHTS VIOLATIONS IN THE AMERICAN TERRITORIES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to speak against the ongoing wage and labor rights violations in factories operating in some of our American territories, and I ask that my colleagues join me in creating reforms that will finally ensure that all workplaces that operate under the American flag do so in compliance with federal law. I have been involved for a number of years in an effort to reduce the well-documented exploitation of temporary foreign workers, particularly Asian women, in the U.S. Commonwealth of the Northern Mariana Islands (US/CNMI). In the past few months, I have been troubled to leam that the practice of exploiting temporary workers has now spread to American Samoa.

According to a recent Department of Labor investigation, the Daewoosa factory in the American Samoa employed 251 Vietnamese ''guest workers''—more than 90 percent of them women—for nearly two years under conditions of indentured servitude. These workers took on a debt of up to $8,000 dollars each in order to qualify for what they believed would be good jobs in America, but instead they were constantly paid less than the Samoan minimum wage of only $2.60 per hour. Sometimes the workers of the Daewoosa factory were not paid at all. Many workers also faced verbal, physical and sexual abuse, including a severe beating that caused one young woman to lose an eye. As a result of these violations, Daewoosa owner Kil Soo Lee now faces charges of forced labor in federal court.

While I applaud the Federal Government for prosecuting this particular violator of labor laws, I believe we must take steps to ensure that these injustices never happen again. I urge my colleagues to read the following article from the Honolulu Star-Bulletin and consider whether they would ever tolerate such conditions and exploitation in their own districts. I also invite my colleagues to join me in cosponsoiing legislation to bring all of the U.S. territories into compliance with the federal laws that protect workers throughout the United States.

[From the Honolulu Star-Bulletin, Mar. 31, 2001]

HAWAII SHOULD LEAD FIGHT TO END ABUSE OF WORKERS IN U.S. TERRITORIES

The issue: Allegations that Asian workers were forced to work at an American Samoan garment sweatshop under inhuman conditions have resulted in federal charges here.

Human rights and labor abuses uncovered on the Northern Marianas island of Saipan three years ago embarrassed U.S. garment manufacturers, resulting in lawsuits and federal legislation targeted for the islands north of Guam. Sweatshop conditions as bad if not worse in American Samoa have prompted criminal charges in federal court.

The two cases suggest that U.S. territories in the Pacific have been vulnerable to such abuses far more than had been assumed. Reform legislation that failed in the last Congress should be rejuvenated and broadened to include all U.S. possessions.

About 14,000 workers, mostly young women, from China, the Philippines, Bangladesh and Thailand were lured by promises of good wages to pay fees of up to $10,000 to enter the labor force in the Northern Marianas. In 1998, federal lawsuits accused 32 contractors on Saipan of beatings, forced abortions and rat-infested quarters in essentially a prison environment surrounded by barbed-wire and armed guards.

Major clothing retailers in the United States that had bought garments sewn on Saipan settled lawsuits by agreeing to establish a $1.25 million fund to finance monitoring, compensate workers and create a public education program.

Senator Akaka last year won Senate approval of a bill to extend U.S. immigration and minimum-wage laws to the Marianas and allow ''Made in the USA'' labels only on garments on which more than half the work had been done by American citizens. The measure died in the House.

More recently, a Labor Department investigation has uncovered similar abuses in American Samoa, with work and living conditions so horrid that some garment workers, mostly women from Vietnam, looked like ''walking skeletons.''

Similar to the situation on Saipan, up to 250 workers had borrowed $2,000 to $7,000 each to acquire their jobs and fly from Vietnam or China to Saipan. Investigators found frequent violations of the Samoan minimum wage ($2.60 an hour) and numerous abuses, including the beating of workers and withholding of meals as a form of punishment.

Daewoosa, a Korean-owned clothing manufacturer that had made apparel for J.C. Penney Co., closed the plant in January. A judge in Samoa placed Daewoosa under receivership after it failed to pay $600,000 in back wages and fines resulting from the Labor Department investigation.

Penney had canceled contracts with the factory immediately after learning of the abuses. Daewoosa owner Kil Soo Lee now faces charges of involuntary servitude and forced labor in federal court in Honolulu.

While the semiautonomous status of U.S. territories in the Pacific may vary, the conditions that were found on Saipan and Samoa should be condoned on none of them. As leaders of the U.S. community in the Pacific, Hawaii's congressional delegation should promote legislation to end these human-rights abuses.

TRIBUTE TO COMMANDER JOHN FRISTACHI

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LEWIS of California. Mr. Speaker, I rise today to recognize an outstanding Naval Officer, Commander John C.P. Fristachi, who served with distinction and dedication for almost three years for the Secretary of the Navy and Chief of Naval Operations under the Assistant Secretary of the Navy (FM&C) as a Principle Assistant in the Appropriations Matters Office. It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Department of the Navy, the Congress, and our great Nation as a whole.

During his tenure in the Appropriations Matters Office, which began in April of 1998, Commander Fristachi has provided members

of the House Appropriations Committee, Subcommittee on Defense as well as our professional and associate staffs with timely and accurate support regarding Navy plans, programs and budget decisions. His valuable contributions have enabled the Defense Subcommittee and the Department of the Navy to strengthen its close working relationship and to ensure the most modern, well-trained and well-equipped naval forces attainable for the defense of our nation.

Mr. Speaker, John Fristachi and his wife Betsy have made many sacrifices during his naval career. His distinguished service has exemplified honor, courage and commitment. As they depart the Appropriations Matters Office to embark on yet another great Navy adventure in the service of a grateful nation, I call upon my colleagues to wish them both every success and the traditional Navy send-off ''fair winds and following seas.''

NATIONAL TELECOMMUNICATORS WEEK

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SHIMKUS. Mr. Speaker, I rise today in Honor of National Public Safety Telecommunicators Week. Each year, the second week of April is dedicated to the men and women who serve as public safety telecommunicators.

Telecommunicators are civilians across this country who provide the vital link between the public and emergency service responders, be they police, fire or EMS. They provide the radio, telephone, computer and other communication services that save lives and keep our communities safe and secure. Too often, the importance of this job and the contribution these individuals make go unnoticed.

Today, I would like to recognize and thank the telecommunicators who serve the 20th District of Illinois. They are: Karen Giese, Lora Furlong, Michelle Tarvin, Teri Roado, Nancy Pohlman, Sarah Richey, DeAnna Fare, Lora C. Furlong, Robert I. Castens, Lillian I. Rutherford, Tammy S. Giacomelli, and Sherri M. Deeder.

Mr. Speaker. I extend my deepest appreciation to these and all telecommunicators for talking distressed callers through CPR, calming hysterical crime victims, and making the difficult decisions using limited information to save lives and reduce property damage on a daily basis.

STRUCTURED SETTLEMENT PROTECTION ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SHAW. Mr. Speaker, I rise today to introduce the Structured Settlement Protection Act. This legislation protects the Congressional policy underlying structured settlements and brings a final resolution to the issue known as ''factoring'' of structured settlement payments.

In introducing this legislation, I am joined by my colleague Mr. STARK and by a broad bipartisan group of our colleagues from the Ways and Means Committee, including Mr. HOUGHTON and Mr. COYNE, the Chairman and the Ranking Minority Member respectively of the Oversight Subcommittee which held a hearing on the structured settlement factoring issue in the last Congress. There are a total of 19 Ways and Means co-sponsors of this important legislation.

I am a long-time supporter of the use of structured settlements to compensate victims of physical injuries. Structured settlements constitute a private sector funding alternative to taxpayer-financed programs to meet the ongoing, long-term medical and living needs of seriously-injured victims and their families. Structured settlements enable these injured people to live with dignity, free of reliance on government. For these reasons, Congress adopted special tax rules to encourage the use of structured settlements to provide long-term financial security to injured victims and their families.

The Structured Settlement Protection Act that I am introducing today addresses concerns which have been raised over the ''factoring'' of structured settlement payments, in which factoring or settlement purchase companies buy up part or all of the structured settlement recipient's future payments for cash. My legislation is part of a single overall package of complementary Federal and State legislation that has been agreed upon by the structured settlement industry and the factoring industry to resolve these concerns.

Under the Structured Settlement Protection Act, the States are given the consumer protection role. The Act relies upon a State court review process to govern a proposed factoring transaction to ensure that the structured settlement serves the purpose Congress intended—providing long-term financial security for the injured victim and the victim's family—while enabling the victim to get access to future payments should the court determine that such access is in the best interests of the victim, taking into account the welfare and support of the victim's dependents, and does not contravene other applicable statutes and existing court orders.

The complementary State model legislation agreed to by the structured settlement and factoring industries specifies the process for State court review. Legislation similar to the State model has now been enacted in 19 States and is being actively considered in some 20 other States during the current State legislative cycle.

The Structured Settlement Protection Act protects the Congressional policy underlying structured settlements by providing the threat of an excise tax sanction to ensure compliance with State regulation in light of the multi-State nature of the factoring business, as well as resolving Federal tax uncertainties which factoring has created for the other parties to the structured settlement.

The Structured Settlement Protection Act is similar to legislation that I introduced in the last Congress along with Mr. STARK and a similarly broad bipartisan group of our colleagues from the Ways and Means Committee.

This legislation has been agreed to by the National Structured Settlements Trade Association (NSSTA) on behalf of the structured settlement industry and the National Association of Settlement Purchasers (NASP) on behalf of the factoring industry. In light of the joint support of the structured settlement industry and the factoring industry, I believe that this legislation should be non-controversial. In addition, the identical version of the legislation last year was scored by the Joint Tax Committee as being essentially revenue neutral.

The agreement of the two sides to the provisions of the Structured Settlement Protection Act provides us with a critical opportunity to put the structured settlement factoring issue to rest at long last. We should avail ourselves of that opportunity while it is at hand. Accordingly, I strongly urge the enactment of this important legislation as soon as possible.

ARC OF DALLAS

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. FROST. Mr. Speaker, I would like to recognize and congratulate the Arc of Dallas for its efforts in improving the quality of life of persons with mental retardation and related developmental conditions. The Arc of Dallas will celebrate its 50th anniversary this year and deserves to be recognized for its accomplishments in my district.

The Arc of Dallas formed when a small group of concerned parents met in 1951 to discuss their children's educational needs. This small group was the beginning of an organization that grew into the largest mentally handicapped advocacy group in the Dallas area. Today, there are chapters of the Arc across the United States. While the Arc of Dallas remains connected to the national office, it also works independently to reach the goals of the Dallas community.

The Arc of Dallas works diligently to accomplish its goals and has produced impressive results. Presently, one person in every 10 families in the Dallas area, about 60,000 individuals, has some form of mental retardation and thousands more have related conditions. It is no surprise that in 2000, the Arc of Dallas directly helped nearly 26,000 people. This organization truly makes a difference to the lives of many constituents in my district.

An example of the great success of this advocacy group is it's day-camp program. Last year was the first year to offer a spring and summer day-camp program for children ages 5 to 21. It made a difference in the lives of 140 children last year. This year, the day-camp program will run for 11 weeks and will offer fun summer activities for nearly 220 children such as field trips, crafts, computer centers and outdoor activities. Programs like these truly demonstrate the success of the Arc of Dallas.

Once again, I am very proud to see the honorable work being accomplished in my district. The Arc of Dallas has made a difference in so many peoples' lives in the 50 years of their existence. The difference they are making is immeasurable. I know my colleagues will join me in saluting the Arc of Dallas and chapters across the Nation.

TRIBUTE TO RABBI MARK G. LOEB

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CARDIN. Mr. Speaker, I rise today to honor, Rabbi Mark G. Loeb, an outstanding religious leader who has served the Beth El Congregation of Baltimore for 25 years. He has led this progressive congregation to its present growth of 1,700 families. Rabbi Loeb is recognized for his scholarship and eloquence. He never fails to enlighten and to challenge an audience.

Rabbi Mark Loeb has made his mark on the national scene as well. His message of tolerance and caring is not confined to his pulpit at Beth El. He has championed any number of social and interfaith causes to improve the common good of people of all faiths and ethnic backgrounds. One of his most prized roles has been that of National Chair of MAZON—A Jewish Response to Hunger. He has also served as a past National Program Chair of the Christian-Jewish Workshop, and he has been a Member of the Board of Trustees of the Institute for Christian-Jewish Studies since 1988.

Locally, Rabbi Mark Loeb, has served as Past President of the Baltimore Board of Rabbis and is the current Chairman of the Board of Trustees of the Baltimore Hebrew University. He has promoted and instituted a comprehensive Jewish education program at Beth El with a defined expectation that a formal course of study will be followed by both the student and his or her parents. The parents and their children together commit to an involvement in Jewish learning. This program for Jewish education has been used as a model in other Jewish congregations around the country.

Rabbi Loeb is recognized not only for his own scholarship but for his efforts to promote learning as an important key to a meaningful life. He is also a recognized authority on opera and has formally critiqued and taught others to more fully enjoy this wonderful art form.

I urge my colleagues to join me in congratulating Rabbi Mark G. Loeb for his 25 years of service to Beth El Congregation and to many other individuals in the state of Maryland.

TRIBUTE TO REPRESENTATIVE JOE MOAKLEY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CAPUANO. Mr. Speaker, on the day all of Washington serves tribute to my friend and mentor Congressman JOE MOAKLEY for his exceptional contribution to our nation, I recognize the apt words of another friend, John Silber, Chancellor of Boston University. John's op-ed appeared in the Boston Herald on February 23 of this year, and I submit it into the RECORD. It expresses what all of us who know JOE know best—he is one of the greatest legislators the House has ever known.

MOAKLEY FOLLOWS ADAMS' LEAD

Although some call the Senate the ''upper branch,'' the Founders entrusted the crucial power to initiate money bills to the House. As a consequence, for more than two centuries some of our greatest statesmen have understandably had no higher ambition than to serve their fellow citizens in the House of Representatives.

And from the beginning, Massachusetts has been pre-eminent in the quality of those it has sent to the House. A high example was set early when John Quincy Adams, having held a remarkable array of the highest elective and appointive offices, won a seat in the House following his defeat for re-election as president.

In the 18 years that followed, he forged a record of courage, integrity and intellectual distinction that rivaled his achievements on the path to the White House. In 1848, in the midst of a debate in which he was opposing the immensely successful and popular war with Mexico, he suffered a stroke and, too sick to be moved, died in the Capitol building two days later.

Adams set a standard for Massachusetts congressmen that has never been surpassed. But generations of Massachusetts politicians have stretched to reach the benchmark he established.

In our own time, three members of the Massachusetts delegation have won the highest accolade of their colleagues: Joseph W. Martin, John W. McCormack and Thomas P. O'Neill Jr., each in his turn elected speaker.

The present dean of our delegation, J. Joseph Moakley, has worthily continued this great Massachusetts tradition.

For more than a quarter of a century, he has demonstrated that mixture of profoundly local constituent relations and profoundly national and international vision that is not unique to, but utterly typical of, and pioneered by, Massachusetts. His constituents responded to his service with such enduring approval that when he was asked to speculate on the identity of his successor, he replied, ''Until two weeks ago, I didn't think my successor had been born yet.''

This is not to say that everything went Joe's way. It would be accurate but inadequate to describe Joe Moakley's later years as those of a survivor. He survived the death of his beloved Evelyn, and he survived medical problems that would have driven most people into retirement to snatch a few years or months doing what they had really wanted to do.

But as Joe has told us, for 30 years he's been doing exactly what he wanted to do. To adapt the words of William Faulkner in his Nobel acceptance speech, Joe Moakley has not merely endured, he has prevailed. And it is the courage and stamina of such men as Joe Moakley that ensure democratic government will prevail.

As he has told us, with his usual calm candor, his own prognosis is not encouraging. He has said that he will not seek another term, and that he may not finish this one. But whenever Joe Moakley's term ends, it will be said of him what Thomas Hart Benton said of John Quincy Adams: ''Where could death have found him but in the place of duty?''

Joe Moakley has, at least in one respect, been more fortunate than Adams: For Joe, the place of duty is not only an obligation, but a pleasure.

Joe Moakley exemplifies for our time an earlier type of the Irish Democratic politician. Like Al Smith, he is a happy warrior. And we—in Massachusetts and the nation—have been and will be happy in the life and work of this incomparable exemplar of the American dream.

RECOGNIZING ODE LEE MADDOX, MACK LEE TAYLOR, AND ROBERT C. (BOB) MCWILLIAMS III

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. ROSS. Mr. Speaker, I wish to recognize the legacy and achievements of three distinguished Arkansans who passed away recently.

For eight years, I had the privilege of serving in the Arkansas General Assembly with a distinct public servant and a champion for our schools, state representative Ode Lee Maddox. Rep. Maddox was a lifelong resident of a small town called Oden, Arkansas, where he represented the people in the Arkansas House of Representatives from 1957 through 1998.

While I served across the state capitol building in the Senate, I like so many of my colleagues, held the highest respect and admiration for Rep. Maddox.

Rep. Maddox loved politics and loved serving in the state legislature. More importantly, though, he loved education. He spent 42 years working for the Oden School District, including 31 as superintendent of the school district. He started his career as a bus driver and coached two state champion basketball teams in 1948 and 1954.

In the state legislature, colleagues affectionately referred to Rep. Maddox as ''Mr. Education.'' In fact, one of his former colleagues recently noted, ''He supported all of the education bills, if they were good bills.'' In 1983, Rep. Maddox helped secure funding for the Rich Mountain Community College in nearby Mena, Arkansas, which became one of his proudest accomplishments.

Known for his quiet, easygoing personality, Rep. Maddox gained the respect of his peers through his ability to bring people together on important issues, such as education. Away from work, he loved being outdoors—hunting and fishing—and spending time with his family.

Those of us who knew and loved him will remember Rep. Maddox for his devotion to his family and his community, and to seeing that our young people are provided the best education possible.

Mack Lee Taylor, of Magnolia, Arkansas, was also a leader in his community as well as the banking industry. He, too, was a lifelong resident of Arkansas.

Born in Warren, Arkansas, Mack moved with his family to Magnolia as a teenager. After graduating from Magnolia High School, he earned his bachelor's degree at Southern State College—now Southern Arkansas University—and graduated from the Southwest Graduate School of Banking at Southern Methodist University in Dallas, Texas, before starting his career at First National Bank in Magnolia.

During his career, Mack helped organize the Metropolitan National Bank of Little Rock, where he served as executive vice president and director. He later returned to Magnolia to serve as executive vice president and director and, eventually, as president and chief operating officer of Farmers Bank and Trust.

Mack served on the boards of directors for several prominent organizations including the Southern Arkansas University Foundation, Arkansas Children's Hospital Foundation and Arkansas Council on Economic Education. He

was an active member of numerous civic groups such as the Magnolia Rotary Club and the Magnolia Economic Development Corporation and was a leader in organizations like the Arkansas Bankers Association, the Southern Arkansas University Board of Governors, the South Arkansas Development Council, the Chamber of Commerce and others.

In 1994, he was honored as a distinguished alumnus of Southern Arkansas University.

Mack Taylor was a pillar in his community. His death is a great loss not only to his friends and loved ones, but to the people of Magnolia and all of Arkansas.

The people of Arkansas also lost a distinguished veteran and outstanding citizen in Robert C. (Bob) McWilliams III.

Born in Memphis, Tennessee, Bob was raised and educated in Little Rock and Jonesboro, Arkansas. After graduating from Arkansas State University in Jonesboro with a bachelor's degree in military science, he received his master's degree in human resources from Central Michigan University and attended the Army Command and General Staff College.

Commissioned into the Army in 1964, Bob served two tours in Vietnam, where he flew helicopters as an Army aviator. During his service to our country, he received numerous awards and decorations including the Distinguished Flying Cross, Air Medal, Bronze Star Medal, Army Commendation Medal, National Defense Service Medal, and senior aviator wings.

Bob spent 30 years as a government employee, during which time he served as Provost Marshal and Chief of Security at the Pine Bluff Arsenal in Pine Bluff, Arkansas, and president of the local chapter of the American Federation of Government Employees (AFGE) at Pine Bluff Arsenal.

He was also pastor of the Sherill United Methodist Church.

Throughout his life, Bob dedicated himself to serving God and our nation, and to helping his fellow citizens and working families. He will be long remembered by all those whose lives he touched.

Today, I honor these three individuals—Ode Lee Maddox, Mack Lee Taylor, and Robert C. (Bob) McWilliams—for their commitment to giving back to their neighbors, their communities, and their country, and I hope that their lives will serve as an example to future generations.

TRIBUTE TO VIOLINIST LIN CHO-LIANG

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WU. Mr. Speaker, I rise today to honor the award-winning violinist Lin Cho-Liang—Jimmy Lin to his English-speaking friends.

Born in Taiwan, Jimmy Lin is an award-winning violinist whose performances bridge cultural and geographical gaps. Shortly after I left for the United States with my family, Jimmy Lin and his family moved into the same house where I lived in Hsinchu, Taiwan and now I am proud to call him a friend.

Jimmy Lin was born in 1960 in Hsinchu. After practicing on a toy violin until he was five years old, his parents bought him a quarter-size violin and he soon started lessons. His father, a physicist, brought home recordings for him to listen to and to study. At age 12, he left for Australia where he spent three years studying the violin before arriving at the Juilliard School in New York.

Jimmy Lin made his New York debut at age 19 at Avery Fisher Hall playing Mozart's Third Concerto and has had a distinguished music career ever since. Last year he was awarded Musical America's Instrumentalist of the Year and, in 1999 received the Musician of the Year award. Lin has also won Gramophone's Record of the Year and has been nominated for a Grammy award.

Jimmy Lin appears annually with major orchestras and on key recital and chamber music series all over the world. He is also a renowned solo artist who is in demand all over the world. Last year, he celebrated Isaac Stern's 80th birthday in a concert in Tokyo. During a trip to Taiwan to meet with business and government leaders this month, I have the opportunity to see my friend, Jimmy Lin, perform in Taipei and to visit our home in Hsinchu together.

As the Los Angeles Times wrote: ''Jimmy Lin . . . has become a beloved icon. . . . He communicates through music to that wider audience that always seems to recognize and reward the rare combination of virtuosity and humanity.''

Mr. Speaker, I am proud of his accomplishments and pleased to honor him in the United States Congress for his dedication to cultural understanding through music.

WETLANDS RESERVE PROGRAM ENHANCEMENT ACT

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PICKERING. Mr. Speaker, today I am proud to introduce the Wetlands Reserve Program Enhancement Act of 2001 in order to extend authority for the Wetlands Reserve Program (WRP) authorized under the Farm Bill of 1996. The WRP is just the kind of non-regulatory, voluntary approach to conservation that works best for environmental protection and wildlife enhancement.

Since its inception in 1996, the Wetlands Reserve Program has restored over one million acres of former wetlands to the benefit of waterfowl and other wildlife species while providing financial relief to struggling farm families. The program has been so successful, in fact, that for every five farmers that wish to enroll in the WRP, only one is accepted. This clearly shows how popular the program is with farmers and wildlife enthusiasts.

In my home state of Mississippi, the WRP has proven to be extremely popular with private landowners, and for good reason. With commodity prices being as low as they are, the program is a great benefit to Mississippi farmers who could not otherwise afford to stay on their land or pass it on to future generations.

Across the country, thousands of landowners have discovered that the WRP is an attractive alternative to farming high-risk and high-cost crop land that is frequently at risk of flooding. The WRP provides the necessary, voluntary incentives to restore such areas to wetlands. The landowner, in turn, is free to use his or her WRP incentive payment to refinance debt, upgrade machinery, or to buy additional land to make their farming operations more profitable.

This additional land enrolled in the program not only benefits farmers, but also wildlife and wildlife habitat. In the Mississippi Delta states, most WRP land is planted in high-quality hardwood trees that flood in the winter and provide critical habitat for waterfowl and other species. In fact, the WRP has become one of the largest and most successful wetland restoration programs ever attempted on private lands.

The program is also restoring waterfowl breeding habitat in states like South Dakota, Minnesota, and Wisconsin to name a few. It is restoring migration habitat across the United States including Illinois, Iowa, Ohio, and New York. Most of all, the WRP is restoring wintering habitat in such diverse states as California, Texas, Arkansas, and Louisiana.

As the Co-Chairman of the Congressional Sportsmen's Caucus and a lifelong supporter of Ducks Unlimited, I recognize another wonderful benefit of the Wetlands Reserve Program. Like many states, the Great State of Mississippi honors a proud waterfowling tradition. Every day the WRP helps improve waterfowl populations and enhance wetlands habitat to create new opportunities for sportsmen and women to participate in the time-honored tradition of duck hunting. As the father of five young boys, I am blessed with the opportunity to pass the family tradition of waterfowling down to them. I savor the memories of early morning duck hunts that I had with my father and grandfather as a young boy. These opportunities taught me a deep respect for the outdoors and helped me to develop a deep appreciation for nature and wildlife. These are opportunities and values that I am passing down to my own sons, and providing waterfowl habitat through programs like the WRP help make it all possible.

Mr. Speaker, my legislation authorizes up to 250,000 acres of marginal farm land to be enrolled in the WRP through 2005. It is exactly the kind of non-regulatory conservation program that landowners want and wildlife need as we begin our entrance into the next century. I urge my colleagues to join with me and the original cosponsors of the Wetlands Reserve Program Enhancement Act to ensure that this program remains a viable option to farmers, wildlife, and the environment.

UPON INTRODUCTION OF PRISON INMATE ACT OF 2001

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WOLF. Mr. Speaker, today I am introducing the Federal Inmate Work Act of 2001, a bill to help reduce crime by providing federal inmates real-world job skills while in prison. This bill would reform Federal Prison Industries so it can do a better job of rehabilitating our prison population before prisoners are let back out into society. Besides reducing crime through better rehabilitation of our inmate population, this legislation will improve the U.S.

economy. It will create jobs by returning industries now operating offshore back to the U.S. and allowing private companies to compete with FPI for federal contracts.

This legislation reforms Federal Prison Industries in a number of ways. First, it would allow private companies in the United States to use federal inmate labor to produce items that would otherwise be produced by foreign labor. It would phase out the mandatory source requirement for federal agency purchases from Federal Prison Industries and puts them under the same authority and standards that govern state prison employment programs. It allows for increased collection for child support and victim restitution. It reduces the cost of incarceration by increasing collections for rooms and board costs. It requires that FPI establish goals for contracts with small, minority or women-owned businesses as well as with organizations that employ blind or severely disabled workers.

Mr. Speaker, today, there are more than 1.9 million Americans behind bars and the prison population continues to rise at an alarming rate. Approximately a quarter of those prisoners complete their sentences every year and return to society. Most of those former inmates, however, have never had a real job. Within the federal system, there were 145,125 inmates confined at the end of FY 2000. Current projections indicate that the federal inmate population will rise to more than 200,000 by the end of FY 2007.

We just cannot continue to lock up thousands of men and women every year and hope that they will somehow mysteriously rehabilitate themselves in prison without learning a skill. We cannot continue to allow federal prisons to become finishing schools for crime, where criminals are paroled as experts in their craft. If the only thing you know how to do when you leave prison is steal or deal drugs, that is what you will do to survive when you are released.

If the current prison work system is not augmented, prisons will become increasingly overcrowded, violent, and, most alarmingly, Americans will face a higher crime rate as the rate of unrehabilitated inmates are let out into society. Prisons should be turning out inmates ready to reenter mainstream society equipped to productively contribute to their communities. The best way to accomplish this is to put federal prisoners to work. Many convicts can be reformed if given the opportunity to learn skills other than those necessary to be successful in crime.

Mr. Speaker, a 16-year study by the Justice Department of federal inmates, the Post-Release Employment Project, has demonstrated convincingly that participation in prison industries/vocational training programs has a positive effect on post-release employment and recidivism. The study revealed that inmates who worked in prison industries or completed vocational apprenticeship programs were 24 percent less likely to commit crimes than nonprogram participants. The data also revealed that these programs provide even greater benefit to minority and low income groups that are at the greatest risk for potentially returning to a criminal lifestyle upon their release.

Employment, particularly industrial jobs, is the key factor in combating the adverse impact of crowding in a prison setting. Work, education, and vocational training not only reduce the debilitating idleness of a crowded institution, but offer important security management benefits such as supervised time out of cells.

Idleness, on the other hand, breeds apathy and discontent. Boredom turns to frustration resulting in violent and criminal behavior. The old adage that ''idleness is the devil's workshop'' reaffirms what can happen when an inmate's time is not productively occupied.

Mr. Speaker, this legislation will also be beneficial to the U.S. economy. First this legislation would revamp the Federal Prison Industries program by allowing federal inmates to produce goods that are presently being made offshore. For example, our prison populations could learn to produce items such as televisions and VCRs and other products now provided by non-American sources. This public-private partnership may actually help improve our balance of trade by reducing imports. A panel made up of representatives from the departments of Commerce and Labor, the International Trade Commission, the Small Business Administration, the business community and organized labor would ensure that domestic labor was not threatened by this new authority for FPI.

This also would create ancillary jobs in the domestic economy as a result of bringing back certain industries whose entire economic support structure is located overseas. Bringing back manufacturing jobs that have gone overseas will create other jobs. Raw materials will need to be brought into the prisons and finished products will have to be taken out. This will mean jobs for the local trucking companies. Teachers and craftsmen will need to be hired to teach the inmates the necessary skills. This is more than just giving federal prisoners the necessary skills to become productive members of society, it is about creating jobs for Americans, on American soil.

Finally, the bill also facilitates restitution programs that meet the true meaning of restitution by setting up programs where the inmate directly compensates the victim of that inmate's crime. Programs that merely take money from prisoners and put it into a general fund without earmarking it for their victim are merely fines. Restitution in the true sense, requires that the offender directly compensate the victim and therefore require the offender to acknowledge their responsibility to the victim.

This legislation reforms FPI in a way that will allow us to do a better job of rehabilitating our rising inmate population and reducing the crime rate of released inmates. At the same time, it will help the U.S. economy and will be a better deal for the U.S. taxpayers. I encourage my colleagues to cosponsor this legislation, and support the FPI's mission to rehabilitate our inmates by providing an opportunity for inmates to gain meaningful employment skills and come out of prison as productive members of society.

GLOBAL COMPETITIVENESS OF THE U.S. LEASING INDUSTRY

HON. JIM McCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. McCRERY. Mr. Speaker, today I am introducing a bill that would eliminate a provision of the tax code which hinders the global competitiveness of the U.S. leasing industry.

The leasing industry is important to the U.S. role in the global economy. Our manufacturers use leasing as a means to finance exports of their goods, and many have leasing subsidiaries that arrange for such financing. Many U.S. financial companies also arrange lease financing as one of their core services. The activities of these companies support U.S. jobs and investment.

Enacted in 1984, the depreciation rules governing tax-exempt use property (referred to as the ''Pickle rules'') operate to place U.S. companies at a competitive disadvantage in overseas markets. Because of the adverse impact of the Pickle rules on cost recovery, U.S. lessors are unable in many cases to offer U.S.-manufactured equipment to overseas customers on terms that are competitive with those offered by their foreign competitors. Many European countries, for example, provide far more favorable depreciation rules for home-country lessors leasing equipment manufactured in the home country.

There is no compelling tax policy rationale for maintaining the Pickle rules as they apply to export leases. The Pickle rules were enacted in part to address situations where the economic benefit of accelerated depreciation and the investment tax credit were indirectly transferred to foreign entities not subject to U.S. tax through reduced rentals under a lease. That rationale no longer applies. The investment tax credit was repealed in 1986, and property used outside the United States generally is no longer eligible for accelerated depreciation. The present-law requirement that property leased to foreign entities or persons be depreciated over 125 percent of the lease term simply operates as an impediment to U.S. participation in global leasing markets.

The global leasing markets have expanded dramatically since 1984. The competitive pressures on U.S. businesses from their foreign counterparts also have increased dramatically. Repealing the Pickle rules as they apply to U.S. exports will strengthen the competitiveness of the U.S. leasing industry and promote U.S. jobs and investment.

I am pleased my friend and colleague from California, Mr. MATSUI, is introducing similar legislation and look forward to working with him and others to unshackle the leasing industry from these outdated constraints.

WOMEN'S OBSTETRICIAN AND GYNECOLOGIST MEDICAL ACCESS NOW ACT

HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. DAVIS of California. Mr. Speaker, today I am introducing the Women's Obstetrician and Gynecologist Medical Access Now Act, the WOMAN Act. This bill will ensure that every woman has direct access to her ob-gyn.

When I served in the California State Assembly, I heard from many women that they were being denied access or had to jump through numerous bureaucratic hoops to see their ob-gyn. Statistics show that if there are too many barriers between a woman and her doctor, she is much less likely to get the medical care she needs. This is simply unacceptable. A woman should not need a permission

slip to see her doctor. Ob-gyns provide basic, critical health care for women. Women have different medical needs than men, and ob-gyns often have the most appropriate medical education and experience to address a woman's health care needs.

It is not hard to see what a difference direct ob-gyn access makes in women's health care. Imagine a working woman in San Diego who has a urgent medical problem that requires an ob-gyn visit. She works forty-five hours a week and has limited sick and vacation time. On Monday she calls from work to make an appointment with her primary care physician. If she is lucky, she gets an appointment for Tuesday morning and takes time off to go see her doctor. Her doctor agrees she should be seen by her ob-gyn and gives her a referral. Tuesday afternoon she returns to work and calls her ob-gyn. The doctor is in surgery on Wednesday, but they offer her an appointment on Friday morning. On Friday she takes another morning off work and finally gets the care she needs. This unnecessary referral process has resulted in her taking an extra morning off work and delayed her proper medical care by 5 days. The patient, employee, primary care physician, and health plan provider would have saved money and time if the patient had been able to go directly to her ob-gyn.

A recent American College of Obstetricians and Gynecologists/Princeton survey of ob-gyns showed that 60% of all ob-gyns in managed care reported that their patients are either limited or barred from seeing their ob-gyns without first getting permission from another physician. Nearly 75% also reported that their patients have to return to their primary care physician for permission before they can see their ob-gyn for necessary follow-up care. Equally astounding is that 28% of the ob-gyns surveyed reported that even pregnant women must first receive another physician's permission before seeing an ob-gyn.

After meeting with women, obstetricians and gynecologists, health plans, and providers in the State of California, I wrote a state law that gives women direct access to their ob-gyn. That law was a good first step; however, it still does not cover over 4.3 million Californians enrolled in self-insured, federally regulated health plans. Clearly, this problem is not unique to California. There are still eight states that do not guarantee a woman direct access to her ob-gyn. Equally important to remember is that even if a woman lives in a state with direct access protections, like California, she may not be able to see her ob-gyn without a referral if she is covered by a federally regulated ERISA health plan. This means that one in three insured families are not protected by state direct access to ob-gyn laws. The time has come to make direct access to an ob-gyn a national standard.

I urge you, Mr. Speaker, and all of my colleagues to pass this critical legislation quickly into law.

FAIRNESS AND EQUITY FOR SPOUSES OF FOREIGN SERVICE OFFICERS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MORAN of Virginia. Mr. Speaker, today I am introducing legislation to correct an inequity that affects a number of spouses of Foreign Service Officers in my district and throughout the nation who served in part-time, intermittent, or temporary positions (PITs) in American embassies and missions from 1989 to 1998.

Although countless Foreign Service spouses have given up their own careers to follow officers overseas, many of them hope to continue government service, whether assigned to an embassy or here in Washington. In fact, hundreds have gone to work for the Department of State as civil service employees while their spouses were serving domestically. When the time has come for Foreign Service family members to check their retirement status, many are shocked to hear that the years they worked overseas will not count for retirement purposes.

PIT employees are excluded from receiving credit in the Federal Employees Retirement System because of the generally non-permanent nature of their employment. However, Foreign Service spouses who worked as PITs had no choice over the type of work they performed. These individuals had to take PIT positions because these jobs were the only ones available to them while living abroad. They had no choice between part-time, temporary government work and full-time, permanent work. Even those who worked full-time were still classified as PITs.

The exceptional nature of their situation is reflected in the Department of State's reclassifying this group of workers in 1998 as falling under the new Family Member Appointment. This position allows them to begin accruing retirement credit. However, these individuals are not allowed to pay back into the FERS for time worked in PIT positions, As a result, many Foreign Service spouses who worked as a PIT between 1989 and 1998 have lost up to nine or ten years of retirement credit.

Mr. Speaker, this is a matter of grave consequence to many Americans who devoted their most productive years to public service abroad. Foreign Service Officers and their spouses live lives that often put them in physical danger and cause great emotional distress. One constituent recounted being taken hostage with her husband by terrorists in Peru; while she was released early, she did not know if her husband was alive, injured, or dead.

It is simply unfair that these individuals, who have lived and worked under incredibly stressful conditions and who had no choice as to the type of work they performed, are not able to buy back the retirement credit they earned. As I indicated, some of my constituents have lost up to nine years of retirement credit because this provision has not been corrected. I urge my colleagues to join me in cosponsoring this important legislation.

THE AMERICAN WETLAND RESTORATION ACT

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. JONES of North Carolina. Mr. Speaker, I rise today to announce the introduction of the ''American Wetland Restoration Act.''

This legislation builds upon the wetlands mitigation banking legislation I introduced in the last 3 Congresses and also the 1995 Federal Guidance issued by the Environmental Protection Agency and the United States Army Corps of Engineers.

My Congressional district in eastern North Carolina includes most of the coast and four major river basins. More than 60% of my district could be classified as wetlands. My constituents are directly impacted by wetlands and the countless regulations that protect them. I have been contacted by farmers, business owners, state and local officials, land owners and even the military for advice and guidance in order to reach a balance between protecting these valuable resources while improving water quality but also providing for strong economic development.

On almost a daily basis, we are reminded of the critical role wetlands play in our ecosystems, specifically in maintaining water quality.

Wetlands mitigation banking is a concept readily embraced by regulators, developers and environmentalists. This balanced approach recognizes the need to protect our wetland resources while ensuring property owners their rights to have reasonable use of their properties.

Federal legislation is not only warranted, it is vital. While mitigation banking is occurring, it is limited because the authorizing agencies have little or no statutory guidance. Also, investors and venture capitalists are hesitant to invest the money needed to restore wetlands without legal certainty. One of the great benefits of private mitigation banking is that the monitoring of one large tract of wetland requires fewer resources than monitoring thousands of tiny, unsuccessful mitigation projects.

But, before a single credit is ever issued and before a wetlands mitigation banker can ever earn a dime, they must acquire land, develop a comprehensive restoration plan and establish a cash endowment for the long-term maintenance of the bank. This daunting challenge is magnified when you recall that there is no current statutory authority!

These mitigation banks give economic value to wetlands, potentially providing billions of dollars to restoring wetlands in sensitive watersheds. Unlike other mitigation projects, mitigation banks are complete ecosystems. So instead of only trying to protect the remaining wetlands, mitigation banking will actually increase wetlands acreage!

My legislation sets a simple but lofty goal: No net loss of wetlands. Specifically, the legislation requires

(1) That mitigation banks meet rigorous financial standards to assure wetlands are restored and preserved over the long term;

(2) That there is an ample opportunity for meaningful public participation;

(3) That banks must have a credible long-term operation and maintenance plan;

(4) That the banks be inspected by the same regulatory agencies who have assigned the credits and permitted the banks; and,

(5) That the banks only receive credits if they prove the continuing ecological success of their project, thus allowing regulators to ensure a 100% success rate of the projects they monitor.

Mitigation banking places the responsibility for restoration and preservation of wetlands in the hands of the experts and establishes the financial incentive to make the restoration work. By applying sound environmental engineering to the restoration process, setting up a longterm monitoring and maintenance endowment, and having the regulatory controls in place—these are the assurances my legislation requires of any potential banking project.

This free-market approach to environmental conservation and stewardship is hard for some to swallow. But I ask you, many organizations have profited greatly from stringent environmental regulations, yet where has all the money gone that was allegedly spent on protecting the environment? And are our lands and waterways really in better hands when the Federal government is the owner or administrator?

I do not believe the interests of the economy and the environment have to be at odds. Wetlands mitigation banking makes conservation good business. It provides the financial and ecological incentives to make restoring, preserving and protecting our environment successful.

The end result, protecting and preserving environmentally sensitive lands, is assured with my legislation. The ''American Wetland Restoration Act'' will give wetlands mitigation banking the statutory authority it needs to flourish, and it will begin restoring the wetlands that many thought were lost forever.

I hope my colleagues will join me supporting this bill.

REFORM DAIRY PRICING REGULATIONS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PETRI. Mr. Speaker, today I am introducing a bill that will reform the method by which fluid milk has been priced in our country for too long. The Federal Milk Marketing Order system is a relic that flxes prices and feebly serves the outdated aims of a bygone era. Created in the 1930's, its original purpose was ostensibly to provide a locally produced supply of fresh milk throughout the country. Over sixty years ago, such a system may have made more economic sense. We didn't have the Interstate highway system, efficient refrigerated trucks, or reconstituted milk, for example. Today, conditions are vastly different, necessitating reform of the federal dairy program.

By basing the price of Class I, fluid milk, on the distance from Eau Claire, Wisconsin, the federal government has radically distorted dairy markets and discriminated against the dairy farmers of the Upper Midwest. The resulting inefficient production of milk in areas distant from the Upper Midwest has led to the oversupply of milk and depresses the price of processed dairy products. Dairy farmers in Wisconsin have paid dearly under this system. Today, my state loses approximately five dairy farmers a day.

Furthermore, by using distance to set the price of fluid milk, the federal order system is inherently anti-consumer. Consumers are stuck paying the set price for milk instead of the price determined by a free marketplace where efficiency is rewarded. The Congressional Budget Office estimates that eliminating this market distorting system would save $669 million over five years. In an age of ''global free trade,'' this system that effectively puts a tariff on milk from other regions of the country is absurd.

The bill I introduce today reforms the single most discriminatory element of the Federal Milk Marketing Order program by prohibiting the Secretary of Agriculture from basing the price of fluid milk on distance or transportation costs from any location outside the marketing order area unless 50 percent or more of that area's milk comes from a location outside that order area. By eliminating this factor the Secretary of Agriculture will have to consider supply and demand factors when setting milk prices as required by the Agricultural Marketing Agreement Act. Additionally, the bill requires the Secretary of Agriculture to report to Congress on the specific criteria used to set milk prices. This report will include a certification that the criteria used by the Department in no way attempts to circumvent the prohibition on the use of distance or transportation costs as the basis for milk prices.

Reform of the Federal Milk Marketing Order program is long overdue. The discrimination against the dairy farmers of the Upper Midwest must end. Not only will this bill restore fairness to our dairy policy, but consumers of fluid milk across the nation will also benefit from this reform. I urge my colleagues to do the right thing and support this bill.

TRIBUTE TO VETERANS OF FOREIGN WARS ON LOYALTY DAY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LIPINSKI. Mr. Speaker, I rise this evening to pay tribute to the Veterans of Foreign Wars of the United States, a fine group of men and women who share a profound commitment of patriotism, comradeship and service to our nation's veterans, both in times of war and in times of peace.

These outstanding men and women of every race, creed and ethnic background will celebrate Loyalty Day on May 1, 2001. This day is set aside as a special day for the reaffirmation of loyalty to the United States of America and for the recognition of the heritage of American freedom. Yet, this day does not belong to the Veterans of Foreign Wars alone; it belongs to all Americans. We should all pledge ourselves to maintain a free society in which loyalty is always encouraged and respected. We should let the world know that Americans are behind their country and that, because of this, America is still a strong and vibrant nation.

I would like to specifically recognize the people in my district who have dedicated their time to support a Loyalty Day celebration. The Third District Commander Walter Liptak and Ladies Auxiliary President Diane M. Pencak, in conjunction with Loyalty Day Chairman James F. Davis, members of the Veterans of Foreign Wars Barbara Maruszak-Sparr and Anthony S. Maruszak and the local community are gathering on Sunday, April 29, 2001 to commemorate Loyalty Day.

I commend all our Veterans of Foreign Wars on this Loyalty Day, May 1, 2001 and encourage my colleagues to do the same.

HELP MORE FULL-TIME WORKERS BRING HOME A DECENT PAYCHECK

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. GUTIERREZ. Mr. Speaker, on March 7 I introduced the ''Federal Living Wage Responsibility Act of 2001,'' legislation to mandate a livable wage for employees under Federal contracts and subcontracts. Seventy representatives currently cosponsor this important legislation.

Nearly a third of the members of the U.S. labor force work full-time, year-round and still do not earn enough to sustain a family of four at no less than the poverty threshold of $17,650 per year for a family of four. Employees who work hard at full-time jobs should be paid a wage that assures they will not live in poverty.

To address this problem, this Act requires that:

Employees of Federal contracts or subcontracts of more than $10,000 be paid the greater of $8.49 per hour or the hourly wage necessary to reach the poverty level.

Individuals hired by the United States government also receive a living wage, helping thousands of more workers to stay above the poverty level.

Employees of Federal contracts or subcontracts and individuals hired by the United States government receive benefits such as medical or hospital care, vacation and holiday pay, disability and sickness insurance, life insurance and pensions.

Although Congress passed laws such as the Davis Bacon Act and the Service Contract Act to help ensure that employees of Federal contractors earn a decent wage, thousands of federal workers and federally contracted workers still do not earn enough to support themselves or their families.

This legislation will allow hard-working Americans to earn quality wages and to increase their savings for such essential needs as their retirement and their children's education. We believe the Federal government must take responsible, workable steps to reward working Americans and to help keep them out of poverty. This bill represents a practical step toward that goal.

Mr. Speaker, I submit the full text of this meaningful legislation for the RECORD and I urge my colleagues to support this important legislation.

H.R. 917

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 ''Federal Living Wage Responsibility Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) According to data from fiscal year 1999, approximately 162,000 Federal contract workers did not earn a wage sufficient to lift a family of four out of poverty. Just under 60 percent of these poorly paid workers work for large firms and 62 percent work on Department of Defense contracts. These workers represent 11 percent of the total 1.4 million Federal contract workers in the United States.

(2) As of September 2000, 14,356 workers employed by the Federal Government earned less than the poverty level for a family of four.

(3) A majority of workers earning less than a living wage are adult females working full-time. A disproportionate number of workers earning less than a living wage are minorities.

(4) The Federal Government provides billions of dollars to businesses each year, through spending programs, grants and Government-favored financing.

(5) In fiscal year 1999, the Federal Government awarded contracts worth over $208 billion.

(6) Congress must ensure that Federal dollars are used responsibly to improve the economic security and well-being of Americans across the country.

SEC. 3. POVERTY-LEVEL WAGE.

(a) GENERAL RULE.—Notwithstanding any other law that does not specifically exempt itself from this Act and except as provided in subsection (b), the Federal Government and any employer under a Federal contract for an amount exceeding $10,000 (or a subcontract under such a contract) shall pay to each of their respective workers—

(1) an hourly wage (or salary equivalent) sufficient for a worker to earn, while working 40 hours a week on a full-time basis, the amount of the Federal poverty level for a family of four (as published in the Federal Register by the Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)); and

(2) an additional amount, determined by the Secretary based on the locality in which a worker resides, sufficient to cover the costs to such worker to obtain any fringe benefits not provided by the worker's employer.

(b) EXEMPTIONS.—Subsection (a) does not apply to the following:

(1) A small-business concern (as that term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(2) A nonprofit organization exempt from Federal income tax under section 501(c) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c), if the ratio of the total wages of the chief executive officer of such organization to the wages of the full-time equivalent of the lowest paid worker is not greater than 25 to 1.

(c) RETALIATION PROHIBITED.—It shall be unlawful for any employer subject to subsection (a) to terminate or suspend the employment of a worker on the basis of such worker's allegation of a violation of subsection (a).

(d) CONTRACT REQUIREMENT.—Any contract subject to subsection (a) shall contain a provision requiring the Federal contractor to ensure that any worker hired under such contract (or a subcontract thereof) shall be paid in accordance with subsection (a).

SEC. 4. ENFORCEMENT BY SECRETARY.

(a) IN GENERAL.—If the Secretary determines (in a written finding setting forth a detailed explanation of such determination), after notice and an opportunity for a hearing on the record, that a Federal contractor (or any subcontractor thereof) subject to section 3 has engaged in a pattern or practice of violations of section 3, the following shall apply to such Federal contractor:

(1) CONTRACT CANCELLATION.—After final adjudication of a pattern or practice of violations, the United States may cancel any contract (or the remainder thereof) with the Federal contractor that is a part of the pattern or practice of violations.

(2) RESTITUTION.—A Federal contractor whose contract is cancelled under paragraph (1) shall be liable to the United States in an amount equal to the costs to the Government in obtaining a replacement contractor to cover the remainder of any contract cancelled under paragraph (1).

(3) CONTRACT INELIGIBILITY.—After final adjudication of a pattern or practice of violations, the Federal contractor shall be ineligible to enter into, extend, or renew a contract with the United States for a period of five years after the date of such adjudication.

(4) PUBLICATION.—Not later than 90 days after final adjudication of a pattern or practice of violations, the Secretary shall publish in the Federal Register a notice describing the ineligibility of the Federal contractor under paragraph (3).

(b) SAFE HARBOR.—Subsection (a) shall not apply if—

(1) the Federal contractor has entered into a consent agreement with the Secretary with regard to a pattern or practice of violations of section 3 and has paid to any aggrieved workers all wages due them, to the satisfaction of the Secretary; or

(2) the Secretary determines, after consultation with the affected Government entity, that cancellation or debarment under subsection (a) would not be in the best interests of the Nation or of such Government entity.

(c) JUDICIAL REVIEW.—Any Federal contractor aggrieved by an adverse determination of the Secretary under subsection (a) may seek review of such determination in an appropriate court.

SEC. 5. EMERGENCIES.

The President may suspend the provisions of this Act in times of emergency.

SEC. 6. PRIVATE RIGHT OF ACTION.

(a) ACTION.—A worker aggrieved by a violation of section 3 may, in a civil action, recover appropriate relief. A civil action under this section shall be filed not later than 3 years after the commission of such violation. A civil action may not be brought under this section if an employer subject to section 3 has paid or reinstated the worker as a result of an administrative action under section 4.

(b RELIEF.—In this section, the term ''appropriate relief'' means—

(1) injunction of a violation of section 3;

(2) actual damages or, if the court finds that the employer willfully violated section 3, three times actual damages;

(3) reasonable attorney fees and the costs of the action; and

(4) any other relief the court deems appropriate in the circumstances of the case.

SEC. 7. RULEMAKING.

The Secretary shall make rules to carry out this Act, which shall take effect not later than 120 days after the date of enactment of this Act.

SEC. 8. DEFINITIONS.

In this Act:

(1) The term ''employer'' means a person who has economic power to set a worker's terms and conditions of employment, regardless of the formality of an employment relationship.

(2) The term ''fringe benefits'' means—

(A) medical or hospital care or contributions to a health insurance plan;

(B) contributions to a retirement plan;

(C) life insurance;

(D) disability insurance; and

(E) vacation and holiday pay.

(3) The term ''Secretary'' means the Secretary of Labor.

TRIBUTE TO IRVING M. ROSENBAUM ON HIS 80TH BIRTHDAY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to a great man who will shortly celebrate his 80th birthday—Irving M. Rosenbaum. In addition to the commendable accomplishment of attaining the age of 80, Mr. Rosenbaum, has provided extraordinary commitment and leadership on behalf of the Open University of Israel.

The Open University of Israel, modeled after the Open University in Great Britain, welcomed its first students in 1976. With a current enrollment of approximately 29,000 students, the Open University of Israel has a flexible teaching style that allows many working and older students the opportunity to receive a college education. Students hail from all over Israel and from virtually every walk of life. Utilizing the Internet, satellites, cable TV and other methods, the University is able to provide long distance learning to almost any student who desires it.

Mr. Speaker, Irving Rosenbaum has played an active role in the University's history through the American Friends of The Open University of Israel. During the past thirteen years, under his astute leadership, the American Friends of The Open University of Israel has been transformed from a small group to a large organization which contributes significant funding annually to the University.

Irving was born in Dresden, Germany, and with his family, he fled Nazi Germany and came to the United States in 1938. Here, he joined S.E. Nichols and Co., a variety store chain. His service at the store was interrupted when he served in Europe with the U.S. Army. As a member of the Psychological Warfare Branch, Rosenbaum participated in Allied war efforts in Africa, Italy, France, and Germany. After the war, he remained in Germany where he served as a member of the Allied Control Commission for Germany. When he returned to the United States he received a bachelors degree in Economics from the New School for Social Research and later earned a Masters degree, also in economics.

Mr. Speaker, Irving Rosenbaum's commitment to Jewish and Israeli causes is exceptional. In addition to his leadership of the American Friends of the Open University of Israel, he is a member of the Executive Committee of the American Israel Public Affairs Committee, a Member of the Board of Directors of the United Jewish Appeal Federation of New York, a Member of the Executive Committee of the American Friends of the Israel Philharmonic, and a Member of the Board of the American Friends of Livnot U'Lehibanot.

Mr. Speaker, I invite my colleagues in the Congress to join me in recognizing Irving

Rosenbaum's years of commitment and passion for education and public affairs. I also invite my colleagues to join me in wishing him the happiest of birthdays.

GUAM'S EDUCATORS AND STUDENTS MOURN THE PASSING OF DR. MANUEL BARTONICO

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. UNDERWOOD. Mr. Speaker, I rise to pay tribute to one of Guam's finest educators, Dr. Manuel Bartonico. He was a highly professional administrator in Guam's public schools who was able to generate a sense of community from students and a commitment to excellence from teachers wherever he went. He was an accomplished teacher, a well-respected principal, a highly regarded member of our island community and a proud husband and father.

His accomplishments were numerous. He was a science teacher in the secondary schools, he was a principal in several secondary schools including some which were difficult to administrate. He had a calming, professional presence which inspired those around him to do the very best that they could. He provided an environment in which good teachers became better and good students become the best. He received a doctorate in education from the University of Oregon and was regularly consulted by his colleagues and policy makers for his insights.

I am requesting permission to insert into the RECORD a column by Aline Yamashita printed in the April 5, 2001 edition of the Pacific Daily News. Dr. Yamashita is a leader in Guam's educational community who understands well the contributions of Dr. B.

Dr. Bartonico passed away as a relatively young man. He passed away on March 30, 2001 at the age of 43 years old. He was participating in a ''fun run'' event for Agueda Johnston Middle School. I visited Dr. Bartonico on March 23 at Agueda Johnston for a flag presentation. I complimented him for his leadership in what is clearly an overcrowded school in need of substantial repair. The students and teachers clearly had a high regard for him and I could see that he was a role model for his fellow educators. He was my student many years ago when I was a professor at the University of Guam. He was an excellent student. More importantly, I noticed then that he would be an exemplary leader in our island's schools.

Dr. Bartonico leaves behind Rowena Santos Bartonico, his wife, and two daughters, Valerie and Gabriella. I extend to them and his mother, Mrs. Valeriana Bartonico, my deepest condolences in this trying time. We will all miss him.

[From the Guam Pacific Daily News, Apr. 5, 2001]

WE'LL MISS DR. B'S COMPETENCE, COMPASSION, CONCERN FOR EDUCATION

(By Aline Yamashita)

He came across as quiet and reserved. If you didn't work with him, you wouldn't know otherwise.

If you worked with Manny Bartonico, you were thankful he was on your team. When a point needed to be made, he argued and he argued well. When a task needed to be completed, it was done. He was focused and competent. He had a sense of humor that would seem to illuminate from nowhere, always at the right time.

He used to ride a bicycle around Southern High School to get from one point to another. ''It's quicker, Aline,'' he explained to me. At one commencement ceremony, he sang to his graduating seniors.

When he was assigned as the first principal of Southern High School, he knew it was going to be a tough assignment. He had two school communities that did not want to become one. He had a facility that was not completed. He lacked instructional supplies. But the orders to make it work were given. And, considering all of the odds, Manny succeeded.

He had the ability to identify educational leaders. Agnes Pitlik was one such person. Manny recruited her as an assistant principal while they were at Piti Middle School.

''While he worked us hard, he was incredibly compassionate. He had such good people skills,'' she said. Agnes described how he taught her the need to delegate, to trust others to help get the job done. ''His evaluative feedback was useful and meaningful. He made a real difference in my professional growth.''

Debra Santos, a teacher at Agueda Johnston Middle School, described Manny as a really good person.

''He worked hard, he expected us to work hard and he LET us work. He empowered us to get the job done. He respected us and trusted us to know what we were doing.''

Tom Quinata, Manny's best man at his wedding, described Manny as a caring dad. As I listened to Tom, I remembered the conversations Manny and I had about his growing daughters. Typical adolescent issues faced them. I would listen and smile. He was a dad who was very concerned about what was going on and how to make sure it was going the right direction.

Manny was a school leader at F.B. Leon Guerrero Middle School, Piti Middle School, Southern High, Agueda Johnston Middle School. He was a 1975 John F. Kennedy Islander. He was a certified science teacher. He had a M.Ed. in administration supervision. He earned a doctorate from the University of Oregon.

Tony Diaz, spokesman for the Department of Education, referred to Manny as an anchor. ''You could depend on Manny to help form opinions on issues.'' Tony said.

His opinions were meaningful because he had been a teacher, an assistant principal, and a principal in this system. He knew what he was talking about. And he cared.

Manny had a vision for public education. During the field testing of the regional system, he served as a regional leader. He knew the sense of working with schools that articulated into one another. He knew the importance of cohesiveness and connectivity. He knew the significance of stability.

Manny's death symbolizes the fact that time does not sit still. Manny wanted to see the potential of our system. He was frustrated with the changing mandates and resulting consequences.

To those of us who had the honor of working with Manuel Bartonico, we will always appreciate his focus, discipline, competence, humor and passion. We will miss him leading a school. We will miss the grin that grew into a big smile when he shook his head from side to side.

Manny, thank you for your spirit and for your work. As you keep an eye on us, know that we will continue your work. We will try to match your dedication, commitment, drive and care for the kids.

Rowena, Valerie and Gabby—thank you for sharing your dad with us. While he gave up valuable time with you for other children and families, he held you in the highest regard. He cared deeply about you.

Dr. B., thank you. We miss you.

IN HONOR OF SHELLY LIVINGSTON

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. GILMAN. Mr. Speaker, I rise to recognize the retirement, after many years of service, of a valuable staff member of our International Relations Committee, Shelly Livingston. Shelly's last day in the office was Friday, March 23, 2001.

Shelly has served our Committee since 1974. During that time, she has served six chairmen, including ''Doc'' Morgan, Clem Zablocki, and Dante Fascell, Lee Hamilton, HENRY HYDE, and myself. We were all fortunate to have her expertise on budget and personnel matters. Shelly had become an expert on the complexities of benefit plans, payroll, budgets, and the House rules.

Shelly moved to the Washington area after graduating from the University of Texas in 1973, and began her career here on Capitol Hill working as a Capitol tour guide.

Shelly has also served as Treasurer for the U.S.-Mexico Interparliamentary Group for many years, and has ensured that those exchanges were run smoothly. Shelly is an experienced, first-rate staff member with respect to administrative Congressional travel, as many members know from experience.

I know first-hand that Shelly is a hard working and dedicated staff member who could tackle any project thrown her way—it is to her credit that the Committee on International Relations has an audio-visually updated, digital-videoconference capable, internet-ready hearing room.

We will miss Shelly's warmth, humor, and friendship to all. She is a model for her experience and for the manner in which she worked well in a bipartisan manner. I thank Shelly for her outstanding service to me, in my chairmanship and to all who have worked with Shelly in our International Relations Committee. I join with my colleagues, staff, and friends in wishing Shelly and her husband, Gill, the very best of good health and happiness in the years ahead.

TRIBUTE TO PORTABLE PRACTICAL EDUCATION PREPARATION, INC. FOR BRIDGING THE DIGITAL DIVIDE FOR RURAL FARMWORKER AND HISPANIC COMMUNITIES.

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PASTOR. Mr. Speaker, I rise today to pay tribute to Portable Practical Educational Preparation, Inc. (PPEP), and its founder, Dr. John David Arnold, for bridging the digital divide in two ways: 1) by bringing information

technologies into under-served rural farmworker and Hispanic communities, and 2) by providing the educational opportunity for at-risk and farmworker students to obtain technology-based skills through PPEP's 13 charter high schools strategically placed in rural areas and inner cities. Through these efforts, PPEP is not only removing barriers of educational and economic inequity by successfully bringing the super information highway infrastructure to rural communities, but also encouraging the use of that highway through education and training.

I applaud PPEP for its dedication to bringing information technologies to rural and small schools in Arizona with the creation of Arizona Educational Network (AzEdNet). This secure network provides an economical link between public and charter school sites and the Arizona Department of Education for the state-required transfer of student data. The unique design of this network saves the taxpayers of Arizona substantial funds while providing fast and secure bandwidth to remote rural areas. This network provides online access to students while protecting them from online predators and unwholesome sites by providing ''best efforts'' filtering software.

PPEP's educational opportunities are made available through a school system of 13 charter schools. To ensure academic excellence, PPEP has taken a leadership role in creating the Arizona Performance Based Accreditation Program for charter schools. The Arizona Performance Based Accreditation Program has been recognized by the State School Board Association, the Arizona Board of Regents, and the National Office for Charter Schools. With its peer-review system for school accountability, is now a national model for charter school accreditation. In 1998 PPEP was also instrumental in creating the Arizona Regional Resource Center which provides technical support and online consultation for charter schools. These developments have strengthened charter schools as an educational delivery system and have improved the credibility of charter schools. Subsequently, the United States Department of Education selected PPEP to operate the High School Equivalency Program (HEP) for farmworkers through a charter high school. This is the first HEP in the nation funded through a charter school.

Furthermore, PPEP has taken learning beyond the traditional classroom by using emerging technologies to create the migrant farmworker Lap Top Project, ''a virtual high school'' with self-paced curriculums that have provided the opportunity for some 6,000 rural, at-risk students to obtain technology-based skills since 1996.

I salute this vision to carry rural people forward into the technical diversity of the 21st Century.

A TRIBUTE TO PREBEN MUNCH NIELSEN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to one of the great heroes of World War II—Preben Munch Nielsen, a Dane who has received little recognition for his heroism. In many ways, he is a symbol of the gallantry and heroism of the Danish people during the tragedy of that war.

Mr. Speaker, as the only survivor of the Holocaust ever elected to the Congress, I want to pay special tribute to Mr. Munch Nielsen and also to the courage and strong commitment to basic human decency of the Danish people, who saved virtually the entire Jewish community of Denmark from the horrifying fate that befell six million Jews in the rest of Nazi-occupied Europe. The Danish people took spontaneous action—at great risk to their own lives—to save the lives of Denmark's Jews. That selfless action established that a people deeply committed to basic human decency can prevail against an overwhelmingly powerful evil force.

In many regards, Preben Munch Nielsen's participation in the saving of Danish Jews is typical of what other Danish citizens did during the horriffic period of the Nazi occupation of Denmark. Munch Nielsen was born on June 13, 1926, and was raised in Snekkersten, Denmark, a small fishing village some 25 miles north of Copenhagen. Every day he commuted to Copenhagen, where he attended school with a few Jewish students. Munch Nielsen, however, did not think of them as Jews. As he explained, the Jews in Denmark ''were considered neighbors, friends, schoolmates and nothing else.''

The Nazi-invasion of Denmark on April 9, 1940, initially brought little change to the lives of Danish Jews. The Danish government and the Danish laws remained in effect ensuring, among other things, that no Jew in Denmark ever had to wear the yellow star. Munch Nielsen joined the resistance movement, helping with the distribution of illegal papers.

On August 29, 1943, the Danish Government resigned under strong pressure from the active Danish anti-Nazi resistance. The Nazi's took over the government and declared Martial Law that very same day. Under the military government, the night of October 1, 1943, was set as the date on which all Jews and communists were to be deported and transferred to concentration camps. On September 28, G.F. Duckwitz, a German diplomat with contacts among the Danish Social Democrats, learned about the deportations that were planned for two days later. He informed the leading Danish Social Democrat, Hans Hedtoft, who quickly passed on the warning to the Jewish community.

Mr. Speaker, the actions of Preben Munch Nielsen were typical of the response of Danes to this effort to exterminate the Jews of Denmark. As Mr. Munch Nielsen said, participating in this effort to save the Jews was ''the only way to retain self-respect.'' He helped guide Jews to hiding places while they were waiting to be taken by boat from harbors and beaches along the Danish coast. He also helped transport Jews on the ''illegal'' boats and fishing vessels which crossed the straights to the freedom and safety of Sweden, and he aided the fishermen by calming frightened passengers during the crossing.

The results of this heroic effort, Mr. Speaker, were remarkable. Of Denmark's 8,000 Jews, only 475 were caught and deported to the Theresienstadt concentration camp. What began as a spontaneous reaction to human injustice turned into a well-organized underground movement. Upon their return to Denmark, the Jews found their homes and assets in excellent condition. Neighbors and friends cared for their assets and sublet their properties.

As a participant in this remarkable rescue, Preben Munch Nielsen personally was involved in helping to transport nearly 1,400 refugees to Sweden. On a courier mission to Sweden in November 1943 Munch Nielsen was urged by friends of the resistance movement to remain in Sweden because returning to Denmark was too dangerous. In Sweden, he joined the Danish voluntary forces in Sweden (''Den Danske Brigade'') and only returned to Denmark in May 1945, when Denmark was liberated from Nazi occupation forces.

After returning to Denmark, Munch Nielsen began working in the import-export business. Only at the age of 59 did he consider a role as a public speaker and educator. After sharing his story with some Jewish travelers to Denmark, he was encouraged by friends to continue to share his personal experience and educate people about the rescue of the Danish Jews in 1943. Now a successful businessman, the head of his own company and the father of three sons, Munch Nielsen tours the world with his wife Sonja, sharing the magnificent story of the rescue of the Danish Jews.

Mr. Speaker, I have the greatest admiration for Preben Munch Nielsen for his courageous participation in helping to save his fellow countrymen at the risk of his own life. I join Munch Nielsen when he says: ''That your fellow citizens should be doomed because their human value was considered nothing because of their race is an impossible thought.''

A TRIBUTE TO THE EMPLOYEES OF McCLELLAN AIR FORCE BASE

HON. DOUG OSE

OF CALIFORNIA

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. OSE. Mr. Speaker, we rise in tribute to the outstanding employees of McClellan Air Base. On April 9 and 10, 2001, McClellan will host two events honoring the men and women who have been part of the McClellan workforce for the past 63 years.

McClellan AFB has always been a leader in supporting the defense of the United States of America. In the 5 years since the base closure was announced, numerous awards have been won, and this has been a testament to the abilities and distinction of the men and women of McClellan. Just in the past 3 years, McClellan has won two of former Vice President Al Gore's ''Hammer Awards'' for improving the way government and the Air Force does business. Base environmental programs, medical programs, financial management programs, and many more individuals and organizations have also been identified as exceptional.

These awards have been won for good reason. The employees of McClellan have continued to distinguish themselves despite the pressures of a pending base closure. The expected turmoil of large-scale reductions in force, vacating facilities and moving equipment

caused the Air Force to budget for McClellan to lose $146.6 million over the last 3 fiscal years. Instead, McClellan's workforce managed to turn a profit of $9.1 million, saving the American taxpayers $155.7 million. The men and women of McClellan should take great pride in the completion of their mission with the utmost of professionalism and honor.

As important as these accomplishments have been, it is especially important to note the awards and recognition honoring the people of McClellan for their community involvement. This has included efforts to help feed the poor of Sacramento, supporting the Special Olympics, tutoring disadvantaged students, and raising money for the Muscular Dystrophy Association. Even as McClellan approached closure, its people worked to make their community a better place. Their selflessness in the face of a difficult situation is inspiring and deserves praise.

Mr. Speaker, as the exceptional people of McClellan Air Force Base are recognized, we are honored to pay tribute to some of our areas most important contributors. McClellan has been an invaluable resource to the Sacramento Area, the State of California, and the United States. We ask all of our colleagues to join with us in thanking the men and women of McClellan Air Force Base for their hard work and dedication over the years.

HONORING SOJOURNER TRUTH AWARDEES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KILDEE. Mr. Speaker, I rise today on behalf of the Pontiac, Michigan branch of the National Association of Negro Business and Professional Women's Clubs, Inc., who on April 7, will hold their annual Sojourner Truth Scholarship and Awards ceremony and present awards to 12 deserving recipients.

The Sojourner Truth Awards are given each year by the National Association of Negro Business and Professional Women's Clubs, Inc. as a reminder of the endless effort which freedom demands of those who would be free and to recall the fact that slavery comes in many forms: enveloping the spirit as well as the body. In this regard, the Club annually acknowledges those members of the community who have shown to represent these ideals with dignity and distinction.

One such award is the Club's Frederick Douglas Award, which this year will be given to Rev. Douglas P. Jones of Welcome Missionary Baptist Church in Pontiac, MI. In addition to his duties as head of the congregation of two thousand, Pastor Jones is one of the area's most influential and respected citizens. He is the founder of the Greater Pontiac Community Coalition, former Director of the Pontiac Area Urban League, and has been at the forefront of such projects as the Youth in Government and Business Program, and the Woodward Dream Cruise, among many others.

The next award is Black Woman Achiever Award, presented to those women making significant strides in their professions. This year, there are four such people. The first is a colleague of mine, Oakland County Commissioner Brenda Causey-Mitchell of Pontiac. Prior to serving on the County Commission, she served for many years as a Trustee and ultimately President of the Pontiac School Board. She has also been a well-respected member of the city's executive staff. For many years she has worked diligently toward the improvement of our community. Another such trailblazer is Pontiac Police Captain Pamela Chambers. Captain Chambers is a true trailblazer: In 1989, she became the Department's first Black female Sergeant, and as such, she is the first to achieve the rank of Captain. By focusing on community policing, she has helped foster a stronger relationship between the city and the police. The third award goes to Makeda Newby. It is fitting that Ms. Newby was born the same year American astronauts landed on the moon; at a very early age, she decided that her goal in life was to fly airplanes. While at Tuskegee University, she studied and flew with Chief Alfred Anderson, one of the famed Tuskegee Airmen. She graduated from Tuskegee with both a Bachelor's Degree and a private pilot license. She went on to the J. Paul Getty Spartan School of Aeronautics in Tulsa, OK, where she became a certified instructor, and the school's first Black female instructor. Last year she was hired by International Freight Leasing, where she will pilot planes filled with automobile parts throughout the United States and Mexico. The fourth honoree is Ms. Margarita Garcia-Boylston. Ms. Boylston decided in 1987 to begin a business with Mary Kay Cosmetics. As she built this business, she worked a full-time job, raised two teenaged girls, graduated with honors from Oakland Community College and Cleary College. As a Mary Kay representative, Ms. Boylston has received many prizes and rewards for her success. Recently she was promoted to the position of Elite Sales Director, and became Senior Sales Director just three months later.

The Club's Community Service Award goes to two individuals, Cheryl Scott and Malkia Geni Maisha. Ms. Scott, known as Shari to her friends, cares very much about giving back to her community. She has tutored academically challenged students throughout Pontiac, and has been an advocate for the Michigan Animal Adoption Network and the recently founded Michigan Animal Protection Agency, where she serves as a Board member. Ms. Maisha works part-time with the Michigan Metro Girl Scout Council in the Pontiac School District, helping teach a curriculum that involves self-esteem, diversity, citizenship, and many other qualities that will help these young ladies grow to be well-rounded members of society. Ms. Maisha also serves as an Executive Board member of the North Oakland NAACP, and is Secretary for the Metropolitan Minority Chamber of Commerce.

Shira Washington, a senior at Pontiac Central High School, will receive this year's Clara Hatchett Musical Scholarship. With a 3.94 GPA, Ms. Washington is a member of the National Honor Society Softball Team, Drama Club, and is President of the A Capella Choir. She has been recognized throughout her high school career for her superior singing ability as well as her literary skills, where she has had her writings published on several occasions.

The Ombudswoman Award is given to the group's most active member, and this year, that person is Irma Johnson. An elementary school teacher in the Pontiac School District, Ms. Johnson has been a part of the Club for more than 20 years. In addition, she is very active in the community and in her church, where she serves as a member of several ministries and is Sunday School Superintendent. She strives to be aware of all activities and changes, while actively pursuing a Master's Degree in Reading and Language Arts.

Another colleague of mine, Mr. Richard Williams, is being honored with this year's Bridge Builder Award, for his tremendous work in improving communication and interaction between Pontiac and the county administration. As Director of Community and Minority Affairs, reporting directly to the County Executive, Mr. Williams has proven himself invaluable as an advocate for the city. He has worked with numerous groups designed to improve our schools and develop more affordable housing. As an ordained minister, Richard has also been a vital part of the Oakland County Ministerial Alliance.

An award of special recognition is being given to Ms. Tommaleta Hughes. Originally from Detroit, Ms. Hughes joined the Pontiac School District as a teacher, after graduating from Tuskegee University in 1969. She taught elementary school for 15 years, sometimes serving as Head Teacher, operating as building administrator when the Principal was not in attendance. In 1984, she became Principal of Whitmer Human Resources Center, which two years later was recognized as one of the 26 most improved schools in the state. She moved on the School District's administrative level, where she became Director of Personnel and then Assistant Superintendent of Personnel and Employee Relations, the position she held until her retirement in June of last year. Wanting to remain a strong advocate for children, she ran for and currently holds a position as a member of the Pontiac School Board. Ms. Hughes is a true community activist. She has worked on several local government boards, and has been a member of the Pontiac Optimists Club and Kiwanis. She is also a Life Member of the North Oakland NAACP.

Last, but certainly not least, the Sojourner Truth Award itself this year will go to Mrs. Sarah Frances Grady. A Michigan native, Mrs. Grady is a retired computer assembly worker from Rochester, MI who selflessly devotes much of her time volunteering in the Pontiac community. A recipient of the Michigan Association for Leadership Development's Outstanding Volunteer Award, she has served at St. Elizabeth Home for 42 years, helping bathe and feed clients, and also worked at the Pontiac Mini Police Station for several years. For 500 nights, she participated in a march against drugs in the city.

Mr. Speaker, I appreciate the National Association of Negro Business and Professional Women's Club's 35 year commitment to community service, and their mission to seek answers toward critical issues in the areas of health, education, employment, and economic development. These awardees have exemplified the highest of qualities, and I ask my colleagues in the 107th Congress to please join me in congratulating them all.

STATEMENT ON CHILD LABOR TO THE COMMITTEE ON EDUCATION AND THE WORKFORCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, on March 28th, I submitted a statement to the Committee on Education and the Workforce during hearings on H.R. 1, the ''No-Child-Left-Behind'' education proposal. The purpose of my testimony was to call attention to the negative effects that working long hours at after school jobs is having a serious negative impact on our nation's teens. Recent studies have shown that a correlation exists between working long hours after school and decreased academic performance as well as increased drug and alcohol use by teenagers.

Mr. Speaker, the Young American Workers' Bill of Rights Act (H.R. 961) which I introduced earlier this year sets sensible limits to the number of hours teenagers can work during times when school is in session. H.R. 961 would assist both families and teenagers' struggling with the competing interests of holding a job while gaining an education.

Mr. Speaker, I would like to share my statement with our colleagues in the House, and I request that my testimony to the Committee be placed in the CONGRESSIONAL RECORD.

STATEMENT BY CONGRESSMAN TOM LANTOS, THE COMMITTEE ON EDUCATION AND THE WORKFORCE, H.R. 1, ''NO CHILD LEFT BEHIND,'' MARCH 28, 2001

Mr. Chairman, Mr. Ranking Member and distinguished members of the Education and Workforce Committee, I appreciate the opportunity to share my views with you today. As you begin to consider the reauthorization of the Elementary and Secondary Education Act (ESEA), I urge you to keep in mind the negative effects that working long hours is having on our children's education.

Working during the school year has become much more commonplace among America's youth over the past decades. Currently, nearly 25 percent of 14-year-olds and 38 percent of 15-year-olds have regular scheduled employment during the school year (as opposed to casual baby-sitting or yard work). A recent National Longitudinal Survey of Youth (NLSY) indicates that almost two-thirds of high school juniors are employed during the school year and that these students work an average of 18 hours per week. Another study, published by the Bureau of Labor Statistics in December 1999, reports that the number of working teens has grown by 15 percent in the past five years and that nearly seven million teens age 16–19 were employed in all sectors of the United States economy.

Mr. Chairman, as you and your colleagues know, American students continue to score at or below average on international tests. The Third International Mathematics and Science Study showed that American high school seniors on average spend slightly more than three hours a day working at a paid job—more than their counterparts in any of the other 20 nations studied. Some experts believe that such intense work schedules might explain the poor showing of U.S. students on international tests. In both math and science, even America's best 12th graders scored well below the international average.

Laurence Steinberg, a professor of psychology at Temple University recently conducted a three-year study (1987 to 1990) of 20,000 students at nine high schools in northern California and in Wisconsin. He determined that a work-load of more than 20 hours seems to mark the point at which work is increasingly linked to a drop-off in the amount of time students spend on homework an increase in their feelings of detachment from school. His research is backed up by Wendy Piscitelli, head of the foreign language department at Hatboro-Horsham High School in Horsham, PA. She states, ''once they get up into 20 or 25 hours. . .they can't keep up the extracurricular activities, and they don't get enough sleep.'' These conclusions are shared by a teacher at the Governor Livingston Regional High School in Berkeley Heights, N.J., who discussed a problem she is having with one of her students who regularly works past midnight at a local diner. The student, a senior, has trouble making it to school on time, and when confronted about falling asleep in class responds, ''but I am making money, Mrs. Tonto.''

These students, who are placing after-school employment above their education aren't getting enough sleep at night and are catching up during the day, in the classrooms. A 1999 National Sleep Foundation survey found that 60 percent of children under the age of 18 complained of being tired during the day, and 15 percent reported sleeping at school during the past year. Mr. Chairman, I ask you, how can we expect our children to learn when they are sleeping through the school day? Another problem that arises when students are working more than 20 hours a week is that they begin to cut corners with their school work to accommodate their job. This accommodation manifests itself in many ways, often in the form of cheating, or taking a less challenging schedule.

Moreover, a number of studies document that long work hours are associated with all sorts of undesirable teenage behavior. According to a recent study by the Centers for Disease Control (CDC), working more than 11 hours a week has a strong correlation with the likelihood that teenager will smoke and drink. Working more than 26 hours per week has the same correlation to use of marijuana or cocaine. An earlier CDC study found that students who worked more than 11 hours a week had significantly higher rates of sexually transmitted diseases and unwanted pregnancies. There is also ample evidence that when the number of work hours exceeds 15 hours per week during the school year, academic pursuits suffer. On average, grades go down and truancy increases. When work and school obligations conflict, the great majority will give top priority to their jobs.

Mr. Chairman, studies have shown that the majority of children and teenagers who hold jobs in the United States are not working to support their families, but rather are employed to earn extra spending money. I see nothing wrong with minors working to earn extra spending money and I think we all can agree that it is important for children to learn the value of work. I do think, however, that it is a serious problem when teenagers spend almost the same amount of time working at an after school job as they spend in school. We need to set sensible limits on the hours that minors are permitted to work when school is in session so that our children can focus on their primary job—earning a good education.

Mr. Chairman, under current Federal law, minors aged 14- and 15-years-old may not work for more than three hours a day and a maximum of 18 hours a week, when school is in session. It is also unlawful for 14- and 15-year-olds to work before 7 a.m. and after 7 p.m. so that work will not interfere with learning. Minors who are 16 and 17, however, face no federal restrictions when it comes to the number of hours they can work, and they often are required to work late into the night.

I recently introduced legislation, H.R. 961, the Young American Workers Bill of Rights, which would set sensible limits to the hours teenagers work in addition to their academic schooling. Mr. Chairman, I urge the Committee to consider including the provisions of this bill in your reauthorization of the ESEA. My legislation would reduce the hours 14- and 15-year-olds would be allowed to work while school is in session, while also setting standards for the number of hours that 16- and 17-year-olds can work while school is in session. My legislation caps the hours of 14- and 15-year-olds at fifteen hours per week. The hours for 16- and 17-year-olds would be limited to 20 hours per week. When one adds these hours onto the average amount of time a teenager spends in school, the student is still putting in close to 40 hours a week. This does not include time spent on homework, extracurricular activities, or time spent just being a teenager. I think we can agree that too many teenagers are working long hours at the very time they should be focusing on their education.

Mr. Chairman, let me state unequivocally that I, and supporters of my legislation, do not oppose children taking on after school employment. We firmly believe that children must be taught the value of work. They need to learn the important lessons of responsibility, and they need to enjoy the rewards of working. Furthermore, it is not our aim to discourage employers from hiring young people. Rather, our goal is to ensure that the employment opportunities available to young people are meaningful, safe, healthy, and do not interfere with their important academic responsibilities. A solid education—not after-school employment—is the key to a successful future.

Mr. Chairman, as you and the rest of your committee began to debate the reauthorization of the ESEA, I strongly urge you to consider the sensible labor standards that my legislation sets forth. These common-sense limits provide American teenagers the ability to have both a valuable academic instruction, while learning the value of work.

TRIBUTE TO BEECH ISLAND HISTORICAL SOCIETY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CLYBURN. Mr. Speaker, on April 28, 2001, in Granville South Carolina, the Beech Island Historical Society will host the Fifteenth Annual Beech Island Heritage Day Celebration. As in the past, the theme of Heritage Day is 315 years of Beech Island history. To illustrate that history, the society invites artists and craftsmen to demonstrate ancient skills practiced by Native Americans and early American skills that settlers brought with them to Beech Island. Re-enactors also recreate Beech Island history from Colonial days to the Civil War era.

The theme of this year's 15th Heritage Day is the history of ''Silver Bluff—A Celebrated Place.'' Silver Bluff, located on the South Carolina side of the Savannah River about 10 miles from Beech Island, was visited in the 1500's–1700's by Spanish and English explorers and was the site of Irishman George

Galphin's trading post and plantation and British Fort Dreadnought, which was recaptured by revolutionary forces under Lieutenant Colonel Henry ''Light Horse Harry'' Lee in 1781.

This year's Heritage Day will feature a wide variety of Colonial and Early American craftsmen demonstrating traditional, but almost forgotten skills, such as: molding pewter, gunsmithing, hand sewing, blacksmithing, spinning, quilting, basket weaving and chair caning. Mr. Speaker, please join me and my colleagues in congratulating the Beech Island Historical Society for hosting this wonderful event.

HONORING SERGEANT PHILLIP THICK

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KILDEE. Mr. Speaker, it is a great honor to rise and pay tribute to the men and women of the Lapeer County, Michigan, Sheriff's Department. These brave men and women constantly and diligently work to improve and defend the quality of human life. On May 11, the Department will honor one of its own, as friends, family, and colleagues will gather to celebrate the retirement of Sgt. Phillip Thick after more than 30 years of service.

Phillip Thick was born in my hometown of Flint in 1949. His family moved to Lapeer, where he graduated from Lapeer High School in 1967. From there, Phillip went on and graduated from the police academy, and later attended and graduated from the FBI National Academy in Quantico.

Phillip has enjoyed a tremendous career in Lapeer County. From his beginnings as a police cadet, he became a Detective/Sergeant in 1970, and has maintained this position throughout his career. During this time he became qualified as an expert in fingerprint identification, fire scene investigation, traffic investigation, photography, and drowned body recovery. He became a Deputy Medical Examiner and was state certified as an AFIS Operator last year. In 1995, Sgt. Thick was honored by his peer as Deputy of the Year.

Sgt. Thick's contributions outside the police force are just as significant. In addition to being a member of the FBI National Academy Associates, he is a member of the AFIS Internet Association, and the Lapeer Masonic Lodge. His experience as a photographer has allowed him to become a member of Wedding and Portrait Photographers International.

Mr. Speaker, I am exceptionally proud to have a person in my district like Sergeant Phillip Thick. It takes a special kind of person to patrol our streets and ensure our citizens' safety, and thanks to his dedication and commitment to justice, Lapeer County is a better place. I would also like to recognize Phillip's wife, Christina Lisa, and his children Matthew and Amanda. I ask my colleagues in the 107th Congress to join me in congratulating Phillip and wishing him the best in his future endeavors.

IN HONOR OF CUB SCOUT PACK 180 OF HOLDEN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. McGOVERN. Mr. Speaker, I rise today to recognize Cub Scouts Pack 180 of Holden, Massachusetts. On this day, April 6, 2001, 6 young men completed one journey and are beginning another. They are Jake Abysahl, Carter Bame-Aldred, Matthew Esposito, Jason O'Connell, Connor Rooke, and Evan Shaughnessy. During a crossover graduation ceremony, they received the Arrow of Light Award, the highest award in Cub Scouts along with their Boy Scout's Badge and Handbook. This ceremony begins their new adventures into Boy Scouts and continues their dedicated work to the community. I congratulate them on their accomplishments and wish them continued success.

IN REMEMBRANCE OF THE VICTIMS OF THE KATYN FOREST MASSACRE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the victims of the Katyn Forest Massacre, sixty-one years after the horrible tragedy. Memorial Services will be held on April 7, 2001 at the Katyn Monument site in Jersey City, New Jersey.

In September, 1939, Poland was invaded by Soviet troops, while boldly and courageously fighting the Nazi invasion in the West. The Polish army, which was hopelessly overextended fighting both the Germans and the Soviets, succumbed to those incredible odds.

In April and May, 1940, in an area called the Katyn Forest, over four thousand Polish soldiers, army officers, intellectual leaders, prisoners of war, members of the intelligensia, and Polish civilians were executed by Soviet troops and the Soviet secret police on direct order from Joseph Stalin. An estimated 21,000 Polish citizens died in Katyn, Miednoye, and Kharkiv, as well as other areas. These horrendous crimes are commemorated as the Katyn Forest Massacre.

On September 16, 2000, the Polish American Congress, the Katyn Forest Massacre Memorial Committee, and the Siberian Society of Florida sponsored a memorial service in honor of the victims.

Today, I honor the victims of the Katyn Forest Massacre. I commend their courage and sacrifice. They fought against terrible aggression, and not only fought for their own freedom, for the world's freedom as well.

I ask that my colleagues join me in remembering the victims of the Katyn Forest Massacre. And I ask that we honor their sacrifice for freedom.

PERSONAL EXPLANATION

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SCARBOROUGH. Mr. Speaker, due to a cancellation of an airline flight from my district yesterday, I was unavoidably detained and thus absent for three votes. Had I been present, I would have voted ''yea'' for roll call vote number 76, ''yea'' for vote number 77, and ''yea'' for vote number 78.

TRIBUTE TO MR. KATSUYA MIYAHIRA & MR. IHA SEIKICHI SENSEI

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. ROGERS. Mr. Speaker, I rise today to honor Mr. Katsuya Miyahira who has had a distinguished career in martial arts. Currently, he is the President of the Okinawa Shorin Ryu Shido-kan and continues to teach children the art of karate. His teachings are in accordance with Master Itosu, whom he studied under as a student. The form of karate he was taught was of the Chibana Chosin, of which he is the successor and heir.

Mr. Miyahira has lectured about the value of karate to young people and from the ''Seven Virtues of Martial Arts'' has said, ''Martial arts forbids violence, suppresses an uprising, keeps one from corruption, establishes honor for one, pacifies the public, makes harmony among people, and makes one rich. These are the seven virtues of martial arts.'' He continues to say that martial arts ''can be a helpful tool for one's life: it adds value to one's ability, secures a sure means of living, and even makes one rich.'' Mr. Katsuya Miyahira lives by these words and teaches his pupils by these words also.

In addition to his teachings, Mr. Katsuya Miyahira has been honored by the Japan Martial Arts Association and is a judan I0th dan as a karate Hanshi (master). Furthermore, as an elder in karate he is in charge of the Okinawa Karate Conference while continuing to teach his art to others.

I would also like to recognize Mr. Iha Seikichi Sensei, who is also an accomplished martial arts expert. He presently runs his own center in Lansing, Michigan called the Original Okinawa Karate Dojo. Furthermore, he is the United States Branch Chief of Okinawa shorin-ryu Karate-do Association.

Iha was taught by the infamous Itosu Ankoh and is an authority of Shuri-te. He was chosen by Miyahira Katsuya in 1963 to teach his Shorin-ryu techniques at the dojo of Latino Gonzales in Manila, a distinguished honor. Furthermore, he continued to teach others in this art including United States Marines stationed in Okinawa.

In addition to his teachings, he is recognized as the first Okinawan Master Instructor of Shorin-ryu to teach in California since 1927. In 1989, he reached rank of Hanshi 9-dan certification, making him the highest certified Okinawan living in the United States.

On July 26th through the 29th, 2001, there will be a celebration honoring the 25th anniversary of Iha bringing Shido-kan Karate to

North America sponsored by the North American Beikoku Shido-kan Association. Iha is one of the top people practicing Shido-kan Karate in the world. The Grand Master, Miyahira Katsuya, who lives in Japan is the highest person participating in this type of karate.

Therefore, I would like to personally congratulate Iha for his accomplishments and for teaching many people the art of Shido-kan Karate for the past 25 years. He has brought another form of martial arts to the Lansing, Michigan area and has made a significant impact on the lives of my constituents.

PROVIDING RESOURCES AND EDUCATION FOR KIDS ACT (PRE-K)

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KIND. Mr. Speaker, today I re-introduced the Providing Resources and Education for Kids Act (Pre-K). This legislation would provide a financial incentive to schools to devote resources to establish pre-kindergarten programs. This is a critical step in helping states meet the difficult task of providing early learning services.

Pre-kindergarten programs are crucial for preparing young children for the rigors of the classroom as they begin school. The first five years of a child's life are critical for development. Pre-kindergarten programs during those years will contribute to children's long-term success in school achievement, lead to higher earnings as adults, and quite probably decreased involvement with the criminal justice system. Today, however, kindergarten teachers estimate that one in three children are not ready to take on the challenge of classroom learning. Many children simply do not have access to pre-kindergarten programs. It is time for us to assist states in tackling this important issue.

Good quality early education helps children develop, improves their learning skills, and prepares them to enter school ready to succeed. In fact, studies of several state pre-kindergarten initiatives offer convincing evidence of the benefits of early education, particularly for children at risk of school failure. These benefits include higher mathematics and reading achievement, increased creativity, better school attendance, improved health and greater parental involvement.

Furthermore, pre-kindergarten programs have proven cost-effective over time. The Rand Corporation along with a team of researchers at the University of Wisconsin estimates that the most effective pre-kindergarten programs create savings to the government of $13,000 to $19,000 per child. This savings is realized in higher school achievement, less retention in a grade, a reduced need for special education, and less crime.

The Providing Resources and Education for Kids Act will help states meet the challenge of providing quality pre-kindergarten programs. This legislation provides grants to state education agencies to help establish or strengthen pre-kindergarten early learning programs for children age five and under. To encourage states to participate and ensure their long-term investment, the bill creates a sliding scale over five years for the federal-state match. Because of inadequate resources in many states, they cannot offer a pre-kindergarten program for young children.

While many states do not have extensive pre-kindergarten initiatives, I have been fortunate that in my own hometown La Crosse, Wisconsin there is an impressive pre-kindergarten program at the Red Balloon Child Care Center. In fact, my two sons are enrolled in this program. Every day my wife Tawni and I see tremendous growth in our sons and we are pleased that we have the opportunity to send our sons to such a wonderful place. Our wish is that every child is able to receive the quality education that this pre-kindergarten program provides for our sons.

Rarely have we had such a unique opportunity to push American education to a higher level. As a member of the Committee on Education and the Workforce, I am committed to making the contributions necessary to advance our nation's education. Nationwide, families are demanding more from their schools, and educators, and elected leaders, are responding. That is why I introduced my Pre-K Act. Investing in our young children before they enter kindergarten is the first step in helping students meet their highest potential. We should not deny students this opportunity by denying them a good quality early education.

Mr. Speaker, educational preparation is crucial for all young children. I would encourage my colleagues to support the Providing Resources and Education for Kids Act (Pre-K).

ESTATE TAX RELIEF ACT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. COLLINS. Mr. Speaker, I rise today to introduce the Estate Tax Relief Act.

The death tax is punitive in nature for all individuals, but it is particularly burdensome for closely-held, family-owned businesses that are the leading job creators in this country. The death tax rate of as much as 60% often means the difference between selling or keeping a family business intact. At a minimum, the death tax should be reduced. No targeted tax should force small businesses to sell or file bankruptcy.

While the House of Representatives has passed the Death Tax Repeal Act (H.R. 8), the measure simply does not provide enough relief soon enough. First, the measure provides no relief for next year, and provides very little for taxpayers until well into the second half of the next decade. We have no assurances that relief will ever be made available in successive Congresses.

The Estate Tax Relief Act ensures that we provide relief right away by converting the current structure to an exemption and ensuring that the first $10 million of an estate (per person) are exempted from the tax. Additionally, it lowers the top rate to 45%. In addition, the bill maintains the current-law step up in basis. With regard to the gift tax, the legislation puts in place a $50,000 per year, per taxpayer exemption.

Mr. Speaker, if we are serious about reducing this onerous tax, my legislation is the right way to do it. Please join me in cosponsoring this measure so that we can ensure we reduce the difficulties this tax imposes on the transfer of assets.

FIGHTING AGAINST LEUKEMIA

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. MORELLA. Mr. Speaker, as the past chair of the House Science Committee's Technology Subcommittee, I am well aware that technology is improving our lives in immeasurable ways—including health care. I rise to bring to the attention of the House a recent development in the fight against leukemia, a matter of great concern to many of us.

The National Cancer Institute (NCI), located in my district, is engaged in a race to find a drug that may stop the development of leukemia. I am pleased to report today on some innovative research efforts that are now underway with the help of Intel Corporation, which is working in partnership with NCI to advance the search for a cure.

Leukemia is the number one cause of cancer-related death for children. In 1999 alone, over 30,000 new cases were diagnosed in the United States. Scientists have already discovered several proteins important to the growth of leukemia but they must evaluate millions of molecules to see which ones can fight this form of cancer.

A major problem faced by leukemia researchers is the lack of processing abilities. To combat this problem, just yesterday, Craig Barrett, President and CEO of Intel and Dr. John Seffrin, CEO of the American Cancer Society, announced the launch of Intel.com/cure. This website hosts a program which utilizes peer-to-peer technology to assist scientists in their search for a cure. By simply downloading a screensaver, anyone around the world can join this endeavor.

Peer-to-peer technology provides unused computing power of individual machines to be utilized. A screensaver downloaded from Intel.com/cure allows a program to run in the background without disturbing your normal computer usage. The program performs a few of the millions of calculations that can assist researchers in determining which molecules have the greatest cancer-fighting potential.

This program can be of great assistance to researchers to find a cure. The manner and speed of scientific discoveries could be fundamentally enhanced. All our otherwise unused processing power could create the world's fastest computing platform for great causes. Estimates show that this project would be operating at speeds of magnitudes faster than the world's fastest supercomputers at a fraction of the cost.

This program could be expanded to include other qualified projects. Universities and researchers could post their philanthropic projects on the website. PC owners could become part of collaborative research efforts. The potential of this project is potentially significant.

Intel Corporation would like this web site to become a focal point for people who want to help launch a new era of PC philanthropy, where computer owners lend their PC's ''Idle time'' to a great cause. As a leader and innovator in peer-to-peer computing, Intel believes

that this method will accelerate scientific advancements. This leukemia project, developed by United Devices Incorporated, is endorsed by the American Cancer Society, the National Foundation for Cancer Research, and Oxford University.

April is Cancer Control Month, a time when we recognize our nation's long commitment to fighting cancer. Peer-to-peer technology can be a new frontier in how medical research is performed. I commend the efforts of this joint research partnership and hope this can be a substantial step that will lead to the cure for leukemia.

TRIBUTE TO THE OUTSTANDING NEIGHBORHOOD VOLUNTEERS OF THE YEAR AWARD NOMINEES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to honor the nominees for the South Carolina Outstanding Neighborhood Volunteers of the Year. Many of these volunteers nominated for the award are from my district and well deserving of the honor.

The Burton Heights-Standish Acres Neighborhood Association in Columbia, South Carolina is an organization devoted to the safety and cleanliness of their neighborhood; this association has four members who were nominated for the award. Mr. and Mrs. John Watson are dedicated volunteers who have been catalysts for a united, safe, and friendly community. Sylvester Jenkins, a charter member of the Burton Heights-Standish Acres Neighborhood Association, is a model citizen who also serves as President of the Retired Mail Handlers Organization. Venis J. Livingston is noted throughout the neighborhood for her rapport with the youth, a characteristic she utilizes in her role as a Parent educator.

''The Drama Team,'' a subunit of the Eau Claire Community Council Youth Organization, uses theatrical plays and artistic endeavors to educate community youth about issues ranging from HIV/AIDS to violence and drugs. ''The Drama Team'' has three fine women who have been nominated for the Outstanding Neighborhood Volunteers of the Year Award. Angela Cooper is a schoolteacher who provides mentoring to the students on the team, teaching self-esteem and reading skills. Community Advocate Angeline Morris ensures support from the business community to the ECCC so the operations of the team are properly financed. Rubye Finch is a team mentor who excels in the teaching of conflict resolution.

Neighborhood promotion, preservation, and improvement are the goals of the Bradley Community Council; the Council has three outstanding volunteers nominated for the award. Block Captain Sue Finch devotes her time on a regular basis to ensure the success of events such as the annual Hot Dog Night and Crime Out Night. Susan Hamm served as President of the Bradley Community Council from 1995 to 2000 and currently leads a neighborhood bible study. Stacey Shugart leads the Council in the production of a Community Directory and assists in the printing of newsletters and meeting minutes.

The Booker T. Washington High School Foundation nominated one of their founding members, Susan Brown Freeman, as the Outstanding Neighborhood Volunteer of the Year. Mrs. Freeman was the first African American consultant for Special Education teachers in Richland County, SC School District 1. Mary C. Short of the Bethel Bishop Tenant Association is another nominee for the award. Her dedication to the AmeriCorp organization along with her work as an Education Coordinator for Eau Claire Community Council have earned her a nomination. The HOPE volunteer organization nominated Samuel Gadegbeku for his work with the organization and in his community of the Colony Apartments. Mr. Gadegbeku selflessly gives his time to inspire self-esteem and hard work in the youth of his neighborhood.

The members of the Brandon Acres/Cedar Terrace Neighborhood Association are committed to preserving and improving the community in which they reside; they have nominated Dr. Ramona Lagos, professor at the University of South Carolina. Dr. Lagos organized the Association's first meeting with important city officials; she also serves as Secretary. The Seminar Ridge Neighborhood Organization organizes activities to provide the best living environment to its residents. Dr. Lois Fries served as President of this Organization for seven years, during which time she greatly increased its impact in the community. The Read Street/Edgewood Community Improvement Cooperative Council nominated Georgia Davenport for the Outstanding Neighborhood Volunteer of the Year Award. Mrs. Davenport worked extensively in the Read Street clean up, which led to a reduction in drug traffic and violence in the area.

The Booker Washington Heights Neighborhood Organization is dedicated to the improvement of the community of Columbia, South Carolina and has nominated three individuals. Johnnie Edmonds serves as Treasurer and is very active in this organization despite the fact that he moved out of the neighborhood years ago. The late Beverly Hampton left a legacy of community involvement and dedication to her neighbors when she departed this life on May 21, 2000. Kevin Speaks has worked to improve a poor section of the Booker Washington Heights neighborhood by giving his time and showing pride in his community.

Mr. Speaker, please join me in honoring each and every one of these wonderful volunteers. They show all of us what can be done if we give back to the neighborhoods and towns we call home. Every one of the nominees for the Outstanding Neighborhood Volunteers of the Year Award deserves the honor along with our appreciation.

HONORING GARY LEE TIMMER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the loyal men and women of the Lapeer County, Michigan, Sheriff's Department. On May 11, the Department will honor one of its own, as friends, family, and colleagues will gather to celebrate the retirement of Officer Gary Lee Timmer, after nearly 30 years of outstanding service.

Born in Almont, MI, in 1946, Gary Timmer's family moved to Imlay City, where he graduated from Imlay City High School in 1965. He entered the Police Academy in 1969 and joined the Imlay City Police Department soon after. He remained there until 1972, where he then became a member of the Lapeer County Sheriff's Department.

During his time with the Department, Gary has excelled in the proper use of firearms. In 1980, he was certified by the Detroit Firearms School as a gun range expert. The Washtenaw Firearms School bestowed the same certification upon him in 1991, along with an expert certification in semiautomatic weapon use. He has taken the responsibility to use these skills to instruct others. As a long time instructor at local gun clubs, as well as a member of the National Rifle Association, Gary teaches and promotes weapon safety and teaches a hunter's safety course.

Mr. Speaker, many people in the Lapeer area have greatly benefitted from Gary Lee Timmer's insight, experience, and commitment to preserving peace and order. He has helped make the streets safe for all its citizens, especially its children. I would also like to recognize his wife Amy, his children Curt and Shelley, and his six grandchildren. He has obviously been as strong a role model for them as he has for the people he protected for three decades. I ask my colleagues in the 107th Congress to join me in congratulating him for his dedication to justice.

HONORING THE HOPKINTON HIGH SCHOOL GIRL'S INDOOR TRACK TEAM

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. McGOVERN. Mr. Speaker, I rise today to join the community of Hopkinton, Massachusetts in celebrating the achievements and accomplishments of the Hopkinton High School Girl's Indoor Track Team. On Saturday, February 24, 2001 at the Reggie Lewis Center in Boston, the Hillers won their second consecutive state championship.

This accomplishment is impressive in and of itself, but when one considers the obstacles that these outstanding young female athletes had to overcome in their season-long pursuit of the title, their victory is all the more remarkable. Despite construction delays at their practice venue that kept meets from starting until halfway through the season, they remained focused. Despite season-ending injuries to essential runners Vicky Henderson and Melissa Sprachman, they were able to remain positive. And despite illnesses that affected some team members at important meets, they were able to pull together and earn victories.

At the championship, senior co-captain Christine Moschella led the Hillers' charge. She not only won the 300-meter, but set a new state record in the event as well. Freshman Tiana Riel also earned critical points for placing third in the 55-meter high hurdles. Moschella and Riel then joined with senior co-captain Jen McCowan and sophomore Emily Campbell to win the 4×200 meter relay. These

three placements earned the Hillers 26 points—enough to capture the title.

I would be remiss not to acknowledge the contributions of the other members of the Hillers team without whose hard work, dedication and support this outstanding season would not have been possible: senior Meghan DiNapoli, juniors Alyssa Corsini, Elena Frank, Margo Pyne and Joanna Wood, sophomores Chelsea Keiller, Jess Curran, freshmen Lauren Craft, Lindsay Ferkler, Katie Henderson, Katelyn Mitsock, Marissa Parrish, Alex Savell, and Katie Hoppe, and eighth-graders Stephanie Camille, Louise Cashman, Emily Daly, Kristen Garvey, Kristen Knox, Liz Morgan, Katie Nicol, Lauren Philbrook, Vanessa Wilson, Danielle Corey, Jess Costantino, Lindsay Flieger, Hailley French, Lauren Helstocky, Sarah Kinney, Laurie Monahan, Kirsten Norby, Joelle Pecci, Marie Rivers, Cassic Seery, and Meghan Stewart. Recognition must also be extended to head coach Mike Scanlon and assistant coaches Chris Shea, Martha Thompson and Eric Lammi who guided this team to the Tri Valley League, Class D and State Championships.

Mr. Speaker, it is with tremendous pride that I recognize the exceptional student-athletes of the Hopkinton High School Girl's Indoor Track Team for a remarkable season. I congratulate them on their accomplishments and wish them the best of luck in years to come.

IN RECOGNITION OF WLADYSLAW BARTOSZEWSKI THE FOREIGN MINISTER OF POLAND

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Polish Foreign Minister Wladyslaw Bartoszewski for his contributions to the political and social freedoms enjoyed by the citizens of Poland today, after enduring decades of Soviet domination.

From September 1940 until April 1941, Wladyslaw Bartoszewski was imprisoned in Auschwitz. During World War II, he was active in the Polish military; secretly founded the Zegota Council for Aid to Jews; participated in the Rebirth of the Poland clandestine movement; and proudly took part in the Warsaw Uprising as a Home Army soldier.

Minister Bartoszewski's activism did not stop at the end of the war. He became involved in the Polish Peasant Party and became the co-editor of Gazeta Ludowa (Peasant's Daily). His work with these groups landed him in communist jails twice during that period. After his incarceration, throughout the 1960s and 1970s, Minister Bartoszewski continued to fight for the freedom of Poland by participating in Radio Free Europe and the Polish Independence Alliance. In November of 1980, he founded the Committee for the Defense of Those Harassed for Their Beliefs. Once again, the Minister was arrested for his efforts and placed in the Jaworze Internment Center.

In addition to his dedication to Poland's independence movement, Minister Bartoszewski has spent a great deal of his life in the field of education. He taught at the Catholic University in Lublin, and at universities in Munich, Eichstadt, and Augsburg. In addition to writing 1,000 papers and 40 books, Wladyslaw Bartoszewski holds many honorary academic titles from universities all over the world.

Wladyslaw Bartoszewski reached his position of Minister of Foreign Affairs in December of 1995. During the 1990s, he also served as a Senator and as the Polish Ambassador to Austria.

Today, I ask my colleagues to join me in recognizing Foreign Minister Wladyslaw Bartoszewski for his great struggle to bring freedom to Poland and its people and for his many years of service to his country.

CALLING UPON THE PEOPLE'S REPUBLIC OF CHINA TO END ITS HUMAN RIGHTS VIOLATIONS IN CHINA AND TIBET

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SCARBOROUGH. Mr. Speaker, today I call upon the govenment of the People's Republic of China to immediately end its continuing human rights violations in China and Tibet.

I also endorse H. Res. 56, that strongly supports an American resolution at the 57th Session of the United Nations Human Rights Commission in Geneva, Switzerland, calling upon the government of the People's Republic of China to end its human rights abuses in China and Tibet. As the leader of the free world, we must always encourage the same basic rights we enjoy, for all people, everywhere.

The State Department recently reported that China's human rights record has worsened. We know that several thousand prisoners are detained today for exercising freedoms of belief and expression, and members of the Falun Gong spiritual movement and Tibetan Buddhists suffer increasing opposition from Beijing for their peaceful practices. We must not tolerate widespread violations of internationally recognized human rights standards, like the persecution and torture of people worshiping outside official churches, that occurs in China to this day.

In addition, the Tibetan people are hardly better off now than they were forty years ago. Since 1950, the communist government of China has actively controlled Tibet and has repressed the Tibetan people. During the 1966 to 1976 Cultural Revolution, most monasteries, palaces, and other aspects of Tibetan Buddhism were damaged and destroyed. The Dalai Lama, the highest and most revered leader within Tibet's former government, has been exiled in India since 1959. Today, Tibet's unique cultural fabric is irreparably being torn by the oppressive practices of old guard communists in Beijing.

Mr. Speaker, China must learn to abide by internationally accepted norms of freedom of association, belief, and expression. It must change its laws and the decrees that restrict freedom, and it must stop criminalizing groups it arbitrarily labels as cults or heretical organizations.

Chinese authorities must hear a loud and clear message: the United States, the rest of the world, and the Chinese and Tibetan people themselves, have waited long enough. China should quit throwing tantrums like an unruly child; it needs to grow up, act its age, and learn to take its place at the table for adults.

BON TON SHOPPE ANNIVERSARY

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to congratulate Stella Wingerter and her family on the 40th anniversary of the Bon Ton Shoppe Inc.

Stella Wingerter founded the company in 1961 with the first store opening in Farmington, Michigan. That first store was only 1200 square feet. Now, however, Stella and her family own and operate four stores, all totaling more than 6,000 square feet, with locations in Farmington, Livonia, Milford and Brighton, Michigan. Forty years of enterprise in southeast Michigan is a strong testament of the Wingerter's dedication to their business, their employees and their community.

Therefore, Mr. Speaker I ask my colleagues to join me in recognizing Stella Wingerter and her family on 40 years of success and wish them many more in the future.

TAX CREDITS FOR SCHOOL TEACHERS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KIND. Mr. Speaker, today I introduced legislation that will provide elementary and secondary school teachers with a $500 refundable tax credit when they purchase books, supplies, and equipment out of their own pockets.

With limited resources being stretched to the limit in many public schools, teachers have been incurring out-of-pocket expenses averaging $448 to $1,000 a year. According to the National School Supply and Equipment Association, more than half the money teachers spend in this manner is on instructional materials such as flashcards and workbooks, while the remainder is spent on supplies such as chalk, paper, and pens.

Although current law allows teachers a tax deduction for the school supplies they purchase but for which are not reimbursed by their schools, this provision can be very complicated and does not serve the majority of teachers.

To receive the tax benefit, teachers need to file a Schedule A for itemized deductions, and they must have incurred expenses that exceed a full 2 percent of their adjusted gross income. For example, let's say a teacher earned $50,000 in adjusted gross income, and spent $1,100 on out-of-pocket expenses; with the current formula, the actual deduction would only be $100.

Under my proposal, teachers who incur out-of-pocket expenses but do not meet the current income stipulations would still receive a tax credit. A tax credit is more beneficial than

the current deduction because it will allow teachers to utilize the benefit, particularly teachers with low salaries and those in disadvantaged schools.

My Congressional district in western Wisconsin is home to no less than 75 public school districts. I find it unconscionable that teachers must supplement school needs with their own hard earned income to ensure every student receives the same quality education. This bill represents much needed short-term relief, but also renews our long-term commitment to maintaining America's excellence in education. By supporting our teachers in their efforts to provide a quality education to all of our children, we support the very future of our country. Without a doubt, education is the cornerstone of a healthy, productive society, and today's investment represents tomorrow's future success. As we continue the federal government's role in guaranteeing affordable educational opportunities, our commitment to our teachers is one step in the right direction.

Mr. Speaker, I ask my colleagues to support this measure and the scores of dedicated teachers across the nation who spend their own money on classroom materials needed to educate our children. Their sacrifices to alleviate a problem in the structure of education funding should not go without some benefit. I would encourage my colleagues to support this legislation and give our nation's teachers the credit they deserve.

ASBESTOS SETTLEMENT FUND RELIEF LEGISLATION

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. COLLINS. Mr. Speaker, today I rise, along with my colleague from Georgia (Rep. JOHN LEWIS) to introduce legislation that would help companies and victims that are struggling with asbestos liability. Distinct and separate from the controversy associated with asbestos liability reform, our tax bill has broad and deep bipartisan support. Approximately 70 of our colleagues have agreed to be original cosponsors of the bill.

The bill provides fairness for victims and defendants alike. Many companies that are paying victims for their injuries cannot deduct these costs because the costs exceed their taxable income and these costs can only be carried back to a limited number of tax years in which their expenses already exceed their income. Many asbestos victims rely on settlement funds for compensation. Those settlement funds are currently taxed at 39.6%, which increases the costs of financing the funds and decreases the amount of money available to victims.

Our bill, would (1) exempt from federal tax settlement funds established for the purpose of paying asbestos victims, and (2) allow companies to carry back deductions for the payment of asbestos claims to the tax years giving rise to the current asbestos liabilities.

Our bill will ensure that all companies that pay asbestos claims are allowed to deduct those costs and that all of the money in asbestos settlement funds will be paid only to asbestos victims.

TRIBUTE TO ANNIE MARTIN GIBSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Mrs. Annie Martin Gibson of Summerton, South Carolina, who died at the age of 90 on March 6. Mrs. Gibson and her late husband William were among the principle petitioners in the lawsuit Briggs v. Elliott, which became the first of the five lawsuits collectively known as Brown v. Board of Education of Topeka, Kansas. Those cases began the process of breaking down racial barriers in our nation's public schools.

Annie Gibson's place in history has been often overlooked. She, along with 19 of her peers, were the original signers of the document that started legal action leading to the desegregation of America's schools. Mrs. Gibson was the last surviving petitioner who set the landmark desegregation movement into motion. For decades following the lawsuit, the Gibson family suffered through stress and unrest due to their decision. Mrs. Gibson was fired from her job as a housekeeper at a local hotel.

While many of the petitioners left the Clarendon County area, the Gibsons remained with their four children. With the land they owned they managed to earn a meager living. A family friend said the family never succumbed to the hardships facing them. Mrs. Gibson has been described by friends and family as a quiet, gentle person who refused to allow her children to receive a second rate education. She was one of many unsung heroes during the Civil Rights Movement who should be celebrated and remembered for putting her country before herself.

Mr. Speaker, I ask you to join me today in honoring Annie Martin Gibson for her great work as a Civil Rights Movement trailblazer. Her sacrifices should be remembered and celebrated by this House. Mrs. Annie Martin Gibson will be sorely missed.

TRIBUTE TO BUTLER MANUFACTURING COMPANY

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today in salute to the Butler Manufacturing Company and its 100 years of service and leadership to Greater Kansas City, the United States, and countries abroad. Throughout the last century, Butler Manufacturing has remained steadfast in its commitment to providing quality products and services worldwide. I am proud to recognize their achievements.

Butler Manufacturing Company, founded in 1901 by innovators Emanuel Norquist and Charles Butler is now one of the world's leading providers of commercial and industrial construction services. Their first Butler building, completed in 1910, stood in use in central Kansas City for over 45 years. With the successful introduction of a sturdy two car version of the garage, Butler Manufacturing was in the building business to stay because the market demand was so great. With the passing of each decade, Butler Manufacturing has remained on the cutting edge of the nonresidential construction market. The 1920s were devoted to determining customers' needs and satisfying those needs with personal service, concepts that worked successfully for Butler's grain bins. In the 1930s, Butler answered the call from the U.S. Department of Agriculture by mass-producing 14,500 galvanized steel grain bins in under 59 days; one day ahead of schedule. By the 1940s, Butler Manufacturing had a complete line of rigid frame buildings ready to market. The 1950s brought about enormous change and growth within the company with the formation of five product divisions; two of which, commercial, industrial and institutional end users, and rural buildings, continue to be the strength of the company today. Marked as a decade of enhancement and expansion, the 1960s ushered in new technologies and advancements such as construction components which allowed for frames with wider, longer, and lower slopes. In the 1970s, Butler extended the long-term value of buildings by making them virtually weathertight and advanced traditional ideas on pre-engineering buildings through such innovations as Multi-Story, Long Span, and the distinct look of Landmark, which all were pioneering steps in the advancement of building systems. The 1980s were a time of acquisitions for Butler as they sought to grow new markets and increase market share in existing businesses. Throughout the 1980s into the mid-1990s, acquisitions were made to expand Butler's architectural and aluminum market presence. Today, Butler Manufacturing has gained multinational recognition and continues to be a leader in business worldwide, including presence in South America, Europe, the Middle East and Asia, while remaining dedicated to the core ideals of excellence and teambuilding, on which the company was founded. These ideals are also responsible for Butler's being named the recipient of the prestigious 2000 Paragon Award by the Human Resource Management Association of Greater Kansas City. Noted for their excellent practices in a broad range of human resource issues, the recognition of Butler's mentoring program highlights a continued commitment to the Greater Kansas City community as well.

Mr. Speaker, I ask you to join with me today in celebrating Butler Manufacturing Company's 100 years of innovation, customer service, and quality that founded and continues to sustain this company's place as a leader in manufacturing in America and the global community.

INTRODUCTION OF THE PERSONAL INFORMATION PRIVACY ACT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KLECZKA. Mr. Speaker, I rise today to reintroduce legislation, the Personal Information Privacy Act (PIPA), that safeguards consumers' personal privacy by giving them the ability to protect personal information from being bought and sold by third parties.

This bill would restore consumer control over personal information by requiring that a

third party obtain consent from an individual before making commercial use of that person's Social Security number (SSN). In fact, any non-criminal use not explicitly allowed by law would face this restriction, including the growing commercial use of SSNs as personal identifiers by various businesses.

Social Security numbers have become our default identifiers for many businesses, and thereby the key to much of our most personal information. That has to stop. As identity theft and fraud increases, action must be taken to ensure that this personal information remains private.

Under my legislation, refusing to sell services or goods to consumers who choose not to furnish their SSN would be illegal under the Federal Trade Commission Act, and businesses would be liable for up to $10,000 in fines per violation for committing unfair or deceptive business practices. Credit bureaus would also be prevented from giving out SSNs without a person's consent. PIPA would amend the Fair Credit Reporting Act and the Social Security Act to authorize civil penalties for privacy violations ranging from $25,000 to $500,000.

Information on products or services bought by an individual and from where they were purchased—also known as transaction histories—could not be sold or transferred for marketing purposes unless a consumer gives written consent.

We take for granted that our personal information is private. Unfortunately, that's not the case. We must take action to guard access to our personal information because it's not a commodity to be bought or sold. We as consumers should have the final say over how that information can be used, not some marketing firm.

I first introduced PIPA in the 105th Congress, but this version of the bill is slightly different than last session's because two of the bill's components have been enacted into law. As part of the FY 2000 Transportation Appropriations bill, state DMVs are now prohibited from releasing highly restricted personal information without a person's consent. The law now defines SSNs and photographs as ''highly personal information'' and requires a person's consent for disclosure by DMVs.

This is a great start, but there's a lot more to be done. We must curb the rampant use of SSNs as personal identifiers. This bill is an important step toward more complete personal privacy protection. I urge my colleagues to support this important legislation.

DEATH OF ROBERT M. TALLON, FATHER OF FORMER REPRESENTATIVE ROBIN TALLON

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SPRATT. Mr. Speaker, Members of the House who served with Representative Robin Tallon of South Carolina should know that on January 28, 2001, his father passed away. Robert M. Tallon was 78, and died of a heart attack while doing what he loved, bird hunting in South Carolina.

Bob Tallon was an airborne infantryman in World War II, one of those soldiers of whom it was said, ''uncommon valor was a common virtue.'' As a staff sergeant in the 82nd Airborne Division, Bob Tallon fought his way from Sicily up the boot of Italy. After waging some of the fiercest fighting of the war in Italy, he parachuted with the 82nd into Holland as part of the bloody operation that Cornelius Ryan immortalized in ''A Bridge Too Far,'' and fought his way from Remagen into the Rhineland.

Bob Tallon came home with his chest full of medals, including Bronze Stars and a Purple Heart. Though worthy of being called a hero, he never thumped his chest or boasted of his valor. He lived his life with the quiet abiding confidence that he had served his country and done his duty.

Though he distinguished himself as a soldier, Bob Tallon's finest accomplishment in life was in marrying Mary Williamson Tallon, a school teacher and a dear woman loved by all who know her. Indeed, anyone who has met Bob and Mary Tallon understands how Robin Tallon got his affable personality and affinity for politics. In addition to Robin, our former colleague, Bob and Mary Tallon had another son, Terry, and a daughter, Cameron.

Bob Tallon returned home from the war to Dillon County, South Carolina, and became President of Tomlinson Stores. He was a mainstay in the Methodist Church and a pillar of the community, involved in every good cause from the Lions Club to the Hospice Society.

Though Bob Tallon lived most of his life within the radius of Dillon, a small town in South Carolina, he lived the kind of life that made this country great. As President Clinton said at Anzio of his own father who also fought in Italy, ''They made possible the world we live in.''

TRIBUTE TO WILLIAM J. HEARIN

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CALLAHAN. Mr. Speaker, I rise today to honor and remember the life of a great man, William J. ''Bill'' Hearin. Mr. Hearin passed away Monday, February 19, 2001 at the Mobile Infirmary. He was chairman of the boards of the Mobile Register and Energy South, Inc., the parent company of Mobile Gas Service Corp. Our thoughts and prayers go out to his wife Emily, his daughter, Ann Bartlett, and to all of his family at this difficult time.

Bill was very active in the community. He rose through the ranks at the Mobile Register becoming co-publisher, then publisher and president, then chairman. He had one of the longest tenures at the top levels of a metro newspaper, and as a result he had a significant and lasting relationship with Mobile. Hearin was involved professionally in the newspaper industry, where he served as president of the Alabama Press Association, director of the Southern Newspaper Publishers Association and as a member of the American Newspaper Publishers Association.

Bill Hearin was a leader in Mobile's social circles, where he served on the reception committees for a few of Mobile's oldest mystic organizations. He also served on the committee for the Camellia Ball. He was named Mobilian of the Year in 1977, and in 1987 he received an award for Outstanding Civic Leader in the state.

After the death of Ralph B. Chandler, Bill took the reigns of the Chandler Foundation, which later became the Hearin-Chandler Foundation. The foundation distributes more than $10 million among Mobile charities. Mobile can thank Bill Hearin for so many things.

My heart goes out to Mr. Hearin's family and to all those who grieve his passing. He gave unselfishly to the city he loved. William Hearin was a Mobile icon and a true newspaper man in every sense of the word and his contributions to our community will never be forgotten.

TRIBUTE TO WILSON HIGH SCHOOL

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CLYBURN. Mr. Speaker, on April 21–23, 2001, more than 1,200 students from across the United States will be in Washington, D.C. to compete in the national finals of the We the People . . . The Citizen and the Constitution program. I am proud to announce that the class from Wilson High School from my district in Florence will represent the state of South Carolina in this national event. These young scholars have worked diligently to reach the national finals and through their experience have gained profound knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The students are: Lakisha Boston, Lynette Carr, Christine Chen, Rebecca Derrick, Ashunti Drummond, Elizabeth Fortnum, Albert Hayward, Anthony Henderson, Benjamin Ingram, Janny Liu, Christina Moss, Jason Owens, Anna Stewart, Tyler Thomas, and Dheepa Varadarajan. I would also like to recognize their teacher, Yvonne Rhodes, who deserves much of the credit for the success of the class.

We the People . . . The Citizen and the Constitution is one of the most extensive educational programs in the country specifically developed to educate young people about the Constitution and Bill of Rights. The three-day national competition is modeled after congressional hearings and they consist of oral presentations by the high school students before a panel of judges. The student's testimony is followed by a period of questioning by the simulated congressional committee. The judges probe students for their depth of understanding and ability to apply their constitutional knowledge. The 250th Anniversary of James Madison's birth in 1751 offers an appropriate opportunity to examine this Founder's contribution to American constitutionalism and politics. To this end, the national finals will include questions on Madison and his legacy.

Findings suggest that national finalists are less cynical about politics and public officials and participate in politics at a higher rate than do their peers. Administered by the Center for Civic Education, the We the People program has provided curriculum materials at the upper elementary, middle, and high school levels for more than 26.5 million students nationwide. Members of Congress and our staff enhance

the program by discussing current constitutional issues with students and teachers and by participating in other educational activities. As a former history teacher, I am pleased to know that this program provides students with a working knowledge of our Constitution, Bill of Rights, and the principles of our democratic government.

The class from Wilson High School is currently conducting research and preparing for the upcoming national competition in Washington, D.C. I wish these young scholars the best of luck at the We the People . . . national finals. My staff and I look forward to greeting them when they visit Capitol. Mr. Speaker, please join me and my colleagues as we congratulate the young scholars from Wilson High School as they compete in this national civics competition.

A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO TREAT DISTRIBUTIONS FROM PUBLICLY TRADED PARTNERSHIPS AS QUALIFYING INCOME OR REGULATED INVESTMENT COMPANIES

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. HERGER. Mr. Speaker, today I am introducing a bill to allow mutual funds to invest without restriction in publicly traded partnerships, or PTPs. PTPs, which are also known as MLPs, are limited partnerships which are traded on public securities exchanges in shares known as ''units.'' Because interests in PTPs are liquid and can be bought in small increments, they can be and often are bought by small investors. Many of those investing in PTPs are older individuals, who buy them for the reliable income stream they receive from quarterly PTP distributions.

Unfortunately, the tax code currently deters mutual funds representing many small investors from investing in PTPs. As safe, liquid securities which generally provide a steady income stream, PTPs could be an excellent investment for mutual funds. However, the tax code requires that mutual funds get 90 percent of their income from specific sources in order to retain their special tax treatment. Distributions from a partnership do not qualify, nor do most types of partnership income which flow through to the fund. The only way a mutual fund can invest in a PTP is to be certain that the income it receives from that investment and other nonqualifying sources will never exceed 10 percent of its total income. Faced with the burden of keeping track of percentages and the drastic consequences of going over the limit, most mutual fund managers turn to other investments.

It makes no sense for publicly traded partnerships to be excluded from the list of qualifying income sources for mutual funds. While traditional partnership interests—the only kind that existed when these rules were written—were illiquid and not always well regulated, PTPs are traded on public exchanges and must file the same information with the Securities and Exchange Commission as publicly traded corporations.

Mutual funds are an increasingly important part of the capital markets, and the inability to attract them as investors is hindering PTPs in their ability to raise the capital they need to grow and provide new jobs. Many PTPs are in energy-related businesses, the very sector whose growth we wish to encourage right now. Moreover, mutual funds and their investors are being denied an opportunity to earn money through PTP investments.

The legislation I am introducing would rectify this situation by simply adding income received by or allocated to a mutual fund by a PTP to the list of income sources that a mutual fund may use to meet the 90 percent test. This provision has been sponsored by BILL THOMAS, now chairman of the Ways and Means Committee, in the last two Congresses and was approved by Congress as a whole in 1999 as part of the Taxpayer Refund and Relief Act, later vetoed by the President. I am happy to take up the cause in the 107th Congress, and hope that my colleagues will join me in supporting this legislation.

HONORING THE MEMORY OF RAYMOND F. CONKLING

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. PAYNE. Mr. Speaker, I would like to ask my colleagues here in the United States House of Representatives to join me in paying tribute to the late Raymond F. Conkling, a popular and well-respected professional who gave many years of outstanding public service to this institution. During his years on Capitol Hill, Ray made many friends on both sides of the aisle and made a significant contribution to the work of the Congress.

Mr. Conkling, who passed away on October 25, 2000, lived in Arlington, was born in Michigan and grew up in Peekskill, NY. He graduated from Columbia University, where he also received a law degree. During World War II and the Korean War, he was a naval aviator and received a Distinguished Flying Cross. Later he was a captain in the Navy Reserve.

He began his legal career in New York with the firm of Millbank, Tweed, Hope and Hadley, then in 1954 moved to Washington. He served in the tax legislative counsel's office in the office of the secretary of the Treasury and later as tax counsel of the House Ways and Means Committee. He was senior tax attorney for Texaco and then legislative counsel to Diamond Shamrock Corp. He returned to government service in 1986 on Representative Guy Vander Jagt's staff, where he handled tax issues. He was a member of the National Democratic Club, the Capitol Hill Club and the Army Navy Country Club.

Survivors include his wife of 28 years Juanita Conkling of Arlington, and a daughter, Tracy Conkling of Maryland.

Mr. Speaker, I know my colleagues join me in honoring Ray Conkling's memory and in expressing our deepest sympathy to his family.

TRIBUTE TO CAROL SPIKER

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today as Delaware's lone member of Congress to honor and pay tribute to Carol Spiker, a dear friend and National Winner of the Sporting Goods Manufacturers Association (SGMA) Heroes Award. Carol Spiker, a resident of Wilmington, Delaware, is being honored as a very special individual who, through her unique commitment and humanitarian spirit, has made an exceptional and lasting contribution to the pursuit of sports excellence. She has shown herself to be a dedicated, compassionate, and driving force behind the creation of the Wilmington Lacrosse Association (WLA). Delaware is fortunate to have her as a resident and I am honored to call her my friend.

In 1989, Carol Spiker's son expressed a desire to play lacrosse. With the help of another mom, she established a lacrosse league. She threw herself into this endeavor, using her time, talent, heart and soul. She spent countless hours doing everything including team registration, scheduling fields, teams and officials, coaching, sewing the practice pinneys and mowing and lining the fields. Carol found ways to cover equipment cost and league fees for children from families unable to afford the costs. Through Carol's enthusiasm and dedication, Delaware's lacrosse program grew from 24 boys in 1990 to eight different organizations in the Delaware league with close to 1,000 players today.

In 1998, Carol Spiker and her family were in a terrible car accident that left her with irreversible spinal cord injuries and confined her to a wheelchair. Carol turned this tragedy into a triumph, battling her way back from this life-threatening injury. As she recovered, the support and encouragement from her family and friends in the lacrosse community gave her the strength and courage to keep going.

Carol Spiker continues to run the league she started over 11 years ago with the same energy and compassion as when she began. She buys equipment and waives fees for children who could not afford to pay otherwise. She promotes the league, encourages the players, supports the families, and has been instrumental in helping students go on to private schools and colleges.

I want to thank her on behalf of the people of Delaware for her leadership and dedication and for her lasting contribution to our state.

INTRODUCTION OF BROWNFIELDS CLEAN-UP ACT

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. COYNE. Mr. Speaker, today I am introducing legislation that would make the tax incentive for cleaning up and redeveloping brownfields permanent. Mr. WELLER, who has a long history of involvement on this issue, has cosponsored this important legislation.

There are half a million ''brownfield'' sites around the country—old polluted industrial

sites that continue to sit vacant because businesses do not want to deal with the environmental hazards that may exist on those sites.

All across the country, potentially productive pieces of real estate lie vacant because businesses are concerned about the cost of cleaning up after the industries that used to operate mills and factories on those sites.

If we want to bring jobs and tax revenues back to those sites, we have to create an even playing field for businesses making decisions about where to locate their new facilities.

I worked with other Representatives and Senators to provide federal tax support for cleaning up and re-using brownfield sites. In 1997, we succeeded in adding a provision to the federal tax code which allowed taxpayers to expense the costs of environmental remediation of brownfield sites in certain economically distressed areas. Last year, I worked successfully with Congressman WELLER and several colleagues to extend the provision, which was scheduled to sunset at the end of 2000, and to apply it to brownfield sites anywhere in the country.

I believe that one additional change should be made to the brownfields tax provision. I think that Congress should make the brownfields provision a permanent part of the federal tax code. Consequently, I have introduced legislation today to make the brownfields expensing provision permanent. I urge my colleagues to join me in supporting this legislation.

INTRODUCTION OF THE BUILDING, RENOVATING, IMPROVING, AND CONSTRUCTING KIDS' SCHOOLS ACT OF 2000

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. BIGGERT. Mr. Speaker, in 1995 and 1996, the United States General Accounting Office (GAO) released reports outlining the deplorable conditions in many of our nation's elementary and secondary schools. A GAO survey showed that America's schools are in need of an estimated $112 billion in repairs and that $11 billion alone is required to get schools in compliance with federal mandates requiring the elimination of hazards such as asbestos, lead in water, radon, and to improve accessibility for the disabled.

It's no small wonder these repair bills are mounting—the U.S. Department of Education has found that the average age of a public school building is 42 years. And while our school buildings are aging, student enrollments are expanding—putting even more pressure on a crumbling infrastructure. According to the Projections of Education Statistics to 2010 by the National Center for Education Statistics, total K–12 student enrollment in 2010 will exceed 53 million.

The decline in the condition of our nation's schools is not limited to one particular region. Every state has schools that are in need of repair and modernization, and my home state of Illinois is no exception. The Illinois State Board of Education estimates that over the next five years, Illinois' school districts will need more than $8.2 billion in infrastructure work.

Mr. Speaker, as a strong supporter of local control of education, I believe that school construction and renovation are areas best directed by states and local communities. That's why I applaud those states that have passed measures designed to help schools replace and modernize their facilities. Illinois is one of those states that have stepped up to the plate in this regard.

In December 1997, The Illinois General Assembly passed a school construction law to address the shortage of classroom space brought on by population growth and aging buildings. To fund the program, the General Assembly approved the sale of $1.4 billion in school construction bonds over a five-year period. Illinois Governor George Ryan's ''Illinois FIRST'' program later added another $ 1.1 billion to extend the program.

But despite the best efforts of Illinois and other states, the long-term costs of repairing and upgrading our nation's schools are proving more than many state and local governments can bear. In an attempt to assist in their efforts, Congress last year provided over $1 billion in grants for school modernization purposes. But that amount is like a drop in the bucket, and our schools continue to fall into further disrepair and obsolescence.

That's why I rise today to introduce the ''Building, Renovating, Improving, and Constructing Kids' Schools (BRICKS) Act''—legislation addressing our nation's burgeoning demand for elementary and secondary education school repair. This legislation is a slightly modified version of legislation I introduced last year and is the companion bill to S. 119, which was introduced in the Senate by my friend and colleague, Senator OLYMPIA SNOWE of Maine.

Here is what the BRICKS Act does. First, it provides $20 billion in interest-free and low-interest federal loans to support school construction and repair at the local level. These loans can be used in two ways. One, at least 50 percent of the loans are designated to pay the interest owed by states and localities to bondholders on new school construction bonds that are issued through the year 2003. And two, the loans can be used to support State revolving fund programs or other State-administered school modernization programs. These loans will be interest-free for the first five years, with low interest rates to follow.

The BRICKS Act allocates these school construction loans on an annual basis, using the Title I distribution formula. Monies would be distributed to states at the request of each state's governor and without a lengthy application process.

The money provided for under this bill is used to support, not supplant, local school construction efforts. These loans are designed to allow states and localities to issue bonds that would not otherwise be made due to financial limitations.

Third, and perhaps most importantly, these loans will be distributed in a fiscally responsible manner that does take away from the Social Security program or the projected on-budget surpluses. Specifically, my bill will generate funding from the Exchange Stabilization Fund (ESF)—a fund that was created through the Gold Reserve Act of 1934 and that currently has more than $40 billion in assets. This is a fund that some—including former Federal Reserve Board Governor Lawrence B. Lindsey—have called for liquidating,

Finally, the school construction and modernization loans are not a government handout. The BRICKS Act requires a State entity or local government that receives funding under this legislation to repay the loan to the Exchange Stabilization Fund. At the same time, this proposal ensures that states and local governments will not be burdened by excessive interest rates—or be forced to repay the loan in an unreasonable amount of time.

After the first five interest-free years, the interest rates on these loans will be no greater than 4.5 percent. Again, no payment will be owed, and no interest will accrue for five years, unless the federal government prior to that time meets its financial commitment to funding 40 percent of the costs borne by local school districts for providing special education services, as is currently required by federal law.

Mr. Speaker, the BRICKS Act is a fiscally responsible answer to a serious national problem. I am proud to offer this legislation for the House's consideration. I also am pleased to note how this legislation will help schools located in the 13th Congressional District of Illinois, which I represent. As my colleagues may know, the 13th District encompasses some of the fastest growing communities in the nation.

School administrators in my district have made it known that school construction and renovation have failed to keep pace with the explosive population growth and increased rates of student enrollment. Time and again, they have told me that the growth in tax revenues from new households has not kept up with the costs of construction needed to serve them. By providing schools and states with more fiscal flexibility and options, the BRICKS Act addresses this problem in my congressional district and in districts across the United States.

I urge my colleagues to support the BRICKS Act. This timely legislation makes responsible use of limited federal resources and effectively meets a commitment to giving every child an opportunity to attend school in an, environment that is physically safe and conducive to learning.

CONGRESSIONAL REVIEW ACT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. KNOLLENBERG. Mr. Speaker, I rise to offer two resolutions under the Congressional Review Act to rescind two egregious regulations promulgated by the previous administration that affect consumers nationwide.

On October 5, 2000, the Department of Energy (DOE) issued proposed regulations on the energy efficiency of clothes washers, air conditioners and heat pumps. Myself, and many of my House colleagues strongly oppose these new mandates.

At the end of the 106th Congress, I introduced H.R. 5613 along with 31 co-sponsors to extend the insufficient 60-day public comment period on these rulemakings. The former Clinton Administration, in its rush to issue a flurry of midnight regulations, overlooked both Congressional and public displeasure with these mandates and issued the final rule in the Federal Register in January.

I am particularly troubled by the proposed rules as they pertain to household clothes

washers. Nearly 81 million American households have washers and roughly 10 million new units are shipped every year. The impact of this new rule would effectively double the price of purchasing a new washer and eliminate consumer choice through a defacto mandate of side-loading washers. Many have argued that the proposed standards for clothes washers could be met with conventional top-loading designs, but the reality is that a side-loading washer design is the only means of achieving these efficiency standards.

The cost increases associated with these pending regulations are extravagant. DOE estimates the cost to average consumers to be: $240 more for clothes washers, $274 more for residential central air conditioners, and $486 more for residential heat pumps. In fact, these products are available now and people do not buy them. Side-loading washers make up less than 12% of the washers sold in the U.S. today.

Also, the new washing machines required by this regulation will require an additional ten minutes in run time per wash. Moreover, these machines will require a special brand of soap manufactured specially for these washers. In addition, fears exist that these appliances will require more expensive servicing.

I am especially concerned that consumers have not been made aware of these mandates, and believe a 60-day comment period was insufficient to receive proper input. The poor, the elderly and those on fixed incomes cannot afford such a drastic change in price for the purpose of cleaning our clothes. The American public is not aware that this misguided regulation is being foisted upon them. We should trust the American people to make their own choices and have control over their own lives.

Accordingly, I am introducing Congressional Review Act (CRA) resolutions to rescind these misguided regulations. The American consumers deserve no less.

THE RETIREMENT SECURITY ACT OF 2001

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. NEAL. Mr. Speaker, today I am introducing along with Messrs. RANGEL, MATSUI, COYNE and ANDREWS, the Retirement Security Act of 2001. This legislation expands and improves pension coverage for low- and moderate-income workers, by providing a direct incentive for these workers to save for their retirement through pension plans offered by their employers or through an Individual Retirement Account (IRA).

There are three provisions in this legislation. First, the savings proposal allows eligible low- and moderate-income taxpayers to receive up to a 50 percent tax credit for contributions to an IRA or to an employer sponsored defined contribution pension plan, like a 401(k) plan. The credit is refundable so that workers who have little hope of saving for retirement right now might be encouraged to do so under this bill. It is this group of workers who are most at risk of retiring without adequate retirement savings, and it is this group which has proven to be the most difficult to bring into the pension system. They need additional incentives to help get them off the ground, which is why a refundable credit is key to any proposal to expand pension coverage to this group.

The 50 percent refundable credit would be available for single taxpayers with adjusted gross incomes up to $12,500, and up to $25,000 for joint returns. The credit amount phases down from fifty percent to zero between $25,000 and $75,000 on a joint return. The maximum credit amount would be $1,000. The credit would be claimed on the federal income tax form. While it might be more appealing to workers if the money was given to them up front, a tax credit provides the most efficient form of delivery.

The next two provisions of the bill provide tax credits to small businesses to expand pension coverage and participation. First, a small business tax credit would be given to small employers of 100 or less employees equal to 50 percent of administrative and retirement education expenses for the first three years of a newly established qualified pension plan.

The second small business credit would be for employer contributions to new qualified pension plans, also for up to three years. Under this provision, small employers could take a 50 percent tax credit for employer contributions made to any pension plan on behalf of any non-highly compensated employees covered under the plan. All of these provisions would generally be effective after December 31, 2001.

Mr. Speaker, this is a summary of the provisions contained in this bill. I believe it directly and firmly addresses the issues of pension coverage, participation, and savings for a group of workers who need this help because they are currently excluded from our pension system. This bill would expand the number of employees covered by plans and would provide a strong incentive for many individuals in a plan to save additional amounts for their retirement. In addition, the bill provides needed incentives for small businesses to offer pension coverage to their employees.

I hope the Committee on Ways and Means will consider this approach carefully as an addition to any pension legislation that the Committee adopts this year.

CELEBRATING GREEK INDEPENDENCE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. FILNER. Mr. Speaker, I rise to celebrate with my colleagues the 180th anniversary of Greek independence. Greek culture has been a foundation for the world, spreading from the dense forests of India to the shores of the United States. Its contributions pervade the sciences, arts and literature, and political theory and practice.

The most important influence came from the polis (city-state) of Athens. Unlike the city-states of Corinth, whose mastery of trade and commerce gave it prominence, or Sparta, whose discipline and military gave it strength, Athens drew its power from ideas. The leaders of Athens recognized the equality of its citizens; that progress would be made in stressing not the strength, class, or wealth of any individual, but his ability.

Recognizing that ability is a product of each person's character and not an attribute fated in birth, they strove to promote opportunity for each Athenian citizen to live to the best of his abilities. They concluded that in order for its society to be open, free, and just, the optimal type of government was one in which the people could directly participate in their governance. Because of its democracy, Athenian civilization achieved unparalleled influence, not only during its time, but historically as well.

But we are also paying tribute to the reemergence of Greek independence. After hundreds of years of governance by foreign powers, the people of Greece rose up as gloriously as their mythological heroes to overcome the Ottoman Empire. Greece's triumphant return to independence in 1821 symbolizes that the light of democracy can only be eclipsed, but never extinguished.

Yet we also learn from the Greeks that there can be a negative effect of military, financial, and cultural success: hubris, or arrogant pride. This, as much as anything else we learn from Greek civilization, is crucial for us to understand and learn. Greece, at the height of its power, because of complacency, neglect, and pride became a victim of its own success. And we must learn from this failure as much as from its success. In the spirit of Greek thought and examination, we must ask ourselves: Will we be guilty of inciting our adversaries, of manipulating our neighbors and allies? Will we destroy the rights and life of an individual so the majority will not be bothered by criticism and truth?

The United States owes many of its achievements to what we have learned, or borrowed, from the Greeks. Our two histories are very much intertwined. We now bask in the light of our own Golden Age. But we must realize that what befell the Athenians, the Spartans, and the Corinthians could happen to us. What we do with our Golden Age dictates our future for years to come. The decisions we make, both domestically and internationally, are critical to our future, even at the height of our power. What will be said of us two millenia from now? Will we be judged a success—or a failure?

Today, we celebrate the freedom of those who first gave birth to the very concept. The enduring legacy of Greece lies as much in the triumph of regaining independence as much as in its first establishment. We honor the Greek spirit and celebrate the liberation of a people and culture whose gifts transcend all ages.

AMENDMENTS TO THE TAXPAYER RELIEF ACT OF 1997

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SHAW. Mr. Speaker, today I am introducing a bill that would eliminate a trap for the unwary that was inadvertently created with the Taxpayer Relief Act of 1997. The bill would clarify the treatment for foreign tax credit limitation purposes of the income inclusions that arise upon a transfer of intangible property to a foreign corporation.

Section 367(d) of the Internal Revenue Code provides for income inclusions in the

form of deemed royalties upon the transfer of intangible property by a U.S. person to a foreign corporation. Prior to the 1997 Act, these income inclusions under section 367(d) were deemed to be U.S.-source income and thus were not eligible for foreign tax credits. The international joint venture reforms included in the 1997 Act eliminated this special source rule and provided that deemed royalties under section 367(d) are treated as foreign-source income for foreign tax credit purposes to the same extent as an actual royalty payment.

The amendments made by the 1997 Act were intended to eliminate the penalty that was provided by the prior-law deemed U.S. source rule and that had operated to discourage taxpayers from transferring intangible property in a transaction that would be covered by section 367(d). Prior to the 1997 Act, in order to avoid this penalty, taxpayers licensed intangible property to foreign corporations instead of transferring such property in a transaction that would be subject to section 367(d). The 1997 Act's elimination of the penalty source rule of section 367(d) was intended to allow taxpayers to transfer intangible property to a foreign corporation in a transaction that gives rise to deemed royalty payments under section 367(d) instead of having to structure the transaction with the foreign corporation as a license in exchange for actual royalty payments.

However, the intended goal of the 1997 Act provision is achieved only if the deemed royalty payments under section 367(d) not only are sourced for foreign tax credit purposes in the same manner as actual royalty payments, but also are characterized for foreign tax credit limitation purposes in the same manner as actual royalty payments. Without a clarification that deemed royalty payments are characterized for foreign tax credit limitation purposes in the same manner as an actual royalty payment, there is a risk in many cases that such deemed royalties would be characterized in a manner that leads to a foreign tax credit result that is equally as disadvantageous as the result that arose under the penalty source rule that was intended to be eliminated by the 1997 Act.

The bill I am introducing today provides the needed clarification that deemed royalties under section 367(d) are treated for foreign tax credit limitation purposes in the same manner as an actual royalty, ensuring that the penalty that was intended to be eliminated with the 1997 Act is in fact eliminated. Without this clarification, a taxpayer that transfers intangible property in reliance on the 1997 Act will find that its transfer is in fact effectively subject to the penalty that the taxpayer believed had been eliminated. Without the clarification, those taxpayers that have structured their transactions in reliance on the 1997 Act provision will be worse off than they would have been if the purported repeal of the penalty source rule had never occurred and they had continued to structure their transactions to avoid that penalty. This bill will achieve the intended goals of the 1997 Act and prevent a terrible trap for the unwary that has been inadvertently created.

COMMENDING THE GOVERNMENT OF BULGARIA

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BONILLA. Mr. Speaker, I commend the leadership of the government of Bulgaria for its ongoing interest in and support for modernization of the Maritza III East thermal plant. I urge the sitting Parliament in Sofia to express their support for this project by granting, all necessary government approvals before their scheduled dismissal prior to the upcoming, general elections. This will ensure that this important project can move forward expeditiously and successfully.

The Maritza III East thermal plant project has benefits that are well documented and widely-acknowledged at the local, regional and national levels. When the refurbishment work begins, more than $75 million in local goods and services will be purchased and more than 600 construction jobs will be created.

Regionally, refurbishment of the Maritza III East power plant will reduce sulphur dioxide emissions by as much as 90 to 95 percent. The refurbished power plant will meet the emissions requirements of the World Bank, European Union, the Bulgarian government, which in turn, will fulfill important criteria for Bulgaria's ultimate entry into the European Union. Also at the regional level, the joint venture (Entergy & NEK) company that will operate the rehabilitated power plant will provide direct and indirect tax revenues to Bulgaria and to the Galabovo municipality in the Stara Zagora region.

On a broader scale, modernization of this power plant will have several positive impacts on Bulgaria's national economy. Long-term, modernization of this power plant will move Bulgaria closer to competitive energy independence.

INTRODUCTION OF THE EXPENSING TECHNOLOGY REFORM ACT OF 2001

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WELLER. Mr. Speaker, today, Representative NEAL and I have introduced legislation which will update the existing depreciation schedules for high tech assets. Currently, businesses must depreciate much of their high tech equipment over a 5 year period. This bill would allow businesses to expense these assets.

The 5 year depreciation lifetime for tax purposes is outdated since many companies today must update their computers as quickly as every 14 months in order to stay technologically current. We allow businesses to expense their computers, peripheral equipment, servers, networks, wireless telecommunications equipment, software, high tech medical equipment and copiers in this bill.

This will stimulate the economy! According to a study conducted by the Printing Industries of America, printers would purchase 20 percent more computers if the depreciation schedules reflected the actual life of the equipment.

It is time to update an outdated tax code to reflect the realities of today's technology-based workplace. A 5 year depreciation schedule for high tech equipment is no longer realistic.

This legislation will allow every company, from the neighborhood real estate office, to the local hospital, to the local bank to fully depreciate, or expense, their high tech equipment during the tax year in which the equipment is purchased. As a result, these companies will no longer be forced to keep their equipment ''on the books'' for tax purposes long after its useful life has become obsolete.

Mr. Speaker, I look forward to working with you and my colleagues to get this important pro-business legislation signed into law.

PERSONAL EXPLANATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WALDEN of Oregon. Mr. Speaker, due to my presence at a funeral in Oregon on Tuesday, April 3, I was not able to participate in any roll call votes that took place on that day. If I had been present, I would have voted ''yea'' on roll call votes #76, #77 and #78.

HONORING THE 50TH ANNIVERSARY OF WMUK RADIO

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. UPTON. Mr. Speaker, I rise today to honor the 50th Anniversary of one of the finest radio stations in my state of Michigan, and indeed the entire Midwest, WMUK, of Kalamazoo, Michigan.

Like many of our country's greatest institutions, WMUK had modest beginnings. In 1951, based on the campus of what was then Western Michigan College, WMUK was founded under the call letters WMCR. WMCR was only on the air for a few hours each day and early programming consisted of music and instructional programs. At the time, WMCR was a pioneer in radio. As such, it was the first FM station in Kalamazoo.

Over the years, WMCR's development mirrored the growth of Kalamazoo. For example, in 1961, WMCR changed their call letters to WMUK to reflect Western Michigan College's name change to Western Michigan University. A few years later, in 1965 WMUK was the first radio station in Kalamazoo to begin broadcasting in stereo. Over the years, as the station's popularity has grown so has their signal strength. From a meager 400 watts in 1951, today, WMUK broadcasts at 50,000 watts.

Today, after 50 years, WMUK is a cornerstone of the Kalamazoo community. I am pleased to say that WMUK is now on the air 21 hours a day offering a wide variety of programming to suit the diverse tastes of our community.

Mr. Speaker, I ask that these remarks be made part of the permanent record of the

Congress so that other public broadcasters can emulate the quality example that WMUK has set across our country.

VETERANS MEMORIAL ENHANCEMENT ACT

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. JOHN. Mr. Speaker, a few months ago, a Vietnam Veterans memorial in my district was vandalized, and the cost to repair the memorial is estimated to be $4,000. When I learned of the damage done, I contacted the Department of Veterans Affairs and a number of other federal agencies, and I came to realize there was no federal assistance available for these organizations. While federal veterans memorials are taken care through the National Park Service, local monuments and memorials which are scattered across the nation receive no such assistance. A joint venture with the federal government and veterans is the perfect answer to this unfortunate problem. It requires private organizations to take the initiative as well as provide their own funding to complete the refurbishing.

The bill I am proud to introduce today will do just that. The Veterans Memorial Enhancement Act is a simple and straightforward bill which establishes a grant program for Veterans Service Organizations who need financial assistance in refurbishing or repairing aged or harmed veterans memorials. The grant would provide federal funding for up to fifty percent of the total project cost, thus encouraging local veterans and providing them with the resources necessary to ensure that veterans memorials are treated with the respect they deserve. Even in this time of peace, it is important that we remember and recognize the sacrifices our veterans have made, and I urge my colleagues to join me in cosponsoring the Veterans Memorial Enhancement Act.

PREVENTIVE SCREENING FOR COLORECTAL CANCER

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. SLAUGHTER. Mr. Speaker, I am proud to introduce the Eliminate Colorectal Cancer Act, a bill that can save the lives of thousands of people who might otherwise succumb to a type of cancer that could be prevented. This legislation seeks to address the lack of coverage for colorectal cancer screening by all health insurers.

I am proud to introduce this bill along with my distinguished colleagues, Senator EDWARD KENNEDY and Representative CONNIE MORELLA, as well as colorectal cancer survivors and groups dedicated to the effort of preventing this disease.

Colorectal cancer is the second leading cause of cancer death in the U.S. for men and women combined. An estimated 56,700 people will die from colorectal cancer this year and I in 17 people will be diagnosed with colorectal cancer in their lifetime.

This is an unspeakable tragedy because colorectal cancer is preventable, treatable, and curable when detected at an early stage. When colorectal cancer is detected before it has spread, the five year survival rate is over 91 percent.

Further, colorectal cancer is just about the only cancer we know how to prevent. If polyps are discovered in the colon, they can be removed before they become cancerous and the cancer will never develop.

And yet tens of thousands of Americans continue to die from this disease, mostly because their cancer is detected at a later, less treatable stage.

No one should die of colorectal cancer. This cancer is preventable and detectable. It is slowgrowing and easy to stop in its tracks. The fact that over 56,000 Americans die of this disease is nothing more than a massive failure of our preventive health system.

We need to do more to educate Americans about the ways they can avoid this deadly disease. Too many misconceptions persist about colorectal cancer.

For example, many women consider colorectal cancer a man's disease, but it is an equal opportunity killer. In fact, the American Cancer Society estimates that more women than men will die of colorectal cancer this year.

Federal agencies such as the Centers for Disease Control, the National Cancer Institute and Department of Health and Human Services have worked together to develop a nationwide colon cancer awareness and education program. Grassroots efforts by individuals like as Kevin Richardson of the Backstreet Boys are also critical to improving public health and awareness.

Today we continue our efforts to combat colorectal cancer. Too many people are failing to have regular colorectal cancer tests because their insurers will not pay for a screening exam in the absence of symptoms.

What makes colorectal cancer so insidious is that there are often no symptoms until the cancer is widespread.

Our legislation will require insurers to cover a regular colorectal cancer screening exam. Doctors and patients will be able to decide together the appropriate screening method and frequency of testing.

For many Americans, denial of insurance coverage equals denial of care. They simply cannot afford to pay for these tests out-of-pocket when they are already paying thousands of dollars per year for insurance. A colonoscopy costs around $1000 per test.

Our bill makes sense for both consumers and insurance companies. Colorectal cancer screening is cost-effective, considering that treatment for a patient with an advanced form of cancer can easily be $40,000 or more.

In fact, many insurers do cover colorectal cancer screening. But in order to make a meaningful impact and save lives, all insurers should give their enrollees access to this vital form of screening.

Here in the House of Representatives we have already have the support of 48 original cosponsors. The bill would require all insurance plans to cover colorectal cancer screening in accordance with recognized guidelines, such as those issued by the American Cancer Society.

I am proud to be a part of this effort to ensure that all Americans can get tested for colorectal cancer. I look forward to working with everyone here to pass our legislation as soon as possible.

APRIL 26, 2001 IS NATIONAL D.O. DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. DINGELL. Mr. Speaker, Thursday, April 26, is National DO Day. We recognize the more than 47,000 osteopathic physicians (D.O.s) across the country for their contributions to the American healthcare system. On National DO Day, more than 500 members of the osteopathic medical profession, including osteopathic physicians and medical students, from 40 states will descend upon Capitol Hill to share their views with Congress.

For more than a century DOs have made a difference in the lives and health of Americans everywhere. They have treated presidents and Olympic athletes. They have contributed to the fight against AIDS and the fight for civil rights. DOs are represented at the highest levels of the medical profession. Indeed, the U.S. Assistant Secretary of Defense for Health Affairs, the chief medical officer for the U.S. Coast Guard, and the Surgeon General of the U.S. Army are all osteopathic physicians.

As fully licensed physicians able to prescribe medication and perform surgery, DOs are committed to serving the health needs of rural and underserved communities. They make up 15 percent of the total physician population in towns of 10,000 or less. In addition, 64 percent of DOs practice in the primary care areas of medicine, fulfilling a need for more primary care physicians in an era marked by the growth of managed care.

More than 100 million patient visits are made each year to DOs, making them the physician of choice for many people. That's because DOs approach their patients as ''whole people.'' They don't just treat a specific illness or injury. DOs take into account home and work environments, as well as lifestyle, when assessing overall health. This distinct approach provides Americans with the highest quality of healthcare—patients seen as people, not just illnesses or injuries.

From the state-of-the-art healthcare facility in a major city to a clinic in a rural Michigan community, DOs continue to practice the kind of medicine that Andrew Taylor Still envisioned over 100 years ago when he founded the profession.

I am pleased that on National DO Day more than 30 representatives of the osteopathic medical profession will be visiting our Capitol from Michigan. These representatives are practicing osteopathic physicians and osteopathic medical students from the Michigan State University College of Osteopathic Medicine. To the nearly 5,000 osteopathic physicians in Michigan, the approximately 520 students at MSUCOM and the 47,000 DOs represented by the American Osteopathic Association—congratulations on your contributions to the good health of the American people. I look forward to working with you to further our mutual goal of continually improving our nation's healthcare.

INTRODUCTION OF THE COMMUNITY CHARACTER ACT OF 2001

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing the Community Character Act of 2001. This legislation will provide state grants to develop or revise state land use plans and planning legislation that underpin local and state efforts to address public transit, affordable housing, environmental and other livability issues.

States, tribal governments, and native Hawaiian organizations would be eligible for grants of up to $1,000,000 each upon application approval by the Secretary of the Department of Housing and Urban Development. Total appropriations would be limited to $50 million each year. Applicants that receive grants would be required to provide 10 percent in matching funds. Funds may be used to obtain technical assistance in drafting land use planning legislation; carrying out research and development for planning programs; conducting workshops, educating and consulting for local officials and policy makers; and involving citizens in the planning process.

I submit the following letters of endorsement from the American Planning Association, National Association of Realtors, and the American Society of Landscape Architects to be included in the CONGRESSIONAL RECORD.

AMERICAN PLANNING ASSOCIATION,
Washington, DC, April 4, 2001.

Hon. EARL BLUMENAUER,
House of Representatives,
Washington, DC.

DEAR REP. BLUMENAUER: The American Planning Association is pleased to endorse the Community Character Act of 2001. APA is heartened by the introduction of this legislation and the assistance it would provide to the numerous states and communities struggling with the consequences of change, whether it be growth and development or economic decline. This legislation recognizes that the Federal government can, and should, be a constructive partner with those communities seeking innovative solutions to improving local quality of life through better planning and land use. APA, with more than 30,000 members, is the largest private organization working to promote planning for communities that effectively meets the needs of our people, now and in the future.

Planning is the single most effective way to deal with growth issues facing states and communities. Passage of the Community Character Act is among the most important and beneficial things Congress could do to help promote local solutions to such pressing issues as downtown revitalization, traffic congestion, urban sprawl and open space protection

This legislation responds to widespread citizen interest in—smart growth by providing critical resources to help state and local political leaders, business and environmental interests, and others manage change. In a recent national voter survey, APA found that an overwhelming majority of Americans, regardless of political affiliation, geographic locale, or demographic group, believe Congress should take action to support state and local smart growth initiatives. Seventy-eight percent of those surveyed believe it is important for the 107th Congress to help communities solve problems associated with urban growth. Moreover, three-quarters of voters also support providing incentives to help promote smart growth and improve planning.

The Community Character Act provides vital assistance to meet the serious challenge of reforming outdated planning statutes and supporting planning as the basis for smart growth. Currently, more than half the states are still operating under planning statutes devised in the 1920s. And, even in those states with updated planning laws, comnunities are struggling to find and implement tools to grow smarter and in ways consistent with the values and vision of the citizens. Thus far in 2001, twenty-seven governors have initiated some type smart growth proposals and there is pending legislative or executive activity related to planning, growth and land use in twenty-two states. This is happening in states as diverse as Oklahoma and New York, Montana and Massachusetts.

This bipartisan legislation would provide $50 million to states, multi-state regional programs and tribal governments to assist in revising land use planning legislation and developing comprehensive plans. The bill is intended to support efforts to promote improved quality of life, economic development and community livability through planning reform. Grants could be used to obtain technical assistance and support for a state's review of growth and planning laws. Activities such as researching and drafting state legislation, conducting workshops, holding public forums, promoting regional cooperation and supporting state planning initiatives would qualify for federal assistance.

Under the Community Character Act states are encouraged to create a framework for smart growth planning, but the bill avoids dictating land use policies. In the best sense, it is a 'funded non-mandate.' The Community Character Act specifically acknowledges that land use planning is rightfully a local and state prerogative. The bill seeks to encourage states to provide their cities, towns, counties and regions with innovative and updated tools for managing the many challenges presented by growth. Communities would not be forced to pursue smart growth strategies but the legislation would provide assistance to those states that have chosen to do so. Grant guidelines call for comprehensive planning that coordinates transportation, housing and education with infrastructure investments and conserves historic, scenic and natural resources. The bill also acknowledges that it is the collective vision and values of citizens that should guide planning.

Land use planning should not stop at arbitrary jurisdictional boundaries. This bill seeks to promote a vision of land use planning and resource management that works for regions by allowing multi-state regional project to qualify for funding. The legislation also encourages greater cooperation between local planning and federal land management planning. Additionally, the legislation recognizes and seeks to address the tremendous need for planning and community development by the nation's tribal governments.

This legislation promotes smart growth principles and encourages state to create or update the framework necessary for good planning. It creates a federal partnership with communities through incentives, not mandates. The bill does not mandate that states implement specific changes but rather seeks to support and inform that process once it is underway. This program is a small investment that will bring substantial dividends in improving the livability of cities, towns, and neighborhoods throughout the nation.

The American Planning Association applauds your outstanding leadership and vision in introducing the Community Character Act and urges the House of Representatives to enact this legislation.

Sincerely,

BRUCE MCCLENDON, FAICP
President.

NATIONAL ASSOCIATION OF REALTORS,
Washington, DC, April 3, 2001.

Hon. EARL BLUMENAUER,
Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE BLUMENAUER: On behalf of its more than 760,000 members, the NATIONAL ASSOCIATION OF REALTORS® (NAR) supports your introduction of the Community Character Act, which would provide grants to assist state governments in developing or updating their land use planning legislation.

NAR supports this bill because it: Recognizes that land use planning is rightfully a State and local government function; provides needed assistance to states and localities to better plan for inevitable growth; requires that planning performed under this Act must provide for housing opportunity and choice and promote affordable housing; promotes improved quality of life, sustainable economic development, and protection of the environment.

In adopting our Smart Growth principles, NAR recognized that property owners, homebuyers, and REALTORS® have a great deal at stake in the debate over livability and growth. REALTORS® are outspoken advocates for policies that preserve housing choice and affordability while protecting and improving the quality of life of our communities.

It is our experience that when communities have not planned for growth, they may overreact to growth pressures by adopting excessive regulations that distort real estate markets and make homeownership less attainable. Planning in advance to accommodate growth and protect the quality of life is the better approach, and the Community Character Act would promote this needed planning.

We commend your efforts in introducing the Community Character Act and we look forward to working with you toward its adoption.

Sincerely,

LEE L. VERSTANDIG,
Senior Vice President,
Government Affairs.

AMERICAN SOCIETY OF
LANDSCAPE ARCHITECTS,
Washington, DC, April 3, 2001.

Hon. EARL BLUMENAUER,
Longworth Building,
Washington, DC.

DEAR CONGRESSMAN BLUMENAUER: On behalf of the American Society of Landscape Architects (ASLA) and its 14,000 members, I'm writing to convey my strong endorsement of ''The Community Character Act'' (CCA) you have sponsored. ASLA applauds your leadership in promoting legislation that will support state and tribal efforts to develop and update land use plans.

ASLA supports the Community Character Act as an effective tool to promote more livable communities and stewardship of the natural environment, both of which are important aspects of the landscape architecture profession.

Americans are increasingly aware and concerned about the byproducts of unmanaged growth—loss of open space, congestion, strip malls, and loss of ecological boodiversity—as clearly indicated by surveys and the passage of numerous local ballot initiatives to address growth. CCA responds to these concerns by authorizing funding assistance to

states and tribal governments that request help in implementing their respective visions of sustainability.

In addition to minimizing some of the harmful impacts that unplanned development can have on local and regional ecosystems, good planning and design makes smart business sense. Planning and design help to create communities with character—places where people want to be. As more people are attracted to such places—both residents and tourists—local economies flourish.

CCA has garnered bipartisan support, as well as the endorsement of a broad array of organizations, including planners, conservationists, preservationists, and the National Association of Realtors.

Thank you again for your sponsorship of ''The Community Character Act'' and your continued commitment to enhancing more livable communities across America. I look forward to working with you to enact this legislation.

Sincerely,

NANCY C. SOMERVILLE,
Executive Director.

SMART GROWTH AMERICA,
Washington, DC, April 4, 2001.

Hon. EARL BLUMENAUER
Hon. WAYNE GILCHREST,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BLUMENAUER AND REPRESENTATIVE GILCHREST: Smart Growth America would like to commend you on the introduction of the Community Character Act of 2001. We support both the bill and your efforts to assist states, multi-state regions and tribal governments in their efforts to revise their land use planning legislation and develop comprehensive plans.

Planning for future growth and directing development so that it strengthens existing communities while building upon their physical, cultural historical assets is integral to smart growth. We applaud your foresight and willingness to help states, tribal government and regions in their ongoing efforts to achieve smart growth by coordinating transportation, housing and education infrastructure investments while conserving historic, scenic and natural resources.

The Community Character Act makes the federal government a partner in the ongoing efforts of states, regions and tribal governments that want to plan for future growth. We applaud your efforts and look forward to working with you to pass this timely legislation.

Sincerely,

DON CHEN,
Director,
Smart Growth America.

DISTRICT OF COLUMBIA COLLEGE ACCESS ACT TECHNICAL CORRECTIONS ACT OF 2001

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. NORTON. Mr. Speaker, today, I am pleased to introduce the District of Columbia College Access Act Technical Corrections Act of 2001. I am particularly pleased and appreciative to be joined by my colleagues, D.C. Subcommittee Chair CONNIE MORELLA and former Chair TOM DAVIS, who are original cosponsors of this bill and were original cosponsors of the landmark College Access Act that has proved so successful.

This bill is necessary to correct three problems that have arisen in the administration of the District's Tuition Assistance Grant Program, authorized in 1999 with the passage of the District of Columbia College Access Act. The Act allows D.C. residents in-state tuition at public colleges and universities nationwide or a $2500 stipend at private colleges and universities in the region.

First, the bill amends the College Access Act to remove a provision limiting the benefits of the Act to residents who graduated from high school before January 1, 1998. The bill would allow current college seniors and a smaller group of juniors who are presently excluded from the program, but are otherwise eligible for College Access Act benefits to receive those benefits. The arbitrary cutoff date, which was not included in the bill passed by the House, was put in the bill in the Senate out of concern that there might not be enough money to cover all eligible students. Fortunately, the evidence does not support this assumption, allowing the students eligible in the original House bill to be funded. The District has received over 3500 applications and placed over 1600 students at colleges and universities across the country. The program's $17 million appropriation was originally derived with the assumption that current college juniors and seniors would indeed qualify, and the program currently has the funds to allow these students to participate. It is inherently unfair for D.C. residents who are college freshmen and sophomores to get the benefit, while students who are juniors and seniors do not.

Second, the bill removes the arbitrary three year deadline for college admission in order to be eligible for the benefits in the College Access Act. The bill as passed in the House never intended to deny in-state tuition to students who had to work after high school or who have decided to get a college degree later in life. The three year deadline language was also placed in the Act by the Senate to control the cost of the program. However, the District has done a study of the data and it is clear that it has the funds to include these students in the program. It is unfair to penalize otherwise eligible students because their life circumstances necessitated that they work before entering college. The Congress should applaud and encourage these students. The Department of Education, for example, does not place a similar constraint on its programs.

Third, the bill closes the loophole that currently allows foreign nationals who live in the District to receive the benefits of the Act. The congressional intent of the bill was to provide state university system-type higher education options to D.C. residents, not foreign nationals who happen to live in the District. Most of these students already have the option to take advantage of their own country's higher educational systems. The bill merely mirrors the Department of Education's own statutory requirements on this matter.

The positive impact of the College Access Act on the District of Columbia has been extraordinary. For the first time, D.C. students have the same higher educational choices available to them as residents of the fifty states. This bill seeks only to include those who were arbitrarily left out of the Act from receiving these benefits.

The end of the current school year is rapidly approaching and current college seniors will begin to graduate in May. Because of the necessity for swift passage and the noncontroversial nature of this bill, I am asking Chairwoman MORELLA to seek to have the bill placed on the suspension calendar as soon as we return from recess.

I urge all of my colleagues to support this important, noncontroversial measure.

ELEMENTARY AND SECONDARY COUNSELING IMPROVEMENT ACT

HON. MARGE ROUKEMA

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. ROUKEMA. Mr. Speaker, today I am introducing the Elementary and Secondary Counseling Improvement Act, legislation to provide for elementary and secondary school counseling programs. The epidemic of school shootings across the nation exemplifies the urgent need for school-based mental health services for our youth. Many youth who may be headed toward school violence or other tragedies can be helped if we identify their early symptoms.

The lack of mental health interventions can produce devastating results for children, including disrupted social and educational development, academic failure, substance abuse problems, or juvenile justice system involvement. The bottom line is that we need to identify and treat mental illness in youth at its earliest stages.

In January, Dr. David Satcher, the Surgeon General, released a National Action Agenda for Children's Mental Health, in which it was found that the nation is facing a public crisis in mental health for children and adolescents. According to the report, while one in ten children and adolescents suffer from mental illness severe enough to cause some level of impairment, fewer than one in five of these children receive needed treatment. Dr. Satcher urged that ''we must educate all persons who are involved in the care of children on how to identify early indicators for potential mental health problems.''

According to Dr. Satcher, ''the burden of suffering by children with mental health needs and their families has created a health crisis in this country. Growing numbers of children are suffering needlessly because their emotional, behavioral, and developmental needs are not being met by the very institutions and systems that were created to take care of them.''

We must ensure that children with mental health needs are identified early and provided with the services they so desperately need to help them succeed in school and become healthy and contributing members of society.

Providing mental health services in schools is a wise long-term, cost-effective approach to reducing youth violence, developing a positive school environment, increasing student achievement and improving the overall well-being of our nation's youth. Schools provide a tremendous opportunity to identify potential mental health problems in children. Children spend a high percentage of their time in school, especially during their critical years of learning and development.

Teachers and other school professionals have the chance to identify potential problems and get children the help they need. Schools can provide underserved youth with or at-risk

of emotional or behavioral problems access to the mental health services they need. School-based mental health programs have decreased the number of suspensions and referrals to the principal's office, decreased the use of force, weapons, and threats, and helped students feel safer.

In a March Washington Post article, columnist Abigail Trafford asks, "How many school shootings will it take to focus the nation's attention on unmet mental health needs of children and adolescents?" This is exactly what I have been saying for some time.

The Surgeon General's Report on youth violence cites family connectedness, peer group relationships, and success in school as the three most significant factors influencing the likelihood of young people engaging violent behavior. The Surgeon General describes youth violence as an "epidemic." The report identifies effective programs as those that provide at-risk youngsters with the necessary physical and mental health resources, behavioral interventions, skills development, and academic supports.

Our schools should be equipped to provide early identification, assessment, and direct individual or group counseling services to its students. Teachers should be adequately trained in appropriate identification and intervention techniques. Other solutions being proposed, such as increasing the number of campus security personnel or installing metal detectors in the schools, are indeed important. However, these solutions are merely quick fixes and do not address the needs of the troubled child who contemplates bringing a gun to school. Similarly, I strongly support character education programs for all children. However, it is not enough to teach a child suffering from mental illness right from wrong. It is vital that the child's unmet medical needs also be addressed.

The Elementary School Counseling Demonstration Program (ESCDP) within Title X of the Elementary and Secondary Education Act directs much-needed federal resources for school-based mental health programs. Research shows school-based mental health services are effective in reducing school disruptions and violence. An evaluation of the program on which the ESCDP is modeled found that the number of referrals to the principal's office decreased by nearly half, the use of force, weapons, and threatening of others also decreased, school suspensions were reduced, and students felt safer.

With the increase of violence in our schools, we must reauthorize and expand the Elementary School Counseling Program. Our schools must be better equipped to identify and help youth possibly headed toward school violence or other tragedies.

I strongly urge my colleagues to support this important legislation which ensures that the mental health needs of our nation's children are appropriately addressed.

Mr. Speaker, I submit the text of an article by Abigail Trafford, which appeared in the Washington Post on March 7, 2001 concerning the need for school-based mental health services to address the problem of violence in our schools, to be included in the RECORD.

ANSWER THE WAKE-UP CALL FROM OUR CHILDREN

(By Abigail Trafford)

How many school shootings will it take to focus the nation's attention on unmet mental health needs of children and adolescents?

No one knows what drove 15-year-old Andy Williams on Monday to allegedly fire 30 rounds from a. 22 caliber longbarrel revolver, killing two students and injuring 13 others in Santee, CA. Or why an eighth-grade girl in Williamsport, Pa., pulled out a gun and wounded her classmate today. But in many instances of juvenile violence, the primary cause is undetected and untreated mental illness. To be sure, there are other factors in this level of violence, such as easy access to guns. And most kids with mental health needs do not become murderers.

But after the headlines fade and the tragedy at Santana High School in Santee becomes another statistic next to Columbine—after the calls from parents and neighbors are met to put in more metal detectors in schools and establish hot lines to report threats and weird behavior—where is the long-term commitment to protecting the mental health and emotional development of children?

"You can make a case that youth mental health is the most neglected area in health care," says clinical psychologist Mark Weist, who directs the Center for School Mental Health Assistance at the University of Maryland School of Medicine. "There's a huge gap between their mental health needs and the resources and services that are available to them."

For starters many people still deny that mental illness can occur in children, which increases the stigma. There also aren't enough mental health professionals for young people. Between 12 and 15 million children and adolescents in the United States are in need of mental health services, according to the Surgeon General's Report on Mental Health. There are only about 8,000 child and adolescent psychiatrists in the country. One estimate of the need called for at least 30,000 psychiatrists for this population. There is also a shortage of psychologists, social workers and other mental health workers who are trained to address the emotional and developmental needs of the young.

Services in many parts of the country are fragmented and under-funded. Since the Columbine shootings, the demand for mental health care for children has skyrocketed. With heightened concerns about violence, many schools have adopted a zero-tolerance policy toward disruptive students. In some cities, a typical scenario goes like this: A student makes a threat and is sent by ambulance to a hospital emergency room. There he—usually it's a boy—is diagnosed with a psychiatric disorder but there is no space available in the appropriate level of care whether it's a hospital bed or placement in a special school or residential facility. Either the student "boards" at the hospital until a bed in a mental health unit is found, or he is sent home to wait for outpatient services.

With the move toward zero-tolerance policies, many needy kids are also expelled from school for long periods of time. This often exacerbates their problems and jeopardizes their academic development.

Yet, the most effective arena for providing mental health services for children is the school. A decade of research into school-based health centers suggests that children are more likely to have a problem detected at a school center than in a doctor's office or outpatient clinic. Advocates of comprehensive mental health services in schools point out that such programs can help promote emotional growth as well as detect psychiatric problems early and monitor treatment with medications or therapy.

"There's enough data to suggest that this makes a difference. At the federal level we should look at school-based mental health as routinely as curriculum requirements," says pediatric psychiatrist Richard D'Alli, who directs child and adolescent community programs for the Johns Hopkins Children's Center.

In fact, mental health counseling is the leading reason for visits by students to school-based health centers, according to surveys of users of these centers.

The trouble is that most schools do not have a health center. There are only about 1,400 schoolbased health centers in a country with more than 110,000 schools. About 40 percent of these centers have no mental health services.

These statistics underscore the general lack of psychiatric help for children. Overall, only about a third of kids with a mental illness get any treatment—and only 10 percent get adequate treatment, according to the Surgeon General's report.

It's time to address these needs and not wait for the next shooting. A national commitment to bolster mental health care for children cannot guarantee that there will never be another tragedy like Santana and Columbine. As D'Alli says: "What sets these kids apart? Why are they murderers? We may not have the answer any time soon."

But detecting and treating mental illness in children is one way to reduce the risks of school violence. Researchers know that psychiatric disorders in children arise from a complex mix of factors—genetic vulnerability, social environment, history of traumatic experiences, level of psychological and cognitive strength. They also know that intervention as early as elementary school can protect at-risk children.

"These are troubled kids," continues D'Alli. "The whole concept is to treat [the problem] early. If you don't, you're not sure where it will lead." So why isn't there a louder outcry from parents and teachers for mental health services in schools? Part of the answer is money, Good mental health services are labor-intensive and costly. The other part is leadership.

President Bush was quick to express his sorrow. "When America teaches their children right from wrong . . . our country will be better off," he said. But this problem is not just a moral problem. It's a medical one. And he can do something about it.

ATMOSPHERE OF TRUST MISSING IN BELARUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SMITH of New Jersey. Mr. Speaker, this fall, the Belarusian Government is planning to hold their second presidential elections since independence. Judging by the continuing actions of the repressive regime of Aleksandr Lukashenka, free, fair, and transparent elections—consistent with Belarus' freely undertaken OSCE commitments—will be very difficult to achieve. Democratic elections require an all-encompassing atmosphere of trust and a respect for basic human rights. Unfortunately, recent actions in Belarus do nothing to encourage such trust.

Most recently, on March 25, Belarusian authorities cracked down on participants of the

Independence Day march, arresting and beating several protestors, subsequently fining and jailing some, including Belarusian Popular Front Chairman Vintsuk Vyachorka, who received a 15-day sentence on March 29, Ales Byaletsky, head of the human rights center ''Viasna'', who received a 10-day sentence, and Yuri Belenky, acting chairman of the Conservative Christian Party, who also received a 10-day sentence. Also detained and beaten was 17-year-old Dmitri Yegorov, a photojournalist for a Grodno-based, non-state newspaper.

On the day of the march, Belarusian state television accused the opposition of ''seeking to draw Belaras into some bloody turmoil'', reflecting its increasingly shrill tone of late. Earlier this year, for instance, Belarusian television claimed the CIA was intensifying ''subversive activity'' as the presidential election draws nearer. On March 24, Belarus' KGB chief pledged on Belarusian television to intensify surveillance of foreigners in order to prevent them from interfering in the country's domestic matters.

On March 12, Lukashenka signed Decree #8, which essentially imposes restrictions from abroad offered to NGOs for democracy building and human rights, including election monitoring. Moreover, the Belarusian Government has claimed that the OSCE Advisory and Monitoring Group's (AMG) domestic election observation project does not conform with the Belarusian Constitution and Electoral Code, although nowhere does the law address the conduct of election observation, and the government has resisted AMG efforts to convene a working group regarding the administrative dimension of the elections. Lukashenka himself has asserted that he would ban the training of election observers by non-Belarusian bodies, telling reporters: ''There will be no guerillas in Belarus.'' Earlier this year, Lukashenka also accused the AMG for ''exceeding their mandate,'' saying the OSCE was planning to train some ''14,000–18,000 fighters'' under the guise of election observers.

Mr. Speaker, I am also concerned about recent assaults on religious communities. Last month, the Council of Ministers restricted visits by foreign clergy for ''non-religious'' purposes—including contact with religious and other organizations, participation in conferences and other events, or charitable activities. Government officials are also refusing to register some Reform Jewish communities because they do not have ''legal'' addresses. In February, state-controlled Belarusian television aired a documentary alleging Catholicism as a threat to the very existence of the Belarusian nation. And in January, leaders of Belarus' Protestant community alleged that state newspapers carried biased articles that present Pentecostals as ''wild fanatics.''

Religious freedom is not the only liberty in peril. Freedom of the press and of self expression are also in jeopardy.

Editors of a variety of newspapers are being fined on fictitious and trumped-up charges for violating the Law on Press and Other Mass Media. Various periodicals are being confiscated and destroyed, and distributors of independent newspapers have been arrested. Youth organizations have been accused of engaging in activities that weaken the Belarusian statehood and undermining socioeconomic stability. Teenagers have been arrested for picketing and protesting, and others have been detained for distributing newspapers or pasting stickers advocating reform and calling on the authorities to solve the cases of political disappearances. Belarusian Television and Radio (BTR) has also canceled scheduled addresses to be made by potential presidential candidates or opposition leaders. The Deputy Minister of Education has ordered heads of the educational community to ban seminars conducted by the People's University.

Lukashenka has also undertaken repressive acts against the potential presidential candidates and their families in an attempt to thwart their campaign progress.

Family members of former Prime Minister Mikhail Chigir have become the target of persecution. Chigir's wife has been accused of interfering with the work of the police, and his son, Alexander, has been charged with large scale larceny. Chigir is not the only potential candidate whose actions have been thwarted by Lukashenka. Semyon Domash's meeting with potential voters at the Tourist Hotel was canceled on orders from the Mogilev authorities and a director of the clubhouse of the Brest Association of Hearing-Impaired People lost her job after hosting a February 3 voters' meeting with Domash. Vladimir Goncharik, a labor leader, has had to deal with newly state-created ''unions'' trying to muscle out unions supporting him. Two officials of a manufacturing plant were reprimanded by a Borisov city court for hosting a meeting between Chigir and employees at the plant.

When one looks at these and other recent actions of the Lukashenka regime, the inescapable conclusion is that the regime has created an unhealthy environment in advance of the elections. Mr. Speaker, the regime's behavior is obviously not conducive to the promotion of free and fair elections. A few weeks ago, President Lukashenka stressed the need to establish an atmosphere of trust in bilateral Belarusian-U.S. relations. I strongly encourage Mr. Lukashenka to translate his words into concrete deeds that will encourage this trust and lead to the emergence of Belarus from its self-imposed isolation from the Euro-Atlantic community of democracies.

FHA SHUTDOWN PREVENTION ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LAFALCE. Mr. Speaker, today, along with Represenative FRANK, I will be introducing a bill I filed last Congress, the ''FHA Shutdown Prevention Act.''

This legislation provides standby budget authority for HUD to keep a number of FHA loan programs operating even when they run out of credit subsidy, by drawing on the profits from the other FHA specialty loan programs that make a profit for the taxpayer.

As Congress debates the issue of what we might do with the multi-billion dollar annual FHA surplus, I think most people would agree that the first thing we should not do is shut down important existing FHA loan programs merely because of budget technicalities and Congressional and Executive inaction. Yet, that is precisely what looms on the near horizon, for the second time in less than a year.

Last July, HUD was forced to suspend insurance for a number of multi-family and single family loans in the General Insurance/Special Risk Insurance (GI/SRI) Funds. These included a number of multi-family loan programs, the FHA reverse mortgage program, the 203(k) purchase-rehab program, and other important loan programs for low- and moderate-income families.

These programs were not suspended because FHA as a whole is unprofitable since all of the FHA loan programs combined make a net profit to the taxpayer of over $2 billion a year, according to CBO and OMB. These programs were not even suspended because the GI/SRI Funds as a whole are unprofitable, because the profitable specialized FHA loan programs in the GI/SRI Funds make a profit sufficient to pay for the few specialized loan programs that run a small loss.

The reason HUD was forced to suspend these programs is that Congress in effect pockets the profits from FHA programs and uses them to offset other funding or to increase the surplus, while the programs that are projected to run a small loss require an appropriation for a ''credit subsidy.'' This credit subsidy is calculated as the projected percentage loss per loan times the expected loan volume for each applicable program.

When the credit subsidy runs out, HUD has no legal authority to guarantee new loans for the affected loan programs. Last year, when credit subsidies ran out and Congress failed to enact a supplemental credit subsidy appropriation in a timely manner, HUD was forced to suspend the programs. This year, because of favorable interest rates and increasing demand for the construction of affordable rental housing, it seems likely that we will run out of credit subsidy sometime this spring or summer.

At a time when there is increasing bi-partisan support to increase our supply of affordable housing, it makes no sense to shut down the government's loan guarantee program for private sector development of affordable housing. At a time when there is increasing Congressional interest in reinvesting the huge FHA surplus in other housing programs, it ought to start by reserving a very tiny portion of that surplus to make sure that basic FHA programs are not shut down.

The FHA Shutdown Prevention Act would do just that. Last year, this legislation was supported by the National Association of Homebuilders, the National Association of Realtors, the Mortgage Bankers Association of America, the National Housing Conference, the National Reverse Mortgage Lenders Association, the Home Improvement Lenders Association, the National Renovation Lenders Association, and America's Community Bankers.

Their joint support letter noted that last year's suspension ''caused delays and disruption affecting the multifamily insurance programs and resulted in delays of construction of needed affordable rental housing and will probably result in the loss of some projects that are no longer feasible due to delays. In addition, the shortfall in the credit subsidy appropriation resulted in the suspension of a number of single family insurance programs. . .''

Don't let this happen again this year. I urge Congress to pass the ''FHA Shutdown Prevention Act'' immediately.

SUPPORTING THE NATIONAL CHILDREN'S MEMORIAL FLAG DAY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. STARK. Mr. Speaker, I am pleased to join with my colleague SHELLEY BERKLEY to introduce this concurrent resolution supporting National Children's Memorial Flag Day.

This concurrent resolution supports the commemoration of the 4th Friday of each April as National Children's Memorial Flag Day. In addition this resolution encourages national, State, and local agencies and private organizations to fly the Children's Memorial Flag to remember the children lost to violence and to raise public awareness about the continuing problem of violence against children.

I support this bill nationally because of its successful observance in my Congressional district. In 1996, the Alameda County Board of Supervisors adopted the Children's Memorial Flag Project, and established a National Children's Memorial Day on the fourth Friday in the month of April to remember children who have died by violence. I want to commend Supervisor Gail Steele of Alameda County for her tireless work and dedication to get this resolution adopted. In addition, the California Assembly formally declared the fourth Friday in April as a statewide annual observance day. The Child Welfare League of America has adopted Alameda County's Children's Memorial Flag and promotes it nationally.

This Congressional resolution is particularly timely in the wake of the two school shootings in California at Granite Hills High School in El Cajon, California and Santana High School in Santee, California. Unfortunately, acts of violence against children happen far too often. According to the Child Welfare League of America, three infants and children die from abuse and neglect in the U.S. each day, and ten children die a day as a result of gun violence. In fact, more children lose their lives to criminal violence in the U.S. than in any of the 26 industrialized nations of the world.

We have lost far too many children in violent, preventable deaths. I encourage my colleagues in Congress to work with renewed resolve to ensure that our children have a full opportunity to become healthy and productive adults. Even one child lost is one child too many.

I urge my fellow members to support the National Children's Memorial Flag Day concurrent resolution.

CHESAPEAKE BAY OFFICE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. HOYER. Madam Speaker, I rise today in support of H.R. 642, a bill to re-authorize the National Oceanic and Atmospheric Administration's (NOAA) Chesapeake Bay Estuarine Resources Office.

This bill, which I am proud to be a co-sponsor of, will undertake two new activities that I think will further improve the condition of the Chesapeake Bay. First, it provides $6 Million a year through 2006 for a small watershed grant program. This program will make it possible for local governments and environmental organizations, like the Chesapeake Bay Foundation, to undertake locally led restoration projects. They can use this money for such things as oyster and sea grass restoration projects, the creation of artificial reefs, and the improvement of fish passageways.

Second, it requires NOAA, in cooperation with State resource agencies and the scientific community to undertake a five year study to develop a multi-species management strategy. Let me give you an example of one of things they will investigate. Recently we have seen rockfish population, that was once on the brink of collapse, return. That is good news for the Bay and the watermen who now able to again fish for rockfish. The bad news is that the return of the rockfish may be a contributing factor to the decline of the blue crab stocks in the Chesapeake Bay.

The rockfish is a voracious predator that feeds on blue crab hatchlings. These hatchlings, who often lack sufficient habitat due to a loss of sea grass, are easy prey and are not surviving to breeding age. As we work to restore the Bay we need to develop a strategy that preserve and protect the delicate balance of this ecosystem. This study will give us the baseline information we need to rehabilitate one species without harming another.

The preservation of the Chesapeake Bay is a crucial investment that benefits all Americans. My thanks go to Mr. GILCHREST, Mr. CARDIN, Mrs. MORELLA, Mr. CUMMINGS, and Mr. WYNN for their leadership on this issue.

HONORING INDUCTEES INTO MOBILE SPORTS HALL OF FAME APRIL 4, 2001

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CALLAHAN. Mr. Speaker, I rise today to pay tribute to four outstanding gentlemen who will be inducted into the Mobile Sports Hall of Fame on April 12, 200 1. 1 would like to recognize their extraordinary and tireless service to the people of the state of Alabama. These gentlemen's perseverance and commitment have left a lasting imprint on Alabama sports history. Their efforts have cultivated a fine group of young men and women prepared to combat any of life's challenges.

The first inductee is Charles T. Rhodes, who began his illustrious 42 years of service in 1946 as a teacher and assistant football and track coach at Mobile Training School in Plateau, Alabama. Under Mr. Rhodes' direct supervision the team quickly flourished and went on to win two state championships. Rhodes later became the head football coach and athletic director and guided the school to an astonishing record of 117–44–6. Receiving accolades is becoming quite natural to Rhodes who has received honors as ''Coach of the Year'' three times by the South Alabama Athletic Association and twice by the Mobile County Athletic Association.

In addition to his endeavors in coaching, Rhodes has taught Biology, Economics, American Democracy, American and World History at Mobile County Training School. Furthermore, Mr. Rhodes was a club sponsor, role model and surrogate for many of his students. He was a teacher who excelled above and beyond the call of duty to ensure that all the children received the attention they needed to succeed in school. He brought his expertise to Murphy High School where he served as an assistant principal. While there, Mr. Rhodes provided firm leadership and warm encouragement to both the students and faculty. In the fall of 1973, Rhodes was appointed principal of Toulminville High School.

Another fine individual who will be inducted into the Mobile Sports Hall of Fame is Johnny Brown. Mr. Brown is a graduate of the University of South Alabama and is known as the undisputed king of the Mobile Metro Championship, which is an annual golf tournament played at Azalea City Golf Club.

Moreover, in addition to winning this tournament, Mr. Brown has won more than 150 amateur tournaments, including 14 major titles in Mobile alone. His consistent extraordinary showing at this prestigious golf tournament and others around Mobile is a true testament to Mr. Brown's incredible golfing ability.

Johnny Brown has amazed the city of Mobile with his phenomenal swing and his winning character. However Mr. Brown's contributions far surpass the entertainment he has given all of us through his awe inspiring performances. He has given back to our community and our children through spending much of his time giving assistance and expertise to junior golf in Mobile. Mr. Brown has through his endeavors in sports and commitment to our children, shown us what a true athlete really is.

Judge Lionel W. ''Red'' Noonan is another great man to be inducted into the Mobile Sports hall of fame. Noonan was both an athlete and a probate judge, he has served our country to the fullest of his ability and deserves our sincere praise. He retired from his position as Mobile County's probate judge earlier this year and after 18 years of devout service, he will hang his judge's robe alongside his Alabama football jersey.

Judge Noonan is a native of Mobile as well as a graduate of Murphy High School. He was a four-year letterman on The University of Alabama football team where he was a headstrong fullback. In addition to his accomplishments on the field, Noonan also excelled off the field. His accomplishments and contributions to the university are still felt today.

Red Noonan carried this strong work ethic with him as he left college and moved on to the professional world. He deeply entrenched himself in a number of organizations and groups that share a firm commitment to the betterment of Mobile's communities. Among these are the board of directors of Downtown Mobile Unlimited, Mobile Junior Chamber of Commerce and the Visiting Nurses Association. Judge Noonan is also a member of the Mobile Chapter of the Foreign Policy Association and the Mobile County Recreational Committee.

He has been an instructor at the University of South Alabama and also at Spring Hill College. Mr. Noonan is a WWII veteran and for this reason alone deserves our gracious

thanks. Noonan has made enormous contributions to the citizens of Mobile and will be solely missed. The magnitude of the achievements Mr. Noonan has accomplished speaks for itself. Judge Noonan is a man of character and a true gentleman.

Last, but certainly not least, is a great man named Ray C. ''Buddy'' Lauten whose name has become synonymous with America's Young Woman of the Year (AYWY formerly America's Junior Miss). He has now retired as head of the program after 35 years of hard work and dedication. In his tenure, he helped develop the program into one of the outstanding events of its kind in the country.

Mr. Lauten is a native of Mobile where he grew up and participated in a number of city sports. He was an outstanding football athlete at University Military School (UMS), where he lettered for five years and was honored as an all-city halfback. In basketball in 1945 and 1946, he was the city's top scorer. While at Spring Hill College, he set an iron man record that still stands today, 109 consecutive games there.

Mr. Lauten has given so much to Mobile and its citizens and like his counterparts deserves heartfelt accolades.

These inductees into the Mobile Sports Hall of Fame Mr. Rhodes, Mr. Brown, Mr. Lauten and Mr. Noonan are true champions.

A TRIBUTE TO RAYMOND W. ''JAKE'' ENGELHARD ON HIS INDUCTION INTO THE U.P. LABOR HALL OF FAME

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to the late Raymond W. ''Jake'' Engelhard, a former resident of my northern Michigan congressional district, who spent decades as a miner, a community servant, a local volunteer. Jake was also a union leader, who devoted many years to the labor movement, helping ensure a good quality of life for working men and women.

Jake was born in Rosco, Minnesota and moved to Ishpeming, Michigan, in 1935. He worked as an iron ore miner for 43 years for the Inland Steel Corporation and was the first miner to join the CIO union in the Lake Superior District.

As president of USWA Local 2099 for many years, Jake's effort helped to improve the quality of life for miners on the Marquette Iron Range. Jake was instrumental in waging a successful strike in 1946 that lasted 108 days. Contract demands were met as a result of that strike.

Jake went through many strikes over the years, and he strived tirelessly to improve the wages and working conditions of his fellow workers. He retired in 1970.

In addition to Jake's union activities, he was active in numerous community service and civic organizations. Jake also played on the Ishpeming city baseball team, later coaching the Ishpeming City and American Legion teams.

Jake Engelhard was also a local businessman, the proprietor of the Coffee Pot in Ishpeming during the 1940s. You can be sure, Mr. Speaker, that a good deal of solidarity was served up to each patron along with their orders.

There are many of us in Congress, who are concerned about the impact of world trade—and violations of world trade agreements—on our iron ore production back in Michigan. We fight this fight today with the assistance of administration officials and with the cooperation of varied segments of the steel industry. We fight for this industry, because we know it is vital to both the nation's health and the jobs of the men and women who work in the industry back home.

Men like Jake Engelhard fought an earlier fight on behalf of the working men and women of the iron range, a battle that was vital during its time. But Jake's battles were different. It was the workers themselves with their limited resources, fighting with the weapons of belief in the rightness of their cause and the strength of their united effort. I look for encouragement and inspiration in those old struggles; I am reminded that battles may not be won in a week, a month, a year or perhaps many years. Our men and women who stood on the picket line to improve the lives of families have much to teach us about working on behalf of others.

Jake will be honored Saturday, April 7, 2001, with induction into the U.P. Labor Hall of Fame at a banquet in Northern Michigan University in Marquette, Michigan. It is recognition long due.

INTRODUCTION OF THE CIVIL RIGHTS PROCEDURES PROTECTION ACT OF 2001

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. MARKEY. Mr. Speaker, I am proud to join today with a bipartisan group of colleagues to introduce the Civil Rights Procedures Protection Act of 2001. This bill is designed to reassert workers' rights to have their claims of unlawful employment discrimination.

On March 21, 2001 the U.S. Supreme Court ruled 5–4 that under existing law an employer can require its employees to waive their right to file job-related lawsuits including those involving civil rights, sexual harassment or discrimination. Approximately 10 percent of American workers are covered by similar agreements, which are increasingly used by Wall Street firms, high-tech companies, retailers and other employers seeking to avoid the cost and risks of court cases. This month's Court ruling, encourages more companies to follow this increasingly common practice.

This practice, called ''mandatory arbitration'', requires employees to sign away their fundamental rights to a court hearing. As a condition of hiring or promotion, employers require workers to agree to submit any future claims of job discrimination to binding arbitration panels. Mandatory arbitration is increasingly relied upon by employers in information technology, health care, engineering and other fields. Such requirements are reducing civil rights protection to the status of the company car: a perk which can be denied at will.

The Constitution guarantees every citizen ''equal justice under law''. Forcing employees to choose between their civil rights and their job denies them their right to equal justice. Employees who consent to mandatory arbitration give up their right to due process, trial by jury, the appeals process, and full discovery.

By no means does this legislation ban all use of arbitration. Voluntary arbitration in an impartial setting can be a fair and inexpensive way to resolve a wide range of disputes. But when it Is forcibly imposed on one party with inherently less bargaining power, it ceases to be fair and just.

Our legislation would protect the rights of workers to bring claims against their employers in cases of employment discrimination. By amending seven Federal civil rights statutes to make it clear that the powers and procedures provided under those laws are the exclusive ones that apply when a claim arises, the Civil Rights Procedures Protection Act would prevent discrimination claims from being involuntarily sent to binding arbitration. In short, this bill prevents employers in all industries from forcing employees to give up their right to go to court when they are discriminated against on account of race, sex, religion, disability, or other illegal criteria.

By reinforcing the fundamental rights established under various civil rights and fair employment practice laws, our bill restores integrity to employer-employee relationships. No employer should be permitted to ask workers to check their Constitutional and civil rights at the front door.

THE GET ARSENIC OUT OF OUR DRINKING WATER ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WAXMAN. Mr. Speaker, I rise today to introduce the ''Get Arsenic Out of Our Drinking Water Act.'' This legislation is necessary in order to prevent the Administration from irresponsibly weakening safe drinking water standards for arsenic.

Without question, safe drinking water is critical to protecting public health. Yet two weeks ago we witnessed an extraordinary reversal in our nation's commitment to safe drinking water. Following extensive lobbying by special interests who contributed millions of dollars in campaign contributions, the Bush Administration revoked the new safe drinking water standard for arsenic. This decision threatens the health of millions of Americans who now drink water with elevated levels of arsenic.

In response to this indefensible action, I—along with one hundred and sixty of my colleagues—are introducing legislation that will codify the standard so that the Bush Administration will not have the authority to revoke it.

In January, the EPA responded to the scientific consensus on the health effects of arsenic and ordered that arsenic levels be reduced to 10 parts per billion. EPA took this action in response to a National Academy of Sciences report that recommended that the 1942 standard of 50 ppb be reduced ''as promptly as possible.'' The Academy determined that arsenic is an extremely potent carcinogen that causes bladder, lung, and skin cancer and may cause kidney and liver cancer, birth defects, and reproductive problems.

By adopting this updated standard, the United States joined the rest of the developed world with an arsenic standard that will protect the public's health.

The ''Get Arsenic Out of Our Drinking Water Act'' will protect the public health by codifying the new arsenic standard. It will also double the existing State Revolving Fund authorization to $2 billion annually, so that public water systems will have funds to meet the new arsenic standard.

Since President Bush took office, the Administration has released anti-environmental initiatives at an alarming rate. The Administration's decision to revoke the arsenic standard for safe drinking water is one of the most egregious. American citizens deserve to have safe drinking water. I urge my colleagues to support this important legislation.

TRIBUTE TO THE HONORABLE WILLIAM H. BRADLEY WARE

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. McGOVERN. Mr. Speaker, I rise today to recognize the work of the Honorable William H. Bradley of Ware, Massachusetts. In 1993, Mr. Bradley was appointed by President Clinton to be State Director for the Farmers' Home Administration. After eight years of dedicated service to the Clinton-Gore administration, Mr. Bradley has retired.

Over the past few years, Mr. Bradley has made a difference in the lives of many residents of Southern New England. In focusing on rural development, Mr. Bradley has made sure that the rural population of our region has access to affordable housing, safe drinking water, hi-technology jobs and modern community facilities.

Mr. Bradley's outstanding leadership has brought much good to the rural population of Southern New England. Increased housing funding for our region has helped over 600 citizens achieve the dream of home ownership. More than $25 million has been provided to our district to help the workforce compete in the high-technology economy of the twenty-first century. Community facilities programs have brought essential public safety equipment, town halls and libraries to communities in Massachusetts, Connecticut and Rhode Island. And $21 million in loans and grants have helped make drinking water safe across the region.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in honoring William Bradley for his work and service. His presence in the Department of Agriculture will be sorely missed and I wish him the best of luck in his future endeavors.

INTRODUCTION OF THE FINANCIAL SERVICES ANTIFRAUD NETWORK ACT OF 2000

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. ROGERS of Michigan. Mr. Speaker, recently, indicted financier Martin Frankel was extradited to the United States to face felony charges stemming from financial fraud. Originally a stockbroker, Frankel was permanently barred from the securities industry but migrated to the insurance industry. The Frankel case is illustrative of how bad actors can too easily cross state or industry lines in order to deceive financial regulators.

The Financial Services Antifraud Network Act of 2001 is designed with the Frankel case in mind as it seeks to protect the taxpayers and policyholders who end up paying for these scams and to assist the regulators in preventing them.

There are nearly 200 Federal and State financial regulators in the United States, each with their own separate filing systems and anti-fraud records. Over the past three decades, the agencies have attempted to computerize and coordinate their systems, first internally and then within each industry.

For example, the securities regulators have established the Central Registration Depository run by the National Association of Securities Dealers (NASD) to keep track of most securities brokers. The insurance regulators have been working through the National Association of Insurance Commissioners (NAIC) to establish several databases on licensing, disciplinary actions, and consumer complaints of agents and companies. The banking regulators have been working through the Financial Crimes Enforcement Network to coordinate suspicious activity reports for all banks.

Unfortunately, efforts to coordinate information across industry lines have proven much more difficult. Financial regulators have been developing individual agreements to allow the transfer of information on an ad hoc basis in specific cases. However, the sheer number of regulators, concerns about the confidentiality of shared information, and the technical difficulties with networking computer systems have prevented regulators from being able to share information on an automated basis.

The need to coordinate regulatory anti-fraud efforts is particularly important in light of the recent integration of the financial services industries, such as the implementation of the Gramm-Leach=Bliley Act.

On March 6, 2001, the Subcommittee on Oversight and Investigations and the Subcommittee on Financial Institutions and Consumer Credit of the House Committee on Financial Services held a hearing featuring the regulators and the regulated entities. Following compelling testimony from all the witnesses, I remarked that it was a rare sight to see the regulators and the regulated actually agreeing on the concept of sharing information about fraudulent actors across financial sectors.

Taking the suggestions of our witnesses, the Financial Services Antifraud Network Act was drafted. This pro-consumer legislation has five primary purposes. One, it safeguards the public from ongoing fraud. Two, the bill streamlines regulators' anti-fraud coordination efforts. Three, it reduces duplicative information requests by regulators. Four, the legislation assists regulators in detecting patterns of fraud. Five, new technology is utilized to modernize fraud fighting.

The organization of the network is based around the creation of a computerized network linking existing anti-fraud databases of Federal and State financial regulators and law enforcement agencies. An Anti-Fraud Subcommittee (AFS) would be established within the President's Working Group on Financial Markets to administer the network. The regulators would be able to network anti-fraud information on entities and key professionals in the financial services industry; information would not be shared that is unrelated to financial or fraudulent activities, and shared information would only be available to financial regulators. Under the legislation, criminal conviction reviews currently required for licensing would be coordinated for greater efficiency, consumer protection, and cost savings. Most importantly, confidentiality and liability protection would be provided for all networked information to allow the regulators to share information without losing existing legal privileges.

In addition to the primary purposes of the Financial Services Antifraud Network Act, the bill does not create any new federal bureaucracy, there are no new regulations, no new collection of information is authorized, and absolutely no information is shared on consumers.

In closing, I would like to thank House Financial Services Chairman MIKE OXLEY and his hardworking committee staff for their guidance and assistance in crafting commonsense legislation that will ensure greater protection for consumers.

HONORING CHARLENE DINDO AND JUDY REEVES

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CALLAHAN. Mr. Speaker, I wish today to honor two wonderfully inspirational teachers in my district, Charlene Dindo and Judy Reeves, who have recently been selected as winners of the distinguished National Science Foundation's Presidential Awards for Excellence in Mathematics and Science Teaching. The foundation annually recognizes four teachers per state who have excelled in the fields of Math and Science. Teachers are selected at both the elementary and secondary level and are chosen by the foundation from finalists picked by state education boards. The award recognizes teachers for their exceptional teaching and achieving excellence in the classroom. Each winning teacher is also awarded $7,500 to use at their discretion in an effort to bolster the science departments even further at their respective schools. Charlene and Judy's hard work and dedication has demonstrated their commitment to ensuring a brighter future for Alabama's children.

Charlene Dindo is an environmental science teacher at the Fairhope K–1 Center, where she runs the science lab. She has been teaching since 1978 where she started her long and successful career at Woodstock Elementary. She is known for her environmental science experiments that use the bay, rivers and estuaries as her classroom. Her unconventional teaching style has successfully captivated her students for quite some years and continues to be an incredibly effective method of motivating them.

This is not the first time Charlene has been recognized for her exceptional teaching abilities, in March 2000, she was named the Outstanding Environmental Educator of the Year in a new awards competition sponsored by the

National Teachers Association. Charlene is a true inspiration to her colleagues and her students. Her tireless efforts over the past twenty years have had an enormous impact on the Alabama educational system.

Judy Reeves is an environmental science teacher at Baldwin County High School in Bay Minette. Judy has also been praised for her work, using outdoor activities to inspire her elementary students. In a courageous effort to help children outside her classroom, she successfully instituted a mentor program for younger students in her community. Judy began teaching almost ten years ago at Fairhope High School, and ever since she has been encouraging and inspiring Alabama's children to excel in both Math and Science.

Over the course of the last few years, Judy has become quite accustomed to receiving awards. Numerous agencies and associations including the Alabama Wildlife Federation and the Alabama Science Teachers Association have recognized her for displaying superior teaching and motivational skills. She stands out among her colleagues as an exceptional teacher and her unflagging efforts to better the level of education for Alabama's children must not go unnoticed.

Mr. Speaker, we seldom meet people who give so tirelessly of their time and efforts as Judy Reeves and Charlene Dindo. Sir, please join me in paying tribute to these two wonderful women whose contributions to their community and the children around them are unmatched. May they continue to educate and enlighten Alabama's youth for a number of years to come.

A TRIBUTE TO PAUL H. SELDENRIGHT ON HIS INDUCTION INTO THE U.P. LABOR HALL OF FAME

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. STUPAK Mr. Speaker, I rise today to pay special tribute to Paul H. Seldenright, who has devoted 41 years of his life to the labor movement, working to ensure a good quality of life for working men and women.

Born and raised In Detroit, Paul began his union career in 1960 as a member of United Steelworkers of America, Local 2659, in Trenton, Michigan. His strong interest in politics led to his becoming chairman of his local's Political Action Committee from 1962 to 1968. In 1968 Paul became assistant director for Vice President Hubert Humphrey's Democratic presidential campaign in Michigan, Michigan Citizens for Humphrey.

A number of jobs in state government followed, including Administrative Assistant to the Deputy Secretary of State, Assistant Secretary of State, and Assistant Director of the Senate Democratic Staff. In 1970, Paul served as Associate manager for the successful G. Mennen ''Soapy'' Williams for Michigan Supreme Court Campaign.

In 1973 Paul began working for the Michigan AFL–CIO as coordinator for COPE, the AFL–CIO's political arm. He became COPE director in 1982 and, except for a brief stint as the federation's legislative director from 1984 through 1986, he served in that role until his retirement at the end of 2000. As COPE director, Paul was responsible for organizing and implementing the State AFL–CIO's year-round political program in conjunction with the federation's affiliated unions.

Another important responsibility was serving as liaison between the state AFL–CIO and the Upper Peninsula central labor councils. When Paul first took over this role, there were only four central labor councils in the U.P. He was instrumental in helping form two new councils, the Eastern U.P. Labor Council and the Dickinson-Iron Labor Council.

Paul also served key roles in other U.P. initiatives and activities. Along with former Michigan State AFL–CIO President William C. Marshall, he served on the original planning committee for the Italian Hall project in Calumet. The project, now complete, is considered one of the Northwest U.P. Labor council's most important achievements. Mr. Speaker, the Italian Hall memorial commemorates the deaths of more than 70 people—striking miners, their wives and children—who were killed when fire struck their gathering on Christmas Eve in 1913.

Paul also was a member of the Northern Michigan University Labor Studies Advisory and Planning Committee since its inception in the late 1970s. Since the early 1980s he has coordinated the annual U.P. Labor Conference, considered the U.P.'s most important labor event other than Labor Day.

Although officially retired, Paul maintains an active interest in the labor movement and politics. He and his wife Lesley live in the Lansing suburb of DeWitt.

Paul will be honored Saturday, April 7, 2001, with induction into the U.P. Labor Hall of Fame at a banquet in Northern Michigan University in Marquette, Michigan. With his years of work on behalf of the labor movement in Michigan, Paul Seldenright has more than earned this recognition.

TRIBUTE TO RICHARD BREWER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a remarkable South Carolinian who was named ''MVP 2001'' by the South Carolina State Council of Senior Citizens. Richard Brewer has earned this prestigious honor though his constant dedication to his community.

Mr. Brewer is the first elected president of ILA Local 1422 Retirees, where he continues to serve. He is also on the Executive Board of the South Carolina State Council of Senior Citizens. Family and church have always come first for Mr. Brewer, but he selflessly devotes his time to his Chartered ILA Club. He is active in the politics of South Carolina, leading rallies at the State Capitol dealing with issues ranging from the Confederate Flag to workers rights.

Richard Brewer led the ILA Retiree volunteers in hosting a ''Legislative Breakfast'' in Charleston, South Carolina last year. He also took it upon himself to ensure the attendance of key elected officials, causing the event to be a complete success. The funding for the breakfast was also secured by Mr. Brewer, whose ILA Retirees paid for the event.

Mr. Speaker, I ask you to join me in paying tribute to Richard Brewer and the ILA Local 1422 Retirees. Mr. Brewer has demonstrated tireless dedication and loyalty to the citizens of my state of South Carolina and for this he should be honored.

THE MEDICARE AND MEDICAID NURSING SERVICES QUALITY IMPROVEMENT ACT of 2001

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. POMEROY. Mr. Speaker, today I join my colleague from Wisconsin, Representative PAUL RYAN, in introducing legislation to allow certain non-certified resident assistants to continue to be employed by nursing facilities in North Dakota, Wisconsin, and up to 8 other states under a 3-year demonstration project.

For several years, nursing facilities in these and other states have relied upon single-task employees, specifically assistants who help their residents dine, to supplement professional nurse staffing levels and increase patient care. Unfortunately, the Health Care Financing Administration (HCFA) has given our states' facilities until August 31, 2001 to discontinue the employment of feeding assistants. With the current national shortage in nursing facility employees, the loss of these valuable workers will further strain our nursing homes. Particularly as our elderly population increases in future years, we must ensure that nursing homes do not lose existing staff. Unless Congress acts, significantly fewer trained professionals will be available to ensure that nursing home residents can comfortably and safely enjoy their meals.

In North Dakota alone, 40 percent, or two out of five, of the state's nursing facilities have had to deny new admissions in the past 12 months due to staffing shortages. The state currently has 600 open positions for Certified Nursing Assistants (CNAs). While the North Dakota Long Term Care Association encourages all feeding assistants to become CNAs, many assistants are members of a contingent workforce and are not able to become CNAs due to physical or other limitations.

I understand that certain consumer groups, patient advocates, and labor organizations have concerns regarding the continued employment of feeding assistants in long-term care facilities. I also believe, as do these organizations, that we must act during this Congress to address the nursing shortage in our nation, increase wages for certified and licensed nurse professionals, and improve the work conditions of these individuals. At the same time, I believe that moderate steps can be taken to address the reservations regarding feeding assistants without compromising the ability of nursing facilities to care for our nation's seniors.

Specifically, I support efforts to allow only feeding assistants to continue to be employed by nursing facilities in a few states through a pilot project administered by the Department of Health and Human Services. Under such a program, these assistants augment staffing levels in a facility—they do not supplant professional nurses and are not counted toward any minimum staffing levels. Furthermore,

these feeding assistants would have to complete a state-reviewed training and competency evaluation, and would only complete a limited number of tasks under onsite supervision by a licensed health professional. I believe that these safeguards, among others, would ensure the quality of care without obviating the need for CNAs and other nurse professionals in long-term care facilities.

Mr. Speaker, I look forward to working with my colleagues this year to ensure that our nursing facilities have the staff and resources necessary to care for our families and friends in the years to come.

NATIONAL HEALTH PROMOTION RESOLUTION OF 2001

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. GREEN of Texas. Mr. Speaker, I rise today, along with my colleague Mr. BURTON, to introduce the National Health Promotion Resolution of 2001. This resolution recognizes the importance of health promotion and disease prevention, and expresses the sense of Congress that more should be done to integrate lifestyle improvement programs into national policy, health care workplaces, families and communities.

Modifiable lifestyle factors such as smoking, sedentary lifestyle, poor nutrition, unmanaged stress, and obesity account for approximately half of premature deaths in the United States. Spending on chronic diseases related to lifestyle and other preventable diseases accounts for an estimated 70 percent of total health care spending. With the pending retirement of the baby-boom-generation, the financial burden of these preventable diseases will further threaten the solvency of the Medicare program.

Health promotion programs have the potential to improve health, improve quality of life, reduce health care costs, and boost productivity. The Institute of Medicine has recommended that additional research is required to determine the most effective strategies at the individual, organizational, community, and societal level to create lasting health behavior changes, reduce medical utilization and enhance work-place productivity. Unfortunately, a very small percentage of health care spending, is devoted to health promotion.

The National Health Promotion Resolution of 2001 expresses the sense of Congress that more must be done in this area. In light of the pending crisis facing our Medicare system, the federal government stands to benefit greatly from the potential reduction in costs associated with an aggressive health promotion agenda.

This bipartisan legislation has forty original cosponsors, including the gentleman from Indiana, Mr. BURTON, who has worked closely with me and my office to shape this into a meaningful resolution. It is my hope that we will continue to work together to further our commitment to health promotion and disease prevention.

I urge my colleagues to join us on this important resolution.

SNOWMOBILES IN NATIONAL PARKS

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. HOLT. Mr. Speaker, I am today introducing, with 17 of my colleagues, a bill to protect America's national parks from what is expected to be the next environmental rollback by the Bush Administration—an effort to overturn the National Park Service (NPS) decision to phase out snowmobile use in Yellowstone and Grand Teton national parks.

In response to a 1997 lawsuit, the NPS prepared an environmental impact statement (EIS) on the 100,000 snowmobiles entering Yellowstone and Grand Teton each winter. The NPS determined that those snowmobiles produce noise that can be heard by other visitors as much as 95% of the time, produce more air pollution than all other motor vehicles in Yellowstone throughout the year, and disturb bison and wildlife when they already face the stresses of brutal winter conditions. Because of these and other impacts, the NPS adopted a new rule to phase out by the winter of 2003-2004 all snowmobile use in Yellowstone and most of that use in Grand Teton, with expanded service by snowcoaches (multi-passenger vehicles) to provide continued wintertime access to the parks. The rule, the culmination of a 3½ year process, was published in the Federal Register on January 22, 2001.

Three key facts about the Yellowstone-Grand Teton snowmobile rule:

First, it is strongly supported by the public—by most public comments on the EIS, and fully 85% of the public comments on the proposed rule.

Second, the National Park Service determined not only that the snowmobile use in these parks is inappropriate, but also that it is unlawful. The Service determined that it violates the basic NPS mandate, in its Organic Act of 1916, to keep the scenery, natural and historic objects, and wildlife of national parks ''unimpaired for the enjoyment of future generations.'' The Park Service determines that the snowmobile use violates the Clean Air Act. The Service determined that the snowmobile use violates two Executive Orders, one by President Nixon and one by President Carter, setting standards for snowmobile use in national parks. And the Service determined that it violates the NPS's own general regulation on snowmobile use, in effect since 1983, that prohibits snowmobile use in parks that disturbs wildlife or damages other park resources.

Third, this is the first time in the NPS's 84-year history that it has determined that a use it has authorized in parks has gotten so out of control that it has ended up violating the mandate of the Service's Organic Act. In that sense alone, the NPS decision to end all snowmobile use in Yellowstone and most use in Grand Teton is historic.

Still, the Bush Administration has this rule in its sights. It has already delayed its effective date. Now there are published reports that the Administration wants to settle a legal challenge from snowmobile groups, in a backdoor attempt to overturn the rule without going through a new, public process.

Yellowstone and Grand Teton are not the only national parks where inappropriate and unlawful snowmobile use is occurring.

Last year, in response to a petition by 60 environmental organizations, the NPS acknowledged that much of the snowmobile use it has allowed to occur in other national parks violates, in four separate ways, some of the same requirements that are being violated in Yellowstone and Grand Teton. First, in nearly every instance, the Park Service merely allowed areas that were already open to snowmobile use to stay open, without reviewing them to determine if that use is consistent with protection of park resources, as required by President Nixon's Executive Order.

Second, the NPS has allowed snowmobile use to occur in two parks and on some trails without designating them for that use through a public rulemaking process, which is required by the NPS's general regulations.

Third, the NPS has consistently failed to monitor the effects of the snowmobile use it has allowed to occur, as required by President Nixon's Executive Order.

Finally, the NPS concluded that it has allowed snowmobile use to continue that violates the substantive standards of the two applicable Executive Orders and its general regulations. The Park Service concluded that in many instances snowmobiles disrupt the natural wintertime quiet of the parks, disturb the enjoyment of other visitors, adversey affect wildlife, and otherwise harm the resources, values, and management objectives of the parks, all of which is prohibited by the standards of the Executive Orders and the NPS's own regulations. Based on these impacts, the NPS determined that, in general, recreational snowmobile use is not an appropriate use of most national parks.

The NPS developed a plan to end inappropriate snowmobile use and to come into compliance with the standards governing snowmobile use in national parks. That plan would limit snowmobile use in national parks (other than in Alaska and in Voyageurs National Park, where special statutes apply) to short crossing routes providing access to adjacent public lands open to snowmobile use, and to routes providing necessary access to private lands in or adjacent to parks. Under this approach, of the 43 units of the national park system where some snowmobile use is now occurring, that use would be ended in 12 (including Yellowstone), would be allowed to continue but in more limited fashion in 10 (including Grand Teton), and would be allowed to continue without change in 21.

However, in addition to reviewing the Yellowstone-Grand Teton rule, the Bush Administration has halted the rulemaking process to implement this overall NPS approach to snowmobiles in other parks. Because of the Administration's policy, the NPS has not yet been able to finalize a rule proposed last December to restrict snowmobile use in Rocky Mountain National Park, and has not been able to propose other regulatory changes with respect to other parks.

The legislation my colleagues and I are introducing would legislatively adopt the sound approach the National Park Service developed last year to end inappropriate snowmobile use in national parks and come into compliance with the long-established standards of law that are supposed to govern that use. The bill would allow continued snowmobile use in

parks when that use meets the current standards of law and is necessary to provide snowmobile access to adjacent public lands that are open to snowmobile use, or to provide access to private lands within or next to the parks. The bill would continue to allow snowmobile use without change next winter, to provide time for new regulations to be adopted under the bill. And in Yellowstone and Grand Teton, the bill would allow an extra year before it takes effect, to accommodate the phase-out period established by the Park Service in its recent rulemaking. Finally, the bill would affect only a portion of the 670 miles of snowmobile trails in all national parks—or a mere one-half of one percent of all 130,000 miles of trails in the United States.

Let's end inappropriate snowmobile use that shatters the wintertime quiet of the national parks, pollutes their air, disturbs wildlife, and bothers other visitors to the parks. Let's keep our national parks, our most special lands, unimpaired for the enjoyment of today's Americans and future generations.

INTRODUCTION OF THE NSF AUTHORIZATION ACT OF 2001

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today, I am introducing a bill to authorize funding for the National Science Foundation (NSF) for the next four fiscal years. The bill provides for increases of 15% for each year, which together with the 13% appropriations increase for fiscal year 2001, will result in a doubling of NSF's budget by the fourth year of the bill.

The need for this legislative proposal to provide a substantial funding increase for NSF is beyond doubt, and the case supporting this bill can be simply stated:

Federally supported basic research is fundamental to the nation's economic health;

NSF plays a vital role in support of basic research and education across all fields of science and engineering; and

There is ample evidence that the current level of federal research investment is inadequate, particularly for the physical sciences, mathematics, and engineering.

The connection between research funding and the strength of the economy has been expounded by such diverse sources as former presidential science advisor Allen Bromley, Federal Reserve Chairman Alan Greenspan, former speaker of the House Newt Gingrich, and the Hart-Rudman Commission on National Security.

Dr. Bromley, who was former President Bush's science advisor from 1989–1993, commented on the inadequacy of the research and development portion of the Administration's FY 2002 funding request in a March 9 New York Times op-ed. He pointed out the potential damage of proposed budget cuts for NSF, NASA and the Department of Energy agencies, which he characterized as the three primary sources of ideas and personnel in the high-tech economy. His key point was that the future budget surpluses on which the large proposed tax cut depends are tied to research investments made today. He said:

> The proposed cuts to scientific research are a self-defeating policy. Congress must increase the federal investment in science. No science, no surplus. It's that simple.

The importance of research to the economy was stressed by Federal Reserve Chairman Greenspan in recent testimony before the House Budget Committee also. In response to a question on the need for government support for research, Greenspan responded,

> On the issue of research, there is just no question that if you're going to have technology as the base of your economy, which we do, research is crucial. If we don't [enhance the incentives to do research in this economy], we're going to find that we are in a position where we may have awesome technologies, but if you don't continuously nurture them, they won't continue to exist.

The recent report of the U.S. Commission on National Security/21st Century, known as the Hart-Rudman Commission, makes a strong case for the importance of funding for basic research and technology development. The Commission found that, ''it is from investment in basic science that the most valuable long-run dividends are realized'' and ''[the federal] role remains not least because our basic and applied research efforts in areas of critical national interest will not be pursued by a civil sector that emphasizes short- to mid-term return on investment.'' On the basis of its findings, the Commission recommends a doubling of all federal funding for science and technology research and development by 2010.

In testimony before the House Armed Services Committee on the Hart-Rudman Commission report, former Speaker Gingrich stated that,

> The revolution in science requires larger investments in basic research; we are not getting the money today.

He also pointed out the importance of NSF's support for basic science research.

I agree with Mr. Gingrich on the key role NSF plays in sustaining the nation's research enterprise. NSF-supported researchers have collected 100 Nobel Prizes over the years. They have received recognition for work in the fields of physics, chemistry, physiology and medicine, and economics. In nearly every field of science and engineering are examples of NSF-sponsored research that led to important discoveries and applications:

NSF-funded research in atmospheric chemistry identified ozone depletion over the Antarctic, or the ''ozone hole'' as it has come to be known. In 1986, NSF researchers established chlorofluorocarbons as the probable cause of the Antarctic ozone hole. Since CFCs are used in many commercial applications, this discovery has driven a search for benign substitutes and also led to regulation of CFC emissions.

When most people think of the Internet they mean the World Wide Web and the Web Browsers, like Netscape, that allow them to find the information they seek. The browser made the World Wide Web. The first browser of note was Mosaic, and a student working at the National Center for Supercomputing Applications at the University of Illinois developed it. This is one of NSF's four original Supercomputing Centers.

In industry, the acronym CAD/CAM brings to mind the best in design and manufacturing techniques. NSF-funded research on solid modeling led to the widespread use of Computer-Aided Design and Computer-Aided Manufacturing. The keys to success were advances in the underlying mathematics and in linking the academic and industrial leaders in the field.

NSF's contributions are also manifest through the accomplishments of scientists and engineers, who were trained under NSF awards. It is well known that the great majority of the seminal work in developing such technologies as cell phones, fiber optics, and computer assisted design was performed by private industry—at labs like Corning, AT&T, and Motorola. A recent NSF sponsored study has shown that many scientists and engineers, who went to graduate school on NSF fellowships and research assistantships, often played important roles in the development of these and other technologies. In a number of cases, they became the entrepreneurs who created new firms and markets. To use the words of the authors of the study—''NSF emerges consistently as a major—often the major, source of support for education and training of the Ph.D. scientists and engineers who went on to make major contributions. . . .''.

The resources NSF provides for support of research and education are relatively small, but the impact is great. The agency expends only 3.8% of federal R&D funds, but provides 23% of basic research funding at academic institutions. For specific research areas, the NSF role at universities is even larger: it funds 36% of research in the physical sciences, 49% in the environmental sciences, 50% in engineering, 72% in mathematics, and 78% in computer science. NSF research awards and direct research fellowships help train over 24,000 graduate students each year, the future scientists and engineers essential to fuel our high-tech economy.

Furthermore, NSF programs help to improve science education for all students and to prepare them for citizenship in a world increasingly dominated by technology. Today we continue to have manpower shortages in many high technology fields. The ideal way to alleviate the shortages is by ensuring that children of all races and both genders receive the basic grounding in science and mathematics that will prepare them to pursue careers as scientists, engineers and technologists. We cannot allow inadequate funding to cripple NSF's efforts in this area.

There is really no debate on whether support of basic research is an appropriate role of the federal government. The basic economic argument is well understood. Industry will underinvest in basic research because individual companies cannot capture the full benefits of advances in fundamental knowledge that come from funding basic research.

The question, rather, is what ought to be the level of the federal research investment? The bill I am introducing takes the position that it is too low, particularly for basic research in the fields for which NSF is a major funding agency: the physical sciences, mathematics, and engineering.

The National Research Council's Board on Science, Technology and Economic Policy analyzed federal funding data for FY 1993 through FY 1997. They found that support, in constant dollars, for chemical engineering had declined by 13%, electrical engineering by 36%, mechanical engineering by 50%, physics by 29%, chemistry by 9%, and mathematics by 6%. Even including the substantial increases for research for biomedical sciences

during this period, total federal research funding for all fields of science and engineering declined by about 1%.

Inadequacies in the size of NSF's budget are evident from the fact that the agency currently funds less than a third of the research applications it receives and about half of those judged to be of high quality. Even when an applicant receives a NSF award, it is usually suboptimal and perhaps half the amount of a NIH award. The current situation leaves researchers in NSF-funded fields scrambling for funds and spending too much of their time chasing limited funding rather than in the laboratory or mentoring students.

The NSF authorization bill I am introducing will provide increases of 15% per year for fiscal years 2002 through 2004. The bill will result in a NSF budget of $7.7 billion by the final year. The increases provided will allow NSF to go forward with substantial new research initiatives in the mathematical sciences and the social and behavioral sciences and to continue ongoing initiatives in information technology, biodiversity, and nanotechnology. Moreover, the budget growth will allow NSF to—

Increase average grant size and duration;

Fund national research facilities for the earth and atmospheric sciences, astronomy, and the computational and information sciences; and

Support large scientific instruments at colleges and universities.

Finally, the increases will support expansion of NSF's science education programs. Of particular importance will be increased efforts to improve the skills and content knowledge of K–12 science and math teachers and to increase participation in science and engineering by traditionally underrepresented groups. The increases will also expand education research programs, including quantifying the most effective uses of educational technology and strengthening efforts to assess education programs to determine and disseminate information about what methods and approaches are most effective in improving student performance in science and math.

The Coalition for National Science Funding (CNSF), a group of eighty scientific, engineering, and professional societies, universities, and corporations has called for providing no less than $5.1 billion, a 15% increase, for the NSF in FY 2002 as the next step in doubling the NSF budget. CNSF has stated that:

> Our national knowledge base in the sciences, mathematics, and engineering is increasingly important to broad economic and social interests. Doubling the NSF budget by 2006 will fund the crucial investments that the agency makes in key components of this vital knowledge base.

Mr. Speaker, the NSF Authorization Act of 2001 implements the recommendations of CNSF. I hope all my colleagues will join me in ensuring that NSF has the necessary resources to carry out its essential role in support of scientific and engineering research and education by becoming cosponsors and supporters of this authorization bill.

HONORING OUT FRONT COLORADO ON ITS 25TH ANNIVERSARY

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. DEGETTE. Mr. Speaker, I rise today to honor the largest gay, lesbian, bisexual, and transgender publication in the Rocky Mountain region, Out Front Colorado, for its tremendous success over the past 25 years. In April 1976, the first edition of Out Front Colorado hit the streets, only seven years after the historic Stonewall Riots in New York City. As a new publication for a growing community, Out Front Colorado began boldly with its first headline ''There's No Turning Back.'' Indeed, in the last 25 years, Out Front Colorado has played an important role in the cultural and community development of gays, lesbians, bisexuals, and transgender people in Colorado with valuable news coverage, arts and entertainment, community events, and photographs that have documented the vibrant history of Colorado's diverse community. And its impact continues to grow. Today, Out Front Colorado is available across the nation from New York City to Los Angeles.

The success of Out Front Colorado can in large measure be attributed to its extraordinary staff. Out Front Colorado was founded by Phil Price, who sought to create a newspaper specifically tailored toward Colorado's gay and lesbian residents. Out Front Colorado became successful in its reach and influence under his direction. Although Phil Price passed away in 1993, the current staff of Out Front Colorado should be commended for continuing the superb work that Phil pioneered.

I am pleased to support Out Front Colorado as a valuable institution to Colorado's community and history and am pleased to recognize there's still no turning back!

H.R. 1367, THE ATLANTIC HIGHLY MIGRATORY SPECIES CONSERVATION ACT OF 2001

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SAXTON. Mr. Speaker, I rise today to introduce H.R. 1367, the Atlantic Highly Migratory Species Conservation Act of 2001. I am pleased to be here today to talk about such an important issue. We stand at an historic crossroads for the conservation of highly migratory species (HMS). The effective management of Atlantic HMS is one of the most complex and difficult challenges facing the National Marine Fisheries Service. These species range widely throughout international waters and the jurisdictions of many coastal nations with diverse political perspectives on how to properly utilize and manage this valuable resource.

The fishing practices and marketing strategies are equally diverse. Unlike most other domestic fisheries, effective multilateral management is the goal of our nation's HMS policy. In fact, Congress placed Atlantic HMS management authority in the hands of the Secretary of Commerce instead of the Regional Fishery Management Councils, in theory, to ensure that our government maintains an Atlantic-wide perspective and vision.

It is my firm belief that this Congress, together with thousands of concerned fisherman and conservationists, have a unique opportunity to work together to aggressively protect and rebuild stocks of HMS such as billfish, sharks and swordfish.

In August of 1999, I was approached by representatives of the longline industry and three recreation/conservation fishing organizations who suggested I sponsor legislation to: (1) permanently close an area of U.S. waters in the South Atlantic to pelagic longline fishing; (2) establish two time-area closures in the Gulf of Mexico to pelagic longlining; (3) reduce billfish bycatch and the harvesting of juvenile swordfish; and (4) provide affected fishermen a buyout to compensate them for the loss of fishing grounds and fishing opportunities. I remain a strong supporter of this concept.

I first began work on this important issue because I feel very strongly that a balance can be achieved. Prior to and following the introduction of H.R. 3331, my first bill targeting these critical needs, I met with, and spoke to, a number of pelagic longline fisherman, recreational fisherman and their organizations, and a number of conservation and environmental groups.

I introduced H.R. 3331, in the 106th Congress, in part, because the National Marine Fisheries Service established the pelagic longline fishery as a limited-entry fishery through the HMS Fishery Management Plan. As NMFS is well aware, I have been asking them to take this action for many years. The establishment of a limited access system is critical to reduce harvesting capacity through attrition or a buyback program. Hence, once pelagic longline permits for HMS are bought-out as proposed in my bill, there would be no further vessels re-entering the fishery.

I believe in this concept because the current management system whereby NMFS publishes a regulatory rule that is challenged by seemingly endless lawsuits is not an effective way of promoting sound HMS fishery management. This system has to change.

The International Convention for the Conservation of Atlantic Tunas (ICCAT), led by the United States, approved a ten-year rebuilding plan for North Atlantic swordfish. Although the final approved plan did not go as far as I would have liked in reducing the annual quota internationally, it nevertheless set an important tone for conservation. I commend the U.S. ICCAT Commissioners for their tenacity in getting the rebuilding plan approved.

This is the continuation of an arduous process, but I am confident that we can provide a conservation measure that is good for our beleagured highly migratory species of fish. I look forward to continuing to fight until this measure is passed and becomes law.

INTERNATIONAL ROMA DAY REVISITED

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SMITH of New Jersey. Mr. Speaker, on International Roma Day last year, the OSCE High Commissioner on National Minorities released a detailed report on the situation of

Roma in the OSCE region. Unfortunately, in the intervening months, relatively little progress has been made by government authorities in addressing the problems he described.

The Helsinki Commission, which I co-chair, receives so many reports on an almost daily basis which demonstrate the magnitude of the problems Roma face. We receive reports of Roma who are denied access to public places, like the three Roma who were turned away from a Warsaw restaurant last September 29, just before the OSCE convened its annual human rights meeting in that city. We receive reports of discrimination in housing, like the January 27 Hungarian television report that local authorities in Rabakoez, Hungary, have called for prohibiting the sale of real estate to Roma. We receive reports of police abuse, such as the repeated cases of unlawful police raids in Hermanovce, Slovakia. We receive reports of violent attacks, such as the assault on a Romani church in Leskovac, Serbia, at the beginning of this year.

Too often, courts are part of the problem, not the solution. Rather than providing a remedy for victims, they compound the abuse. Take a recent case from the Czech Republic. The Czech Supreme Court issued a ruling that a violent attack on a Romani man in 1999 was premeditated and organized, and then remanded the case back to the district court in Jesenik for sentencing in accordance with that finding. But the district court simply ignored the Supreme Court's finding and ordered four of the defendants released. I am hopeful that Slovak courts, which are currently weighing the fate of three of the defendants charged in last years brutal murder of Anastazia Balazova, will do a better job of bringing her murderers to justice.

In a few places, there are some glimmers of hope. In Viden, Bulgaria, for example, the Romani organization Drom has led a successful effort to bring 400 Romani children, who previously attended segregated schools, into the mainstream school system. In that instance, the cooperation of local and national authorities, governmental and non-governmental bodies, is paying off.

Unfortunately, too few government leaders demonstrate the courage necessary to address these issues. Some pass the buck, looking to the European Union or the Council of Europe to fix problems that must be tackled, first and foremost, through political leadership at home. Moreover, a number of EU countries have little to teach the applicant countries about tolerance towards Roma. Many OSCE countries—not just the former Communist states—are in need of comprehensive anti-discrimination laws, a priority recognized in the 1999 OSCE summit agreement and by the European Commission in the adoption of its ''race directive'' in June of last year. Regrettably, nearly two years after Bulgaria received praise from many quarters for agreeing to adopt such legislation, the government is not one step closer to fulfilling its commitment. The Slovak Government's human rights office, in contrast, has undertaken a serious study of legislative options and may soon have a draft ready for a vote.

In addition, it is imperative that political and civic leaders condemn anti-Roma manifestations in clear and unequivocal terms.

Mr. Speaker, when the Mayor of Csor, Hungary—a publicly elected official—said ''the Roma of Zamoly have no place among human beings; just as in the animal world, parasites must be expelled,'' I believe it is the responsibility of Hungary's political leadership to condemn these outrageous slurs. If more leadership was demonstrated, perhaps confidence would have been strengthened and maybe 5,772 Hungarian Roma would not have applied for asylum in Canada over the past three years.

When the Mayor of Usti nad Labem built a wall to segregate Roma from non-Roma, all members of the Czech parliament—not just a paper slim majority of 101 out of 200 MPs—should have voted to condemn it. And when Mayor Sechelariu of Bacau, Romania, announced plans to build a statue of Marshall Antonescu—the World War II dictator who deported 25,000 Roma to Transniestra, where some 19,000 of them perished—Romanian officials, who have pledged to the OSCE community to fight intolerance, should begin at home by ridding their country of every Antonescu statue built on public land.

IN SUPPORT OF LONG BEACH NAVY CREW MEMBER DETAINED IN CHINA

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. HORN. Mr. Speaker, I know my fellow Members of Congress join me in calling for the safe return home of the 24 American servicemen and women currently being detained in China after their surveillance plane made an emergency landing in Chinese territory when they collided with a Chinese fighter jet. Our hearts and our prayers go out to these young men and women and their families.

One of those crew members is a young man from the district I represent. His name is Josef Edmunds and he is from Long Beach. Perhaps China does not realize how profoundly concerned all Americans are about the well-being of their service men and women. On behalf of Josef Edmunds and his family, I submit this article that appeared in today's edition of the Long Beach Press-Telegram expressing the personal concern and uncertainty that this family—like all the others—is experiencing as a result of this incident.

Mr. Speaker, my fellow Members of Congress and I urge the Chinese government to immediately release our service men and women so that they may return home safely.

L.B. FAMILY OF CREW MEMBER FULL OF HOPE

(By Wendy Thomas Russell)

Long Beach.—Josef Edmunds, one of 24 Navy crew members being held in China since their surveillance plane made an emergency landing Sunday, was described by his Long Beach mother as ''a very courageous young man'' captivated by ''the idea of putting on a uniform and standing up for his country.''

''I think,'' Amanda De Jesus said Tuesday, ''he's always had a little streak of heroism.'' De Jesus and her husband, Alfredo, said they were waiting anxiously but patiently for contact from Edmunds, a 30-year-old cryptographer and Chinese interpreter.

''It's just a waiting game,'' said Alfredo De Jesus, a teacher at La Estrella Argentine Tango and Dance School in Long Beach. ''We have high hopes that it's going to be over soon without any duress to him at least that's what we hope.''

Edmunds and his crewmates have been kept at a military base on China's Hainan Island since Sunday, when their surveillance plane was forced to land after colliding midair with a Chinese jet fighter. The crew is safe, but U.S. officials have expressed concern that the Chinese may have gained insight into classified surveillance systems by tampering with the plane's equipment.''

''I really don't worry that much'' about the safety of crew members, Alfredo De Jesus said, ''because I know that they're not going to be abused, and it's just a political game. It's just politics.''

Amanda De Jesus said she moved to Long Beach about five years ago, after both her sons had grown, but Edmunds still visits her here when he's on leave.

She said she was caught off guard when she got the phone call from the Navy on Sunday; she didn't have a clue that Edmunds would be on a plane over China in the first place. The Navy immediately told her that Edmunds was safe, however, so there was no time for panic.

Edmunds, who is stationed in Japan, joined the Navy about eight years ago, shortly after the birth of his first daughter, Sierra. He had been living with his wife in Davis, near Sacramento, and holding down three jobs at the time, his mother said.

The first job was at a car dealership, the second at a pizza place, and ''I don't even remember what the third job was,'' she said.

One day, Edmunds dropped everything and walked into a recruiter's office.

His colorblind eyes ruled out any chance of being a Navy pilot, so he chose an area well-known in his family: foreign-language interpretation.

His mother once taught French and Spanish, and his aunt is a Russian interpreter for the Air Force who also speaks fluent French and German.

Edmunds' hereditary language skills paid off. He learned Chinese and Cambodian and was transferred to several bases before landing in Japan.

Edmunds is now divorced with four children three of whom, ages 8, 7 and 5, still live in Northern California. The fourth, a son, is only about 6 months old and lives with Edmunds' girlfriend in Texas, Amanda De Jesus said.

''He's a great guy,'' Edmunds' stepfather said. ''He's really a good-spirited person. He's the kind of guy that you make friends with just in the moment. He really is.''

Despite the stressful situation in China, Amanda De Jesus said she knows her son is acting courageously.

''He's always been gutsy,'' she said.

Once, while stationed in Texas, Edmunds was among a group of military men who volunteered hours and hours of their time to help people rebuild their tornado-torn houses after their military shifts had ended. He was given an award for his work, his mother said.

Edmunds told his friends that his mother would be ''upset to know that he was working for no money.''

''But no,'' she said softly. ''I was proud of him.''

ON H. RES. 91 AND H. RES. 56

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. WOLF. Mr. Speaker, I regret that I was unable to speak on the floor yesterday when

the resolutions on the human rights situation in China and Tibet and in Cuba were debated. I was attending a funeral in my district and on an official leave of absence.

I am an original co-sponsor of both of these resolutions and I am pleased that both were considered by the House.

Given the events in China this past week, it is important that the House adopted H. Res. 56 which expresses the sense of the House urging the appropriate representative of the U.S. to the United Nations Commission on Human Rights to introduce at the annual meeting in Geneva of the commission a resolution calling upon the People's Republic of China (PRC) to end its human rights violations in China and Tibet.

Mr. Speaker, we can look to the China section of the 2000 State Department's Annual Report on Human Rights to see the deplorable human rights record of the PRC: ''The Government's poor human rights record worsened, and it continued to commit serious abuses.'' This same human rights report says that the ''PRC is an authoritative state . . . [that] frequently interfere [s] in the judicial process, and the Party and the Government direct verdicts in many high-profile cases.

It is appropriate that the U.S. introduce this resolution at the U.N. because it is the right thing to do in the face of China's alarming human rights record as described further in the State Department human rights report:

> . . . thousands of Falun Gong practitioners . . . were sentenced to re-education through-labor camps or incarcerated in mental institutions . . .
>
> The government continued to commit widespread and well-documented human rights abuses . . . [such as] extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado and denial of due process . . .
>
> . . . 100 or more Falun Gong practitioners died as a result of torture and mistreatment in custody''
>
> The Government's respect for religious freedom deteriorated markedly . . . as the Government conducted crackdowns against underground Christian groups and Tibetan Buddhists and destroyed many houses of worship.

It is appropriate that the U.S. introduce this resolution at the U.N. in light of China's detainment of 24 U.S. service personnel attached to the U.S. EP-3E aircraft. China's behavior throughout this incident should make the true nature of the Chinese Government clear— the regime in Beijing will abuse the rights of anyone, even U.S. service personnel who have to make an emergency landing on Chinese territory.

It is appropriate that the U.S. introduce this resolution at the U.N. in light of the fact that China has arrested a U.S. citizen, professor Li Shaomin. Professor Li has been detained by Chinese authorities since February 25. Professor Li's wife does not know why her husband has been detained.

It is appropriate that the U.S. introduce this resolution at the U.N. in light of the fact that China has detained and charged Ms. Gao Zhan, a permanent resident of the U.S. who lives in my congressional district. Ms. Gao is married to a U.S. citizen and is the mother of a U.S. citizen.

After detaining her husband Xue Donhua (now a U.S. citizen) and their 5-year old son Andrew (a U.S. citizen) for over a month, the government of China has now charged Ms. Gao Zhan with spying. I have met Mr. Xue and his son Andrew and talked about their incarceration. They are a wonderful family. Yet, Andrew was taken away and held separately from his parents for over a month. Andrew needs a mother and needs to be with his mother. What kind of government would separate a family like this? What kind of government would put a 5-year old child through this kind of ordeal?

Similarly, H. Res. 56 instructs the U.S. delegation at the U.N. Human Rights Commission in Geneva to obtain passage of a resolution condemning the Government of Cuba for its human rights abuses. As this resolution states, ''the Castro regime systematically violates all of the fundamental civil and political rights of the Cuban people, denying freedoms of speech, press, assembly, movement, religion, and association, the right to change their government and the right to due process and fair trials.''

It is no accident that both the Cuban and Chinese governments are serious violators of religious freedom. As both Cuba and China are authoritarian regimes, nothing is more threatening to them than people of faith and conviction who are capable and willing to speak truth to power.

I am proud to co-sponsor both of these resolutions because the U.S. needs to be on the side of pursuing justice and of speaking truth to power. I am hopeful that the U.S. will lead in the efforts in Geneva to speak truth to the authoritarian regimes of Cuba and China.

MARRIAGE PENALTY AND FAMILY TAX RELIEF ACT OF 2001

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2001

Mr. ISRAEL. Mr. Speaker, Getting married shouldn't mean saying 'I do;' to higher taxes. In my state of New York over one and a half million couples are burdened by the marriage penalty, nearly 60,000 in my district alone. This occurs when married couples pay more than an unmarried couple with the same income.

For example two individuals, living together, but not married, each with incomes of $30,000—their combined standard deduction would be $9,100 and their tax rate would be 15%. If that same couple got married, their standard deduction would drop to $7,189 and they would move into the 28% tax rate. The only difference is that they got married.

We should eliminate this inequity by widening the 15% tax bracket to allow joint filers to have two times the income of individuals and still remain taxed at 15%. We should also double the standard deduction for joint filers to twice that of singles. We're talking about people who work hard and play by the rules. At a time when parents are working harder for less money, we need to encourage families, not punish them. Ending the marriage penalty is particularly urgent for the middle-class. This is a wrong that should have been righted a long time ago—making the tax code more fair while providing families with meaningful tax relief for the things that matter—buying a home, ensuring quality family medical care, and sending kids to college.

NAVY EP–3 AIRCRAFT IN CHINA

HON. SUSAN DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. DAVIS of California. Mr. Speaker, the emergency landing of the Navy EP–3 aircraft in China demonstrates the nature of the risk that our service members endure each day. 24 hours a day, 7 days a week, brave men and women put themselves in the face of danger.

My heart goes out to those on the ground in China and to their families who anxiously await their return. I call on President Bush and President Jiang to engage in a dialogue that results in the quickest possible reunion of our Navy personnel and their families.

As we all wait, let us remember the dangers abroad and the sacrifices endured by our service members. Let us also remember the demands that military service places on their families.

I recently spoke with a young woman who had just recently married a young sailor. Until now, she had always expected her husband to return home each night. Now the impact of being a Navy wife hits home. There is always the possibility that ''he may not come home.''

REMARKS BY THE HONORABLE MIKE THOMPSON RECOGNIZING DAVID WOLPER FOR HIS EXCELLENT WORK AND SUPPORT TOWARDS THE COMPLETION OF THE NAPA BOYS AND GIRLS CLUB

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize renowned filmmaker and noted philanthropist David L. Wolper. His contributions have made the Napa community a better place for California's youth.

His invaluable aid was instrumental in the construction of the Napa Boys and Girls Club's new facility in the city of Napa. This important endeavor simply could not have been completed without his vital leadership. The new facility at 1515 Pueblo Avenue will be a great asset to the Napa community for many years to come.

Mr. Wolper is a member of the National Board of Directors of the Boys and Girls Club of America and is a member of the Boys and Girls Clubs of America Hall of Fame. In addition, David Wolper is a member of the Foundation Board of the Queen of the Valley Hospital in Napa and a member of the Board of the American Center for Wine, Food, and the Arts. He is an asset in so many ways to the community of Napa and the entire country.

Mr. Wolper, in his fifty years in show business, has made over 700 films, which have won more than 150 awards, including 3 Oscars, 50 Emmys, 7 Golden Globes, and 5 Peabodys. He has been specially recognized

at the world's great film festivals for his lifetime achievements, and he has received the entertainment industry's two highest honors—the prestigious Jean Hersholt Humanitarian Oscar Award and was inducted into the Television Hall of Fame.

In addition to his many hours of professional and civic activity, he has remained a devoted husband, father, and grandfather. Mr. Wolper and his wife Gloria have three children—Mark, Michael, and Leslie Ann—and six grandchildren.

Mr. Speaker, it is appropriate at this time that we recognize David L. Wolper for his commitment to building a brighter future for the youth of America.

IN RECOGNITION OF DR. EDWARD C. STONE, RETIRING DIRECTOR OF THE JET PROPULSION LABORATORY

HON. ADAM SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. SCHIFF. Mr. Speaker, I rise today in recognition of Dr. Edward C. Stone, retiring Director of the Jet Propulsion Laboratory in Pasadena, California. After ten years of distinguished service at JPL, Dr. Stone will be returning to full-time teaching and research at the California Institute of Technology, where he has taught since 1967. Dr. Stone, the David Morrisroe Professor of Physics, has been widely regarded as an energetic and thoughtful leader at JPL.

Since his first cosmic-ray experiments on Discoverer satellites in 1961, Dr. Stone has been a principal investigator on nine NASA spacecraft missions and a co-investigator on five other NASA missions for which he developed high resolution instruments for measuring the isotopic and elemental composition of energetic cosmic-ray nuclei. Using these instruments, Dr. Stone and his colleagues undertook some of the first studies of the isotopic composition of three distinct samples of matter. During his tenure at JPL, Dr. Stone's many accomplishments include Galileo's five-year orbital mission to Jupiter, the launch of Assini to Saturn, as well as a new generation of Earth sciences satellites such as TOPEX/Poseidon and SeaWinds, and the spectacularly successful Mars Pathfinder landing in 1997.

He has transformed the direction of JPL from administering a few large projects to managing many new, smaller exploration missions. Dr. Stone's vision has revolutionized the way JPL does business, thus expanding its impact on the field of astrophysics and planetary science. He is a remarkable scientist, whose brilliance is coupled with his ability to lead. Dr. Stone exemplifies integrity, energy, and leadership, and his deep commitment to JPL and its goals has been the touchstone of the Laboratory's success. I would like to commend Dr. Stone for his extraordinary dedication and thank him for his decade of service.

INTRODUCTION OF THE CLEAN AIR INVESTMENT ACT

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BENTSEN. Mr. Speaker, well over 100 million Americans live in metropolitan, suburban, and even rural regions that are facing a serious environmental and economic problem—attainment of air quality standards of the Clean Air Act amendments of 1990. Arguably, the most pressing issue affecting my region's prosperity and quality of life is State Implementation Plans (SIP) to reduce nitrogen oxide emissions (NO_X), which are causing the greater Houston area to exceed the EPA standard for ground level ozone. As an effect to assist non-attainment areas meet the requirements of the Clean Air Act I am introducing today a bill the Clean Air Investment Act, along with my colleague Representative KEVIN BRADY. This bill is designed to assist all non-compliance areas achieve improved environmental quality while protecting their economic prosperity.

Failure to attain compliance risks losing essential federal highway funding. Many of my colleagues know that Atlanta's federal highway funding was frozen for two years for non-compliance with the Clean Air Act. Now, while non-compliance carries costs, compliance also carries significant costs, some of which are the responsibility of the federal government. A study commissioned by the Greater Houston Partnership has showed that the SIP for the Houston-Galveston area will cost area households $550 million a year, and could reduce job growth significantly.

Under the law implementation plans are designed by the states, and approval must be made at the federal level by EPA. EPA-regulated sources account for a significant percentage of the NO_X emissions in most non-attainment regions, 40% in the Houston region. These sources are mobile interstate and international NO_X sources, such as automobiles, planes, trains, and ships. In the Clean Air Act, Congress clearly intended for compliance burdens to be borne proportionally by state and federally regulated sources. However, in the forming a plan that would meet EPA approval under the Clean Air Act, the State of Texas through its Texas Natural Resource Conservation Commission (''TNRCC'') could not incorporate promised EPA reductions into the SIP. Many EPA reductions from federally regulated sources are supposed to exist, but do not because EPA has failed to meet their statutory deadlines. With serious economic burdens looming for 114 non-attainment areas in 33 states, EPA must make allowance for federally pre-empted items for which they have not met their own deadlines. The EPA failure to act, whether due to budget constraints, political resistance, or bureaucratic inertia is not the fault of local communities.

For instance, the EPA had a statutory deadline to produce regulations for all non-road engines in November 1992. Of the six regulations that have been produced the earliest was finalized in 1994, and one has not yet been finalized. The EPA was required by law to issue regulations covering locomotive engines in November 1995, but the rule was not promulgated until three years later. The rule for commercial diesel marine engines, exceedingly important for our area, was not finalized until November 1999. Further emission regulations for commercial marine engines will not be proposed until April of 2002. At this time, we will begin a debate of whether these marine emission standards can apply to foreign-flagged vessels in U.S. territorial waters. As a major shipping and railroad transportations enter, the greater Houston area is very dependent on the EPA to regulate these sources to reduce the burden on the state regulated industrial sources, which are currently being asked to achieve the steepest emission reduction every attempted—90%. I see the Houston area and many other non-attainment areas around the country engaged full force in a good faith attempt to meet the requirements of the Clean Air Act, and I believe that we owe them some small amount of assistance.

Along with my colleague, KEVIN BRADY, and I am proposing a way for the federal government to assist the state regulated sources that are bearing an increased burden as a result of regulatory delays by the EPA. The U.S. Tax Code provides for tax-exempt bond financing for a number of public and some private entities for a number of purposes that contribute to the public good. Through reduced borrowing costs, the government encourages investment in airports, maritime transport facilities, commuting families, water treatment, solid waste disposal, and local electric transmission. Prior to 1986, investment in air pollution control equipment was also encouraged in this way. However, during the massive rewrite of the tax code in 1986 air pollution was not recognized as a priority. I feel very strongly that at a time when massive air pollution investments are being mandated for the public good, we should allow for some assistance in financing their implementation as quickly as possible.

The Clean Air Investment Act will assist all industries in non-attainment areas finance the necessary investments that we are asking them to make. By reducing the cost of this investment, even by a couple of percentage points, we can help protect our prosperity and save American jobs. All Americans want clean air but we also want a strong economy. By providing lower costs to achieve reduced point service emissions Congress can aid in meeting both of these goals.

REGARDING CHINA, IS IT GETTING PERSONAL?

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BEREUTER. Mr. Speaker, this Member wants to call his colleagues attention to the article by Jim Hoagland in the Washington Post on April 4, 2001. He most assuredly is correct that it is highly unlikely that the collision between a U.S. Navy EP–3E surveillance aircraft and the high performance F–8 fighter interceptor was caused by the American aircraft. That collision, undisputedly, took place in international airspace, so no apology is owed or should be delivered by our Government. The recent harassment of our surveillance aircraft by Chinese interception in the region, as

reported by Admiral Dennis Blair, Commander-in-Chief Pacific, in a recent news conference reported that these interceptors have been flying dangerously close to our aircraft and that we had filed a formal protest. Any apology is not the responsibility of the United States. Unfortunately, the immediate comments from the highest level of the Chinese Government informed the Chinese people and the world that the U.S. aircraft invaded Chinese airspace, but it didn't inform them that was the case only after the EP–3E pilot sought the closest landing base for his damaged aircraft on Hainan Island.

[From the Washington Post, Apr. 4, 2001]

REGARDING CHINA, IS IT GETTING PERSONAL?

(By Jim Hoagland)

For reasons physical and political, the probability that an American spy plane deliberately rammed a Chinese jet fighter over the South China Sea on Sunday runs as close to a perfect zero as mathematics allows. Imagine a fully loaded moving van trying to ram a Harley-Davidson motorcycle on an open plain and you get the picture.

So the official Chinese version of the collision that forced a U.S. Navy EP–3 electronic surveillance warplane into a mayday landing on Hainan Island can be dismissed. The Chinese F–8 pilot who went up to harass American spies at work almost certainly overdid his instructions to be particularly aggressive and accidentally flew into the lumbering propeller-driven craft.

But Beijing's false accusation of U.S. responsibility is revealing nonetheless. It tells us much about the air of confrontation that has quickly developed between President George W. Bush's incoming administration and President Jiang Zemin's outgoing leadership team.

The Chinese lie is a reflexive act of pride, and pride is a driving force for Jiang as he draws an ever-clearer line in the sand for Bush. The underlying strategic tensions between the two nations are rapidly getting personal: Jiang sees American actions suddenly threatening his legacy.

Even the best-laid strategies can be blown off course by stray winds. The spy plane incident is the latest in a series of seemingly unrelated, and unplanned, mishaps in American-Chinese relations since Bush's election. Taken together, these incidents illustrate the force of serendipity in politics and policy.

None of their intelligence briefings or position papers would have prepared Bush or Jiang to anticipate that a senior Chinese intelligence officer would defect to the United States in December. News of that defection leaked into Taiwanese newspapers in March, Just as China's deputy prime minister was settling out on a frame-setting trip to Washington and meeting with Bush.

Both the defection and, to Chinese eyes, the suspicious timing of the leak may have put China's heavy-handed security services even more on edge. They terrorized a Chinese-American family visiting relatives in China by arresting the mother, Gao Zhan, on espionage charges Feb. 11, and have arrested at least one other Chinese American scholar since.

Jiang was no more likely to have been consulted on Gao Zhan's arrest than Bush was to have been asked to authorize the specific espionage mission near Hainan that went wrong. But the two leaders must now deal with the consequences of these incidents, and do so at an unsetting moment of dual transition.

Jiang, who is due to retire by 2003, is beginning to gradually yield power, while Bush is trying to grab hold of it with a seriously understaffed administration.

Add to this the reality that China and the United States have never developed the kind of informal crisis-management framework that Washington and Moscow learned to apply to strategic mishap, and the opportunity for the EP–3 incident to become the first crisis of Bush's presidency is evident. It is a time for caution on both sides.

The plane incident comes as Bush moves toward a decision later this month on Taiwan's request to buy new U.S. weapons, including four destroyers equipped with sophisticated Aegis phased radar systems. It was to head off this sale that Jiang dispatched Deputy Prime Minister Qian Qichen to meet with Bush last month.

Bush refused to give Qian any assurances on a subject that Jiang has made into the make-or-break issue in Chinese-American relations. Pride dictates this stand more than strategic calculation, since the radar systems would take nearly a decade to deliver.

Jiang began his term by promising his colleagues on the Politburo to bring China to the point of reabsorbing Taiwan at a time of Beijing's choosing, according to U.S. intelligence reports. The Aegis sale would be a powerful symbol of failure in Jiang's quest for what he said would be his most ''historic accomplishment.''

Bush must make the decision on the Aegis sale on its own merits and not allow Jiang to gain leverage over the sale through the spy plane incident. There may be other weapons systems that would meet Taiwan's immediate needs as well as the Aegis, but that decision must be made on military and national security criteria, not under the threat of Chinese blackmail.

The Pentagon may have acted unwisely in sending the espionage plane so close to China at this particularly sensitive moment. But there can be no American apology based on the false Chinese version of events, as Beijing demands. That is not just a matter of pride. It is one of justice.

ISLAMIC EXTREMISTS FIND UNWITTING ALLIES IN CENTRAL ASIAN DICTATORSHIPS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. LANTOS. Mr. Speaker, I am utterly appalled by the Taliban regime's vicious campaign to stamp out freedom and religious tolerance in Afghanistan. But the Taliban's zeal to propagate a warped version of Islam—and the support for terrorism and drug trafficking that goes along with it—is not limited to Afghanistan. Already, an Islamic movement which was designated as a terrorist group by the United States Department of State has taken root in the Fergana valley area where the borders of Uzbekistan, Tajikistan and Kyrgyzstan meet. This insurgency has the full support and assistance of the despotic Taliban regime in Afghanistan.

So far, Kazakhstan has not been directly affected by this insurgency. However, because of its oil and mineral wealth, Kazakhstan is the crown jewel of the region and is thus almost certainly the ultimate target of the Islamic extremists. Kazakhstan's authoritarian regime has taken note of the alarming developments with its neighbors to the south and has taken steps to strengthen its defenses. That's the good news. The bad news, however, is that President Nursultan Nazarbayev has also stepped up domestic repression.

Mr. Speaker, the people of Kazakhstan know that they inhabit a rich country, but they also know that very little of that wealth trickles down to them. They are also not blind to the questionable elections, the stifling of press freedom, and the jailing of opposition leaders that have characterized the country's political life. They are losing hope, and thus they are vulnerable to the siren calls of the Islamic extremists. The parallel to the situation under Suharto in Indonesia ought to be instructive. Fortunately for Indonesia, Islamic extremists were not the beneficiaries of Suharto's ouster, but the same could not be said for Kazakhstan and some of its neighbors.

In the March 3 issue of The Economist, there is an excellent article on Kazakhstan's security situation. The author of the article concludes: ''Government repression and mismanagement help to nourish extremism and terrorism in Central Asia. An effort to improve social and economic conditions and freedom of expression might make Kazakhstan less fertile ground for militant zealots.''

That, Mr. Speaker, is the crux of the issue. I submit the full text of this article from The Economist to be placed in the RECORD following my remarks.

Mr. Speaker, some here in Washington may be tempted to urge U.S. support for President Nazarbayev and the other authoritarian regimes in Central Asia, because they claim to be bulwarks of defense against Islamic extremism. Unfortunately, however, the Central Asian domestic political environment is the problem, not the solution. Only a democratic political system, a free press and respect for human rights will stop Islamic extremists. And the United States must stand with those governments in Central Asia who share these values.

[From The Economist, Mar. 3, 2001]

KAZAKHSTAN—IN DEFENSE

When the Soviet Union broke up ten years ago, the leaders of Central Asia's newly independent states felt safe from possible attacks on their region. Their main concern was to promote order, economic reform and the assertion of power for themselves and their families. The were jolted out of their complacency by bomb blasts in Tashkent, the capital of Uzbekistan, in February 1999 and an attack by Islamic militants in Kirgizstan in August. Last year Islamists again attacked both countries.

Although Kazakhstan was not directly affected by these attacks, they have alerted the country to look to its defences. President Nursultan Nazarbaev has set about making Kazakhstan's armed forces capable of dealing with what he believes are the main threats to the state: terrorism as a result of religious extremism, and organised crime.

He is strengthening defences in the south, in the mountainous border regions from which an Islamic incursion might come. He wants his soldiers to be more mobile. Sniper groups are being formed. Villagers with local knowledge of the terrain are being recruited as guides. The country's defence budget has been more than doubled this year to $171m, or 1% of GDP. Soldiers' pay is to go up by 30–40%.

One difficulty is that Kazakhstan's borders were not clearly defined in Soviet times, so it is difficult to decide what is a ''border incursion''. Kazakhstan has 14,000km (8,750 miles) of borders with neighbouring states. It has agreed on its border with China, but it is still negotiating with Russia, Kirgizstan, Uzbekistan and Turkmenistan. Bulat

Sultanov, of Kazakhstan's Institute of Strategic Studies, worries that ''our border troops cannot carry out any operations because there is no legal basis for them.''

Last year, Uzbek border guards entered southern Kazakhstan and claimed a stretch of land. Since then, there have been several brushes between Uzbeks and Kazakhs, mostly villagers unclear about which country they are living in. All this is a distraction from the task of making the south of Kazakhstan more secure.

Then there is Afghanistan. Although Kazakhstan is not a direct neighbour, the fiercely Islamic Taliban who control most of Afghanistan are a worry to all of Central Asia. They are believed to provide training for extremists, among them the Islamic Movement of Uzbekistan (IMU), which wants to set up a caliphate in the Fergana valley, where Kirgizstan, Tajikistan and Uzbekistan meet. The IMU was said to be behind the attacks in Kirgizstan and Uzbekistan in the past two years and is thought to be preparing another assault before long.

Most of Kazakhstan's military equipment dates back to the Soviet period. Replacing, say, old helicopters used in the border areas will be expensive, but necessary. In January a Mi-8 helicopter crashed in the south, injuring the defence minister, Sat Tokpakbaev, who was aboard. Another helicopter crashed near the Chinese border two weeks ago, killing six people.

Kazakhstan will receive arms from Russia worth $20m this year as part of its annual payment for the use of a space-rocket site at Baikonur. It is due to receive over $4m from the United States to improve border security. The government might also consider some nonmilitary measures. Government repression and mismanagement help to nourish extremism and terrorism in Central Asia. An effort to improve social and economic conditions and freedom of expression might make Kazakhstan less fertile ground for militant zealots.

TESTIMONY OF DR. IRVING SMOKLER

HON. LYNN N. RIVERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. RIVERS. Mr. Speaker, I would like to share with my colleagues, the testimony of Dr. Irving Smokler, presented to the House Appropriations Subcommittee on Labor, Health, and Human Services, Education and Related Agencies. Dr. Smokler is the president of the NephCure Foundation and testified regarding the need for increased funding for research and raising professional and public awareness on glomerular injury through the National Institute of Diabetes and Digestive and Kidney Diseases.

TESTIMONY REGARDING FISCAL YEAR 2002 FUNDING FOR NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

Presented by Irving Smokler, Ph.D., President of the NephCure Foundation, Accompanied by Brad Stewart to the House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies—March 20, 2001—10:00 AM

SUMMARY OF FY 2002 RECOMMENDATIONS

1. Continue the effort to double funding for the National Institutes of Health by providing an increase of 16.5%, to $23.7 billion for FY02. Increase funding for the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK) by 16.5% to $1,518,443,525 for FY02.

2. Prioritize glomerular injury research at NIDDK (including clinical trials), raise professional and public awareness about glomerular injury, and encourage more aggressive scientific attention to all kidney diseases.

3. Urge NIDDK to develop programs to attract talented researchers to the field of glomerular injury.

Mr. Chairman, and members of the subcommittee, I am pleased to present testimony on behalf of the NephCure Foundation (NCF).

We are a relatively new, non-profit organization with a mission of supporting research and public awareness on glomerular injury, which is related to the filtering mechanism of the kidney. I serve as president of the foundation, and have a son, who has had a glomerular disease since he was eleven months old. Although he is now 24 years old and in remission, eighty percent of those in his situation lose their kidneys or their life by the age of five.

What is glomerular injury?

Mr. Chairman, each kidney contains about one million tiny filtering units called nephrons. Nephrons are the key to the kidney's filtering function, processing a constant flow of waste-laden blood, sorting out the vital fluids, from the toxic and unnecessary elements.

When someone suffers from a glomerular disease, this vital process is impaired. In some instances, an individual will lose protein and sometimes red blood cells in the urine, have high cholesterol levels, and experience severe swelling in the body from too much fluid. Incidence of this disruptive Nephrotic Syndrome is increasing, and this perplexes physicians who cannot identify the cause or cure.

Sometimes damage occurs to the nephrons, specifically, scarring of the glomeruli, which are microscopic capillaries in the nephron. The severe form of this glomerular injury is Focal Segmental Glomerularasclerosis (FSGS). Presently, there is no treatment to reverse this damage. FSGS can lead to end stage renal disease—total, or near total, permanent kidney failure. Costly dialysis treatments become necessary and kidney transplants may be required for severe cases.

The toll of glomerular injury

Glomerular injury affects tens of thousands of patients in the nation, most of them young. While it is unclear exactly how many Americans are impacted, the incidence of glomerular injury is on the rise. Severe forms of glomerular injury are costly to diagnose and treat, and at this time the only relief for these patients is with heavy medication, usually steroids, which have strong and unpleasant side effects and only work for about 30 percent of patients.

Problems of misdiagnosis often occur with glomerular injury. Most patients and parents have stories about the unusual length of time between the first symptoms and diagnosis. The early signs of glomerular injury, swollen eyelids, are often mistaken for allergic reactions. Health care professionals don't appear to be fully knowledgeable about this disease.

The physical changes, extreme swelling of the face and body, can adversely affect all aspects of a young person's life. With a stronger commitment to research and educational awareness, suffering can be minimized and hopefully eliminated.

There is hope for scientific breakthroughs

At a meeting co-sponsored by the NephCure Foundation, preeminent scientists from around the world have shared their findings about the podocyte, a major filtering cell, with tentacle-like feet. The relationship between the podocyte and the glomerulus may be a key to understanding glomerular injury.

Recently, researchers have discovered certain molecules that are essential to the podocyte's function. As this becomes better understood, scientists are hopeful of finding better ways to treat glomeular diseases, and prevent their progression to more grave conditions.

This spring, NIDDK will begin to establish clinical trials, which will test various treatments for hundreds of FSGS patients. But there is a need for more funds to strengthen the basic science behind these studies. Researchers need to study tissue and fluids from those patients to advance their knowledge of the molecular causes of FSGS.

What needs to be done?

Respectfully, Mr. Chairman, the NephCure Foundation urges this subcommittee to:

1. Continue the support for doubling the National Institutes of Health (NIH) and the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK).

2. Provide the funding and recommendations for the National Institute of Diabetes and Digestive and Kidney Diseases to aggressively pursue a scientific program which will advance research into glomerular injury, conduct clinical trials, raise public awareness, and recruit talented scientists to this field of research.

Thank you for the opportunity to appear before you today.

Mr. Chairman, we hoped to have Melanie Stewart here to testify today, but her health would not allow her to be here. Her father, Brad Stewart, will read Melanie's statement.

My name is Melanie Stewart. I'm 13 years old and have had FSGS since I was six. Until a year ago I spent most of my life in the hospital or hooked up to a dialysis machine for 8 hours every day. My kidneys finally died last year, so my dad gave me one of his. I've done my best to keep it by taking 20 pills a day, fighting off infections, hemorrhages, and a blood clot in my heart. The kidney my Dad gave me is failing.

There are thousands of kids just like me who would like a change at a normal life. For all of us, I'm asking for your help in finding a cure for this disease.

Thank you for listening.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3461–S3569

Measures Introduced: Twenty-three bills and two resolutions were introduced, as follows: S. 701–723, and S. Res. 66–67. **Pages S3530–31**

Measures Reported:

S. 219, to suspend for two years the certification procedures under section 490(b) of the Foreign Assistance Act of 1961 in order to foster greater multilateral cooperation in international counternarcotics programs, with an amendment in the nature of a substitute. **Page S3529**

Measures Passed:

Commending Duke University Basketball Team: Senate agreed to S. Res. 67, commending the Blue Devils of Duke for winning the 2001 NCAA championship. **Pages S3531, S3554**

Mad Cow Disease Prevention: Senate passed S. 700, to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as ''mad cow disease'') and foot-and-mouth disease in the United States, after agreeing to the following amendment proposed thereto:

(See next issue.)

Domenici (for Hatch) Amendment No. 350, in the nature of a substitute. **(See next issue.)**

Congressional Budget Resolution: Senate continued consideration of H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, taking action on the following amendments proposed thereto: **Pages S3462–S3525**

Adopted:

By 99 yeas to 1 nay (Vote No. 74), Collins Amendment No. 190 (to Amendment No. 170), to establish a reserve fund to eliminate further cuts in Medicare payments to home health agencies.

Pages S3462–64

Smith (Or.)/Wyden Amendment No. 240 (to Amendment No. 170), to increase mandatory spending in the Health function by $28,000,000,000 over Fiscal Year 2002, Fiscal Year 2003, and Fiscal Year 2004 for proposals that would expand health insurance coverage to the uninsured, targeting funding for those who need it most, combining public and private coverage options to efficiently target the uninsured, avoiding creating new bureaucracies, promoting state flexibility, protecting employer-based coverage systems, providing a meaningful, affordable health insurance benefit to the uninsured, emphasizing enrollment and not just eligibility, and without taking funding from the HI Trust Fund.

Pages S3475–79

By 51 yeas to 49 nays (Vote No. 75), Domenici Amendment No. 345 (to Amendment No. 170), to provide for reconciliation of revenue reductions in the Senate. **Pages S3498–S3517**

Bennett Modified Amendment No. 216 (to Amendment No. 170), to call for a quick stimulus for the American economy, linked to a long-term stimulus to guarantee economic expansion and job creation, and oppose a $439 billion tax increase that would threaten economic growth.

Pages S3468–75, S3517

Murkowski Amendment No. 346 (to Amendment No. 170), to increase natural resources, environment, energy and other spending to ensure full funding of the Land Conservation, Preservation, and Infrastructure Improvement Program; to help preserve the core operating budgets of the major environmental agencies to provide appropriate funding for activities related to enforcement of environmental statutes and setting of standards that protect natural resources and the public's health; to address contaminated brownfield sites and urban sprawl and promote smart growth; to save wildlife habitat and endangered species; and to address water quality and infrastructure, global climate change, and energy security, resources and efficiency. **Pages S3518–19**

Bond/Mikulski Amendment No. 211 (to Amendment No. 170), to provide additional funds for basic science research programs of the National Science Foundation, NASA, and the Department of Energy.

Pages S3483–90, S3519

Dodd Modified Amendment No. 322 (to Amendment No. 170), to increase discretionary funding for Early Learning, Child Care Development Block Grant, Child Abuse Prevention and Treatment, and Pediatric GME programs. **Pages S3490–91, S3519–20**

Frist Amendment No. 215 (to Amendment No. 170), to provide additional funds for the prevention, care and treatment of HIV/AIDS in Africa and other developing countries. **Pages S3479–81, S3517–18, S3520**

By 51 yeas to 50 nays (Vote No. 79), Hutchison Amendment No. 347 (to Amendment No. 170), to eliminate the marriage penalty tax. **Page S3521**

By 94 yeas to 6 nays (Vote No. 80), Hollings Amendment No. 225 (to Amendment No. 170), to provide for an $85 billion tax rebate.

Pages S3491–93, S3520–22

By 54 yeas to 46 nays (Vote No. 82), Breaux/Jeffords Amendment No. 348 (to Amendment No. 170), to increase funding for Individuals With Disabilities Education Act. **Pages S3523–24**

Domenici (for Byrd) Amendment No. 208 (to Amendment No. 170), to foster greater debate of amendments to a reconciliation bill or a budget resolution. **Page S3524**

Domenici (for Crapo/Murray) Amendment No. 289 (to Amendment No. 170), to ensure that the Department of Energy's Environmental Management program is funded at a level adequate to continue progress in waste treatment and management, site maintenance and closure, environmental restoration, and technology development, while meeting its legally binding compliance commitments to the states, the Atomic Energy Defense Account is increased by $1 billion in fiscal year 2002. **Page S3524**

Domenici (for Bond) Amendment No. 210 (to Amendment No. 170), to provide funds for consolidated health centers under section 330 of the Public Health Service Act and for children's hospitals graduate medical education programs under section 340E of such Act. **Pages S3524–25**

Domenici (for Grassley/Kennedy) Amendment No. 237 (to Amendment No. 170), to establish a reserve fund for the Family Opportunity Act. **Page S3525**

Subsequently, adoption of Amendment No. 237 (listed above) was vitiated. **Page S3525**

Domenici (for Reid) Amendment No. 256, to establish a reserve fund for the payment of retired pay and compensation to disabled military retirees.

Page S3525

Rejected:

By 47 yeas to 53 nays (Vote No. 73), Stabenow/Johnson Amendment No. 191 (to Amendment No. 170), to eliminate further cuts in Medicare payments to home health agencies. **Pages S3462–64**

By 39 yeas to 61 nays (Vote No. 76), Durbin Amendment No. 202 (to Amendment No. 170), to call for immediate action by the United States Senate on passage of an Economic Stimulus Package in FY01 and to provide for further tax cuts in Fiscal Years 2002–11 as part of a fiscally responsible budget that ensures maximum feasible debt reduction.

Pages S3465–70, S3517

By 46 yeas to 54 nays (Vote No. 77), Corzine Amendment No. 257 (to Amendment No. 170), to increase natural resources, environment, energy and other spending to ensure full funding of the Land Conservation, Preservation, and Infrastructure Improvement Program; to help preserve the core operating budgets of the major environmental agencies to provide appropriate funding for activities related to enforcement of environmental statutes and setting of standards that protect natural resources and the public's health; to address contaminated brownfield sites and urban sprawl and promote smart growth; to save wildlife habitat and endangered species; and to address water quality and infrastructure, global climate change, and energy security, resources and efficiency. **Pages S3481–83, S3519**

By 49 yeas to 51 nays (Vote No. 83), Collins Amendment No. 349 (to Amendment No. 170), to provide tax credits for small business to purchase health insurance for their employees and to provide for the deductibility of health insurance for the self-employed and those who don't receive health insurance from their employers and for long-term care.

Pages S3523–24

Pending:

Domenici Amendment No. 170, in the nature of a substitute. **Pages S3462–S3525**

Motion to reconsider the vote by which Harkin Amendment No. 185 (to Amendment No. 170), listed above, was agreed to. **Page S3462**

Wellstone Amendment No. 269 (to Amendment No. 170), to increase discretionary funding for veterans medical care by $1.718 billion in 2002 and each year thereafter to ensure that veterans have access to quality medical care. **Pages S3495–98**

During consideration of this measure, Senate also took the following action:

By 54 yeas to 46 nays (Vote No. 78), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to consideration of Voinovich Amendment No. 288 (to Amendment No. 170), to improve the fiscal discipline of the budget process by creating a point of order against emergency spending that does not meet the definition of an emergency requirement. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S3490–91, S3520**

By 45 yeas to 55 nays (Vote No. 81), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974 with respect to consideration of Allen/Brownback Amendment No. 201 (to Amendment No. 170), to provide for a tax cut accelerator. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell.

Pages S3493–95, S3522–23

A unanimous-consent agreement was reached providing for further consideration of the concurrent resolution on Friday, April 6, 2001, with votes to occur on or in relation to certain amendments, including Domenici Amendment No. 170, in the nature of a substitute, and final adoption of the concurrent resolution. **(See next issue.)**

A unanimous-consent agreement was reached providing for a vote on Wellstone Amendment No. 269 (to Amendment No. 170), listed above, to occur at 9:30 a.m. **(See next issue.)**

Nominations Confirmed: Senate confirmed the following nominations:

William Howard Taft IV, of Virginia, to be Legal Adviser of the Department of State.

Argeo Paul Cellucci, of Massachusetts, to be Ambassador to Canada. A routine list in the Foreign Service. **Page S3569**

Nominations Received: Senate received the following nominations:

Victoria Clarke, of Maryland, to be an Assistant Secretary of Defense.

Lincoln P. Bloomfield, Jr., of Virginia, to be an Assistant Secretary of State (Political-Military Affairs).

Kristine Ann Iverson, of Illinois, to be an Assistant Secretary of Labor. **Page S3569**

Executive Reports of Committees: **Pages S3529–30**

Messages From the House: **Page S3529**

Measures Placed on Calendar: **Page S3529**

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Statements on Introduced Bills: **Pages S3532–54**

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Amendments Submitted: **Pages S3554–68**

Additional Statements: **Pages S3527–29**

Text of S. 27, as Previously Passed: **(See next issue.)**

Notices of Hearings: **(See next issue.)**

Authority for Committees: **(See next issue.)**

Privileges of the Floor: **(See next issue.)**

Record Votes: Eleven record votes were taken today. (Total—83)

Pages S3463–64, S3516–17, S3519, S3520–24

Adjournment: Senate met at 9:15 a.m., and adjourned at 10:49 p.m., until 9:30 a.m., on Friday, April 6, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3568.)

Committee Meetings

(Committees not listed did not meet)

ENVIRONMENTAL REGULATIONS AND ENERGY POLICY

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety resumed hearings to examine the interaction between United States environmental regulations and energy policy, and specific policy questions regarding the oil and gas sector, receiving testimony from New York Attorney General Eliot Spitzer, New York, New York; Robert L. Hirsch, Annapolis Center for Science Based Public Policy, Arlington, Virginia; Thomas E. Stewart, Ohio Oil and Gas Association, Grandville, on behalf of the Independent Petroleum Association of America; Jason S. Grumet, Northeast States for Coordinated Air Use Management, Boston, Massachusetts; Bob Slaughter, National Petrochemical and Refiners Association, Taylor R. Bowlden, American Highway Users Alliance, Washington, D.C.; and Carlos J. Porras, Communities for a Better Environment, Huntington Park, California.

Hearings recessed subject to call.

TAX SCAMS

Committee on Finance: Committee held hearings to examine the spread of tax scams by con artists by way of the Internet, including pure trusts, constitutional trusts, compensation for slaves' descendants, and church creation, and how to stop the practice and protect taxpayers, receiving testimony from Charles Rossotti, Commissioner, Internal Revenue Service, Department of the Treasury; Hugh G. Stevenson, Associate Director, Division of Planning and Information, Bureau of Consumer Protection, Federal Trade Commission; Michael Brostek, Director, Tax Issues, General Accounting Office; Aaron Bazar, global-prosperity.com, North Potomac, Maryland; JJ MacNab, deathandtaxes.com, Bethesda, Maryland; Robert L. Sommers, taxprophet.com, San Francisco, California; Jay D. Adkisson, Quatloos.com, Irvine, California; and Joseph G. Hodges, Jr., Denver, Colorado.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nomination of Argeo Paul Cellucci, of Massachusetts, to be Ambassador to Canada.

PRESIDENTIAL APPOINTMENT PROCESS

Committee on Governmental Affairs: Committee concluded hearings to examine the current Presidential appointment process and the original purposes of the laws and processes affecting appointments, ascertain its effects on public service, and review recommendations for reform, after receiving testimony from Amy L. Comstock, Director, Office of Government Ethics; former Senator Nancy Kassebaum Baker, and Franklin D. Raines, Fannie Mae, Washington, D.C., former Director, Office of Management and Budget, both on behalf of the Brookings Institution Presidential Appointee Initiative.

UNITED SOUTH AND EASTERN TRIBES

Committee on Indian Affairs: Committee held oversight hearings to examine the goals and priorities of the United South and Eastern Tribes (USET) for the 107th Congress, receiving testimony from Keller George, United South and Eastern Tribes, Inc., Nashville, Tennessee.

Hearings recessed subject to call.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Larry D. Thompson, of Georgia, to be Deputy Attorney General, and Theodore B. Olson, of the District of Columbia, to be Solicitor General of the United States, both of the Department of Justice, after the nominees testified and answered questions in their own behalf. Mr. Thompson was introduced by Senators Cleland and Miller, and Mr. Olson was introduced by Senators Warner and Nickles.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 93, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, it stands adjourned until 2 p.m. on Tuesday, April 24, 2001.

Committee Meetings

FEDERAL FARM COMMODITY PROGRAMS

Committee on Agriculture: Continued hearings on Federal Farm Commodity Programs, with the dairy industry. Testimony was heard from Jerry Kozak, CEO, National Milk Producers Federation.

COMPREHENSIVE RETIREMENT SECURITY AND PENSION ACT

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations held a hearing on Enhancing Retirement Security and H.R. 10, Comprehensive Retirement Security and Pension Act of 2001. Testimony was heard from Representatives Portman and Cardin; and public witnesses.

GOVERNMENT COMPUTER SYSTEMS—SECURITY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Protecting America's Critical Infrastructures: How Secure are Government Computer Systems?" Testimony was heard from Glenn S. Podonsky, Director, Office of Independent Oversight and Performance Assurance, Department of Energy; Sallie McDonald, Assistant Commissioner, Office of Information Assurance and Critical Infrastructure, GSA; Ron Dick, Director, National Infrastructure Protection Center, FBI, Department of Justice; Robert F. Daccy, Director, Information Security Issues, GAO; John S. Tritak, Director, Critical Infrastructure Assurance Office, Department of Commerce; and Tom Noonan, President and CEO, Internet Security Systems, Inc.

BUREAU OF ECONOMIC ANALYSIS

Committee on Government Reform: Subcommittee on the Census held a hearing on "BEA: Is the GDP Accurately Measuring the U.S. Economy?" Testimony was heard from the following officials of the Department of Commerce: J. Steven Landefeld, Director, Bureau of Economic Analysis; and Frederick Knickerbocker, Associate Director, Economic Programs, Bureau of the Census; Bob Dennis, Assistant Director, Macroeconomic Analysis, CBO; and public witnesses.

PRESIDENTIAL ARCHIVAL DEPOSITORY FUNDS

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and

Intergovernmental Affairs held a hearing on H.R. 577, to require any organization that is established for the purpose of raising funds for the creation of a Presidential archival depository to disclose the sources and amounts of any funds raised. Testimony was heard from Representative Duncan; Lewis J. Bellardo, Deputy Archivist, National Archives and Records Administration; and public witnesses.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 6, 2001

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE
9:30 a.m., Friday, April 6

Senate Chamber

Program for Friday: Senate will continue consideration of H. Con. Res. 83, Congressional Budget Resolution, with votes to occur on or in relation to certain amendments, including Wellstone Amendment No. 269 (to Amendment No. 170), Domenici Amendment No. 170, in the nature of a substitute, and adoption of the concurrent resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Tuesday, April 24

House Chamber

Program for Tuesday: to be announced

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(Senate proceedings for today will be continued in the next issue of the Record.)

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