HOUSE OF REPRESENTATIVES—*Thursday, April 15, 1999*

The House met at 10 a.m.

Reverend Dr. Rodney H. Travis, First Baptist Church, Ellisville, Missouri, offered the following prayer:

Our Heavenly Father, we lift up our hearts in gratitude to You for our great Nation. We thank You for the stirring history of our people, for our achievements of the past, and for our great leaders who have given so much for our freedom today.

Guide our Nation in the way of truth and peace and let justice roll down like waters, and righteousness like an ever flowing stream. Help us to always remember that blessed is the Nation whose God is the Lord.

We ask Your blessing and guidance upon the men and women of Congress, that they be filled with the love of truth and righteousness and that You would direct their deliberation and legislation.

In Jesus' name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. HOLT) come forward and lead the House in the Pledge of Allegiance.

Mr. HOLT 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 44. Concurrent resolution authorizing the use of the Capitol Grounds for the 18th annual National Peace Officers' Memorial Service.

H. Con. Res. 47. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 50. Concurrent resolution authorizing the 1999 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

The message also announced that pursuant to the provisions of Senate Resolution 105, adopted April 13, 1989, as amended by Public Law 105–275, and further amended by Senate Resolution 75, adopted March 25, 1999, the Chair, on behalf of the Democratic Leader, announces the appointment of the following Senators to serve as members of the Senate National Security Working Group—

the Senator from West Virginia (Mr. BYRD), Minority Administrative Co-Chairman;

the Senator from Michigan (Mr. LEVIN), Minority Co-Chairman;

the Senator from Delaware (Mr. BIDEN), Minority Co-Chairman;

the Senator from Massachusetts (Mr. KENNEDY);

the Senator from Nebraska (Mr. KERREY);

the Senator from New York (Mr. MOYNIHAN);

the Senator from Maryland (Mr. SARBANES);

the Senator from Massachusetts (Mr. KERRY); and

the Senator from Illinois (Mr. DURBIN).

The message also announced that pursuant to the provisions of Public Law 94–304, as amended by Public Law 99–7, the Chair, on behalf of the Vice President, announces the appointment of the following Senators as members of the Commission on Security and Cooperation in Europe—

the Senator from New Jersey (Mr. LAUTENBERG);

the Senator from Florida (Mr. GRAHAM);

the Senator from Wisconsin (Mr. FEINGOLD); and

the Senator from Connecticut (Mr. DODD).

The message also announced that pursuant to the provisions of Public Law 105–244, the Chair, on behalf of the Democratic Leader, announces the appointment of the Senator from New Mexico (Mr. BINGAMAN), to serve as a member of the Web-Based Education Commission, vice Dr. Richard J. Gowen, of South Dakota.

The message also announced that pursuant to the provisions of section 3(b) of Public Law 105–341, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to the Women's Progress Commemoration Commission—

Elaine L. Chao, of Kentucky;

Amy M. Holmes, of Washington, D.C.; and

Patricia C. Lamar, of Mississippi.

The message also announced that pursuant to the provisions of Executive Order No. 12131, the Chair, on behalf of the Vice President and upon the recommendation of the Majority Leader, appoints the following Senators as members of the President's Export Council: the Senator from Montana (Mr. BURNS); the Senator from Missouri (Mr. ASHCROFT); and the Senator from Wyoming (Mr. ENZI).

The message also announced that pursuant to the provisions of Executive Order No. 12131, the Chair, on behalf of the Vice President and upon the recommendation of the Democratic Leader, appoints the following Senators as members of the President's Export Council: the Senator from Montana (Mr. BAUCUS); and the Senator from South Dakota (Mr. JOHNSON).

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 10 one-minutes per side.

Will the gentlewoman from Missouri (Mrs. EMERSON) kindly assume the Chair.

THE POWER TO TAX IS THE POWER TO DESTROY

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

Mr. GIBBONS. Madam Speaker, it was 180 years ago that Daniel Webster said in the case of McCullough v. Maryland that the power to tax is the power to destroy. Well, today this Federal Government has been destroying working families all across America with excess taxation.

I rise today to support H.J. Res. 37, the Tax Limitation Amendment, that will put a leash on this Federal Government by requiring a two-thirds majority vote in both Houses to raise taxes.

In 1994, as a private citizen, I led an effort to amend our own State constitution with very similar language. I am proud to say that Nevada voters in two consecutive elections overwhelmingly passed that measure, and it has become a Nevada law. By passing this law, the citizens in Nevada declared in a loud and clear voice that they want to put a leash on the way government spending and burdensome taxes are increased.

States whose governments have similarly imposed a supermajority requirement for tax increases experience greater economic growth, lower taxes and a reduced growth in government

spending. The Federal Government needs to put this same fat-free diet into existence by making it more difficult to raise taxes on America's hard-working men and women.

TRIBUTE TO THE JONESBORO SUN

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

Mr. BERRY. Madam Speaker, I rise today to pay tribute to the staff and the publisher, Mr. John Trout, at the Jonesboro Sun. It has been an outstanding newspaper in the First Congressional District of Arkansas.

The Jonesboro Sun was recognized yesterday as one of two finalists in the Breaking News Reporting category in the 83rd annual Pulitzer Prizes in Journalism, Letters, Drama and Music.

The Sun was the only small newspaper selected as a finalist in the 1998 competition. Last March, the Sun showed us how a quality news team can work together and do a great job by covering the tragic shooting at Westside Middle School. It was a breaking story and the staff at the Sun was on the scene to cover it accurately and honestly. They worked long, hard hours on a story that hit all of us in Jonesboro and around the country.

I stand here today to commend the Sun, its staff and its publisher, and their dedication to northeast Arkansas and to quality journalism. They are what newspapers should be about.

PRESERVING STILTSVILLE, A COMMUNITY OF HOMES IN THE PRISTINE WATERS OF BISCAYNE BAY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, Miami maintains its ties to our rich cultural and architectural history through the preservation of historical sites, and one of these is Stiltsville, a community of homes located in the pristine waters of Biscayne Bay.

These seven wood frame homes have provided a source of pride and enjoyment for locals and visitors alike, but Stiltsville is facing the possibility of demolition as early as July of this year.

A group of dedicated organizations throughout the south Florida area have come together in an effort to save this historic architectural wonder and to allow future generations to be able to enjoy this unique feature of our area's history. Our goal is twofold, to obtain a declaration for Stiltsville as a national historic site and to stop its pending demolition.

Stiltsville is unique in its cultural and historical significance for our area and, were it to be demolished, a structure with such rich design could never be replicated. We need to do what we can to save this piece of our precious south Florida history.

TAX DAY

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

Mr. FARR of California. Madam Speaker, today is tax day. Everybody knows how much they pay in taxes, but let us not forget that we also have this great country which has great public institutions, a great system of highways, parks and museums. Essentially, the public infrastructure that is paid by these taxes is second to none.

We are also a country of private property, and today we think about homeownership. Why? Because in our taxes we are allowed to deduct homeownership. We need to do a better job, though, with homeownership in America. We have 67 percent of Americans now owning homes, but those in the audience who are between the ages of 25 and 29 have to improve that. There is no better way to improve it than to be able to deduct the home mortgage from our taxes.

So I urge my colleagues to support the resolution of the gentlewoman from New Jersey (Mrs. ROUKEMA), which will be introduced today, so that we can continue to preserve mortgage interest deductions in our taxes.

MORE MONEY DOWN THE RUSSIAN SINKHOLE

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

Mr. STEARNS. Madam Speaker, last year the Russians begged the International Monetary Fund and our Nation for further assistance. We provided up to $4.8 billion that was supposed to go to economic stabilization, but most of the $4.8 billion disappeared into the secret bank accounts of corrupt Russian officials who control Russia.

Robert Novak writes in this week's newspaper, ''The monetary support for the country's currency allowed members of the Russian power structure to convert personal holdings into dollars. In that way, a substantial amount of the IMF funds ended up in numbered Swiss bank accounts.''

Now the Russians are begging for another $5 billion of U.S. taxpayer-backed loans and the Clinton administration is holding out the IMF carrot for Russia's help in dealing with Serbia.

U.S. taxpayers' money should never be risked in these foreign loan misadventures that go directly into the pockets of the most corrupt.

IT IS TIME TO ABOLISH OUR TAX CODE AND THROW THE IRS OUT WITH IT

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

Mr. TRAFICANT. Madam Speaker, our Tax Code penalizes achievement and rewards dependence. It subsidizes illegitimacy. It kills investment. It kills jobs. It destroys our exports and sales and subsidizes our imports.

Beam me up, Madam Speaker. In a nutshell, our Tax Code sucks. It is time to abolish it and throw the IRS out with it and give serious consideration to a national retail sales tax. It is time to tell the IRS, tax this.

I yield back the $850 charge of compliance for every man, woman and child in America for this complex Tax Code we have in place.

THE BOMBING IN SERBIA MUST STOP

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

Mr. PAUL. Madam Speaker, the bombing in Serbia must stop immediately. Serbia has never aggressed against the United States. Serbia is involved in a bloody civil war of which we should have no part, and have not declared war, as the Constitution requires. That makes this war both immoral and illegal.

Not only has the bombing done no good, it has made the situation much worse and the world more dangerous. Serb troops are not dying; American troops are not dying, but innocent civilians are being killed by the hundreds on both sides.

There are just too many uncanny accidents. The refugee problem, which was minimal before the bombing, is now catastrophic as a result. Congress should not fund this war and if we do, we have become an accomplice and morally responsible for the killing and the spread of this conflict that will surely occur if this bombing is not stopped.

MAKING EDUCATION A PRIORITY

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

Mr. HOLT. Madam Speaker, over the past 2 weeks I had the opportunity to hold a series of town meetings in my district in central New Jersey. Everywhere I went I heard the same message, from parents, from teachers, from students. We need to invest in education.

In Plainsboro, educators talked to me about the importance of having teachers who are well trained in academic subjects like science and math.

In Clinton, I spoke with parents who want their children to be taught in small classes, where they can get personal attention from teachers. In Freehold, I heard from high school students who are concerned about how to pay for college.

The budget resolution that was passed by the House yesterday does not do enough for these New Jerseyans. It will not help hire more teachers. It will not help districts modernize their schools. It takes money away from higher education.

Madam Speaker, if we are going to prepare our children for the future, we have to do better. We have to make education our top priority.

WORKING AMERICANS KNOW BETTER HOW TO SPEND THEIR MONEY THAN THE GOVERNMENT DOES

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

Mr. NETHERCUTT. Madam Speaker, today most taxpayers throughout America will do their civic duty and file their Federal income taxes. For Washington State residents, the average total tax burden will rise from $10,307 in 1997 to $10,634, making Washington the State with the tenth highest per capita tax burden in our country.

I believe this is too much, that working Americans know better how to spend their money than the government does. So I am pleased today, with Senator JOHN ASHCROFT and the gentleman from Tennessee (Mr. WAMP) to introduce the Working Americans Wage Restoration Act.

□ 1015

This bill will allow American workers to deduct their share of Federal payroll taxes. It is unfair to workers that these payroll taxes are taxed twice in the same income. They are taxed once as a portion of gross income for Federal income tax purposes, and for the second time for the payroll tax contribution to the social security trust fund.

By allowing workers to deduct in their income taxes their share of social security contributions, the Working Families Wage Restoration Act will eliminate this double taxation, and allow workers to keep more of the money they earn.

URGING BRITISH AIRWAYS TO RETAIN FACILITIES IN JACKSON HEIGHTS, QUEENS, NEW YORK

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

Mr. CROWLEY. Madam Speaker, I rise today in support of the International Association of Machinists and Aerospace Workers employed by British Airways in Jackson Heights, Queens, New York. These workers are being subcontracted out of their jobs without fair contract negotiations with their employer, British Airways.

Over the next 3 years, British Airways intends to close its Queens facilities, thereby eliminating 500 jobs in Jackson Heights, Queens, alone. British Airways announced their decision in the midst of a contract negotiation, and has demanded the right to unlimited subcontracting, to send jobs overseas.

British Airways states they are closing the Jackson Heights facility as a cost-saving measure. I know their profits have been constantly rising in recent years. As the largest civilian employer in the Borough of Queens, in the city of New York, our economy will be devastated by the closure of this facility. Yet British Airways will continue to increase their profits and form a valuable alliance with American Airlines under the Open Skies Agreement.

I am a strong supporter of our workers. On April 8, I attended a rally in support of the British Airways employees at the British Consulate. Madam Speaker, I ask Members, all my distinguished colleagues in the House of Representatives, to join me in calling on British Airways to keep jobs in Queens, in the United States, rather than outsourcing these jobs to other countries.

HOW MUCH LONGER WILL TAXERS AND SPENDERS BLOCK REPUBLICAN EFFORTS TO IMPROVE THE TAX CODE?

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

Mr. PITTS. Madam Speaker, last night was a depressing, demoralizing, and most of all expensive night for millions of Americans. It was a terrible night for productive citizens, because for the producers, those who work and pay the taxes, last night was the day of reckoning that had finally come.

Americans were skipping their bowling night, cancelling bridge parties, throwing their movie guides into the trash. Last night was a night instead to do battle with a harmless sounding form known as the 1040.

Of course, for many of us, the old 1040 is the least of our problems. There is the Schedule A, Schedule E, Schedule Z451MDUM and all the rest. Deductions and exemptions and special cases and three-pronged tests, depending on whether you are right-handed or left-handed or like chocolate chip cookies, it is just too much, even for the accountants, even for the IRS.

How much longer will the taxers and spenders continue to defend the special interests, the status quo, and block the efforts of Republicans to pass a lower, simpler, flatter Tax Code?

PERSONAL INFORMATION PRIVACY ACT

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

Mr. KLECZKA. Madam Speaker, information on the most personal aspects of our lives continues to be spread across the landscape. Once taken for granted, our wall of privacy is steadily crumbling.

Today I am reintroducing the Personal Privacy Information Act. This legislation attempts to restore some control over the use of our personal information. The bill prevents credit bureaus from giving out social security numbers, and prohibits the sale of any information that includes anyone's social security number unless they have written consent to do so.

A merchant who requires a social security number on a check used for a purchase or a cable company who demands a social security number on an application for service will be prohibited from doing so.

Further, this bill prohibits any State Department of Motor Vehicles from selling drivers' photographs or drivers lists containing social security numbers. Lastly, marketers will not be able to sell consumer purchasing experiences or credit transactions without prior approval.

Madam Speaker, this legislation is designed to curtail the rampant invasion of our privacy. What we buy and where we buy it is no one's business but our own, and the unauthorized use and abuse of our social security number must stop. I urge all my colleagues to cosponsor and to support this legislation.

MEDICARE

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

Mr. BARTLETT of Maryland. Madam Speaker, normally when I hear people talk about March madness, I assume they are talking about the NCAA college basketball tournament. However, this year I am afraid this expression is better applied to Democrat party plans to actually expand an entitlement that is already going bankrupt. This is clearly an example of political madness.

The fact is, Congress worked together with the President last year to take the first step toward reforming a program that was within 4 years, just 4 years, Madam Speaker, of going bankrupt.

The reforms we passed together on a bipartisan basis, although essential,

merely postponed Medicare bankruptcy until the year 2010. It is around 2010 that baby boomer bankruptcy is going to hit big time. If this madness persists, we can kiss talk of budget surpluses good-bye, we can forget about proposing any new government programs, and worst of all, we can forget about giving the middle class some long overdue tax relief. It is now April. This March madness talk of expanding Medicare must end.

GOOD TAX POLICY: THE HOME MORTGAGE INTEREST DEDUCTION

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

Mr. TANNER. Madam Speaker, there will be a lot of rhetoric today, since it is tax day, about the Tax Code, and surely we can do better. It ought to be simplified.

But there is one facet of it that I think is good public policy. That is the home mortgage interest deduction. It is simple, straightforward, far-reaching, and over 24 million Americans benefit from the home mortgage interest deduction. I believe that whatever happens with the Tax Code, we ought to continue that as a matter of public policy, because all of the things that we all know as American citizens that we derive from home ownership are a good goal for this government. So I would urge that we continue to support the home mortgage interest deduction.

THE PRESIDENT PROPOSES HUGE TAX INCREASES

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Madam Speaker, April 15 and lights are burned late across America as people have completed the agonizing task of paying their taxes, and believe it or not, at a time when taxes are at an all-time high in America, the President has proposed to increase taxes $172 billion on the American people. Believe it or not, at a time when surpluses are projected out as far as the eye can see, the President has proposed increasing taxes on the American people $172 billion.

The Republican majority fought and won a balanced budget in order to discipline spending and to prevent tax increases. We have now created a level of economic growth unprecedented, and this is the opportunity to now lower the tax burden on our hardworking citizens.

I oppose the President's tax increases, and I support disciplining spending in order to reduce the tax burden on our folks.

EDUCATION AND THE FUTURE OF AMERICA'S CHILDREN

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. VELÁZQUEZ. Madam Speaker, we cannot prepare our children for the future with an educational system from the past. We cannot lift our students up by sending them to schools that are falling down. These are simple facts which must be addressed, and they must be addressed now.

Communities like the ones I represent in Brooklyn and the Lower East Side of New York are in need of resources to build and improve schools. In fact, the Sunset Park Community of Brooklyn does not have even a high school.

The result of the problem can be seen in dropout rates among minorities which is 13 percent among blacks and 29 percent among Hispanics. Unfortunately, Republicans want to ignore these realities. They want to spend the budget surplus on expensive tax cuts, instead of helping our children prepare for the future. They do not want to join Democrats in fixing schools, providing technology, and hiring more teachers. They want to leave the future of America's children to chance.

A STAND AGAINST THE PRESIDENT'S EFFORTS TO RAISE TAXES

(Mrs. KELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KELLY. Madam Speaker, I rise today to address the issues that all working families have on their minds, taxes. Americans pay too much of their hard-earned money in taxes. Almost everything we do today is taxed: everything we wear or eat, medical expenses, our homes, our savings, our income. When we die, the government will again take another bite out of everything we have accomplished in our lifetime.

I have been working to reduce this astounding tax burden on the American people, and believe we are working in the right direction with the year 2000 budget that we passed yesterday. It was just inconceivable that the President requested $172 billion tax increases in his budget proposal this year. It is no secret that working families are having a hard enough time these days without having to make do with less.

Some of the Members of this Congress stand against the President's efforts to raise taxes. I am one of those. In a day when we are running a surplus and beginning to pay down the massive debt, it is the government in Washington that needs to tighten its belt, not the American taxpayer.

CELEBRATING THE ACHIEVEMENTS OF THE MORTGAGE INTEREST DEDUCTION

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

Mr. NEAL of Massachusetts. Madam Speaker, today I join with the gentlewoman from New Jersey (Mrs. MARGE ROUKEMA) and the gentleman from Pennsylvania (Mr. PHIL ENGLISH), co-chair of the Real Estate Caucus, in celebrating the achievements of the mortgage interest deduction in America.

Today the gentlewoman from New Jersey (Mrs. ROUKEMA) is introducing her resolution opposing any further restrictions on mortgage interest deductions. Despite the fact that there is no current proposal on the table to cut back the homeowners deduction, this is an important effort that serves as a device for all of us to pause and remember how important this tax incentive is for the country.

Currently 67 percent of the households in America live in homes that are owner-occupied. Even more amazing is the fact that 67 percent of foreign-born naturalized citizens who have been in this country for at least 6 years also now own their own homes. The greatest growth in home ownership today is among minorities and first-time homebuyers.

Madam Speaker, I believe home ownership remains invaluable in our society, both in terms of our economy, but also in terms of how we think and organize ourselves as a society. I want to lend my support to the efforts of the gentlewoman from New Jersey (Mrs. ROUKEMA) today, and urge other Members of the Congress to sign onto this legislation.

TAX DAY

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

Mr. SCHAFFER. Madam Speaker, today is April 15, tax day in America. Of course, April 15 is not a day liberals find too offensive. April 15 is a high holy day for all the social engineers, the central planners, and the big government liberals who worship at the altar of bureaucracy.

The fact is, Madam Speaker, for the tax takers, April 15 is a day of celebration, a time to muse on the possibilities of other peoples' money. It is happy land day for the Democrats. But for the taxpayers, April 15 is a day of reckoning, a day to see in black and white just what they get for their tax dollars.

Taxpayers and tax takers, few issues so define the two political parties, and signal the root of virtually all political issues in Congress. With each passing

year the Democrat party becomes more liberal. The number of tax takers expands and the proportion of taxpayers drops.

Republicans would like to change this trend. Middle class taxpayers deserve some relief. If today is a day Americans celebrate, the Democrat party is for them. If today is a day they resent, the Republicans are on their side.

HOUSE AND SENATE SHOULD QUICKLY PASS FULL FUNDING FOR DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Speaker, after the regrettably partisan fight that we witnessed here yesterday over the Census, I was tremendously pleased to read in the Washington Post this morning a statement by the chairman of the Subcommittee on the Census of the Committee on Government Reform and Oversight, the gentleman from Florida (Mr. DAN MILLER), where he stated that the Republican majority was not continuing with their plans to shut down the government.

Hopefully the House and Senate will move quickly to remove the uncertainty of all government agencies that were funded only to June 15 because of the Census dispute. Commerce, Justice, State were funded not for a full year, but only to June 15.

The leadership in both the House and Senate should move quickly to reassure the American public that the services provided by these agencies will continue for a full year by passing a full funding resolution.

□ 1030

REPUBLICANS HEAR AMERICA'S VOICES ON TAXES

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

Mr. ARMEY. Madam Speaker, today is April 15. Millions of Americans will finish their day today at around midnight, parked in front of a post office someplace, trying to make the final installment on the over $200 billion they will spend this year just complying with the Tax Code.

Yes, we have this annual 3½ months of torment that results in $200 billion worth of our money to comply with a Tax Code that extracts from us more money than what we spend on food, shelter, clothing and transportation combined.

That means we will, by midnight tonight, have completed spending the 5.4 billion man-hours this year on complying with the Tax Code, which is more time than this Nation will spend in the production of every car, truck and van produced in the United States.

No wonder the American people will go to bed tonight and say, ''Give us some relief. We certainly appreciate what you did in 1997 when we got an increased tax break for each of our children that shows up in this year's Tax Code''. But they will turn their eyes to Washington and say, ''Give us more relief. The tax burden is too much.''

We Republicans will do that again this year. They will appreciate that as we get that bill done, cutting taxes perhaps just a little more, hoping the President will sign it.

But even so, if we do that, the American people will say again next year, ''Give us more relief. Give us a Tax Code that is fair, flat, simple and easily complied with so that I can spend my Saturdays in March and April playing with the children rather than fighting with the tax man.''

That day will come, Mr. and Mrs. America. Hang on. We hear your voices. We hope they are heard at the White House as well.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 124 AND H.R. 469

Mr. HASTINGS of Washington. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H. Res. 124 and H.R. 469. My name was apparently added in error in place of the gentleman from Florida (Mr. HASTINGS).

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Washington?

There was no objection.

TAX LIMITATION CONSTITUTIONAL AMENDMENT

Mr. HASTINGS of Washington. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 139 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 139

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 37) proposing an amendment to the Constitution of the United States with respect to tax limitations. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) one motion to amend, if offered by the Minority Leader or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

Mr. HASTINGS of Washington. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking member from the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, H. Res. 139 is a structured rule providing for consideration of House Joint Resolution 37, proposing an amendment to the Constitution of the United States with respect to tax limitation. The joint resolution shall be considered as read for amendment.

This rule provides for 3 hours of debate in the House equally divided and controlled by the chairman and ranking member of the Committee on the Judiciary.

The rule further provides for one motion to amend if offered by the minority leader or his designee, which shall be considered as read, and shall be separately debatable for 1 hour equally divided and controlled by a proponent and an opponent. Finally, the rule provides for one motion to recommit with or without instructions.

Madam Speaker, there is no more appropriate day than April 15 for the House to take up this proposed constitutional amendment. When it comes to taxes, this is the day of reckoning for tens of millions of America's families. Indeed, at this very moment, while we conduct this debate here in the Capitol, millions of our constituents are racing frantically against the clock to complete their taxes, struggling to make sense of an extraordinary complex Tax Code that has been amended more than 4,000 times just since the 1980s.

H.J. Res. 37, introduced by the gentleman from Texas (Mr. BARTON), starts from this very basic premise: It should be harder, not easier, for government to forcibly take from its citizens ever larger shares of the fruits of their labor. Why? Because today the average American pays more in taxes than it does for food, clothing, shelter or transportation combined. For too long, the tax burden imposed by government has been going up, not down.

When I was younger, in the 1950s, a typical family with children sent $1 out of every $50 it earned to the Federal Government in taxes. Today that figure is $1 out of every $4. Unless things change, it will soon be $1 out of every $3.

In fact, Madam Speaker, when I visit high schools in my district in central Washington and speak to the senior class, nothing seems to get the students' attention like reminding them

that as soon as they start working full time in 1 to 5 years, depending on where they go to college, government at all levels will take nearly 40 cents out of every dollar they earn.

Every single one of them, the best students and the worst, gets the message. Even those that are not going to go on to higher education or to some other college are smart enough to understand the frustration of working for 60 cents on the dollar. They are also smart enough to know that without some sort of meaningful restraint on Congress, taxes will only keep going up on them as they have on their parents and their grandparents.

The proposal of the gentleman from Texas (Mr. BARTON), the constitutional amendment, would not make it impossible to raise taxes. It would simply require that those proposing a net tax increase, a net tax increase, make a strong enough case to win the support of two-thirds of the House and two-thirds of the Senate. Nor would this proposal impede the passage of measures designed to raise some taxes while lowering others, as long as the combined effect of those changes do not result in an overall tax burden on the American people.

Madam Speaker, the polls may be somewhat ambiguous on whether the public supports tax cuts, but there is absolutely no confusion about where they stand on this proposal. An overwhelming majority of Americans are opposed to tax increases, and they clearly support the supermajority requirement of the gentleman from Texas (Mr. BARTON). I hope this Congress will, too.

Therefore, I strongly encourage my colleagues to support both this rule and the proposed constitutional amendments that we will be debating shortly.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank the gentleman from Washington (Mr. HASTINGS), my dear friend, for yielding me the customary half-hour.

Madam Speaker, amending the Constitution of the United States is a very serious matter. The constitutional framers thought constitutional amendments should not be entered into lightly. They believe that the Constitution should not meet their own political agenda, but endure and meet the needs of the United States of America for centuries to come.

But my Republican colleagues do not seem to share the same sentiment. Today's resolution uses the Constitution as a political prop. It puts more importance on evening news than on governing this country. That, Madam Speaker, is a shame.

For the fourth time in a row, my Republican colleagues are bringing to this Chamber a sham amendment to the Constitution. This year they did not even bother to have this bill heard in the Committee on the Judiciary. Would my colleagues believe that? Changing the Constitution on the floor of the House, without even bringing it to the Committee on the Judiciary for their initial approval. Instead, they are bringing it right here to the floor of the House to coincide with tax day and make a political point and be done with it.

Madam Speaker, they do not seem to be serious about passing this amendment because they did not even consider the very good suggestions by the gentleman from North Carolina (Mr. WATT) on ways to make this amendment actually work.

Madam Speaker, this is starting to look much more like a bad rerun than legislating. History shows my Republican colleagues are not even close to abiding by the rule they are proposing adding to our Constitution.

My colleagues may recall at the beginning of the 104th Congress, they changed the House rules to require a two-thirds majority for tax increases. Then they proceeded to waive that requirement every time it came up. Last Congress, they narrowed the rule to apply only to a very narrow definition of tax increases in order to make sure they did not have to follow it.

Madam Speaker, the amendment my colleagues are proposing today will require a supermajority to pass revenue-raising legislation. But the problem with the supermajority, Madam Speaker, it effectively turns control over to a small minority who can stop legislation, even legislation that the majority supports. In other words, one-third plus one on either of the House or Senate side could effectively hold up the entire country.

This has been a bad idea for a long, long time. James Madison in the first Federalist Papers said that, under a supermajority, the fundamental principle of free government would be reversed, there would be, no longer, the majority that would rule. The power would be transferred to the minority.

Since this amendment requires 290 votes to pass, today's bill looks a lot more like show-boating than legislating. Madam Speaker, the American people really deserve more than that.

This amendment will nearly destroy our ability to shore up Medicare and Social Security, which are headed for trouble in the very near future. It will lock in corporate welfare and tax breaks for the very rich at the expense of the middle- and lower-income people.

So, Madam Speaker, this so-called amendment is a gimmick and a bad one at that. But do not take just my word; look at the Washington Post this morning on the editorial page, headlined ''A Bad Tax Idea in Congress.''

Just to read the first paragraph: ''The House is scheduled to vote today on the constitutional amendment to require two-thirds votes for tax increases. The amendment is expected once again to fail, as it should. This is a show vote at tax time in which the sponsors invoke the Constitution as a stage prop to demonstrate their dislike for taxes.''

Madam Speaker, I urge my colleague to oppose the rule on this sham motion.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield 6 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Madam Speaker, with due respect to the gentleman from Massachussetts (Mr. MOAKLEY), the very distinguished ranking member on the Committee on Rules, whom I have a great deal of respect for, I have to disagree with several things that he said.

First of all, we heard that this is nothing but an idea that would help Republicans gain political benefit. I have got to say this is not about Republicans. It is not to benefit Republicans. It is not a political prop. This is something that benefits all of the Americans that are across the country right now scrambling to get their taxes done by the end of the deadline today.

Of course, he did not mention that this was about taxes, the ability to stop big government liberals from raising taxes. Instead, he called it revenue-raising. Let us call it what it is. We are talking about increasing taxes.

As far as this being an idea that should not be brought up again because it has failed three times before and this is just rerun legislation, let me say to the distinguished gentleman that sometimes it takes the President and some of our friends on the left three or four times to get it right.

Remember, the President vetoed welfare reform three times. I am glad we kept bringing it up, because we had an idea that was right. We finally passed it over those three vetoes, and the welfare rolls have dipped to historic lows.

Another example is balancing the budget. I remember the President opposing it at least five or six times in speeches, balancing the budget back in 1995. In fact, the President said balancing the budget would destroy the economy in 7 years. Those were his words. Of course, 4 years later, we find out that it was a darn good thing we kept fighting for it, because the economy is stronger today than ever before.

I think it is the same thing with this plan to make it harder for the President and to make it harder for people on the left to raise taxes on working Americans.

Now at the end of this decade I believe is a perfect time to pass this very

important amendment because it has been in this decade that this Congress and the Presidents at the other end of Pennsylvania Avenue in the 1990s have raised taxes on Americans more than in any decade in this country's history.

□ 1045

As we go into the 21st century, I cannot think of any device that would assure Americans that are filing taxes today, and future Americans like my boys and like other people's children and grandchildren, I cannot think of another device taking us into the 21st century that will guarantee that this Congress will think long and hard before raising taxes on hard-working middle class Americans.

Now, I have to talk about a couple more things the gentleman brought up. He said that this legislation, this amendment, actually would hurt Medicare, it would hurt Social Security, and it would lock in tax breaks for the rich.

Well, I have heard that one before. I do not know of anything in this amendment that would guarantee help for tax cuts for the rich. Also, the suggestion that somehow stopping Congress from raising taxes again and again and again and again would destroy Social Security and Medicare is a nonstarter, unless we are here to say today that the only way we save Medicare and Social Security is by raising taxes on hard-working middle class Americans.

Now, as far as the President goes, though, and why the President, the administration, and conservative newspapers like The Washington Post, and, boy, I am shocked that the Washington Post editorial page is against something that actually makes government smaller, but the reason the President may not like this is because, let us face it, the President's recent statements on tax increases show that he is not a fan of the hard-working Americans that are paying taxes. This is what Bill Clinton said on January 20, 1999, while he was up in Buffalo. He said, ''We could give you the budget surplus back to you in tax cuts and hope you spend it right.'' But we cannot because, in the end, the Federal Government knows how to spend the American people's money better than they know, according to the President.

He also said, and this was when the President decided to get feisty, he said on February 17, 1999, ''Fifteen years from now, if Congress wants to give more tax relief, let them do it.'' Well, is that not grand of our Commander-in-Chief, to say that maybe 15 years from now hard-working middle class Americans may deserve a tax cut.

We do not need it in 15 years, we need tax relief now. And we do not need to protect the American people from an onslaught of another decade of unprecedented tax increases, we need to protect them today. And this is an amendment whose time has come.

I do not care if liberals and big government types have opposed this taxpayer protection in the past, just like I do not care that they opposed welfare reform three times before finally passing it; like I do not care that they opposed the balanced budget five times before passing it. Now is the time to pass this to protect hard-working middle class Americans. The American taxpayer just cannot stand another 10 years of tax increases like they have had to in the past 10 years.

Mr. MOAKLEY. Madam Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the rule and the constitutional amendment it brings to the floor.

Madam Speaker, as the gentleman from Massachusetts pointed out, we have had no hearings on the current bill. If we had had hearings, the first thing that would have been exposed is the fact that we can continue raising spending with a simple majority vote, but to pay for that additional spending would require two-thirds in both the House and the Senate.

It also points out we could pass a corporate loophole with a simple majority, but to close the corporate loophole would take a two-thirds vote in the House and the Senate.

In fact, if we find ourselves in a budget crunch where we needed to cut or find additional revenues, it would take a two-thirds vote to close a corporate loophole but only a simple majority to cut Social Security or Medicare.

We did have hearings on this proposal last year and we heard from many witnesses, Democratic and Republican, who found troubles with many provisions. In fact, former Office of Management and Budget director Jim Miller, who supported the amendment, said that some of the provisions were in fact, and I quote, silly.

For example, there is a provision that says it does not apply to provisions that raise revenues by a de minimis amount. What is de minimis? Well, one provision said if it is one-tenth of 1 percent of the total revenues, that would be de minimis. But in a trillion dollar budget, one-tenth of 1 percent is a billion dollars. We have heard jokes about a billion here and a billion there, but we do not want courts to decide whether or not that is de minimis and whether two-thirds is required.

The ranking member of the Subcommittee on the Constitution, the gentleman from North Carolina (Mr. WATT), also had an amendment that suggested that courts should not be able to intervene. They should only make a declaratory judgment as to whether we are in compliance or not, otherwise we will find that the courts are deciding whether the tax laws are valid or whether or not we were in compliance with the law.

This amendment was not allowed under the rule. The Committee on Rules did not want to consider improvements to the proposal. So in its present form, the courts will decide whether or not we require a two-thirds vote. This rule allows no amendments, it limits debate, it provides for the consideration of a constitutional amendment for which we held no hearings, and it will mire us in a morass of confusion and litigation over the meanings of its terms.

Amending the Constitution is serious business. It should not be conducted haphazardly and it should not be part of an April 15 charade. I, therefore, urge my colleagues to vote ''no'' on the rule and ''no'' on H. J. Res. 37.

Mr. HASTINGS of Washington. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in support of the resolution.

I think the underlying issue right now is worthy of a debate, and as the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Washington (Mr. HASTINGS) have indicated, is there not a better day than tax day? I know right now there are people across this country, including my hometown of Brooklyn and Staten Island, who are writing a check to the Federal Government. They are working hard all year for the painful experience of writing a check.

While there are those of us who are advocating tax relief for the American people, this does not even talk about that. We are talking about when a bill comes before the House of Representatives that would raise taxes, that we need more than a simple majority to do so. If a bill comes before the House now, we need about 218 Members to pass the legislation. This would raise that amount to 290.

Therefore, if we still have 150 Members of Congress who believe that a tax increase is necessary, the legislation will pass. It is very simple. It is not complicated. And it allows those who believe that the American people are not overtaxed or believe that they deserve a tax increase or they believe that economic growth is best left here in Washington and not back home across America, with the freedom and the liberty and the opportunity for Americans to spend their hard-earned money as they see fit, if there are still 150 Members who believe that a tax increase is necessary, they can do so under this legislation.

I know there are those who want to make it very, very complicated and talk about esoteric things, but to me, I enjoy going back home and asking the average family who are working so hard, some 6 or 7 days a week, both husband and wife working, sometimes

one spouse working just to pay the taxes, and asking them if they want $1,000 back or $1,500 back of their hard-earned money so they can invest in education or buy a new car, put it in the house, and see what their response is. The response I get when I ask that question is an overwhelming ''yes''.

But that is tax relief. This legislation deals with tax increases. If there are those who are committed to raising taxes on the American people, they have the opportunity with this legislation to vote ''yes''.

I would urge a ''yes'' vote on this resolution and a strong ''yes'' for the American people, the hard-working taxpayers of this country who have been the engine of economic growth for years. This will put a limitation on the way Congress spends their hard-earned money.

Mr. MOAKLEY. Madam Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Let me, as a member of the Committee on the Judiciary, raise an initial concern that if we are to be guided by the will of the people, then we have certainly been misguided in this resolution.

I rise in opposition to H.J. Res. 37, both the rule and the underlying bill, and ask the question, if this is of such importance, why did it not go through the process for active and deliberative debate; going through the House Committee on the Judiciary for a determination as to its constitutional framework?

We have noted that, through the Constitution, we are a government ruled by the majority. Even in this body, as I stand as part of the minority party, we recognize that decisions have been made by a simple majority vote. That majority vote may be comprised of Democrats and Republicans but it is a simple majority.

I raise for consideration, Madam Speaker, the words of Judge Felix Frankfurter: ''Fragile as reason is and limited as law is as the institutionalized medium of reason, that's all we have standing between us and the tyranny of mere will and the cruelty of unbridled, undisciplined feeling.''

Albeit I attribute to my colleagues good intent, I believe that this legislation on April 15 is a feel-good piece of legislation. It gives those who are trying to impress the respective taxing organizations or anti-taxing organizations the opportunity to say, ''Look at us, we are voting against taxes on April 15.''

Well, Madam Speaker, I would venture to say that the American people have a broader view of what America is all about. They think it is about good education. They think it is about saving Social Security and Medicare. They think it is about rebuilding the crumbling schools, or the universal savings account announced yesterday that allows Americans to save money that will result in additional funds in retirement. They think it is about supporting the men and women who are sent off to wars, and particularly the terrible conflict in Kosovo. They do not want us trampling on the Constitution by requiring two-thirds so that one-third of individuals, filled with feeling and passion, can stop the wheels of government.

The economy is going well. Our American citizens are reasonable people. Tax relief is one thing, but this unbridled feeling about limiting the opportunity to engage in the responsibilities that we have in the United States Congress as representatives of the people is another. If we do not like taxes, we should vote against them, but we should not bridle the wheels of government by requiring a tyrannical minority to hold up the wheels of government.

I would simply add, Madam Speaker, that my concern as we go through this process is that we have not given this resolution the process that it should have had. It did not go through the Committee on the Judiciary, yet we are here on the floor. I would ask my colleagues to consider what they are doing.

The Constitution is a sacred document. The amending of the Constitution or provisions to amend it should be a sacred process. That is what we have been entrusted with by the people of the United States of America. I would be concerned that we do great damage to it today.

I would ask my colleagues who think tax relief is good, to put a good tax relief bill on the table. But if we pass this legislation, we will not be able to alter the Tax Code. We will be stifled by that because it may result in a de minimis, or above a de minimis increase in taxes, and therefore we will tell the American people, ''The heck with you, we can't give you Tax Code relief.''

This is a bad bill, a bad rule, and I ask my colleagues to vote this down. We should encourage all citizens to do what is right on tax day: file their taxes, get their returns in, get their refunds back, and realize that this government is working on behalf of the American people and working through its representatives in a fair and just way.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to day in opposition to H.J. Res. 37, the Republican Tax Limitation Amendment. As you all know, this amendment seeks to require a two-thirds majority vote in each House to increase tax revenues by more than a ''de minimis'' amount, except in times of war or military conflict which pose a threat to national security.

I first object to this measure because it is completely ambiguous. If we are proposing to amend the longest standing document of civil liberty and freedom in the Western world, surely, we should be absolutely clear about what our intentions are. Already, we see that the courts struggle with interpretations of Constitution, and we cannot afford to have a Court wrongfully interpret this bill, especially if it is in a manner which will hamstring the Congress in its plain course of business.

Leaving the determination to Congress as to how we will define a ''de minimis'' increase is ultimately as arbitrary and meaningless as not having a standard at all. The fact of the matter is that this language will inevitably encourage years of exhaustive litigation about when this constitutional amendment should be invoked.

Do the authors of this bill intend that potential tax increases be evaluated by changes in percentages or by numerical amount? When do changes begin to exceed the ''de minimis'' standard included in this bill, is it over an annual period, a two-year period or a five-year period? Do fiscal changes that need to be done in order to properly administrate our Social Security and Medicare programs trigger this amendment? The plain answer is that nobody knows—not a comforting thought as we move forward on our legislative calendar.

Furthermore, the one exception in the bill in regards to the special circumstances that may arise during an armed military conflict are written too narrowly to be effective. Even in this drastic case, the tax limitation is only waived for a maximum of two years.

But most importantly, this constitutional amendment is contrary to the very spirit and purpose of the Constitution. This Nation was founded upon principles of majority rule, so why should we now sacrifice these sacred principles to encapsulate the level of the Federal Government's tax revenues? The whole purpose of the Connecticut and New Jersey Compromises that helped to form this great Congress over two centuries ago, was to allow the American people the opportunity to express their will through both locally and broadly elected representation that had their particular interests at hand.

But how can this process continue to take place when 146 members of this body could vote to defeat any new tax measure that is not a so-called ''de minimis'' change in current tax policy? Clearly, any initiative that would seek to give such an enormous amount of power to such a small minority is both imprudent and inappropriate. Surely in a body such as this, where we have few seats between us, we must respect the minority party, and their policies—but should we allow a minority of as diminutive a size as one-third to hold up the train of progress? I believe the answer is no.

I believe that this bill is a poorly written expression of a poorly conceived legislative initiative, and I urge all of my colleagues to vote it down, just like we have done over the last three years.

Mr. HASTINGS of Washington. Madam Speaker, how much time is remaining on each side?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Washington (Mr. HASTINGS) has 17 minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 18½ minutes remaining.

Mr. HASTINGS of Washington. Madam Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SHADEGG).

□ 1100

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

Madam Speaker, I want to begin by thanking the cosponsor of this legislation, the gentleman from Texas (Mr. BARTON). He has been a tireless champion for this cause.

But as this body knows, this is a bipartisan measure, and I also want to thank the gentleman from Texas (Mr. HALL) and the gentleman from Virginia (Mr. GOODE) from the other side for their support of this effort.

Just a moment ago I heard one of my colleagues on the other side call this a ''show boat'' measure. And just after that, I heard another one of my colleagues say, well, this is really not about doing the majority will of the American people.

I want to begin this debate by pointing out that 68 percent of all Americans approve of adopting this kind of amendment. And as my colleagues might expect, that support is stronger amongst Republicans than amongst Democrats. Indeed, 75 percent of Republicans polled across America favor a constitutional amendment making it necessary to have a two-thirds majority before we can raise taxes yet one more time.

But, very significantly, I want my colleagues on the other side of the aisle to hear this figure. And it is that 63 percent of all Democrats in America, in a recent poll on this issue, favored this amendment. This is not show-boating. This is substance, and it is doing what the American people want.

Today, this year, tax day, the Federal Government will take over 20 percent of this country's gross domestic product. Of everything we produce, the Federal Government will consume over 20 percent of it. That is the largest proportion of our production consumed by the Federal Government since World War II. And when combined with the highest, higher than ever, State and local taxes, it means the American people are paying taxes at the highest rate ever in the history of this country.

Indeed, it is now, I hope, well-known across America that, sadly, the average American pays more for taxes, spends more today on their tax bill, than they will in the entire year for food for their family, clothing for their family, shelter for their family, and transportation. Indeed, I think it is kind of interesting that studies show feudal serfs, who were identified as indentured servants, paid only 30 percent of their income to the lord.

It seems to me this trend of ever-bigger government is something we absolutely must stop. This is not a debate about cutting taxes. This is, however, a debate about making it somewhat harder to raise taxes yet one more time.

For the past 40 years, Madam Speaker, the size and scope of the Federal Government and its tax burden has grown. Year in and year out, in good economies and bad economies, it becomes bigger and bigger and bigger, and it consumes an ever-increasing share of a family's income. Indeed, in 1980, just a short 19 years ago, the average Federal tax burden was about $2,300. By 1995, it had more than doubled to almost $5,000.

Now, the original intent of the Founders was to place certain checks and balances under the Constitution. Sadly, Madam Speaker, those original checks and balances on the Federal Government, many of them have been eroded over time. The 10th Amendment has been tremendously weakened. The commerce clause of the Constitution has been read by the courts to be much more broad.

Indeed, this is a debate about placing some restriction on the power of the Federal Government, not to do what it is doing now, not to perform the important functions it is engaged in today, not to continue the programs we have identified. It is a debate about whether or not we ought to make it slightly more difficult, not impossible, to raise taxes, to increase the burden on the American people, yet one more time. And I suggest that the debate is simple and straightforward.

For those who believe there should be a broad consensus in this country for yet another tax increase, for an increase in the burden of the Federal Government on the American people, this is a simple vote, vote ''yes.'' For those who oppose this and think it should be easier to raise our taxes, vote ''no.'' I think the people will judge what we do.

For our friends who say this calls for the tyranny of the minority, I would point out to them that this country and our Constitution long ago established the principle that we protect minorities and minority rights time and time again in our Constitution and in our system of government and we should protect minority rights.

We, as a Nation, do not accept, indeed we reject, the notion of tyranny by the majority. And this measure simply says we can have tax tyranny by the majority if we allow taxes to go up and up and up. And it does not repeal tax. It does not decrease taxes. It simply says we should not make it easier, indeed we should make it marginally harder, to raise the tax burden on the American people yet one more time.

I urge my colleagues to support the rule and to support H.J. Res. 37.

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

Madam Speaker, if my friend from Arizona believes this is not a show boat or it is not a stage prop, I wish he would get out to the Washington Post and tell the editorial writer.

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

Mr. MOAKLEY. I yield to the gentleman from Arizona.

Mr. SHADEGG. Madam Speaker, I listened to my colleague read the Washington Post editorial this morning, and I understand that the Washington Post thinks that this is a show boat. That is their opinion. They also say it is the view of the minority. The polling data that I have shows it is the view of 68 percent of Democrats in America and 75 percent of Republicans.

Mr. MOAKLEY. Madam Speaker, reclaiming my time, we have not seen their statement yet.

Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO.)

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

Let us just really go to the point here. This is special interest legislation. It has a name. It is the ''foreign corporate freeloader special interest tax loophole big contributor protection act.'' It is simply cloaked in helping average American families. But what they want to do is lock in place an incredibly unfair and complex tax system which favors the privileged and the wealthy.

A few examples: The Government Accounting Office says, over the last 6-year period they have numbers for 70 percent of the large foreign corporations operating in the United States that avoided all U.S. taxes despite their profits. They want to lock that system in place. They want to lock that system in place.

The Intel Corporation got a ruling that a large part of their income should be treated as income in Japan for tax purposes. Unfortunately, the United States of America has a treaty with Japan which says it has to be treated as American income. So guess what? The Intel Corporation paid no tax. They did not pay tax on that income.

Now, would not average Americans like to have that kind of a break, that kind of a loophole? They want to lock that unfair system in place.

And most recently it has come to light that the cruise ship industry operating in America, 95 percent of their passengers are American, is paying no income tax in this country because they are registered in countries like Liberia, where theoretically they would pay taxes if there was a government and if they levied taxes, but there is not and they do not.

The Republicans want to lock that system in place with this two-thirds requirement under the cynical guise of

giving suffering average Americans relief. They are in the majority. Why do they not pass legislation to give relief to average Americans? Why do they not take up a bill today, tomorrow, every day and send it to the President? They are not doing that.

This is special-interest legislation, plain and simple. This is just unbelievably cynical, my friends, unbelievably cynical. Average Americans are suffering under this system. They are paying more than their fair share, while foreign corporations, huge U.S. corporations, and immensely profitable, privately held businesses, like the cruise ship industry, pay not a dime for the services they use in this country. And with this two-thirds requirement, that would never change.

And beyond that, I guess I have got to wonder, since they are in the majority, who are they protecting us against? Are they protecting us against themselves? They control the House of Representatives. They will never bring a bill to the House to raise taxes on these special interests. But they want to be sure that they lock those loopholes, those special protections, those privileges in place for all time for their big campaign contributors.

Vote ''no'' on this cynical amendment.

Mr. HASTINGS of Washington. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Madam Speaker, I plead guilty. I raise my hand and I plead guilty. I want to make it more difficult to raise taxes on the American people. I am sorry, but that is the way I feel.

Let us just do a little basic math. Most of us took fractions back in elementary school. At least I did at Travis Elementary in Bryan, Texas. Which is the bigger fraction, one-half or two-thirds? When we run the math, we find out, at least in Ennis, Texas, and Travis Elementary in Bryan, Texas, that two-thirds is the bigger fraction by one-sixth.

Now, if we convert that one-sixth increase to 435 Members of the House of Representatives, it means it would make it more difficult to raise taxes by approximately 70 votes in the House of Representatives. I think that is a good thing, not a bad thing.

Now, to my good friend from Oregon (Mr. DEFAZIO), if he is still on the House floor, he may have already left, but if he is still on the House floor, I hope he understands that by the end of the day, American taxpayers will have paid to the U.S. Treasury $828 billion. $828 billion. If we add the Social Security taxes, which are over $300 billion, the American taxpayers will have paid over $1 trillion to the U.S. Treasury this year. $1 trillion. That is a thousand billion dollars.

How much is enough? Why not raise the bar? Why not go to two-thirds vote in the House and the Senate to raise taxes instead of the one-half?

Now, to my constitutional friends who say, why should we monkey with the Constitution, I answer, because we already have back in 1913 when we amended the Constitution to make the Federal income tax legal. Before that point we could not have a direct tax like an income tax. It was unconstitutional; 100 percent prohibition against an income tax until 1913.

How high has the marginal tax rate gone since 1913? It has gone up 4,000 percent. 4,000 percent.

So this debate today is very simple. Do my colleagues understand fractions? I assume my friends on the Democratic side understand fractions. Two-thirds is bigger than one-half. We would make it more difficult, not impossible, to raise taxes.

If they think that is a good thing, call their congressman, say, vote for the tax limitation amendment; help us get 290 votes to send it to the Senate; and then help the Senate get 67 votes to send it to the States; and then help the States get three-fourths of them to pass it and put it in the Constitution so that we make it a little bit tougher to raise taxes. That is what this vote is all about.

The rule that is before us is a good rule. It allows the Democrat minority, if they wish to, to amend it. We have had process debate on this before. It is time to vote it out today and send it to the Senate.

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

To my colleague that just spoke, I will tell him, we do understand fractions over here. In fact, we have 49 percent of the House and we only got 43 percent of the seats. So we know how those fractions work.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Madam Speaker, it seems to me that one of the hallmarks of this majority since they have resumed that responsibility in this House has been a clearer suspicion of democratic rule and a denial of democratic principles.

The first indication of that was in the campaign of 1994 when we heard so many of them talk about the need for term limits, not trusting the voters to make judgments about whether or not people should be elected to office. They wanted people to be restricted to the number of terms that they could run. Now they seem to have had a different attitude about that. Now that the time period has run out, many of them are reconsidering that whole business.

But now we have something new here, another denial of democracy, denial of majority rule. They want to create a circumstance whereby it takes two-thirds rather than a simple majority to pass an important measure, a tax measure, in the House of Representatives.

If we were to begin that process, obviously we would start down a road that is going to lead us to a place where we are going to be not a democracy but a plutocracy, a government run by a handful of people, a diminishing number of people, plutocratic rule. That seems to be the hallmark of the Republican majority in the House of Representatives.

We believe in democratic principles. We believe in the right of the majority. We believe in democratic rule and we believe in majority rule. And that is why our opposition to this rule and to this bill is so solid and so firm.

Let us not deny democracy and move toward plutocracy. Let us keep the democratic principles upon which this country is based and keep simple majority rule in order to pass important measures in this Congress.

Mr. HASTINGS of Washington. Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Madam Speaker, I would just like to say to the previous speaker, the gentleman from New York (Mr. HINCHEY) that we are not suspicious, as he said, of democratic rule and democratic principles. We are suspicious of Democrats ruling and of the Democratic Party's principles, who over the past 40 years have raised taxes time and time and time again on the American people.

Also, I find it very interesting that since the 1950s and 1960s, our friends on the left have been talking about the tyranny of the majority and how we must protect the American people against the tyranny of the majority and the will of the majority, and now all of a sudden they are embracing it as tightly as William Rehnquist.

So we are not suspicious of democratic rule and principle. We are suspicious of what would happen again if the Democrats controlled this Chamber. And that is what we are trying to protect American people against, raising taxes over and over again like they did in 1993.

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

If I may once again remind my Republican colleagues, at the beginning of the 104th Congress, they changed the House rule to require three-fifths of the majority for tax increases and then they waived that requirement each and every time it came up. If they cannot abide by House rules with the supermajority, how are they going to abide by changing the Constitution?

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. STARK).

Mr. STARK. Madam Speaker, I am confused by this. It does tend to imbalance things.

I am not so sure that if they had a two-thirds majority to cut taxes along with the two-thirds majority to raise it that I would not go along with them. I am not so sure that if they had a two-thirds majority to increase defense spending, I would not go along with them. I am not so sure if they had a two-thirds majority to cut payments to children, to cut Medicare, to cut benefits for the poor and the disabled that I would not go along with them.

Because those right-wing, radical Republicans, with their majority, have been doing just that. They have been cutting money for education. They have been cutting money for health care. They have been cutting money for the impoverished. And all they want to do is give a big tax cut to the 2 or 3 percent richest people in the country for which they do not have the votes.

And so they are stacking the deck. It is wrong. It is a way, in the case of Medicare, to see that we disband Medicare, to let it wither on the vine, as their former Speaker, a couple of iterations ago, decided to do.

So what they cannot do within their own party with a simple majority they are trying to do by obfuscation and indirection and misuses of the Constitution, create an unbalanced situation where a small radical group of right-wing reactionaries can begin to control the spending in this country to disadvantage the majority.

This constitutional amendment, if it ever came up, it certainly has gone through no committee hearings, it is reported out of the Republican leadership without any hearings, without any markup, and if it were ever to see the light of day, it would proceed to destroy the Medicare system, it would destroy Social Security, and eventually, I suppose, reach that goal of these radical right-wing Republicans, and that is to destroy Federal Government as we know it today.

□ 1115

Mr. MOAKLEY. Madam Speaker, I yield the balance of my time to the gentleman from North Carolina (Mr. WATT).

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from North Carolina (Mr. WATT) is recognized for 10½ minutes.

Mr. WATT of North Carolina. Madam Speaker, I thank the gentleman for yielding me the time. I have not had 10 minutes to talk about anything on the floor of the House in so long, I feel like I am filibustering if I take 10 minutes.

Let me talk about this in a historical framework first and see if we can figure out what is going on here. On April 15 of 1996, this amendment came to the House floor. On April 15 of 1997, this amendment came to the House floor. On April 22, I think that was tax filing day last year, of 1998, this amendment came to the House floor. On April 15, 1999, this amendment is back on the House floor.

Now, the gentleman from Texas (Mr. BARTON) talked to us about arithmetic and fractions. Let me ask the statistical probability that a single measure which has failed in the House consistently will show up on the floor of the House 4 consecutive years on the same tax filing day. What is the statistical probability that that could happen by chance?

It is not by chance that this matter is here today. This is politics and the desire of my Republican colleagues to make a statement about taxation, which is fine, but we ought to be honest about that. If people want to come to the floor and give a speech about taxes being too high in this country, taxes are too high in this country. But this is about amending the Constitution of the United States, and I am embarrassed that we are here playing political games with the Constitution of the United States. It embarrasses me. We ought to take this more seriously.

And if my Republican colleagues were taking this seriously, let me tell Members what would have happened. I am the ranking member of the Subcommittee on the Constitution of the Committee on the Judiciary in this House. I have not seen this constitutional amendment come to the Subcommittee on the Constitution of this House. I am a member of the Committee on the Judiciary in this House. We did not consider this amendment in the Committee on the Judiciary. We did not even have notice that this constitutional amendment to amend the most important document that we serve under was going to be on the House floor until several days ago, came to the Committee on Rules, never went through the Subcommittee on the Constitution, never went through the Committee on the Judiciary.

Now, if they were serious about the constitutional obligation that we are about to undertake here, one would think that even after it went to the Committee on Rules, the Committee on Rules would at least make in order the possibility of amendments that we could consider on the floor of the House to improve this bill. If it is a good idea, why can we not have a debate on potential amendments that would improve the bill?

We said to them, ''Look, there is nothing in the United States Constitution now that mentions the words de minimis.'' There is not a person sitting on this floor or in the gallery who knows what ''de minimis'' means. And yet we are going to give a Constitution to the Supreme Court of the United States and say to the Supreme Court, ''You tell us what a de minimis tax increase is.''

This is the same group who within the next several weeks will be back here on the floor trying to amend the Constitution because they do not like what the Supreme Court told them about what the First Amendment means. So when the Supreme Court says what a de minimis tax increase is, then they are going to be unhappy about that.

So we tried to offer an amendment that would get us out of that bind. If my colleagues are serious about that, at least let the Congress decide what a de minimis increase is and give the Supreme Court responsibility only for determining whether the Congress has followed its own rules. Do not get us into a posture of the Congress saying, ''This is a de minimis increase'' and then the Supreme Court saying, ''Oh, no, that's not de minimis,'' because nobody knows what this language means.

But do you think we got the opportunity to offer this amendment? We did not get the opportunity in the Subcommittee on the Constitution, it never came there. We did not get the opportunity in the Committee on the Judiciary, it never came there. We did not get the opportunity on the floor of the House because the Committee on Rules said, ''Oh, no, you might disrupt our political message if we give you the opportunity to talk about the merits of this bill, to talk about the merits of our democracy, to talk about the merits of setting up a conflict between the Congress of the United States and the Supreme Court of the United States. That would interrupt our political message, and our political message today is that taxes are too high.''

My political message to you is a constitutional message. I represent almost 600,000 people. Every single Member of this body represents almost 600,000 people. I cannot think of any reason that some small group of people would want to elevate their constituency above the value of my constituency. That is what majority rule is about. I do not like to lose votes, but majority rule is the essence of democracy.

That is what this debate is about. What the gentleman from Texas (Mr. BARTON) has said is absolutely correct. They want 70 more people above majority rule to decide when taxes can be imposed. He is right. That is exactly what this debate is about. But let me tell you that that undermines in the most profound and basic way the principles on which our democracy is founded, one of those primary principles being majority rule.

If we are going to do it, we at least ought to be serious about it. We at least ought to let the Subcommittee on the Constitution consider the bill. We at least ought to let the Committee on the Judiciary consider the bill. We at least ought to have a full and fair debate on this issue on the floor and allow the possibility of amendments.

This is not about what my colleagues would have you believe it is about.

This is political fun and games. Let me join my Republican colleagues in saying what everybody agrees to, that taxes are too high. I do not make any apologies for that. We all ought to vote for it every time we get the opportunity to reduce taxes. But that is not an argument for a supermajority. That is an argument for responsibility and majority rule, and we ought not upset the basic fabric of our democracy to accomplish it.

Mr. HASTINGS of Washington. Madam Speaker, I yield the balance of my time to the gentleman from Florida (Mr. GOSS), a member of the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 7½ minutes.

Mr. GOSS. Madam Speaker, I thank my very distinguished friend, a member of the Committee on Rules of senior standing from Washington State, for yielding me this time, and I rise in support of this very appropriate structured rule.

To the gentleman who just spoke who is concerned about this being the fourth year in a row, I would say unless this passes today, do not make any plans for April 15 next year, either. I think we can all agree that on a matter of principle such as this, which involves a change to our Constitution, we must eagerly seek and accept a more rigorous debate structure, and the Committee on Rules has tried to provide for that.

□ 1130

In the Committee on Rules on Tuesday, proponents of this tax limitation constitutional amendment were accused of attempting a symbolic gesture. Well, the truth is that symbolism of considering this measure on this day, Tax Filing Day for working Americans, is extremely important. Every year on April 15 many Americans are reminded in a very personal, up-front and direct way of what their government costs them. It is on this day that many families and businesses come face-to-face with the enormity of the Federal tax bite, and so it makes perfect sense that this Congress would on this day focus on a means to decrease the tax bite, Madam Speaker.

But the fact is that too many other Americans view April 15 in a dramatically different context. As refund checks go out from Uncle Sam, millions of Americans will not feel the big sting of our overwhelming tax bite, but will be insulated from the real cost of our Federal Government, perhaps forgetting that they have been paying by withholding all year.

Whether writing a big payment check today or not, one thing is very certain. The tax burden placed on all Americans is too great, and it is too confusing. Most of us cannot even get the same conclusion when we follow the form. It is in a large part the result of incremental tax increases that are buried in big bills for which Congress has not been held properly accountable. The constitutional amendment we consider today is an accountability measure designed to require a higher standard of proof for Congress when tax increases are considered.

That makes sense, Madam Speaker. After all, the money belongs first to the people, not first to the government. Some folks forget that from time to time inside the beltway. It seems to me that too many people have forgotten that truth, that government does not have some innate right to confiscate the earnings of the people it serves.

Tuesday morning I heard a news report on the radio that stunned me and, I hope, anybody else who heard it. A professor who has studied the historical trends in IRS audits was interviewed about his research, and in his commentary he said the following, and I quote:

''Tax enforcement is the essential sort of function for the government.''

I wonder if that gentleman's history lessons took him back to Boston Harbor in something called the tax about tea, and the gentleman from Boston (Mr. MOAKLEY) has properly reminded me that is in his district, and I know he learned the lesson well. Madam Speaker, was he there?

How far we have come from the model envisaged by our Founding Fathers.

Madam Speaker, I urge my colleagues to understand the symbolism of today's debate, but then, and more importantly, to vote for the substance of the amendment being proposed to require a tougher standard and a greater accountability on those in government seeking to raise the taxes that all Americans must pay, whether that payment is by withholding throughout the year or by writing a large check to the government on April 15, or, perish the thought, both.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SCARBOROUGH. Madam Speaker, pursuant to House Resolution 139, I call up the joint resolution (H.J. Res. 37) proposing an amendment to the Constitution of the United States with respect to tax limitations.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to House Resolution 139, the joint resolution is considered read for amendment.

The text of House Joint Resolution 37 is as follows:

H.J. RES. 37

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

''ARTICLE—

''SECTION 1. Any bill, resolution, or other legislative measure changing the internal revenue laws shall require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless that bill, resolution, or other legislative measure is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue by more than a de minimis amount. For the purposes of determining any increase in the internal revenue under this section, there shall be excluded any increase resulting from the lowering of an effective rate of any tax. On any vote for which the concurrence of two-thirds is required under this article, the yeas and nays of the Members of either House shall be entered on the Journal of that House.

''SECTION 2. The Congress may waive the requirements of this article when a declaration of war is in effect. The Congress may also waive this article when the United States is engaged in military conflict which causes an imminent and serious threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law. Any increase in the internal revenue enacted under such a waiver shall be effective for not longer than two years.''.

The SPEAKER pro tempore. After 3 hours of debate on the joint resolution, it shall be in order to consider one motion to amend, if offered by the gentleman from Missouri (Mr. GEPHARDT), or his designee, which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Michigan (Mr. CONYERS) each will control 1½ hours of debate on the joint resolution.

The Chair recognizes the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Madam Speaker, I will be controlling the time for the first part of this debate, and I ask unanimous consent that the gentleman from Texas (Mr. BARTON), the sponsor of the constitutional amendment, be permitted to control the time during the second portion of this debate.

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

There was no objection.

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

Today is a very important day for us to be bringing up this tax limitation amendment, and is there some political symbolism?

Certainly.

Madam Speaker, I cannot think of a day that would be more important to bring this up, the day that millions of Americans across the country are going to their accountants, going to their local IRS offices and filing their tax returns. They have seen over the past decade taxes increase at a larger rate, at a faster rate than at any time in this country's history. In fact, the 1993 tax increase that so many Democrats I have heard are still proud of today in 1999 was, in fact, the largest tax increase that the American taxpayers have ever been faced with. Of course I believe in large part that is the one reason why the Republican party was swept to a majority in 1994, and, as my colleagues know, the common wisdom was that somehow left-wing liberals, big spenders, had learned their lessons and that raising taxes would no longer be acceptable to an overwhelming majority of the American people.

But the bottom line is that is not the case. In fact, the President's budget and the blueprint of many people on the left in this House actually contains tax increases in their proposed budget for the next few years. The nonpartisan Tax Foundation has a study that shows that over 60 percent of the taxes in the President's budget will be shouldered by those Americans earning less than $50,000. The lesson has not been learned. Again, Madam Speaker, I can think of nothing that would protect the American taxpayer more than this amendment that would require a supermajority.

As my colleagues know, we have heard arguments from the left today that somehow this would cripple our government, that somehow it would destroy the economy and that it is unconstitutional. The fact is that we already have 10 instances where supermajorities are required in Congress for things to happen. I think this is the time and this is the place to pass one more example of where a supermajority must be passed before tax burdens are raised on American taxpayers.

I also have heard time and time again in the past hour the fact that we have done this before and it has failed, and, since it has failed, we should not do it again. But again I want to remind my friends on the left that our efforts at welfare reform that have transformed the welfare state failed three times before the President finally signed the bill.

I also want to remind my friends on the left that opposed a balanced budget for as long as they did that the President opposed that for months after we came to the majority. In fact, he said that balancing the budget in 7 years would destroy the economy.

Madam Speaker, we fought the President, and we fought the liberals on welfare reform, we fought them on balancing the budget, and we proved, even though it did not pass the first, second or third time, we proved that our ideas were correct; and I think this tax limitation amendment is also the thing to do to ensure that the free market, the free enterprise system that has made this country what it is in 1999 will be able to survive into the next century and that the Federal Government will not be able to remain as oppressive as they have been on taxpayers.

And again, if my colleagues want any example of this, they do not need to go back 20, 30, 50 years. All they have to do is see what has happened in the 1990's: This Congress and this Federal Government have raised taxes at an alarming rate throughout this decade. In fact, Madam Speaker, it has been unprecedented, and that is why I think, as we go into the 21st century, we must protect not only those Americans that are filing taxes today, but Americans and their children and their grandchildren that will be filing tax forms in the next century.

Madam Speaker, the way we do that is by passing this supermajority amendment. It is an idea whose time has come, and I hope my friends on the left can recognize that and can support this very, very meaningful and important amendment.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, it needs to be pointed out from the very beginning that the Committee on the Judiciary has not ordered reported H.J. Res. 37 proposing an amendment to the Constitution of the United States with respect to tax limitations. This has not occurred, notwithstanding a communication forwarded by the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE), to the chairman of the Committee on Rules saying that this has taken place.

In addition, I have never been contacted, or written, or telephoned even, about a constitutional amendment that cannot in due fairness come before the Congress without any, any committee proceedings in the House Committee on the Judiciary. We have never witnessed this before.

Madam Speaker, I think it is a disgrace to the process and borders on legislative malpractice. This amendment is an insult to the legislative process and to the principle of democracy itself. The absence, the total absence of any committee hearings, of any markup, without any prior consultation, makes this failure one that ought to send this committee and the vote on this amendment off the floor today on this important day. When the matter involved is a constitutional amendment which would forever limit the voting rights of Members, such lack of process is shocking and unconscionable.

Now we all know the real reason the resolution is being rushed to the floor, to provide another symbolic gesture on Income Tax Day and divert attention from the real issues that matter to voters. The fact that the amendment will not pass or has never passed hardly constitutes a valid reason for waiving the Committee on the Judiciary's historic jurisdiction over constitutional amendments.

The substantive implications of this amendment are even more problematic. First and foremost, the amendment undercuts the very cornerstone of democracy, the theory that majority rules. By requiring a two-thirds majority to adopt certain legislation, the amendment diminishes the vote of every Member of the House and the Senate.

Now the framers of the Constitution wisely rejected the principle of requiring a supermajority for basic government functions. James Madison argued at the time of the Constitutional Convention that under a supermajority requirement the fundamental principle of free government would be reversed. It would no longer be the majority that would rule; the power would be transferred to the minority.

□ 1145

The fundamental principle of free government would be reversed. It would no longer be the majority that would rule. The power would be transferred to the minority.

In addition, the amendment would permanently enshrine some $450 billion of special corporate tax favors in the Constitution, nearly three times as much as all the means-tested entitlement programs combined.

Could that be a motive for bringing this measure forward, by a majority which already violates its own House rules on the requirement of a three-fifths majority for these kinds of votes?

It would be next to impossible to change the law to require foreign corporations to pay their fair share of taxes on income earned in this country or to repeal loopholes which encourage United States companies to relocate overseas.

In fact, under this amendment, it would take more votes to close a tax loophole engineered by powerful interest groups than to cut Social Security, Medicare and education programs.

So the amendment would also make major deficit reduction measures much harder to pass when they are needed. Five of the six major deficit reduction acts that have been enacted since 1982, measures which fully allow us to balance the budget, include a combination of revenue increases and program cuts. It includes both increases and cuts.

President Reagan signed three of these measures into law and Presidents Bush and Clinton signed one each. None of these five measures received a two-thirds majority in both Houses. So had the proposed constitutional amendment been in effect during this period, substantial budget deficits would still be with us today.

Finally, I remind my colleagues that this amendment is the height of hypocrisy. Four years ago, the majority changed the House rules so that they could not increase tax rates without a three-fifths vote. Does anyone on the other side remember this? On six separate occasions since then the majority has ignored or waived their own House rules.

Question. If the supermajority requirement has not worked as a House rule, why in the world would anyone think that it could work any better as a constitutional amendment? I think the answer is obvious. It would not.

House Joint Resolution 37 is strongly opposed by the administration. It is opposed by a wide variety of groups that are concerned about sound fiscal policy and good government, including the Concord Coalition, Common Cause, Citizens for Tax Justice and the AFL-CIO.

I urge my colleagues to do what we have always done. Give this their careful consideration and vote against this ill-conceived, antidemocratic constitutional amendment that is brought before us again on this day.

Madam Speaker, I reserve the balance of my time.

Mr. SCARBOROUGH. Madam Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary.

Mr. HYDE. Madam Speaker, I thank the gentleman from Florida (Mr. SCARBOROUGH) for yielding me this time.

Madam Speaker, I do not entirely disagree with the policy concerns that were expressed by the gentleman from Michigan (Mr. CONYERS), but I do want to say in reference to his concerns about the process that it is true this is a constitutional amendment, and we did not have hearings on it this year. However, in the past we have had hearings after hearings after hearings.

This is essentially quite a simple matter. It does not require a lot of testimony, although we could probably have heard from academicians from here to San Francisco and back. We know what the issue is. We know what the policy problems are, and so it was an effort to get this up on this most symbolic of days, the day when tax returns are to be filed.

I do not think anybody who will vote on this issue is in doubt as to what the issue is all about and will be lacking information because we did not have hearings.

I will concede that hearings are appropriate. If we hadn't had so many hearings in the past on this essentially uncomplicated matter, why we would have held hearings. I think everyone understands the issue and so we are trying to get on with it by bringing it to this floor today.

Mr. CONYERS. Madam Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

Mr. RANGEL. Madam Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for yielding me this time.

Madam Speaker, I would like indicate how honored I am to be on the floor with the distinguished chairman of the Committee on the Judiciary that has taken our country through a great struggle with our Constitution. It allows us to believe that we can survive another 200 years if we just do not tinker with it.

Now comes the time, whereas the late President Kennedy once said that sometimes our party asks too much of us; sometimes our party asks too much of us. A man that loves his country, and his Constitution even better, is the gentleman from Illinois (Mr. HYDE), a man that is so proud to be there when his country needs him to direct this great committee, not for the next election but for the history that lies ahead of us.

Now this committee is being asked by its, for lack of a better word, leadership, to let us do something for April 15. Let us give a present to the taxpayers on April 15. Let us take this great document and tinker with it for April 15. Let us not have hearings. Let us not have discussions, because we know we are not serious. It is only a gimmick, after all. It is good for the party. It might be good for the next election. We might hold on to the majority.

Sometimes my party asks too much of me, and fortunately we do not have to make these decisions being in the minority, but I do hope that this great Constitution will not be attacked every time a party thinks that it has a political problem at the polls.

They should be able to understand that if they want to change the law, they do not have to have a two-thirds majority. That is the way it works in this country. If we really do not like the tax system, we do not have to run to try to change the Constitution. One has the guts to say, I have a proposal and I am prepared to present it to the American people and ask them to vote for it.

It is true that realistically we have to work with the other party if we are going to do it. It is true that no great reform comes without a bipartisan effort. But that is not on the agenda, is it, because we are looking for the next election. So whether we are talking about tax reform, whether we are talking about campaign finance reform, whether we are talking about Medicare, whether we are talking about Social Security, if we want to do something about it, the only way to do it is in a bipartisan way. They cannot go in the back room and come up with a Republican solution no more than we can with a Democratic solution, and they cannot do it with a make-believe April 15, and it should be April 1, and attempt to change the Constitution.

Sometimes I try to find ways to rationalize why we are in the minority, but if we were in the majority and I was the chairman of a committee and had the responsibility to protect our Constitution and they asked me to do this gimmick, I hope I would have enough courage to say that sometimes my party asks too much of me.

Mr. SCARBOROUGH. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, to help the gentleman from New York (Mr. RANGEL) with his rationalization on why they are in the minority, they are in the minority because they passed the largest tax increase in the history of the world in 1993; because they did it for the 40 years when they were in the majority.

Madam Speaker, I yield 6 minutes to the gentleman from Texas (Mr. DELAY), a very strong leader on a very strong leadership team.

Mr. DELAY. Madam Speaker, I thank the gentleman from Florida (Mr. SCARBOROUGH) for yielding me this time.

Madam Speaker, it is amazing to me that the name of the Constitution is invoked when it is convenient, and protecting the Constitution is invoked when it is convenient, but for the last 40 or 50 years, members of the minority have come to this well, and I have seen them even in my short time of being in this House and talking about it, the Constitution is irrelevant.

It has been said here in this Chamber that the Constitution is a living document. Therefore, we should read between the lines, that when the Constitution gets in the way, we just disregard it and throw it aside.

Now when the majority is trying to make a statement about the fact that the Constitution has been totally disregarded over the last 40 or 50 years, we are all willing and able to come down here and protect the Constitution from assault.

Madam Speaker, it is days like this that never cease to amaze me in serving in this House. This day of all days is when millions of Americans will rush to the post office, rush to the post office, in order to get a postmark on an envelope so that they can get their taxes filed on time.

While these hardworking taxpayers scurry to comply with our cumbersome, antiquated Tax Code, we are here on the House Floor today to debate a very modest bill, in my opinion, that they would love for us to pass. It

is designed to make it a little more difficult for Uncle Sam to reach into the pockets of the already overtaxed and extract even more of their hard-earned money.

Listen to just a few of the dramatic statistics. Since this administration took office, Federal tax receipts have risen from 19 percent of the gross domestic product to an all-time record of 21.7 percent. Over this period of time, the Federal tax burden has risen to a staggering 45 percent per person, 45 percent per person, from $4,600 in 1992 to $6,700 today, according to the Tax Foundation. Including State and local taxes, the average taxpayer shelled out over $9,800 last year.

In fact, the average American family today, if they take the cost of government, that is, the taxes of State and local and Federal Government, and add to that the cost of regulations imposed upon them, over 50 cents out of every hard-earned dollar that the American family makes today goes to the government. No wonder they are squeaking and yelling and screaming.

Madam Speaker, what really astounds me is that there are actually people opposed to this proposal. Requiring just a two-thirds majority vote to raise taxes, I think, is a very common-sense idea.

Raising taxes should not be easy. The problem is, this town is still full of people who mistakenly believe that big government is the answer to all of our problems, and they fail to recognize that the surplus is not, is not, the property of the United States Government.

□ 1200

I have a message for those big government bureaucrats and others who would want tax hikes to be easily accomplished: It is not their money.

Madam Speaker, a two-thirds majority is required for all of our most important decisions in America, whether it is amending the Constitution or ratifying treaties. Is not taking the hard-earned money out of the pockets of the American family important enough to require a two-thirds majority?

The Federal Government operates under this mentality of what is mine is mine, and what is yours is mine, too. Well, this has to stop, so Madam Speaker, I urge my colleagues to join us in support of this tax limitation amendment. Let us really put a stop to this era of big government and high taxes, not just pay it lip service when it is convenient.

Mr. BARTON of Texas. Madam Speaker, will the gentleman yield?

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

Mr. BARTON of Texas. Madam Speaker, I want to thank the gentleman from Texas for supporting the leadership and putting this on the Floor.

Secondly, I have in my hand a copy of the Constitution of the United States. I know the gentleman from Texas has one.

Mr. DELAY. I also carry one in my pocket.

Mr. BARTON of Texas. If the gentleman will look under Section 9.

Mr. DELAY. By the way, I carry this to constantly remind me that there still is such a thing. I keep sending them to their offices, but I do not know what happens to them.

Mr. BARTON of Texas. Madam Speaker, if the gentleman will look under Article I, Section 9, he will see that it says, ''No capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.'' That prohibited income tax on people until February, 1913.

If we look over in Amendment XVI, it says, ''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.'' That is why we need this constitutional amendment, to put the Constitution back like it was.

Mr. DELAY. How dare the gentleman from Texas (Mr. BARTON) actually read from the Constitution on the Floor of this House?

Mr. BARTON of Texas. I know. We are uncouth in Texas.

Mr. CONYERS. Madam Speaker, I yield myself 1 minute.

Madam Speaker, could I point out to the distinguished Whip of the House, the gentleman from Texas (Mr. DELAY), that we have a GAO study that finds the majority of the large international corporations paid no U.S. income taxes?

It could not be that he would want to protect these corporations; that as American taxpayers struggle to meet their April 15 income tax deadline, that a majority of the international corporations doing business in the United States could pay no Federal income taxes? I would ask, what, Madam Speaker, do we do about that, if we were to unwisely enact this provision?

The international companies paying no U.S. income tax have trillions of dollars of assets and annual sales in this country, and nothing has been done about it, even though we have a three-fifths rule in the House that is always waived. There are no proposals on the Floor.

Madam Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. WATT), the ranking member of the Subcommittee on the Constitution of the Committee on the Judiciary.

Mr. WATT of North Carolina. Madam Speaker, I thank the gentleman for yielding time to me.

I want to start by responding to a few comments that were made by the gentleman from Texas (Mr. DELAY) in his presentation.

Madam Speaker, one would think that all of this talk about how taxes have gone up and revenues have gone up during the President's tenure, that it was the Democrats who were in the majority of the House and Senate during that period of time. Oh, no. Madam Speaker, the Republicans were in the majority during that period of time.

So we can come and try to make a political point today on April 15, but the truth of the matter is that this debate is not about whether taxes are too high or whether President Clinton increased taxes or the Republicans are responsible for increasing taxes. That is really not what this debate is about. The debate is about the little document that my colleagues were waving around and using as a prop in this debate.

Every once in a while it would be nice if my colleagues would actually pay some heed to that document. They came in here in 1994, 1995, and said that they were the most conservative group that was ever going to hit this place.

Well, what is the most conservative document that we have in this country? The Constitution. Yet, during the 2-year period after they came to the majority, over 100 proposed amendments to the United States Constitution were filed. They think they know how to put the government together better than our Founding Fathers knew how to put it together. That is really what they think. That is a very cavalier notion.

Our Founding Fathers said that majority rule is the essence of democracy. That is really what this debate is about. It is about whether we will protect the rights of individual citizens to have an equal voice in their government, or whether we will have some supermajority or a small minority that just frustrates the will of the majority. That is really what this debate is about. It is about democracy.

Every single decision in our government, with the exception of two, under the Constitution of the United States, is reserved for majority decision. Somehow or another my colleagues who think they are better or would be better at shaping a constitutional government than our Founding Fathers, those same Founding Fathers whose Constitution has survived over 200 years, my colleagues think they can do it better, so they come and say, on tax day we want to make a political point, and we want to bring this two-thirds majority vote requirement before it, not because we think it is going to pass but because we want to make a political point.

Madam Speaker, I am embarrassed that we would play political games with the Constitution of the United States. We are in serious debate about a range of issues, some of major magnitude, some of minor magnitude.

I can understand when we play politics with minor issues, but when we

come to the Floor of the House and we wave in front of the American people the Constitution of the United States and treat it like a prop for a political sideshow, and for 4 straight years we bring the same constitutional amendment which has been defeated four straight times, bring it to the Floor of the House on tax filing day, we are playing political games.

We heard the gentleman who followed me on the debate on the rule on this issue. He got up and told me to be prepared for April 15 of the year 2000, because they are going to be back next year with the same constitutional amendment, not because even a majority of them think it has merit. If they had to really live under this system they would not support it, because it would be their constituencies whose vote would be diminished, just as it would be my constituencies' vote which is diminished.

But on April 15 of next year, they are going to be right back here with the same political charade. That ought not to be what we are engaged in here. If they are serious, this amendment should have gone through the regular committee process. It never did. We should have had the opportunity to offer amendments to it that would make this bill better. We do not, all because it would have interrupted the ability of the majority to get this matter to the Floor of the House on April 15, the same day they brought it to the Floor of the House in 1998, 1997, 1996, and will bring it again in the year 2000.

Madam Speaker, this is not about substance, this is about trying to gain some political advantage. We should reject this amendment, and at least if we are going to consider it, send it to the committee and let us do some serious work on it so that we can address the flaws that exist in it.

Mr. SCARBOROUGH. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, I would remind the gentleman, who somehow is confused about who is responsible for tax rates increasing in this decade, that in 1993 the Democrats passed the largest tax increase in the history of this Republic, without a single Republican vote.

I would like to also say again that just because the Democrats and those on the extreme left have fought against this bill for the past 3 or 4 years does not mean that it is not a good idea.

It took us three or four times to get the President to actually agree that welfare reform is a good thing. It took us 6 or 7 months to get the President of the United States to actually agree that balancing the budget was a good idea. Maybe it will take us another year or two to have those on the extreme left agree that protecting taxpayers is also a very good thing, but we are very patient people and we will still be here.

Madam Speaker, I yield 4 minutes to the gentleman from Florida (Mr. FOLEY), a good friend who is also a champion on the taxpayers and a member of the Committee on Ways and Means.

Mr. FOLEY. Madam Speaker, I thank the gentleman from Florida for yielding time to me.

Madam Speaker, so as not to be not patriotic, I will not wave the Constitution in the air, I will simply read from it.

Section 9 of the original Constitution, which has been referred to numerous times today, by the Founding Fathers, prohibited taxation. It was an amendment to the Constitution that allowed this Nation to tax its people.

Yesterday we heard in the debate about the Census language, ignore the Constitution, it suggests enumeration, but in order to help the minorities we would forget the writing of the Constitution and we will now do a statistical sampling.

Madam Speaker, the Constitution is very clear. The gentleman from Florida (Mr. SCARBOROUGH) has raised many times the tax vote in 1993, and that one Member from Pennsylvania, whose arm was twisted and was launched down to the Floor to change her vote in the last seconds of the vote that day, Ms. Mezvinsky from Pennsylvania, changed her vote from a nay to a yea and passed the tax bill. She was defeated by her constituents for raising taxes.

I remember the comment by the President of the United States, I believe I raised your taxes too much. It was a little late for Ms. Mezvinsky, who could not apologize. She had lost her office. By one vote they were able to achieve a tax increase that then this president has denounced as maybe it was a bit too ambitious.

Let us talk about some of the States that are apparently so backward they cannot figure things out. The birthplace of our President, Arkansas, passed in 1934 a three-quarters majority to raise all taxes.

California, the site of so much new technology, I have heard repeatedly on the Floor from Members of California, then I would ask the delegation from California, in 1978 they passed a two-thirds requirement of all taxes. What say those people in California? Are they backwards?

Then Delaware, 1980, a three-fifths majority to raise taxes; Florida, 1971, three-fifths; Louisiana, two-thirds in 1966; hardly trailblazers here, Madam Speaker. They were listening to their constituents.

I believe we have a fundamental problem in America, but I have also heard that we have to give more voice to the minority so they can participate in our system of government. I also heard today on this Floor that by initiating this two-thirds, we would give more power to the minority, so that should be welcome news in this Chamber, so people through simple majority cannot run ramrod over the constituents of this Nation.

We are talking about debate on social security reform, Medicare reform, and all these are important topics for the American public. But I also think it is a clear recognition when we have these kinds of surplus dollars, before we start raising taxes, we ought to look at the more prudent way of managing the resources we have been given.

□ 1215

I am such an advocate for this because I heard our Vice President suggest the other day he created the Internet. I know one thing he did create, it was a tax on the Internet. We were not able to vote on it, but it was initiated in our phone bills. Now I have to get mail from my constituents every day about this tax on their phone bills that I did not get to vote on.

I want a chance to have a two-thirds majority. I want a chance to debate the issues, because I believe in this Chamber. Democracy flourishes when all people can participate.

If it is such a good idea, it will be easy to get a two-thirds majority, it will be easy to talk about what is necessary in America, it will be easy to do in States like Florida when we have had to step up to the challenge of dealing with education, of dealing with welfare, of dealing with issues that confront the American public, we are able to do it and able to get a majority, not on a partisan basis, but on a bipartisan basis that increases the opportunity of Floridians.

So I join with the gentleman from Florida (Mr. SCARBOROUGH) and others in supporting this amendment on this very serious day, April 15, where Americans are called forward to pay their taxes their government asks of them, not always willingly, but they certainly pay them.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes while the distinguished gentleman from Florida (Mr. FOLEY) is on the floor.

First, the 1993 vote was far more than a tax increase. It had tax increases and deductions, and many other changes.

Secondly, if one measures State and local revenues, in looking at the States with a supermajority requirement, we find that five of the seven States with supermajority requirements experienced lower than average economic growth as measured by changes in per capita personal incomes. Both of these years were business cycle peaks, 1979 and 1989. If economic growth during this period is measured by changes in gross State product, four of the seven supermajority States had lower than average growth.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I rise in opposition to today's constitutional

amendment. If this proposal to amend the Constitution is intended to be anything more than an April 15 political gimmick, there is great reason for concern on policy grounds, particularly two.

First of all, we have to note what the amendment does because it is a recipe for fiscal disaster. This amendment will allow unlimited new spending based on a simple majority vote. However, to pay for that new spending will require a two-thirds vote.

A lot has been said about the vote in 1993. I would point out that our deficit at that time was $260 billion, and that vote has been responsible for reducing the deficit down to where we have a technical surplus right now.

So if we want to allow unlimited additional spending on a simple majority vote, we ought to have the ability to pay for it by the same vote, not risk requiring a supermajority.

The other thing is, this thing locks in corporate loopholes. We can pass a corporate loophole with a simple majority, but to repeal it takes two-thirds. We would have either a little more than one-third of either the House or the Senate that can protect the corporate loophole.

If we passed a corporate loophole thinking it would just make a small amount of difference, but looked up and saw it was costing billions of dollars, we could not close that loophole if just over one-third of either the House or the Senate objected.

To offset this corporate largess, we would have to look somewhere else, maybe Social Security and Medicare, which we could cut with a simple majority. But we would need a two-thirds majority to close that loophole.

Mr. Speaker, in addition to the policy, this amendment in terms of details is vague and unworkable. We had no hearings this year on the current bill. But when we did have hearings in 1997, both Democratic and Republican witnesses expressed serious concerns about the details of the amendment.

Former Office of Management and Budget Director Jim Miller, a tax limitation amendment supporter, even went so far as to call some of the language ''silly.'' For example, the language before us requires a two-thirds majority vote to increase the internal revenue by more than a de minimis amount.

No one in our hearing seemed to have a good idea of what constitutes internal revenue or what exactly would be considered a de minimis amount. Who will get to decide whether a bill increases the special revenue by more than a de minimis amount?

Some supporters suggested that one-tenth of 1 percent of the total revenues would be de minimis. Out of a trillion-dollar budget, that is $1 billion. Is it a billion? Is it a half a billion? Two billion? Ten billion?

When we are talking about tax bills, we are talking about an estimate. Who gets to estimate? What happens if the estimate is wrong? What happens if there is a disagreement over the estimate? How many votes does it take to pass the bill?

These are questions that the American public deserve answers to before and not after we have made a mess that cannot be cleaned up. These are questions that could have been addressed responsibly in committee, but there were no committee hearings this year, just today's April 15 vote.

This resolution is an insult to our Constitution. It is a recipe for financial disaster, and it protects corporate loopholes and, therefore, should be defeated.

Mr. SCARBOROUGH. Mr. Speaker, I yield myself 30 seconds just to say the gentleman from Michigan (Mr. CONYERS), the ranking member, had given some statistics in States that did not prosper in 1979. He said it is because of tax limitations in their own States. His suggestion that tax increases equal economic prosperity, I find, is about as difficult to believe as 1979 is actually a time of economic prosperity. If that is the case, somebody needs to call Jimmy Carter in Plains, Georgia, and let him know that.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Ohio (Mr. TRAFICANT), the sheriff.

Mr. TRAFICANT. Mr. Speaker, this could have had hearings, but that will not stop me from voting for this joint resolution. I do not know how many Democrats will vote for this, but I encourage them to do just that. Number one, not just because our taxes are too high.

We have income taxes, excise taxes, estate taxes, gift taxes, capital gains taxes, service fees, old taxes, new taxes, hidden taxes, tobacco taxes, gas taxes, aviation taxes, tobacco taxes. The American people are literally taxed off. It has rather been a political process and too easy to tinker with this code, which should be thrown out by the way, and raise taxes.

But I want to take issue with the constitutional scholars. Our Founders never intended an income tax. I could say on the floor that, if they did, they would have put a two-thirds supermajority; and here is why.

The only revenue in that Constitution was in the form of treaties and international trade. It carried a two-thirds supermajority. We went from trade and treaty and taxing on products and imports and threw that out and went to income. That cannot be laid on our Founders. Our Founders never intended to tax achievement and initiative. By God, I do not.

But do my colleagues know, there is another thing here. Every time we talk about salient points of differences of opinion, we get into some class warfare: we, they; they, we; old, young; black, white; man, woman; management, labor. Let us get off that. There are many people in my district that are taxed off. They believe they are taxed too high.

Who has fought more against foreign corporations getting away with taxes than the gentleman from Michigan (Mr. CONYERS) and JIM TRAFICANT together? But let me say this now to this Congress: 13 years it took me to change the burden of proof in the civil tax case. The Democrats would not hold a hearing on it. Thirteen years it took to change the seizure laws so the IRS could not come in and seize my constituents' home without a good order.

Democrats would not have a hearing on the Traficant bill. Democrats would not support Traficant's position to allow our taxpayers who are ripped off to sue the IRS. That is why we are in the damn minority here.

Now let us talk business. We pay much too high a level of taxes. We also pay them in the form of income, which in fact kills initiative. We are at the right time, April 15, talking about the right issue here.

As far as constitutional amendments are concerned, I think it is absolutely necessary, because it is too easy politically to twist arms in Washington, D.C. But as far as constitutional amendments are concerned, I want to applaud everyone who has enough passion to believe they can improve upon America. If they cannot get enough votes, then they do not.

By the way, I have a constitutional amendment before this Congress. I heard all the talk about Social Security and Medicare. I want the chairman who may be the next chairman of Ways and Means to hear it. The Traficant amendment to the Constitution would say no more touching the trust fund from Social Security, and Social Security could be used only for Social Security and Medicare. I have not heard anybody rallying around that.

I support this two-thirds vote, a supermajority. Our Founders in their wisdom would have placed this supermajority on an income tax, but they were not that foolish to impose an income tax.

In closing, let me let the Congress know this: There is a woman in America who hit the American dream yesterday. She hit the lottery for $190 million. That is unbelievable. She will take home $70 million. She won $190 million lottery, but when everybody is done running their fingers through it, she will take home $70 million.

Everybody is all excited about the refunds they get of the money the IRS has been holding interest free on our accounts. Beam me up. We need a constitutional amendment to ensure there will be no more chicanery with the easy business of being seduced to find more dollars for this government.

With that, I thank the gentleman from Florida (Mr. SCARBOROUGH) for the time, and I urge an ''aye'' vote for this constitutional amendment.

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

I would like to remind the previous speaker that the AFL-CIO has urged a vote against the proposed constitutional amendment that would require a two-thirds majority in the United States House and Senate to increase Federal revenues. Why? Because this amendment would undermine the principle of majority rule in our Federal Government by allowing one-third of either the U.S. House or Senate to hold tax bills hostage.

Since many of the terms in this resolution, as previously pointed out, are extremely vague, this proposed constitutional amendment would undoubtedly lead to endless litigation in our courts. It would also hurt our Nation's working families by making it more difficult to extend the lives of the Social Security and Medicare Trust Funds.

In fact, this proposed constitutional amendment would also make it more difficult to close tax loopholes, including the foreign tax credit and the deferral of the United States taxes on foreign income which encourage U.S. companies to move American jobs overseas.

Why, since last April 15, 1998, have not the majority brought forward any of these bills that would close tax loopholes? It seems to me that the income tax was approved by the 16th Amendment to the Constitution in the year 1913. It was passed because huge tycoons were earning hundreds of millions of dollars without paying taxes: the Rockefellers, the Morgans, the Vanderbilts. Without the 16th Amendment, we would have had no way to prosecute a World War I, not to mention a World War II.

□ 1230

So it is important that we put these matters in perspective.

We have an accounting analysis that shows that the Reagan era tax cuts were for higher income taxpayers. The Clinton era help for the working poor and the targeted tax cuts contained in the 1997 balanced budget agreement have all helped keep the Federal taxes for most Americans lower than they have been in any time since 1979.

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

Mr. SCARBOROUGH. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I cannot help but begin by associating myself with the remarks of my colleague, the gentleman from Ohio (Mr. TRAFICANT), from the other side. I thought he was brilliant, and I hope that our colleagues were listening.

I have put up here on this poster a quote from John Randolph. John Randolph served in this body in the late 1800s as a Member of the U.S. House and then as a Member of the United States Senate. And he said what this debate is really all about, and that is that ''One of the most delicious of privileges is that of spending other people's money.'' That, Members, is fundamentally what we do here when we spend taxpayers' dollars. When we enact program after program and tax increase after tax increase, we indulge ourselves in that delicious privilege of spending other people's money.

That is what this debate is about. This debate is about should it be easier to continue to spend ever increasing numbers of other people's money, ever increasing amounts of other people's money. Not our money, not our money out of our own wallet, but money taken out of the wallets of the taxpayers of America. Should we make it easier to do that or slightly harder?

The answer is that those who oppose this amendment want it to be easy to take money out of other people's wallets because they enjoy the privilege of spending other people's money. But the sad truth is it is never enough for those who want to spend other people's money.

In 1950, just a few short years ago, in my lifetime, the average taxpayer sent $1 to Washington for every $50 that they earned. Today it is $1 for every $4 and approaching $1 for every $3. It has become a radical increase in the growth and the size of the Federal Government and its tax bite so that people in this body can enjoy that privilege of spending other people's money.

Now, what is it that we propose to do about it? We propose to do something that has in fact been called radical on this floor today, but is indeed not radical, and that is to put in a rational limitation on the power of this Congress to increase taxes once again.

And do not be fooled by these constitutional arguments. As the gentleman from Ohio (Mr. TRAFICANT) pointed out, the Founding Fathers did not impose an income tax. They did not believe there should be an income tax. Indeed, that was not adopted until the 16th Amendment. So the argument that we should not have this kind of a constitutional amendment, and that the Founding Fathers rejected it, is simply false.

Now, what is our idea? Impose a constitutional amendment that makes it slightly harder, a two-thirds majority, not a simple majority, to raise taxes. This poster shows that 68 percent of all Americans live in States where the same type of limitation has been passed. Indeed, 14 States, from Arizona to the State of Washington, listed here, have all enacted similar measures, saying, ''No, you should require a supermajority before you raise taxes yet one more time.'' It is not a radical idea, it is a commonsense idea.

I was reading a statistic earlier today that went to the issue of this debate. It pointed out that the IRS sends out 8 billion pages of forms and instructions each year, the equivalent of paper made from almost 300,000 trees, and receives back enough paperwork to circle the earth 36 times.

I could not help but be struck by the fact that what that proves is that, vis-a-vis the IRS, the beavers that we have just learned about who on the Tidal Basin in the last few weeks have chewed down one or two trees, maybe three or four trees before they were caught, they are pikers compared to the IRS. The IRS in 1 year, not one little aggressive beaver chewing down four or five of our beautiful cherry trees in any given year, the IRS with its 8 billion pages of forms and instructions each year consumes almost 300,000 trees.

Maybe the IRS should employ those beavers.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. BARTON of Texas. Is there any truth to the rumor that the beavers are actually contract employees of the IRS?

Mr. SHADEGG. Mr. Speaker, reclaiming my time, I would say to the gentleman, who makes a good point, if they are not now, perhaps they should be.

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

Mr. CONYERS. Mr. Speaker, I yield 7 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am sorry to interrupt the latest episode of ''Leave It To Beaver,'' but I have never really been a big fan of reruns.

What we are seeing today is the end of a romance, and it is a sad day. This should not have come on tax day; maybe it should have come on Valentine's Day. The romance that we are seeing come to an end is that between the Republican Party and their view of the people.

When the current majority first took office in 1994, they were full of announcements that they were here to carry out the will of the people. They were, they said, the embodiment of the American public's will. Well, they have run into some rocky times. The public has not been nearly as supportive of their agenda as they wish.

And, increasingly, their irritation with the public comes through. It reached, of course, a high point last year on impeachment. And by the time that impeachment came to the floor, we had Republicans talking about their duty to disregard the public will because they knew much better than the public what should be going on.

Now, this is the logical conclusion of that. We have had a system in this country called democracy, in which a majority of the people vote for Members of Congress. It is not strictly majoritarian in the Senate, obviously, because of the two Senators per State, but the notion was we would get a majority and the majority would then decide.

Well, the Republicans are here telling us today what they told us in December: ''That majority of the American people ain't all it was cracked up to be. You can't trust them. You can't trust the American people through the electoral process to have representatives who will do the right thing.'' So let us say when it comes to a policy the Republicans do not like, such as taxes, then we will have to have a supermajority.

The gentleman from Arizona said we now collect more in taxes than we did in 1950. That is true. There was no Medicare program in 1950. Of course, if it was up to the Republican Party, there still would not be. They were opposed to it. And it is true that because we have a Medicare program, that requires taxes that were not levied in 1950.

We did not have any serious environmental programs in the United States in 1950. I notice the Charles River has now just been declared open for swimming to a great extent. We can give people a tax cut, and there is not much they can do to clean up the rivers or clean up the air.

So it is true, the billions we spend on environmental protection, cleaning up Superfund sites, cleaning up the air, cleaning up the water, those take taxes and they did not exist in 1950.

But this is not a substantive argument, it is a procedural one, and we should go back again to the fundamental issue here. The Republican Party is making it clear today that they have lost trust with the American people. Indeed, it became very clear during impeachment that if the American people worked for us instead of the other way around, the Republicans would have fired them. They were very disappointed in the people.

And they are institutionalizing today, if they are successful, in the Constitution their distrust of the people: ''Don't let a majority make these important decisions. You can't trust a majority of the voters. You take a majority of the voters who elect Members of the House of representatives; we don't like what they are going to do.''

Now, I have to say, in fairness to the Republicans, they did not rush to this repudiation of the public will. They were much happier when they could claim to be the tribunes of the public. The problem was that the public ran out on them and they were upset. I noticed that during impeachment, and I think these are very connected, because it was the dislike of the American public's decision that came out in impeachment that is really the same force that we have today.

Now, I can say, because I was there in the Committee on the Judiciary, that the Republican Party did not start out to repudiate the public. In fact, when the impeachment thing started, they were sure the public was on their side. To their horror, they saw the public moving away, so they tried to make a virtue out of necessity by saying how proud they were to stand up to public opinion.

Having the Republicans announce during impeachment that they were pleased to show that they could resist public opinion would have been a little bit like Pharaohs' soldiers, as the Red Sea closed in on them, announcing that it was a wonderful day to go swimming. This was not something they wanted to happen, but if it was happening, they had better make the best of it.

Now they are taking it one step further. It is one thing to find ourselves embarrassed by the public differing with us and to announce how wonderful we are because we have stood up to the public, but it is another to write it into the Constitution of the United States.

The Constitution of the United States leads us to ask on this fundamental public policy question, and here it is, do there need to be some things that are important for the quality of our life that we do jointly? I do not know how we provide public safety with a tax cut. I do not know how we clean up the air or the water or take care of the health of poor children. There are some things we can only do, that are important for this country, if we do them jointly.

There is, I think, a difference on the part of some people in the public. It is true if we ask people about government spending in general, they will be very negative. But if we ask them about the specific parts of government spending, they are often quite positive.

People, I think, would like to see more spending in the Medicare program. They would like to see a prescription drug program. If we are going to do a prescription drug program, that is going to take taxes. If we are going to keep cops on the street, that takes taxes. If we are going to clean up the air and the water, that takes taxes.

Now, people can say, ''No, we don't want to see that happen. We don't want a prescription drug program in Medicare. We don't want to help people build new schools with Federal money. We're against any revenues.'' That is a legitimate decision. But why are they unwilling to let it be decided by majority rule? Why this repudiation of the majority?

By the way, when it comes to majority rule, among the majorities they do not trust, apparently, is the very House Committee on the Judiciary, that bulwark of Republican rectitude against an improvident public, because this bill did not get voted on in committee. I am on the Committee on the Judiciary; I am even on this subcommittee. I must have been absent that year because we did not have a hearing on it this year. We did not have a markup in subcommittee. We did not have a markup in committee.

This radical revision of the notion that a majority should rule, which the Republicans used to hold when they still thought the majority was backing them up, comes to this floor untouched by human hands. This comes to us without a hearing, without a markup, without a committee meeting. Not only have the Republicans decided to repudiate the notion of majority rule in representing the public, whom they do not trust on this, they have apparently forgotten what they said a few years ago about procedural regularity, about committees. This one just comes right to the floor.

Now, I understand why. I understand that there are members of the committee who have more regard for the majority principle, who would have been a little embarrassed by it. But when we try to accomplish a bad idea by a bad procedure, two wrongs do not make a right. And I hope this effort to right the repudiation of the public's right to make decisions by a majority into the Constitution is defeated.

Mr. SCARBOROUGH. Mr. Speaker, I yield myself 30 seconds, just to thank the gentleman from Massachusetts for being concerned about that end of a romance.

Actually, fortunately, given the choice between the arms they would be driven into, with Mr. Clinton and Mr. GORE and those of the left who are now proposing a new tax increase, I think over $100 billion in tax increases, 60 percent of those going to Americans making less than $50,000, I am quite comfortable that that romance will take us well into the 21st century.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. FRANK of Massachusetts. My only question is why is the gentleman not willing to let the American people decide that by a majority?

The gentleman may be right or wrong substantively, but why this fear of letting the majority decide by majority rule?

Mr. SCARBOROUGH. Mr. Speaker, I yield myself 30 seconds to respond that we certainly have no fear of it. We fear that no more than Democrats fear talking about taxes overall.

I have heard discussions about impeachment. I even heard the ghost of Newt Gingrich rise from the mist in the rules debate and about Medicare. We have no fear about that. Our fear is

that the Democrats, given their will in the future, will do exactly what Bill Clinton and AL GORE want to do right now in their budget, and that is raise taxes on hard-working Americans.

So I do not think the romance is over. In fact, a poll that was taken last year shows that 73 percent of Americans support tax limitation.

Mr. Speaker, I yield 2½ minutes to the gentleman from Utah (Mr. CANNON), a member of the Committee on the Judiciary.

Mr. CANNON. Mr. Speaker, I was impressed by the point made by the gentleman from Michigan (Mr. CONYERS), that major international corporations pay virtually no taxes, and that despite the valiant efforts of the gentleman from Michigan and the gentleman from Ohio (Mr. TRAFICANT) and others over most of the last 40 years of Democrat control of this House. That illustrates the point that people pay taxes.

Mr. Speaker, America is great for many reasons. We have a larger population base than, say, Germany. We have massive natural resources. But the key to America being the world's only superpower is not in the numbers of our people or in the size of our cornfields but in the creativity of the American people. Our creativity derives from the way our predecessors framed the role of government.

□ 1245

They recognize government for what it is, force. Some forces are necessary in order to secure the blessings of liberty, but the challenge we will always face is balancing government's access to force and constraining that force. And nowhere is the coercive force of government more broadly felt than in ripping from the laborer a portion of his wages.

We, the Federal Government, are now tearing from our citizens a larger portion of their earnings than ever before in our history, more than during the struggle for freedom during World War II.

My friend, the gentleman from North Carolina (Mr. WATT), is embarrassed apparently by the waiving of the Constitution on April 15. This is the day that people feel that pain. Let me just say that when we changed the Constitution and allowed for an income tax, it was only the most farsighted of the men involved and women involved in that process who foresaw, over the promises of everyone, the extent to which we would actually raise taxes in America.

As Americans, as representatives of the American people who hold the common dream that makes us Americans, we have an obligation to limit the force brought against us collectively by the grasping government bureaucracy. That may mean that we in Congress must restrain ourselves from attempting to have another program to deal with society's ills.

But let me remind my colleagues that compassion does not always mean intervention. If we just do not spend the surplus, we will either continue to grow the economy at phenomenal rates, bidding up salaries in the process, or interest rates will fall. I believe that no bureaucrat will ever come up with a program as compassionate as a 4 percent interest rate.

So I believe that we should not expand government, and I also believe that we should constrain our ability to tax. Therefore, I support and I ask my colleagues for their support of this tax limitation amendment.

Mr. CONYERS. Mr. Speaker, may I inquire of the Chair the time remaining on both sides?

The SPEAKER pro tempore (Mr. BOEHNER). The gentleman from Michigan (Mr. CONYERS) has 54 minutes remaining, and the gentleman from Florida (Mr. SCARBOROUGH) has 60 minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield 3½ minutes to the distinguished and able gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the distinguished and able ranking member of the Committee on the Judiciary for yielding time.

Mr. Speaker, this provision should be defeated, for three reasons. One, it is an exercise in hypocrisy. Secondly, history has shown that it does not work. And thirdly, it may mitigate against this Congress making the kind of very difficult decisions that may be necessitated in the near future.

I say that it is an exercise in hypocrisy because, in January of 1995, in the Contract with America, the new Republican majority included this as a rule that would guide the House, and it passed in the House. But every single time that we have had a tax bill, primarily a tax cut bill, but a bill that had provisions that actually increased taxes, the Committee on Rules had to waive this very rule. So every time that we have had a tax bill, the Committee on Rules included in the rule a waiver of this very provision.

So for us now to consider this and even to consider voting for it in light of our past experience, it seems to me, is an exercise in hypocrisy. We know it will not work. And yet the same Republican majority that voted this as a rule voted for each individual rule that waived this rule as it would apply to any subsequent tax bill.

Secondly, my recollection is that the Articles of Confederation actually had this as a requirement as well, a supermajority for any tax increase, and it did not work. Minority rule meant that our young country was not able to function effectively. They went back and they had to change it. And there are some very extensive debates that we can consult that shows the reason why it did not work, why they had to go to majority rule to be able to make the kind of difficult decisions that this Congress has elected to make.

Now, thirdly, it seems to me that there are a number of things that this Congress is going to have to do in the near future. One is to make the kinds of difficult decisions that will be necessitated to ensure that our retirement security programs are sustainable. They may, in fact, include raising some additional revenue in order to be fair and to be sustainably financed into the long term. I do not know that. But I do know that we will never get two-thirds of this House to make those kinds of votes no matter how compelling the arguments are in favor of those votes.

There are other areas in which I think that we certainly should get two-thirds. Corporate welfare, some of the loopholes that are used to abuse. History tells us this does not work. We know that these tax issues are the most difficult issues. They take leadership and they take courage and they take majority rule.

Almost all of these difficult issues have only passed by a slim majority no matter how compelling, as I say, are the arguments. We need to enable doing the right thing for this country, and doing the right thing is not the easy thing. Let us defeat this bill.

Mr. SCARBOROUGH. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, if I were a permanent resident at my apartment in Arlington, the gentleman from Virginia (Mr. MORAN) would be my congressman. I get all his mailings. And he does an excellent job, so I want to commend him on this.

I want to comment about having to waive the rule that we pass. My colleague correctly pointed out that when it was waived, it was waived because we were trying to cut the capital gains. And the way the capital gains code is structured, we actually have to increase the rate in order to lower the net effect of the total tax. So we have protected that in the tax limitation amendment because of the de minimis requirement, and we have a specific section in there about capital gains.

So I just wanted to point that out. I know the gentleman may not have known that.

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. I do know that. In fact, I spoke to that when the tax bill came up to that very provision. It was the Matsui provision, as I recall, on capital gains. We had to change that because it applied to small capitalized companies. But in the next tax cut bill, there was a Medicare revenue increase where we also had to waive the rule.

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds.

Since the gentleman from Texas (Mr. BARTON) knows that, he must know that there were some other reasons that there were other exceptions made. That was not the only one for increases in Medicare. For increases in Medicare, we had to again waive that rule. So let us bring this thing to a fuller conclusion than that.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I would like to inject some Midwestern common sense into this debate. The taxpayers of our Nation do not care which party deserves greater blame for tax increases. For them, this issue is not about conservatives versus liberals or Republicans versus Democrats. For them, it is not about parties; it is about pocketbooks.

Survey after survey shows that Americans support the proposal before us. Why? Because they know that if we do not take steps to protect them against tax increases now when we have an operating budget surplus, then we never will. They know that if we do not act now when our tax burden is higher than it has been anytime since World War II, then we never will. And they know that if we do not act now when 56 percent of Americans find the Tax Code so confusing, complicated, and complex, that they turn to outside experts for help, then we never will.

Working families know that this is precisely the time, the year, and, yes, the date to make this proposal on to protect their pocketbooks, to protect their future.

Now, a little earlier I heard so many arguments against the concept of a three-fifths vote, a supermajority requirement, saying that it does injustice to the Constitution. But, of course, the greater injustice is the one done to our working families every year around this time.

Now, this is not news. That is why State after State has passed a law like the one before us. Some of these States have had their supermajority requirements, their tax limitation provisions for years. And the evidence shows clearly, unmistakably that these provisions work. And, of course, that is the most important thing to remember.

And the critics of this amendment know it very well. Make no mistake, they do not oppose this plan because it will not work. They oppose it because it will work, it will prevent taxes from growing faster than our ability to pay, and it will limit the growth of government.

I urge support for this constitutional amendment.

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CARDIN) a senior member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, let me thank my friend from Michigan (Mr. CONYERS) for yielding me this time and congratulate him on the work that he has done in the Committee on the Judiciary.

Mr. Speaker, I rise in opposition to this constitutional amendment. It reminds me of the debate that we had on another constitutional change that would have provided for a balanced Federal budget. During that debate, many of us pointed out that the Constitution is not the problem, that we have all the tools here in this body where we can do what is right, we can pass the necessary laws to make the necessary corrections.

In 1993, we acted, we acted on the imbalance in our Federal budget. We passed a new economic program for this Nation; and as a result of the action that we took in 1993, we are enjoying a balanced Federal budget, we are enjoying economic prosperity, we are able to have more rational budget debates now in these halls.

But, Mr. Speaker, it is interesting that if this constitutional change would have been in the Constitution in 1993, we would not have been able to put this Nation back on a path of a balanced Federal budget, for it was a controversial bill. It passed by only one vote in this body or in the other body. We were able to do that because democracy worked, majority worked, and we could benefit as a result of that action.

The Constitution is not the problem with our Tax Code. Yes, Americans are rightly upset with the taxes they have to pay and the way in which we collect those taxes. We need tax reform. The current majority has been talking about that during the last 4 years, and yet we have not had a single moment of debate in this body, on this floor, on tax reform.

Bring out what the public really wants. Let us change our Tax Code. We have the power to do that. But instead, one day a year, on April 15 each year, we debate a constitutional change. The Constitution is not the problem.

□ 1300

As my colleague from Virginia pointed out, this will not work. We reserve supermajorities in the Constitution for process issues, not to enact substantive legislation. To override a presidential veto, to pass a constitutional amendment, to expel a Member, that is what we reserve extraordinary supermajority votes for, not policy determinations.

My friend from Virginia pointed out that in the 104th Congress, 4 years ago, the Republican majority put this in our rules. It has not worked. It did not work. Every time that there was an opportunity for the rule to prevent congressional action, we waived it. As the gentleman from Texas pointed out, well, we changed that. Yes, we changed it 2 years later. It did not work, so we changed the rule.

We could do that when it is a rule. You cannot do it when it is a constitutional change. You cannot just go back and say, ''Oh, we made a mistake, let's change it.'' It will not work. We know that. Yet every April 15 we come to the floor and tell the American people we are trying to do something about their frustration with paying taxes.

We have the tools. As we had the tools to deal with the balanced budget, we have the tools to deal with tax reform. Why are we not spending today debating what type of a tax structure we should have for this Nation? Why have you not brought out in 4 years a bill that would reform our tax structure? Then we could have the debate that the American people would like us to have. Let us stop blaming the Constitution of the United States. It is our responsibility, and let us use our time to have a constructive debate.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, today is April 15. I would like to take this time to congratulate my tax accountant, my wife Karen, who has gone through the last few months having to confront taxpayer after taxpayer. I have to apologize to Karen, her staff and every tax consultant in America, and yes, every taxpayer in America that we have put them through what we have done in the last few months.

Now, I keep hearing from Members of Congress about how the taxes only affect the rich and how the rich need to pay more and that every time a tax increase goes through, it is only on the rich. Let me tell my colleagues something. Those of us who represent the working class people of the United States and people that work in businesses like my wife, that have no client, not one client who makes over $100,000 a year, know the great lie that comes out of these chambers and out of this Capitol about ''The rich are going to be taxed, but don't worry, working class, you'll be held harmless.''

The fact is, Mr. Speaker, is that our Tax Code needs to have a supermajority to control the abuses of the majority. That is what the Constitution is about, to protect the individual from the confiscation of their property by the Congress of the United States. It should be an extraordinary issue. In California, where 32 million people live, the most progressive State of this Union, we have had for decades the fact that we have addressed the issue; there should be a supermajority before government goes in and confiscates private property in the form of taxes.

Now, the people in California, Mr. Speaker, have the right of initiative. They can sign petitions, get it on the ballot and force it on the legislature to give them the protection of a supermajority when it comes time to confiscate their assets in taxes. The people

of the United States do not have that right under our Constitution. That responsibility lies with this body, to initiate a constitutional amendment to make sure we do not abuse those actions like we have in the past. I stand in favor of the constitutional amendment. I apologize to the taxpayers and thank the gentleman from Florida for this action.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Speaker, I thank the gentleman from Florida for yielding me this time. Mr. Speaker, I rise in strong support of the tax limitation amendment to the Constitution. I wish to commend the gentleman from Texas (Mr. BARTON) for his continuing vigilance on this important amendment.

The need for this amendment is obvious. Not since World War II has the tax burden on American workers been so high. The Federal Government already has a lot more money than it needs. Some people in Washington still do not think that is enough. I am not one of those people. Americans work hard for their money and they deserve to keep more of it.

It comes down to a simple matter of trust. I trust the American people to use their money directly, as they see fit, rather than having a government making even more of those decisions for people. Changing the Constitution to make it more difficult to raise taxes to fund new spending programs and increase additional pet projects is absolutely necessary and appropriate to make that more difficult.

Do not fall for the sky-is-falling arguments from some who say this amendment would tie the hands of government in times of war or economic downturn. The tax limitation amendment directly accommodates such situations. Consider the source of those arguments. They are made by the very same people who through their voting records show that they think taxes are actually too low.

Our Nation was founded on the principle that ability and hard work should be rewarded with economic prosperity. America has moved toward the government bearing the fruit of its citizens' efforts, and I think we need to reverse that course. Let us pass the tax limitation amendment.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise today in support of House Joint Resolution 37, the tax limitation amendment. It is April 15 again and many Americans are scrambling to finish preparing their tax returns. The multiple, confusing and ultimately costly forms remind us of one thing. We are taxed too much, not too little. The average American today pays over 20 percent of his or her income just in Federal taxes. That is up from 5 percent in 1934 and is the highest since World War II.

We now have surpluses as far as the eye can see, hundreds of billions of dollars each year. One would think that tax cuts would top the President's agenda. But this year he has proposed more than $100 billion in new taxes and fees to fund new government spending. I guess old habits die hard.

Mr. Speaker, the President's proposed tax increases in an era of budget surplus merely emphasize that we need to limit the government's ability to tax its citizens. The tax limitation amendment does this. It would require a two-thirds supermajority vote in both houses of Congress to raise or create new taxes.

That tax money is our money and we should make it harder for the government to take it. We pay taxes today with the knowledge that we must still work for another month before reaching Tax Freedom Day. Last year, Tax Freedom Day in Illinois was May 13, the seventh latest in the country. That means that most Illinoisans had to work almost half the year to pay their Federal, State and local taxes. We are taxed too much, not too little.

Mr. Speaker, now is the time for the tax limitation amendment. I urge all my colleagues to do the right thing this afternoon and vote to give Congress the means to restore the fiscal discipline that has for so long been missing.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I thank the gentleman from Florida (Mr. SCARBOROUGH) for his leadership and that of the gentleman from Texas (Mr. BARTON) on this issue.

I know we are fortunate to be going through very good times right now, but when I listen to my neighbors and the families that I represent, we have an awful lot of families that are struggling to make ends meet each month. School, clothes, the cost of medicine, car insurance, college is all so expensive, we have so many families, both parents working as hard as they can, working harder than they ever have before, keeping less than they ever have before and really living paycheck to paycheck.

All it takes is one of your kids gets sick and that cost is expensive, then one of your family members passes away unexpectedly, you have got to figure out a way to travel there. I can guarantee you, just when you think things could not get worse financially, your car will break down. There must be a Federal law that requires that to happen. But it always seems like those things occur. The worst feeling in the world, whether you are a student or a parent or a senior, is to lie awake at night, it is a sick feeling to lie awake at night thinking ''How in heaven's name am I going to make it through this time?''

The opponents of this bill say, ''Look, if you will send us more of your paycheck, just send us more of your money, and then you can go down to a government office and maybe stand in line and fill out these forms. In a month or so come back and we'll let you know if you are eligible so we can help you.'' Our belief is just the opposite. We want you to keep more of what you earn. We think it ought to be a little easier to make ends meet each month. We think you can make better decisions. It is your money, after all.

This constitutional amendment ties the hands of Washington so we can untie the hands of our families and our working families. I think Ronald Reagan said it best. It is time someone stood up to those in Washington who say, ''Look, here are the keys to the Treasury, spend all you want of the hard-earned tax dollars. It is not yours, anyway.'' This amendment stands up for families and taxpayers, and I support it.

Mr. CONYERS. Mr. Speaker, I am delighted to yield 7 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I believe it was old Ben Franklin who said, ''In this world nothing is as certain as death and taxes.'' He could have well added, in the present era in our country's life, a third, which is the determination, come April 15, of the Republican Party to resurrect dead issues. We go along in this Congress for months upon months on end and little or nothing happens. Certainly little or nothing happens about simplifying the Tax Code, about having genuine reform.

But somewhere, I guess around April Fool's Day each year, the Republican leadership here in the House, they scratch their head and they ponder what simplistic approach to come out with that is already dead, that will not pass, but that will give the American people the appearance that someone is on their side on the tax issue? And so some years it is abolish the Internal Revenue Service while not replacing it with anything; other years like this it is hike up the amount of votes it will take to approve a tax change.

In the meantime, the hardworking American taxpayer who is out there, who would like to see a system in place for the collection of the taxes that are necessary to be the strongest and greatest Nation in the world, is out there wondering why the Congress does not get to work with real tax reform, with tax simplification, with meaningful changes that would make a difference in what we all do here come April 15 in paying our taxes. What they are getting instead is most days, most weeks, most months this Congress doing little or nothing about tax

issues, until April 15 comes along and they resurrect one of these old dead ideas that they know is going nowhere, in order to give the appearance that they are on the side of the American taxpayer.

Let me assume for just a minute that we work to put this sorry idea into the United States Constitution, and I have to pause just a minute there. The gentleman from Michigan (Mr. CONYERS) has so ably pointed this out already. It points to one of the other really strange contradictions of this place. When these Republicans came blazing in here with Newt Gingrich back in 1995, they professed to be great conservatives.

Well, it is strange what labels they put on themselves, because when you come to the United States Constitution, they are about the most ultraliberal group I have ever come across in my life. They view the United States Constitution a little like the D.C. municipal traffic code. They have got an idea out here to amend it, to edit it, to change it, to alter it, as if our Founding Fathers had little or no sense about the future good of this country.

You can mark your calendar now. Come next April 14 or 15, they will be back here with some other idea to wreck the Constitution by putting in unworkable provisions, knowing that they are dead, that they are not going to be approved in the Congress, but that they have some good political cover that they offer in presenting such a proposed edit of the United States Constitution.

But let us assume for a moment that we were to adopt this provision. What would the effect be? Well, I think that it would be a great boon for Washington insiders and Washington lobbyists in doing things the way they have always been done here. Because if you can get a special provision of the type that American citizens are so outraged about Washington, a special preference, a special advantage, a special tax loophole written into the Tax Code here in Washington by your lobbyist, so that the people across America that do not have a lobbyist up here, they have to pay a little more taxes so that someone who has got a lobbyist and a fleet of limousines here in Washington can pay a little less, guess what kind of vote it is going to take to eliminate and reform that system if we are ever going to change it?

It is not going to take the same simple majority that got the provision stuck in there to advantage some special interest group. It is going to take, not 51 percent, it is going to take two-thirds to eliminate that special interest provision. That is why I call this amendment, as it is offered by its name in fact, by its true name, which is the ''Tax Loophole Preservation'' amendment. That is what it is all about.

And some of our colleagues in the Republican leadership, I mean, to borrow from Will Rogers, they have never met a tax loophole they did not like. They think if you get a tax loophole into this Constitution, it is good. If the President comes along and he proposes to eliminate some tax loophole, ''Oh, my gosh, that's a revenue raiser.''

It may be a revenue raiser that facilitates our ability to provide prescription drugs to our senior citizens that are overburdened with prescription drug costs. It may be a tax loophole that closing it will allow us to provide some assistance to working families who may need a child care tax credit. But they see it as a revenue raiser and therefore, by its very nature, a very bad and evil thing that ought to have not half of this Congress plus one but two-thirds of the Congress required to eliminate it.

If they pass this amendment, what they will be doing is freezing into the Tax Code all of the various special provisions, advantages, preferences, loopholes that are already there, that America has been complaining about and asking this Congress to do something about from time on end.

□ 1315

What is an example of this kind of provision put in place by this very House? It would have become law had not it been brought to public attention. Mr. Speaker, it is one I think this body is very familiar with, though it certainly was not one of its prouder moments.

As my colleagues know, many of us are concerned with the problems of nicotine addiction, one of the most serious drug problems we face in this country. There has been great public interest in having some legislation to prevent youth smoking. What proposal did this Republican leadership offer as a solution? A $50 billion tax credit for the tobacco industry snuck into a bill under a title for small business tax relief, and they actually passed that through this House. Fortunately some reporters found out about it being hidden around page 317 of the bill, and we were able to eliminate it.

But it is that kind of provision that, if snuck into the Tax Code, we will not be able to eliminate it except by a two-thirds vote. That would be a serious mistake for all of us who recognize the need for tax simplification, tax reform and true assistance to working Americans.

Do not approve an amendment that tinkers with our Constitution but would actually set back the reform movement once we get a Congress in place that genuinely wants tax reform and expresses some concern about it on more than one day of the year.

Mr. SCARBOROUGH. Mr. Speaker, I yield myself 45 seconds just to say again any change in the Tax Code regarding these loopholes that they are so concerned about, and they should be concerned about the loopholes because they perfected them over 40 years while they were in the majority before the gentleman from Texas (Mr. DOGGETT) was elected in 1994; all we need is a simple majority.

I will once again say perhaps this is in my colleague's eyes a dead issue. Perhaps it has come up before. But as my colleagues know, welfare reform was killed three times by the left before we passed it, and, of course, the balanced budget. The President and many on the left said a balanced budget in 1995 would destroy the economy. Well, we have done it in 4 years instead of 7.

Likewise, hope springs eternal. We do not want this to come up again next year. We believe it should be done this year, and with the help of many on the left who are now born again tax reformers, maybe it will.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding this time to me, and I say to my friend from Texas that we have been pushing for tax relief across the board. We have been pushing to scrap the entire Internal Revenue Code which would eliminate the vast majority, if not all of the so-called loopholes he refers to which were created overwhelmingly during his party's majority rule in this House for more than four decades. I would say to the gentleman that we simply want to correct this problem, and obfuscation about it is not the way to cure it.

Mr. Speaker, I want to thank my colleagues on both sides of the aisle for sponsoring this important legislation which I rise today to strongly support.

Mr. Speaker, in 1913 taxpayers remitted an average of about 8 percent of their total income in Federal, State and local taxes. Today's average family is paying almost 40 percent of their income on taxes. That amounts to more than the typical family spends on food, clothing and housing combined. Not since World War II has the tax burden on American workers been so high.

Mr. Speaker, even with the federal budget surplus projected at $4.9 trillion over the next 15 years, many in Congress and the administration are calling for even higher taxes on American families. Mr. Speaker, this is exactly why we need a tax limitation amendment. This is the surest way to keep the hard-earned money of American families out of the hands of the Washington politicians who want to raise their taxes and spend their money and keep it in the hands of those who know best how it should be spent, the American taxpayer.

Mr. SCARBOROUGH. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Speaker, I want to reassure my colleagues that a lot of progress is being made on tax reform, and in case my colleagues have not had a chance to keep up this week, we have passed a budget that protects Social Security and Medicare better than the President, continues funding for education programs and promises to return over $800 billion of hard-earned dollars to the American taxpayers. So we are making a lot of progress, and there will be real tax reform.

The question is when today when I leave this meeting to introduce one tax reform proposal, and my colleagues will see several from the leadership over the next couple of weeks, will our colleagues join in the debate to truly reform this Tax Code? We will have to wait and see. But in the meantime, Mr. Speaker, all of us need to recognize that history has confirmed, and all of us know it, that the temptation to spend money in this Congress is too great for this body to resist.

We know that over the last 86 years this government has asked the American people to sacrifice their income and their prosperity to make government more prosperous. Today all we are doing is asking the government to sacrifice its income to make the American people more prosperous. We have got to make it harder for Congress to spend the money, the hard-earned money, of the American taxpayers.

Mr. Speaker, there are so many good things to do that come up every day that we want to help with, good causes that sound so good when they are presented. But every little good thing that we try to do, in spite of evidence over the years that we cannot do it nearly as well as individuals and communities, every time we spend money, we take that money out of the pockets of the American taxpayers. We have got to make it harder to spend money. We have got to stop making it harder for Americans to live their lives the way they want, to keep what they earn, to spend it and make decisions in their own lives.

Mr. Speaker, all this amendment will do will make it a little harder for this Congress to spend the money of the American people. It does not cut one program, it does not give one penny to the rich, it takes nothing away. All it does is force us to make it a little harder to spend the hard-earned money of the American people.

I support the amendment, and I hope all of my colleagues will join me.

Mr. WATT of North Carolina. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from North Carolina for yielding this time to me.

The previous speaker made an eloquent plea on behalf of the American people, and I wish today, on April 15, a day of course that many of our constituents are making their way to the post office or finding other ways to send in their taxes, that we were truly deliberating on, I think, real issues about both the Internal Revenue Service and taxes.

One, I think it is important to note and it is important for America to know that this resolution that is on the floor today would damage, interfere with and maybe keep this body from seriously looking at a real review of the Tax Code to avoid some of those loopholes of which enormous sums of money pass the hands of those who really need it and go into the wealthy. At the same time I wish the American constituency would realize that in our attempt to save and preserve Social Security and Medicare some amount more than de minimis might come about in terms of a tax increase, and this resolution will put a dagger in the heart of saving Social Security and saving Medicare.

I believe the weight of that would be, in fact, more burdensome to our constituents, the demise of Social Security and Medicare, than we could ever imagine by bringing into the forefront a two-thirds supermajority under this resolution to allegedly stop tax increases.

Mr. Speaker, this is again, as I have previously noted, a feel-good piece of legislation. It was fundamentally wrong in the time when the 13 colonies were there under the Articles of Confederation in the 1780's when they wanted nine of the colonies to vote on something. The government did not work then, and our Founding Fathers in their wisdom designed the Constitution and the House of Representatives and the U.S. Senate on many of these issues on a simple majority. But yet today we want to put a knife in the Constitution, a dagger in some of the major programs that this country has come to appreciate, the preservation of their national archives and monuments and parks; as I said, education, building new schools, insuring a secure and a, if my colleagues will, strong military, dealing with the terrible humanitarian crisis in Kosovar, requiring appropriations. And yet what we are saying is that we want to deny this House of Representatives to do what it should or do what it does best, to deliberate on behalf of the American people in a representative manner with the right to deliberate and debate with a simple majority under the Constitution.

I finally say, Mr. Speaker, it seems to me a tragedy when we have procedures in this House and we do not follow them. This legislation did not go to the Committee on the Judiciary, and I think this legislation should go nowhere, and we should vote on behalf of the American people and defeat this legislation.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Speaker, I also like to compliment and thank the gentleman from Texas (Mr. BARTON) for yielding me this time and also on his hard and, I think, great efforts to get this tax limitation amendment passed.

I just want to say a couple of things. One is on substance, and one is on process.

On the substance of the matter, I think this is a great debate. For those who believe that the American people are overtaxed, they have an opportunity to stand up for the American people, the American taxpayer, and they can vote ''yes'' on this tax limitation amendment which would simply make it more difficult for the Congress to raise taxes like so many States across this country.

With respect to process, colleagues can be consistent to vote for the tax limitation amendment, and, if they so desire, when the vote comes to raise taxes, they can vote for the tax increase as well. So colleagues can have it both ways. They can say, ''You know what? We ought to make it more difficult for the Members of Congress to raise taxes on the American people, but I also want to have the flexibility that when a tax increase bill comes to the floor, I can vote for it.'' And if they get 150, those who want to see and do not believe the American people overtaxed, if they get about 150 Members under this legislation who believe the American people deserve higher taxes, then do my colleagues know what? They can rally, and they can get 150 Members, or 160, 170, whatever that is, and they can raise taxes.

So my colleagues can have it both ways if they are on the fence, and if 40 Members of this body who did not vote for this last year vote today, guess what? We will make it more difficult, something the American people expect and deserve, the Congress to raise taxes.

If my colleagues do not believe that the American people are overtaxed, if they do not want to make it more difficult for the Congress to raise taxes, then they should oppose this legislation, and they should go back home and explain to the people they represent: ''You know what? We want to have as much flexibility as possible to raise money.''

On Tax Day, when so many people that I represent in Brooklyn and Staten Island are writing checks to the Federal Government after working hard all year? I do not think so.

Mr. Speaker, I urge strong support for the resolution.

□ 1330

Mr. WATT of North Carolina. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman from North Carolina (Mr. WATT) for yielding me this time.

Mr. Speaker, I rise in opposition to this resolution that is on the floor now. Here we are once again. Americans are participating in the annual rite of spring; of course, that is tax day, April 15. If one thinks it is a painful day for them, think of my family. It is my husband's birthday and he has to spend this day doing the painful task of paying taxes.

We all can take legitimate pride in the democratic pageantry of voluntary compliance. Tax compliance, like voter turnout, is a sensitive measure of civic health and it is based on an American sense of fairness. That is the main reason I oppose this resolution, which has become part of the rite of spring, an attempt largely on the part of our Republican colleagues to grandstand the tax issue.

Certainly we would all love to live in a world where we did not have to have any responsibility and pay any taxes, but that is not the world that we live in. Certainly we want our people to pay the least amount of tax that should be required of them, but it has to be based on tax fairness.

It is so ironic that just yesterday the House Republicans ran through a $1.74 trillion budget resolution for fiscal year 2000 that was absurdly fixated on huge tax cuts for the rich, does absolutely nothing to extend the solvency of Medicare, and assumes deep cuts in key domestic programs.

Today the GAO reports that a majority of the largest international corporations doing business in the United States continue to pay no Federal income tax, and today, with this resolution, our Republican colleagues want to make sure that that does not change and to make sure that it is more difficult to close any tax loopholes.

Our Founding Fathers considered this, as has been mentioned by my colleagues. They considered and rejected this supermajority, this two-thirds requirement, because of the majority rule that they were wedded to and which has served our country so well.

Sometimes I think that the attempts of my colleagues to protect the assets of the very wealthy in our country are subscribing to the Leona Helmsley quote, ''Taxes are for little people.'' Well, I want to spend a moment talking about the real little people of America.

The real little people of America are children, the very destiny of our civilization, who continue to suffer the insult and injury of Republican budgets. The latest Republican budget, to take the most egregious example, has privileged tax relief for the prosperous over Head Start funding for children.

Is it fair to deny a child a proper start in life? Will that child grow up to comply voluntarily with this Tax Code, if that is our issue? Crucial to America's children is the economic security of their families. That includes the pension security of their grandparents, and that means a living wage for all working adults, and saving Social Security, which the Democratic budget did a better job at, in addition to extending Medicare.

In addition to that, access to quality health care and high-quality education to large segments of the American population are values that the American people have. Our budget, how we take in revenue, how we spend it, should be a statement of our values. It should be based on fairness and it should prepare us for the future.

I think the budget yesterday and this resolution today do neither, and that is why I urge my colleagues to vote no.

Mr. BARTON of Texas. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Florida (Mr. STEARNS), a cosponsor of the amendment.

Mr. STEARNS. Mr. Speaker, I would say to the gentlewoman from California (Ms. PELOSI), happy birthday to her husband who is working all day today for the Federal Government, because he will continue to work all the way until the end of May to pay for all of his taxes that he has to pay.

Ms. PELOSI. At least.

Mr. STEARNS. At least. So I think that this is a fair example of why we need to have this tax limitation amendment.

Benjamin Franklin did say, as the gentleman from Texas said, that in the end it is all death and taxes; but the problem is, he goes on to say that this is a dead idea. Arizona, Arkansas, California, Colorado, they have passed this; Delaware, Florida, Louisiana, Mississippi, Missouri, Montana, Nevada, Oklahoma, Oregon, South Dakota and Washington. So these are States that believe in this concept, and I think it is a time that has come to this House, just like the balanced budget amendment and like welfare reform.

I remember this side of the aisle saying, oh, no, we cannot have welfare reform. We cannot have immigration reform. We cannot have balanced budget reform.

When we look at our Constitution, we have had lots of amendments to try and improve it. In this case, a simple two-thirds vote by both the House and Senate for taxes is extremely important, because most Americans today are paying almost 40 percent of their income for taxes. In 1941, Federal taxes were 6.7 percent of the gross domestic product. During the 1960s, Federal taxes approached as much as 20 percent.

So we need to set in place a system that we cannot have taxes without a supermajority, and of course, in the Constitution we had this supermajority standard for amending the Constitution, impeaching the President, ratifying international treaties. So why not have the same standard when deciding to take money, literally money, from the American people out of their pockets? So I think a supermajority is very necessary.

Although the economy is in good shape right now, taxes are still the highest they have been since World War II.

When I hear this side say that this vote is going to allow tax loops for the wealthy or this bill provides special provision for people, I do not know what they are talking about because basically whenever they start talking about tax cuts for the rich they are talking about increasing big government. It is just a cover for it.

So all this amendment basically does is say, let us try to limit this Federal Government from taking more money out of our pockets. Let us have a supermajority to do so. I hope all of my colleagues will support it.

Mr. BARTON of Texas. Mr. Speaker, it is my distinct privilege and high honor to yield 2¾ minutes to the gentleman from Texas (Mr. ARMEY), the majority leader of the House of Representatives, who represents the 26th District of Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Texas (Mr. BARTON) for yielding.

Mr. Speaker, I do not suppose it will come as any big surprise to the American people that whenever they turn their eyes towards Washington, they will always find that in this town there is always a certain class of people that have this compelling need to raise their taxes and take more of their money.

We have watched this debate today. We have seen a provision brought before this body by the gentleman from Texas (Mr. BARTON) that says that class of people ought to be restrained, restrained by the simple requirement that it takes a two-thirds majority to raise the taxes.

It seems fairly obvious that almost every person that has risen to speak on behalf of that restraint has come from this side of the aisle and virtually everybody who has spoken opposing that restraint has come from that side of the aisle. So it seems fairly obvious to me, I would say to Mr. and Mrs. America, when they turn their eyes towards Washington and they want to know who is it in this town that insists on having an easier time taking their money, look to the Democratic side of the aisle. They are the ones making the argument.

Democrats, for years, when we had budget deficits, said, well, the solution is raise taxes. Today we have budget surpluses; the solution is, raise taxes. Yes, President Clinton and Vice President Gore, in this surplus budget, propose over 80 different tax increases resulting in $52 billion worth of tax increases.

Now, when we Republicans say, let us cut taxes, their counter is, oh, yes, the Republicans want to give a tax break to their rich friends. Well, we do not believe that is true, but I can say what is true. When the President and the Vice President raise taxes, they are raising taxes on whom? The poor.

This chart shows us that clearly. In this chart here we show that a clear majority of the taxes go to people that earn $50,000 a year or less.

So here we have the situation: We have this great debate going on. We need to restrain people from raising taxes and, in particular, in this administration, from raising taxes on the poor.

Why do they fight against it? Why do they avoid this restraint? Well, Mr. Speaker, I have to say I have studied these things for a lot of years and I can say I have identified three groups of people that have the privilege of taking and spending other people's money. They are children, thieves and politicians, and they all need more adult supervision. That is precisely what the gentleman from Texas (Mr. BARTON) offers, more adult supervision.

I would say to Mr. and Mrs. America, if we have a two-thirds majority requirement to raise their taxes, do they believe there will be sufficient enough adult supervision to protect them from those who would practice the politics of greed with their money and wrap it in the language of love?

Mr. WATT of North Carolina. Mr. Speaker, I yield myself 1 minute to respond to the majority leader, although I am tempted not even to flatter it.

Mr. Speaker, this is a debate about amending the Constitution. We can pretend that it is a debate about whether we raise taxes or not, but I want to remind all my colleagues that the Republicans have been in control of this Congress for the last 4 years. They cannot get a majority to cut taxes, much less a two-thirds majority to do anything. So we can come to the floor of the House and harangue the President for doing this or doing that all we want, but remember, both the United States House and the United States Senate are controlled by a majority of the Republicans, and if they want to do something constructive about it, then do it. Do not come down and go through a political charade on tax day.

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

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BLILEY), the distinguished chairman of the Committee on Commerce, who represents with distinction the Seventh District of Virginia.

Mr. BLILEY. Mr. Speaker, I rise today in support of amending the Constitution to require a super two-thirds majority of both Houses of Congress to increase Federal taxes.

I want to applaud the gentleman from Texas (Mr. BARTON), the chairman of the Subcommittee on Energy and Power of the Committee on Commerce, for bringing this measure to the floor on this day, the day when most Americans are painfully aware of how expensive government is.

Today we will pay more in taxes than at any time since 1944, when we were in the middle of the great World War II. It is too easy to raise people's taxes. That should be the last resort and not the first resort. So I applaud the gentleman from Texas (Mr. BARTON), and I urge all my colleagues to support this measure and send it on to the States for ratification.

Mr. Speaker, I rise today in support of amending the Constitution to require a two-thirds super-majority of both Houses of Congress to increase Federal taxes.

Today, our nation's tax policy stands at a crossroads. We can either continue down the path preferred by President Clinton and continue to increase the tax burden on American families. Or, we can draw a line in the sand and take steps to make it more difficult to raise Federal taxes.

By passing the Tax Limitation Amendment, we have the power to make it more difficult for the Federal Government to endlessly reach into Americans' pockets to fund increased spending.

The Tax Limitation Amendment will require Congress to be more fiscally responsible and think twice before increasing the tax burden.

Mr. Speaker, 14 states have already seen the wisdom of passing tax limitation protections, with more states soon to follow. It is time for the Congress to follow their lead.

The government's ability to dip into one's hard earned paycheck should never be allowed by a mere majority. A two-thirds super majority will ensure Congress never raises taxes to pay for wasteful government spending.

Americans pay more in taxes than in food, clothing, and shelter combined. Put simply, this is a travesty.

By passing the Tax Limitation Amendment, Congress can send a clear message to the American people—tax hikes are for emergency situations. Absent war, Congress should never be able to raise taxes on the middle class with a mere majority.

I urge my colleagues to support the Tax Limitation Amendment to help protect American paychecks from future tax increases.

Mr. WATT of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Mr. Speaker, I am honored to be here today to rise in support of H.J. Res. 37, the tax limitation amendment. I admire and certainly appreciate the gentleman from Texas (Mr. BARTON) and my own colleague over on the Democratic side, the gentleman from Virginia (Mr. GOODE), and others, the gentleman from Arizona (Mr. SHADEGG), who have worked so hard on this.

I thank the Speaker for giving us April 15 to pursue the passage of this amendment, and that pursuit and that determination is offset by the graciousness of my colleague, the gentleman from North Carolina (Mr. WATT), and his innate fairness to allow me to speak on his time when he opposes the amendment. I thank him for that.

I want to be simple and to the point here if I can. Today is a day that millions of hardworking Americans have filed their tax returns with the Federal Government. It is a tough day for a lot of people. It is also a day that most have come to dread because they feel that the government continues to take their taxes. We have created a situation in which many Americans do not feel that their government responds to their needs, taxes them excessively, continuing to spend without regard.

□ 1345

I hope today is the day we can return some of the confidence in the government to the people. The tax limitation amendment will return confidence by promising that the Congress will no longer raise their taxes without careful consideration and a two-thirds vote in support.

This would have precluded the passage of a lot of bad so-called tax reform acts. There would have to be a strong consensus among members of both parties, not just one side, to raise taxes, making sure it would be a necessity.

This is a simple, straightforward proposition that a number of States have already adopted and a number of others are expected to consider this year, including my home State of Texas. In States that require a two-thirds vote to increase tax rates, growth in both spending and taxing is lower than in States without it. This simple fact is proof that the intent of this legislation can and will accomplish its goal if we just pass it today.

The amendment would require a two-thirds supermajority vote in both chambers of Congress to pass any legislation that raises taxes by more than a minimal amount. This resolution would cover income taxes, estate and gift taxes, payroll taxes, excise taxes. It would not cover tariffs, user fees, voluntary premiums, and other items which are not part of the Internal Revenue laws.

The two-thirds standard is reserved for the most important decisions, including amending the Constitution, ratifying international treaties, impeaching the President, and on and on. It is time we elevate raising taxes on the American people to this same high standard that it takes to carry out any of these other obligations.

I have worked hard to push for a balanced budget amendment and control spending and taxing while in Congress. The tax limitation amendment makes good sense by restoring discipline to our system, which has spun out of control.

Today, April 15, we can tell our constituents we will no longer slip tax increases through by slim margins, and commit ourselves to a direct yes or no when their pocketbooks are at stake.

I am proud to join the gentleman from Virginia (Mr. VIRGIL GOODE) as the lead Democrat on this bill. I urge my colleagues to join me in voting to pass the tax limitation amendment.

In summation, if we ever have a balanced budget amendment, we need this amendment to stand side by side. Otherwise, a future Congress could balance the budget by simply raising our taxes with a slim majority vote. That should not be.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. HALL of Texas. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I want to commend the gentleman from Texas for his leadership. He has been an original leader of this since 1995. His job is more difficult because, while the Republican leadership supports this amendment, the Democratic leadership does not, so I want to appreciate how hard he has worked on it and how successful he has been in getting support on the Democratic side.

Mr. HALL of Texas. I thank the gentleman from Texas, and I thank the gentleman from North Carolina (Mr. WATT) for his graciousness in giving me this time.

Mr. BARTON of Texas. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from the great State of Colorado (Mr. HEFLEY), who has been very patient.

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

Mr. Speaker, once again Congress finds itself in the midst of one of the most important debates that we have of our generation, this tax limitation amendment.

As I listen to the debate, it seems there are some in this body who feel that everything that the working people of America earn belongs to the government, and if they are good, we will give them back a little of it. We will let them keep a little of it.

There are others of us that seem to feel that a person is entitled to the fruits of their labor, and it ought to be very difficult to take it away. In fact, one of the previous speakers said that we do not want to limit this body from doing what it does best, and they are right, probably. What we do best is tax people. What we want to do, on this side, at least, and some on that side, is to stop doing what we do best in taxing people.

We must ask ourselves, what kind of life are we going to leave to our grandchildren? What will our children point to and say, this was our legacy? There are few votes we will make in Congress that could have such a profound effect on our grandchildren. We will balance the budget this year, we will probably cut taxes over the next several years, but nothing that we do will prevent future Congresses from easily undoing that hard work.

This vote today is about being right and being responsible. It is about leaving a better life for our children. It is about making it more difficult to force my children and grandchildren to be faced with even higher taxes than the record taxes we are now forced to pay. They should be able to keep more of the money that they earn.

Unlike some individuals here in our Nation's Capitol, I trust that the American people can decide for themselves better how to spend their own money, and think giving too much of it to the Federal Government is creating enormous difficulty for families all across America.

The average working person today spends over 40 cents of every dollar they earn in taxes and government fees, if we can figure all of that, almost half. Mr. Speaker, I urge a vote for our children and grandchildren and all Americans, and support for this amendment.

Mr. BARTON of Texas. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from the great State of Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I thank the gentleman from Texas for yielding time to me.

During the 1970s, I think there was a trashy novel that was quite popular. I think the title was, Fear of Flying. I have thought about it often as I listen to debate about this, because it seems to me another novel could be written by my friends on the Democratic side of the aisle called Fear of Freedom, something like that, because it really does characterize what I hear from everyone who stands up at this microphone and talks about what would happen, what a catastrophe would befall us, if in fact we were to reduce our ability to tax the people and give them greater freedom.

That is the peculiar nature of this debate, because that is truly what we are arguing here, whether or not we are on the side of greater individual freedom, we believe that people should have more of an opportunity to keep the money that they earn, or if we believe the government should have the ability to tax it away from them, and in a way that makes it extremely easy, and as we can see over the last 40 or 50 years, that all kinds of bad things have happened in that process.

The tax loopholes that my friends on the left talk about, where did they come from? When my friends from the Democratic side come up and talk about tax loopholes being a problem, it does remind me a little bit of the child that kills his parents and then throws himself on the mercy of the court because he is an orphan.

The fact is, of course, these are the problems that were brought to us over 40 years of Democratic rule in this body, and on the Senate side.

In Colorado we had a similar debate. The same exact kind of thing happened when we started talking about an attempt by an actual citizen of the State, he kept putting an initiative on the ballot called the tax limitation, and it is now referred to in Colorado as the Taber amendment.

A gentleman by the name of Douglas Bruce four or five times with his own money put it in at his own initiative. It finally passed. Every time it was debated, exactly the same sort of sentiments were expressed by the people on the other side.

What it said is no tax at the State or local level can be increased without a majority vote of the people, which is much more severe, by the way, certainly than a majority or two-thirds vote of the legislature. We are talking about a majority of hundreds of thousands of people who have to vote on every tax increase. Exactly the same thing was stated, that it would be the end of the world as we know it. Mr. Speaker, it is exactly the same thing that they proposed, that in fact blood would run in the streets, it would be the end of civilization, everything would collapse.

But in fact do Members know what has happened? We passed this in 1992. We have never had a more robust economy in the State of Colorado. Jobs increased by the thousands, by the tens of thousands. It has never ever had the kind of dismal effect that was projected. Why? Because people kept more of their own money and invested it and created jobs. That is exactly what happens when we give people control over their own dollars.

Mr. WATT of North Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, first I want to commend the gentleman from Texas (Mr. BARTON) and the gentleman from Texas (Mr. HALL) for their leadership on this most important issue. I also want to thank the gentleman from North Carolina (Mr. WATT) for yielding a part of his time.

Mr. Speaker, at this time when such a large portion of our income goes to taxes, I firmly believe that we should have no new national tax increases unless there is a consensus in this body and a consensus in the country.

I was not here in 1993 when we had a very divisive tax hike in this body and in the country, but if we had had the tax limitation amendment, we would not have had a number of recent tax increases over the last decade.

A vote for the TLA is a vote for consensus, a vote for the tax limitation amendment is a vote for bipartisanship, because rarely in the history of this body or in the history of the U.S.

Senate have there been two-thirds of one party in control.

With the TLA, we would have to have a two-thirds vote in both bodies before any tax increase would take effect. That would demand consensus and bipartisanship. I believe the families and businesses in this country support consensus and bipartisanship. I firmly believe if we submit this amendment to the States, that it would be quickly adopted and ratified by three-fourths.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Texas (Mr. BARTON) for yielding time to me, and allowing me an opportunity to stand up once again and to talk about why we need this important balanced budget limitation amendment.

Last year we received 238 votes on the Floor of the House of Representatives. I believe that the importance of this vote means that we are talking about the future of our country. I think what we are talking about is accountability. I believe what we are talking about is responsibility.

Just a few short years ago it was Republicans who made the case, as we argued all across this country, that millions, billions, and trillions, which is the amount of money that Congress deals with, was unwisely managed by the 40 years of Democrat control. We argued that we as conservatives and Republicans would respect the people who earned this money, for in the Fifth District of Texas, people deal with thousands of dollars and hundreds of dollars, not millions, billions, and trillions, so they were looking for someone to come to Congress who would understand that difference.

I believe that is what I have done. I have brought to Washington, D.C. the same kind of responsibility and accountability that my colleagues have brought. Why does this matter? This matters because we have been able to control the spending that takes place here in Washington.

Today we are talking about how we are going to control the tax scene. We both understand, all on this side understand, that the liberals in this country are all about tax and spend, tax and spend. Today accountability and responsibility will have another ring to it. When we talk about limiting taxes because of a supermajority, we are talking about helping once again interest rates in this country to go down even further.

If we will guarantee that we will not raise taxes, I think we would see another reduction in interest rates, interest rates that rob each and every citizen in this country of the money they earn, also.

Millions, billions, and trillions are not always easy to understand. I want to say for the American public, to put it into context for them today, put into other words, 1 million seconds equals 11 days, 1 billion seconds equals 32 years, and 1 trillion seconds equals 3,200 years. We do not confuse million, billion, and trillion on this side.

The other side talks about tax and spend. I believe they do not understand where it comes from. We are going to ensure that we limit this taxing and spending. We are going to assure that we talk about accountability and responsibility, and it is the Republican Party that is standing up today, and conservatives across this country, who recognize that today, April 15, is the day the truth should be told once again. I support this bill.

Mr. WATT of North Carolina. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL).

□ 1400

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from North Carolina for yielding me this time.

Mr. Speaker, if the famous TV character George Costanza were watching this show today, he would say simply, ''This was a show about nothing.'' Nothing. It was a show about nothing when the other side demanded the line item veto to cut the budget be applied, and then screamed when the President used it, and they were relieved when the courts rejected it.

It was a show about nothing when the other side demanded a constitutional amendment to balance the budget as the only way to solve our deficit problems. When it turned out that the real way to do it was the way the Constitution intended, all they had to do was vote for the President's budget in 1993, or for that matter, vote for George Bush's budget in 1991.

It was a show about nothing when term limits were used as a campaign device, the problem being that many of the devotees must have meant that it should apply to somebody else other than to them.

This is the latest show here about nothing. What they have got going at this moment is another government-like gimmick. We will hear today why this is bad legislation. It certainly undermines majority rule.

It hearkens back to the Articles of the Confederation which we could not live under. It is even harsher than House rules that the other side passed a few years ago, which they also were not able to live under. It enshrines corporate tax loopholes which the Treasury Department recently pointed out are expanding at a tremendous pace.

But what offends me the most about this is it is inconsistent with our Constitution. The Constitution requires a two-thirds majority in this House in only three instances: overriding a President's veto, submission of a constitutional amendment to the States, and expelling a Member from the House.

This issue at this moment does not rise to the level of that seriousness. We should be doing some real work today on April 15. The other bill on the floor is a serious bipartisan bill.

Yesterday I introduced a major simplification bill that the Committee on Ways and Means chairman last year accepted, at least in part. I would much rather be talking to my colleagues today about those issues.

But there is one good thing we can say about this bill today, this proposal in front of us. We did not waste any time having any hearings on it. So I guess it was not quite that serious. No one can argue that we wasted too much time debating it, because it will be over this afternoon.

But more than anything else, this constitutional amendment we have before us is a gimmick. The three items I cited earlier are very clear. Let us end this notion of having government by gimmick and get on with the real business of this Nation. As George Costanza might say, ''It was a show about nothing.''

Mr. BARTON of Texas. Mr. Speaker, I yield myself 15 seconds.

I want to put into the RECORD at this point in time a letter from the Commonwealth of Massachusetts, the Executive Department, signed by the Governor of the Commonwealth, Governor Cellucci. It says, ''On behalf of the Commonwealth of Massachusetts, I am pleased to express my support for the Tax Limitation Amendment.''

Mr. Speaker, I include the letter as follows:

COMMONWEALTH OF MASSACHUSETTS,
Boston, MA, February 4, 1999.

GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: On behalf of the Commonwealth of Massachusetts, I am pleased to express my support for the Tax Limitation Amendment (TLA).

During the current time of economic prosperity, we must wisely prepare for the often unpredictable tides of our national economy. The passage of the TLA will safeguard the needs of our taxpayers and provide protection against unnecessary future tax increases.

Sincerely,

ARGEO PAUL CELLUCCI,
Governor.

Mr. Speaker, I yield 2½ minutes to the great gentleman from the State of Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, the question is: Why are we here particularly today in addition to it being tax day?

When the Republicans took over Congress in January of 1995, the first major legislative vote for me as a Member of Congress was the first item of the Contract with America.

A significant number of Members in the class of 1994 were very concerned because that balanced budget amendment had this particular clause taken

out. The protection against tax increases, that had been part of our Contract with America. We at that point in our first legislative vote developed our reputation as a bunch of troublemakers in this House.

As part of that compromise, we were promised that, on April 15, we would have the opportunity, thanks to the gentleman from Arizona (Mr. SHADEGG), who then worked with the gentleman from Texas (Mr. BARTON) who had been a champion of this long before we got here, who worked out with the gentleman from Texas (Mr. ARMEY), the majority leader, who had always been a leading tax cutter, that we would have the opportunity to point this out to the American people on this day.

Although I still voted against that balanced budget amendment for this reason, a balanced budget will not work unless we have tax protections, because if we can increase taxes, we can balance a budget superficially because it will look like we are raising revenue the first year, but in fact it will continue to contract.

The only way really to save Social Security in this country, the only way to really balance the budget in this country is by cutting taxes because of economic growth, an increasing pie. The Reaganomics have been proven to work once in the 1980s.

This time, by combining a government growth less than the combined rate of inflation and the economic growth of society, we were able to get an annual surplus but only because we had the tax cuts with it that stimulated the growth.

The President can submit a balanced budget here, as our majority leader said a little while ago and the other speakers said, one can present a balanced budget, all one has to do is raise taxes.

The fact is this about our President and, in particular, the Vice President: Vice President AL GORE did not invent the Internet. Vice President AL GORE invented the Internet tax.

That is the approach of this administration. Their approach is how to raise revenues through tax increases or, at the very least, keep the money here when the tax cuts generated the additional revenue.

This Congress is already proving that, even with the Republican majority, when we see a surplus, we tend to spend it. We have millions and millions of dollars being spent every day now over in the Balkans. We have many demands on us. We cannot in this society succeed without economic growth. That means lower taxes and stop any tax increases.

Mr. BARTON of Texas. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

I would like to start off by saying that I admire political courage. I have been fascinated by the Members from the other side of the aisle who have been willing, in the light of day and before the American people, to stand up and tell us that they do like it to be easy to raise taxes, and they object to making it more difficult to raise taxes. So I admire them for that.

But we must ask, why are taxes high? Taxes are high because government is big. We are dealing with only one-half of the equation. As long as the American people want big government, as long as they want a welfare state, and as long as they believe we should police the world, taxes will remain high.

This is a token effort to move in the right direction of eliminating taxes. Big government is financed in three different ways. First, we borrow money. Borrowing is legal under the Constitution, although that was debated at the Constitutional Convention, and the Jeffersonians lost. Someday we should deal with that. We should not be able to borrow to finance big government.

Something that we do here in Washington which is also unconstitutional is to inflate the currency to pay for debt. Last year the Federal Reserve bought Treasury debt to the tune of $43 billion. This helps finance big government. This is illegal, unconstitutional, and is damaging to our economy.

But we are dealing with taxes today. Taxes today are at the highest peacetime level ever, going over 21 percent of the GDP. The problem is that taxes are too high.

I commend the gentleman from Texas (Mr. BARTON) for bringing this measure to the floor. I would say this is a modest approach. Today we can raise taxes with a 50 percent vote. I and others would like to make it 100 percent. It would be great if we needed 100 percent of the people to vote to raise taxes. I see this as a modest compromise and one of moderation. So I would say that I strongly endorse this move to make it more difficult in a very modest way.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself 1 minute just for the purpose of asking the gentleman from Texas (Mr. PAUL) a question.

I take it that the gentleman believes that government is too big and that is a function of both what it takes in and what goes out, what it spends out.

So would it be fair to say that the gentleman would support a constitutional amendment requiring a two-thirds vote for expenditures, too?

Mr. PAUL. Mr. Speaker, if the gentleman will yield, that sounds like a pretty good idea.

Mr. WATT of North Carolina. Mr. Speaker, I thought that might be the case.

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

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. GRAHAM), one of the great congressmen from the Palmetto State.

Mr. GRAHAM. Mr. Speaker, I appreciate the opportunity to speak on this. There has been a lot of humor passed about between both sides of the aisle. That is good. We ought to be able to debate things and have a smile on our face.

There are a lot of people not smiling today because they are having to pay taxes. This is the worst day in the world to be a Democrat because they have to come up here and tell everybody this Tax Code is a little bit off, and we would fix it if we could get on with fixing it.

Somebody said, ''This is a show about nothing.'' Well, they have got to remember this: Their show got cancelled. The tax-and-spend show got cancelled by the American people. If they all do not get with the program, they you are never going to get back on TV.

People are tired of 1,000 reasons not to be responsible up here. There will be 10,000 reasons offered today why we cannot put some discipline in Congress to tax the American people.

States have done this amendment. Those States that have passed the tax limitation amendment requiring a two-thirds vote have taken less of the people's money. The day we pass this amendment up here is the day we take less of the American people's money.

But there will never be a better issue to define the parties than this issue. Four years in a row we have had a vote on this. Every year, we have got a majority. But our friends on the left are never going to let go of the ability to take one's money easily until the American people get more involved in this debate.

But the day we lose control of this House, if that ever happens, one thing is for sure, we will never have this amendment talked about ever again. There will never be another proposal as long as the other side is in charge to limit the ability of the Federal Government to take one's money in some reasonable way.

That is what this debate is about. That is what the next century is about. Every year we need to have this debate. Every year we are going to get more votes than we did the year before because they are running out of excuses of how to grow the government and explain the Tax Code in some understandable way.

I regret we are denying the Democratic Party the ability to fix the Tax Code for a few hours, but it is great to have this debate. When this debate is over, I welcome their efforts to help us simplify the Tax Code. I am sorry we took a day out of their efforts to change the Tax Code.

Mr. WATT of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman from North Carolina for yielding me this time.

It is April 15. In April, the Republican constitutional amendment of the month is always the same. Let us try once again to pass a constitutional amendment that would require a two-thirds majority to raise taxes in any amount. So here we go again. They have lost before over and over again, but let us try again.

The previous Speaker said, ''Why are taxes high?'' We have got government that is too big. On the other hand, they are always tax talking, always talking about taking the people's money. Well, the people's money goes for defense. It goes for Social Security. It goes for health care. It goes for education.

James Madison would be turning over in his grave today because there are only three reasons in which the Constitution requires a supermajority vote. They are all procedural matters: the removal of a Member of the House, the passage of a constitutional amendment, and overriding a presidential veto.

James Madison realized the importance of majority rule. What this amendment attempts to do is empower one-third of this House plus one to block measures that would be good for the American people. It would do so in perpetuity.

We do not know what this place will be like or what issues we will have to deal with 50 years from now. We will not be here, but other people will, and they may decide that it is more important to improve education or improve health care and have some increase in taxes perhaps on the wealthy, and we, today, the majority would take away that opportunity.

We look back. Let us look back at the last few years. Since 1982, there have been six major deficit reduction acts that have been enacted, six major laws since 1982. Five of those six have included a combination of revenue increases and program cuts, five of the six. President Reagan signed three of them. George Bush signed one of them. President Clinton signed one of them. They included revenue increases.

Let us take the one that President Clinton signed in 1993. Not one Republican in the House or Senate voted for that. It raised taxes on 1 percent of the American people. It drove down interest rates. It improved our economy to an extent that we could then have only imagined.

In fact, if the President had said in 1993, if the President had said, ''I have a plan that will lead this country to greater prosperity than it has ever been known before, and here is the package that will do it,'' no one would have believed President Clinton in 1993 if he had said what his plan would accomplish and has accomplished over the last 6 years.

We have a level of prosperity that is unmatched in American history, and it is due to the fact that we bit the bullet and made a tough decision then.

Now, what this rule proposes is that it is okay for this House to have 51 percent vote to go to war, but we need a two-thirds to close a tax loophole.

□ 1415

We would need 51 percent to do something about Social Security and Medicare that might involve some increase in revenues, but we would need two-thirds to close a tax loophole.

This is a bill, a constitutional amendment, that basically says we want to make sure that we can cut taxes for the wealthy, but we prevent this Congress from doing anything else of significance without a two-thirds majority if it requires some increase in revenues.

Now, there have been a number of statements made about the States, but the States are not responsible for Medicare, the States are not responsible for Social Security, the States are not responsible for national defense. And if we go into a recession, the people of this country will not be looking to the States to pull us out of it again.

This bill is not needed. It is not needed. We have lived with this arrangement where we have majority rule on substantive matters for 200 years. The next 200 years will be better if we have majority rule on substantive matters and we do not try to empower a minority of one-third plus one to make the decisions in this House of Representatives.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ISAKSON), the newest Member of the House but one of the most effective Members.

Mr. ISAKSON. Mr. Speaker, I commend the gentleman from Texas (Mr. BARTON) for the introduction of this amendment.

I have listened with interest to the constitutional references, so I would make just a few points. It is correct that there are only three places in the Constitution where a two-thirds vote is required, but one of those is to amend the Constitution.

Our Founding Fathers knew they could not contemplate everything that would happen, but they knew a legislative body needed to be prepared to deal with it. That is why they had a constitutional amendment privilege. That is why we have an income tax today, because a Congress saw fit to impose one, not our Founding Fathers, and it reached a supermajority to do so.

Our Founding Fathers did not contemplate limiting the President of the United States in his terms of service, but following the Roosevelt administration this Congress and the people decided a limitation was appropriate.

I would submit to my colleagues that Madison does not roll over in his grave nor does Jefferson. In fact, they probably stand with pride that the document they created let us respond, in a time far different from theirs, to what is truly in America a very valid question, because they did not contemplate that the citizens of the United States of America would pay marginal rates equal to 40.6 percent of their income.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I rise in strong support as a proud cosponsor of this amendment, and I am proud to submit for the RECORD a letter from the great governor of my great State, Tom Ridge, who like so many other governors across this country endorses this amendment.

I find it ironic that some of my Democratic colleagues find this amendment such a grave assault on the principle of majority rule, yet this very amendment will not succeed unless it garners a supermajority in this House.

Now, I have heard no opposition to the constitutional requirement for a supermajority to amend the Constitution, nor have I heard any objection to the supermajorities required by our Constitution to ratify a treaty or convict on articles of impeachment. It is clear to me the opponents of this amendment do not oppose all supermajority requirements. Rather, they simply oppose those which get in their way.

And of what does this amendment get in the way? It gets in the way of future easy tax increases. This amendment merely says it will require a broader consensus of this Congress before we take even more money from the American workers than we take already.

There are many issues on which we require more than a simple majority, we require a broader consensus than just 50 percent plus one, and taking still more of the fruits of American labor should also require a broader consensus of Congress. I urge my colleagues to stand up for the American taxpayers and support this amendment.

Mr. Speaker, I submit the letter I referred to earlier for the RECORD:

COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF THE GOVERNOR,
Harrisburg, January 15, 1999.

Mr. GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: I am very pleased to add my name to the list of Governors endorsing the Tax Limitation Amendments: to the Constitution to require a supermajority vote of the Congress to increase all federal taxes. The TLA will better protect taxpayers and restrain government spending and taxation.

I have proposed a supermajority requirement for the Commonwealth of Pennsylvania. My Taxpayer Protection Amendment

is a guarantee to Pennsylvania families and employers that their taxes will not increase absent a broader consensus in the legislature. We need to make it harder for government to take more of the hard-earned dollars of our citizens.

Sincerely,

TOM RIDGE,
Governor.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from the Arizona (Mr. J.D. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Texas for yielding me this time, and I rise in strong support of this amendment.

It is important for this House to note, and for those who are citizens of this constitutional Republic to note, that what we are talking about today is other people's money. The money spent in our Treasury is not the money of the government; it belongs to the people. And yet what we have found over the years is that it has been easy time and again for those in this body to raise taxes.

Indeed, Mr. Speaker, I have every confidence that one of the reasons I am now here in this Chamber, representing the good people of the Sixth Congressional District, is that they would not stand idly by when a previous House levied on the American people the largest tax increase in the history of the world, to quote the senior Senator from New York, who happens to be a Member of the Democratic party.

So this amendment simply says when we are going to raise taxes, we will make it more difficult. We will require a supermajority. As my colleague from Pennsylvania noted, it will take a supermajority to pass this amendment. And as American taxpayers know, this is the right thing to do.

I urge passage of the amendment.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SAM JOHNSON), a distinguished war veteran and member of the Committee on Ways and Means.

Mr. SAM JOHNSON of Texas. Mr. Speaker, when the Democrats controlled Congress during 1982 to 1993, they voted to increase taxes on hard-working Americans by $666 billion. The new revenue was not used to put toward the debt or used to eliminate the deficit; it was used to increase the size and scope of government.

History has shown us that every time Congress increases taxes they also increase spending. This year President Clinton has proposed to raise taxes by $174 billion over the next 10 years.

This Tax Limitation Amendment will provide a safeguard for taxpayers and force the Congress and the President to reduce spending and return the surplus to its rightful owner, the American taxpayers. Americans are overtaxed and the government is too big. This Tax Limitation Amendment will solve both of these problems.

Mr. Speaker, when the Democrats controlled Congress during 1982 to 1993, they voted to increase taxes on hard working Americans by $666 billion. This new revenue was not put toward the debt or used to eliminate the deficit. Instead, it was used to increase the size and scope of Government. And history has shown us that every time Congress increases taxes, they also increase spending.

This year, President Clinton proposes to raise taxes by $174 billion over the next 10 years.

What this tax limitation amendment will do is provide a safeguard for taxpayers and force Congress and the President to reduce spending and return the surplus to its rightful owner—the American taxpayer.

Not only will they get a smaller, more efficient Government, but also protection from higher taxes.

The President and everybody else who is against this amendment is simply admitting they can't control their spending habit, and they still want the option of heaping the burden onto the American people.

But, at a time when taxes surpass the amount that families pay for food, clothing and shelter combined, something must be done.

Americans are overtaxed and the Government is too big. The tax limitation amendment will solve both of these problems.

It is time for Congress to quit taking money from the hard working families of America. They deserve to keep what they earn. The money is not ours, we did not earn it and we should not waste it. Help America's families—pass this amendment.

Mr. BARTON of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas, (Mr. RYUN), the former world record holder in the mile.

Mr. RYUN of Kansas. Mr. Speaker, I rise in support of the taxation amendment.

By 1950, Americans worked until April 3rd in order to pay for the spending of government.

This year, Americans will have to work until May 11th before they are able to take home money for their families. Mr. Speaker, that's 130 days since January 1 of this year. From New Year's Day to Mother's Day, working families are working for the government, not themselves.

The average hard working American household pays nearly $10,000 in federal taxes alone.

This year, those taxes, paid for by hard working Americans will amount to nearly 21% of our gross domestic product.

Mr. Speaker, our taxes are too high.

We have a chance today, the day our taxes are due, to make a statement to the American people.

By our vote today, we can tell the American people that the money they worked so hard to earn is theirs, not ours. We can tell them that they best know how to spend their money, not us.

Mr. Speaker, we have already spent our children and grandchildren $5.5 trillion into debt. We've already spent their tax dollars before they have a chance to earn them. We must stop this tax and spend mentality that has dominated the last quarter of a century.

Yesterday we passed a balanced budget to stop easy spending. Today, we have the opportunity to stop the easy tax increase.

By requiring a two-thirds super-majority vote in both houses of Congress we ensure true accountability, true consensus, and true bipartisanship on the need for any tax increase.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to vote for the Tax Limitation Amendment.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. NORWOOD), whose State is the home of the Master's Golf Tournament.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman for bringing this up.

I rise today with our colleagues to support H.J.Res. 37, the Tax Limitation Amendment. The resolution asks simply for a two-thirds supermajority in both Houses to approve any Federal income tax.

Now, I could not help but observe what the gentleman from Maine said. He said James Madison would be rolling over in his grave today because we might be amending the Constitution. I can tell my colleague what would cause James Madison to roll over in his grave today, and that would be if he had to file a 1040 form that he could not have had any idea that we would have ever gotten to.

The gentleman from Massachusetts stood up and said this is about nothing. Well, I beg his pardon, it is about something. It is about taking the livelihood away from hard-working Americans. We do not ask them on a voluntary basis to please send in some taxes; or would they not like to help out this time. We tell them to send in their taxes to this Congress so that we can spend it, or we will turn the Justice Department loose on them and put them in jail.

Now, that is a very serious thing that we do to the American people that are trying to prepare to have their first home, trying to prepare to send their children to school or prepare for their own retirement.

I have a question for those who would oppose this amendment. Why are they afraid of the American people and the States? If we pass this resolution in the House and Senate, we have not passed the amendment, we will have only allowed the States and the people to ultimately decide this issue.

Those of my colleagues that would decry this measure to curtail unnecessary future tax increases claim, oh, this is unfair; that the American people do not really want it, that they prefer it remain very easy for Congress to take their dollars that they work so hard for. Well, if that is true, what about the reasoning for objecting to the resolution? What are my colleagues afraid of; to give the American people an opportunity to say no?

It ought to be very hard for us to take the taxpayers' hard-earned money. We do not spend it well, anyway. The taxpayer cannot keep us from spending it, so we should at least make it harder for us to collect it.

Three-quarters of our states would have to approve the Amendment before it became law. Are you afraid that in reality, there aren't even a dozen states that would agree with you?

Or maybe you believe the American people and the states just aren't knowledgeable enough to make the right decision—at least, the right decision according to you, and the inside-the-beltway crowd.

My friends, that kind of thinking is why we went to war with Great Britain to win our independence.

This city, this Congress, the President, the Supreme Court—none of these determine the Constitution. The people do. We serve them—they don't serve us.

They decide the law—and you seek to take their right to self-government away. If not, what are you afraid of?

Maybe it's the fact that the American people have different ideas about how to run this country—and where I come from, the people still rule.

The American public demands accountability and fiscal responsibility on the part of its elected officials when considering tax increases.

For this reason, nearly two dozen states have either already enacted or are considering tax limitation protection.

These standards of limitation have resulted in the slowing down of taxing and spending growth.

Meanwhile, the job rates in these states have grown, and their residents have more money to add to the economy.

The American economy is on a roll, fueled by hard work, and need not be slowed down by future tax increases. A supermajority requirement to pass any increase, would validate the fact that two-thirds of residents in states that have passed such legislation are in support of doing so.

In furtherance of states' support for these measures, the governors of New York, Florida, Texas, Pennsylvania, New Jersey and nine other states have given their backing.

I urge my colleagues to listen to the sentiments of the American public on tax day 1999. I understand that amending the constitution is serious business.

That's why it is left up to the states, instead of this body.

Let the states and the people decide. They rule, not us. Support the Tax Limitation Amendment.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, yes, it is April 15, and Americans will pay more in taxes than they have ever paid before this year. In fact, they will pay $1.815 trillion. Is that not enough government? Can we not fund defense, Medicaid and Social Security with $1.815 trillion? You bet we can. Our government is large enough. It takes enough of our income.

Our Tax Code is complex. It is not flat. Every year the taxpayers of America have a tax increase unless we cut taxes. Every year they pay a bigger percentage. And so if we do nothing in the next 10 years, Americans will pay a whole lot more in taxes.

It is not about nothing, it is about controlling the uncontrolled growth of the Federal Government. Congress historically has not made the tough decisions to cut wasteful programs that no longer are needed. It has been easier to raise taxes, and it should not be.

This amendment will not make it easier, it will force Congress to do its job and allocate $1.815 trillion because that is enough Federal Government.

Mr. BARTON of Texas. Mr. Speaker, may I inquire as to the amount of time we have?

The SPEAKER pro tempore. The gentleman from Texas (Mr. BARTON) has 15 minutes remaining, and the gentleman from North Carolina (Mr. WATT) has 16½ minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, every year we debate a constitutional amendment to limit Congress' ability to spend other people's money, and every year the tax-and-spend caucus comes down to the floor to tell us such an amendment is unnecessary and that it is dangerous.

Dangerous for whom? Working families that are requiring two incomes to pay for their taxes? Overtaxed single mothers who cannot afford to feed and clothe their children? How about family businesses that must be liquidated to pay the death taxes? Do these people have any reason to fear a constitutional amendment? Of course not.

Even more laughable is the notion that this amendment is unnecessary. The American family currently pays over 25 percent of its income to the Federal Government in the form of taxes. This figure is up from just 2 percent 40 years ago.

In fact, taxes have been become the single largest expenditure for the American family. More is spent on taxes than housing, food and clothing combined. Yet despite this, opponents of this amendment want us to believe this amendment is unnecessary. Give me a break.

Of course, the real reason for the tax-and-spend caucus opposing this amendment is because limiting taxes would limit their power. If government confiscates less of the taxpayers' money, it will be harder to spend money, which is the sole reason for their existence.

I freely admit I support this amendment because I believe the Federal Government taxes too much and spends too much. It would be nice to see similar candor on the other side. I urge my colleagues to support this amendment.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FORBES).

Mr. FORBES. Mr. Speaker, I thank my friend from Texas, and I appreciate tremendously his leadership on this very, very important issue.

For four decades it has been far too easy for Congress to raise taxes. Raising taxes robs senior citizens of their secured retirement. Raising taxes robs families of their security. Raising taxes threatens jobs and undermines small businesses.

This constitutional amendment is vital if we are going to make sure that the politicians cannot raise taxes easily. It takes a supermajority. That is why I rise in support of this most important tax limitation constitutional amendment.

Once again, Mr. Speaker, I thank my friend from Texas for his tremendous leadership. God willing, we can get this passed and bring justice to this proposition to the American people.

The combined state, federal and local tax burden is higher now than it has ever been. And that is why I sponsored the measure before the House today—"The Tax Limitation Constitutional Amendment" (H.J. Res. 37)—preventing taxes from being raised unless two-thirds of the Members of Congress vote for a hike or unless it is needed to protect national security.

The average family of four is bilked to the tune of $3,300 in federal income tax and $960 in state and local income tax.

Excessive Federal taxes work an even greater injustice on Long Island, where we pay more for real estate, electricity, food, gasoline and other necessities than any other area in the entire country. That is why I have made scrapping the current tax code my priority and sponsored legislation to that end.

Until the day we rid ourselves of the current code I will continue to fight battles to rectify its worst injustices. For example, I have sponsored legislation to eliminate the Marriage Penalty, the Death Tax and taxes on Social Security Benefits.

The government forces the average married working couple, living hand-to-mouth, to pay almost $1,400 more in taxes than single people. The federal gas tax adds 18.4 cents each time they fill their tank and head to work. When they invest what's left of their salary after income taxes in order to get ahead, the Federal Government forces them to pay an additional Capital Gains Tax on any increase they make from the investment.

Upon retirement, they will become entitled to benefits from the Social Security program they have invested in over the years, but the government taxes that too. Finally, after decades of working to leave a legacy for their children, the Federal Government takes up to 55 percent of the very same property they've paid taxes on their entire live.

Mr. Speaker, let's not forget the rank and file workers at the Internal Revenue Service are injured by the code as well.

For over 25 years the workers at the IRS Brookhaven Service Center, in Holtsville, Brookhaven Town, Long Island, have done their best to mentor the taxpayers of Eastern Long Island by answering thousands of taxpayers' calls on a toll free line and resolving customer complaint cases. In fact, they process approximately 16 million individual and business returns from Montauk Point on the East End of Long Island, to Atlantic City on the southern shore of New Jersey.

Yet IRS employees are working with a code that is confiscatory and manifestly unfair. The answer is to tear down the code and limit the ability of Congress to build it up again.

Mr. Speaker, I urge the passage of "The Tax Limitation Constitutional Amendment" and the shield it will provide for Long Islanders and all Americans against taxation.

Mr. BARTON of Texas. Mr. Speaker, I have three additional speakers, if the Speaker of the House shows up, so we are basically ready to close. If the gentleman from North Carolina (Mr. WATT) or his designee wishes to use some time, we would appreciate it.

Mr. WATT of North Carolina. Mr. Speaker, I reserve the balance of my time, but as opposition it is our right to close anyway.

The SPEAKER pro tempore (Mr. BOEHNER). The gentleman from Texas (Mr. BARTON) has the right to close.

PARLIAMENTARY INQUIRY

Mr. WATT of North Carolina. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WATT of North Carolina. The gentleman from Texas is not a member of the jurisdictional committee, and the rules, I believe, say that the jurisdictional committee and the person defending the right of the jurisdictional committee has the right to close.

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The SPEAKER pro tempore (Mr. BOEHNER). By order of the House, the gentleman from Texas (Mr. BARTON) was made manager of the bill and, as such, has the right to close.

PARLIAMENTARY INQUIRY

Mr. WATT of North Carolina. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WATT of North Carolina. Mr. Speaker, I do not see that anything in the rule that brought this matter to the floor mentions the gentleman from Texas (Mr. BARTON).

The SPEAKER pro tempore. There was a unanimous consent agreement entered into earlier in this debate. There was no objection raised. The gentleman from Texas, by unanimous consent, was made manager of this piece of legislation on the floor today and, therefore, does in fact have the right to close.

Mr. WATT of North Carolina. Mr. Speaker, I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. BARTON of Texas. Mr. Speaker, we have two additional speakers, myself and the gentleman from Arizona (Mr. SHADEGG), the original cosponsors, plus possibly the Speaker of the House. We have approximately the same amount of time.

Do I have to use time at this point in time?

The SPEAKER pro tempore. One of the two parties engaged in this debate will yield time or we will move to the conclusion.

Mr. BARTON of Texas. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. BARTON of Texas. What is the Speaker's recommendation as to who should go now? I will follow whatever the precedence of the House is. But I would appreciate it if my good friend from North Carolina (Mr. WATT) would use some of his time.

Mr. WATT of North Carolina. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair thinks the gentleman from North Carolina has made it clear he is reserving the balance of his time.

Does the gentleman from Texas wish to yield time?

Mr. BARTON of Texas. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I want to start off by putting into the RECORD the letters from the governors of the States that have endorsed the Tax Limitation Amendment.

Time does not permit me to read each letter. But we have a letter from the Governor of Texas. We have a letter from the Governor of New York. We have a letter from the Governor of Florida. We have a letter from the Governor of New Jersey. We have a letter from the Governor of Connecticut. We have a letter from the Governor of Arizona. We have a letter from the Governor of the Commonwealth of Massachusetts. We have a letter from the Governor of the great State of Mississippi. We have a letter from the Governor of Oklahoma. We have a letter from the Governor of Colorado. We have a letter from the Governor of Arkansas. We have a letter from the Governor of North Dakota. And we have previously put into the RECORD a letter from the Governor of Pennsylvania.

These governors support tax limitation, for one simple reason, it works.

There are 14 States that have tax limitation, either constitutional requirements or legislative requirements; and in those 14 States, the Heritage Foundation did a study several years ago and came to the conclusion that in every State that had it, taxes were lower. They went up slower. Consequently, economic growth was faster and more people got jobs more quickly.

The original Constitution as passed in 1787 had a direct prohibition in Article I, section 9, against direct taxes. We referred to that earlier in the debate. We will put that into the RECORD at the appropriate time. But in February of 1913, there was a 16th Amendment to the Constitution. That amendment said that it was constitutional to levy a direct tax, like an income tax, on the American people.

Since that time, the marginal tax rate on the American people has gone from 1 percent to 39.8 percent. That is an increase of 4,000 percent. When we finish collecting the income taxes this evening at midnight, the American people will have paid in the past tax year in income taxes over $800 billion. $800 billion. And if we include Social Security tax and Medicare taxes, that tax burden rises to over $1 trillion on the American taxpayers.

Enough is enough. To my left, we have the items in the Constitution at its passage where a supermajority vote was required. Time does not permit me to go through all of them. But we can see that there are 10 examples for a new State to come into the Union it took a two-thirds vote. To ratify a treaty, it took a two-thirds vote. To convict a President that had been impeached by the House, it took a two-thirds vote. And to amend the Constitution, it took a two-thirds vote.

It is ironic to me that we are on the floor today, having won this debate every year we have had it, we had the majority vote; the three previous times that we brought it up on the House floor, we won every vote. We got a majority of the Congress, Republicans and some Democrats, to vote for tax limitation. But we have not met the constitutional burden of a two-thirds supermajority. And I am fine with that.

We are going to win this two-thirds vote some day. Perhaps today is the day. But if we do not, we will come back until we do. It only makes sense to me, since the original Constitution said we cannot levy an income tax. We had 100 percent prohibition against it in 1787. It is only since 1913 that we have allowed an income tax. It makes sense to me, if we are going to have these direct taxes, we ought to raise the bar.

We ought to require a supermajority, all the Republicans and some Democrats, or all the Democrats and some Republicans, or some of both parties and maybe the Independents, to vote that there is a consensus in the country that taxes need to be raised.

This is a very simple concept in terms of the amendment. Is one-half larger than two-thirds? If my colleagues took fractions back in elementary school, they can go through the math better than I. One-half equals three-sixths. Two-thirds equals four-sixths. Four-sixths is greater than three-sixths by one-sixth. One-sixth is an additional 70 votes.

We want to raise the bar in the House by 70 votes to require 291 votes to raise taxes, and we want to raise the bar in the Senate by 17 votes to go from 50 to 67. It is basic math. It works. We need to raise the bar.

This shows that in the States that have it, this again is the Heritage

Foundation study, it is several years old so it is not current through 1997, but it shows the percentages of how each State's tax rate went up compared to those States that did not have tax limitation and the spending.

I encourage every Member of the House to listen to their constituents, vote for the Tax Limitation Amendment later today.

Mr. Speaker, I include for the RECORD the following governors' letters that I referred to:

STATE OF NORTH DAKOTA,
Bismarck, ND, January 19, 1999.

Mr. GROVER G. NORQUIST,
President Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: I join with other governors in strongly endorsing your efforts to win passage of the Tax Limitation Amendment. In North Dakota, I used my State to the State address to call for a legislative supermajority to pass any increase in sales or income tax. The need for such institutionalized fiscal discipline is even greater at the federal level.

Congratulations on your campaign to protect America's taxpayers through the Tax Limitation Amendment! I wish you great success on this important project.

Sincerely,

EDWARD T. SCHAFER,
Governor.

STATE OF ARKANSAS,
February 11, 1999.

Mr. GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR GROVER: Raising taxes on hard-working Arkansans should never be done without a consensus of the members of Congress and the American people. That's why I support the Tax Limitation Amendment.

This amendment should make it impossible for a bare majority to raise taxes. The current method has led to an intolerable burden on American workers and aided the growth of big government.

It currently requires the same majority to raise taxes as it does to declare National Banana Peel Week. That is wrong. Raising taxes should require a high enough threshold that elected officials do it only when there is a clear and compelling reason.

With so many special interests demanding more and more of our tax dollars, I'm thankful you are fighting for the American people. Good luck and God bless.

Sincerely yours,

MIKE HUCKABEE,
Governor.

STATE OF COLORADO,
Dever, CO, February 4, 1999.

Mr. GROVER C. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR GROVER: It is with pleasure that I join my fellow Governors in supporting the Tax Limitation Amendment. Our Founding Fathers fought for America's independence in part to be free of arbitrary and capricious taxes imposed on the citizenry. I believe that limiting the power of Congress to tax follows in this proud tradition.

In Colorado, all levels of government—state, county, local—are constrained in their ability to tax without the consent of the governed. It is time that taxpayers be protected in Congress as well.

You have my support on this important issue.

Sincerely,

BILL OWENS,
Governor.

STATE OF OKLAHOMA,
Oklahoma City, December 15, 1998.

Mr. GROVER C. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: I am proud to join my fellow Governors who are supporting the Tax Limitation Amendment. Many states, including Oklahoma, already have similar restrictions on the power of the legislative branch to arbitrarily increase taxes. The TLA should be adopted at the federal level to protect the taxpayer and to restrain spending and taxation.

Sincerely,

FRANK KEATING,
Governor.

STATE OF MISSISSIPPI,
Jackson, MS, January 20, 1999.

Mr. GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR GROVER: I am an ardent proponent of the Tax Limitation Amendment that requires a two-thirds vote to raise taxes in the United States Congress. Elected officials have been entrusted by the people to guard their tax dollars vigorously in government treasuries. Every decision should be made with the knowledge that money spent is derived from the toil and sweat of the citizens.

The growth of government and the increase in taxes necessitate the Tax Limitation Amendment. Raising taxes should require a supermajority. We have all seen the consequences of this restriction's absence. I encourage Congress to pass this amendment. it is critical to our state and nation that the supermajority requirement is enacted by the Congress.

The State of Mississippi does have a supermajority requirement to raise taxes. However, we also have a requirement that a supermajority is necessary to lower taxes. Changing this restriction has been part of our legislative agenda many times, including this year.

Thank you for the diligent, effective work of Americans for Tax Reform on behalf of our citizens. I look forward to passage of the Tax Limitation Amendment.

Sincerely,

KIRK FORDICE,
Governor.

THE COMMONWEALTH OF MASSACHUSETTS,
Boston, MA, February 4, 1999.

GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: On behalf of the Commonwealth of Massachusetts, I am pleased to express my support for the Tax Limitation Amendment (TLA).

During the current time of economic prosperity, we must wisely prepare for the often unpredictable tides of our national economy. The passage of the TLA will safeguard the needs of our taxpayers and provide protection against unnecessary future tax increases.

Sincerely,

ARGEO PAUL CELLUCCI,
Governor.

STATE OF ARIZONA, *December 30, 1998.*

Mr. GROVER G. NORQUIST,
President, Americans For Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: I am pleased to add my name to your list of Governors, State Legislators, Congressmen and women, and others who are endorsing a Federal Tax Limitation Amendment. As you know, this amendment would require a two-thirds majority of Congress to increase all federal taxes. I am also pleased that Arizona's Congressman John Shadegg and Senator Jon Kyl are key sponsors.

We, in Arizona, have been operating for several years now with a similar amendment to our State Constitution. Proposition 108 was passed by the voters in 1992 and requires a two-thirds majority of the Arizona Legislature to increase state revenues, broadly defined.

Since the passage of Proposition 108 with 72% of the popular vote, we have been continuously cutting taxes in Arizona. In fact, cumulative tax cuts enacted since 1992 are now over $1.3 billion, which is equivalent to over 20% of Arizona's general operating budget. Meanwhile, state revenues have continued to grow, we have set aside nearly $400 million in budget stabilization funds, and we concluded last fiscal year with a record surplus of over $500 million.

I am sure you would agree that the government closest to the people governs the best (and probably the least). Therefore, we must hold our President and Congressional leaders to a higher standard when they are inclined to raise our taxes. With federal taxes equal to one-fifth of our total national economic output, it is time to build a higher barrier to further federal tax increases.

Therefore, I strongly support you in your efforts to secure Congressional passage of the Tax Limitation Amendment!

Sincerely,

JANE DEE HULL,
Governor.

STATE OF CONNECTICUT,
EXECUTIVE CHAMBERS,
Hartford, CT, March 4, 1999.

Mr. GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: I join with other governors endorsing your efforts to gain support for the Federal Tax Limitation Amendment. This legislation would require a supermajority to increase all federal taxes. Adoption of this amendment would ensure fiscal discipline and protect America's taxpayers.

I wish you great success on your important project and I look forward to passage of the Tax Limitation Amendment.

Sincerely,

JOHN G. ROWLAND,
Governor.

STATE OF NEW JERSEY,
OFFICE OF THE GOVERNOR,
Trenton, NJ, February 5, 1999.

Mr. GROVER G. NORQUIST,
President, Americans for Tax Reform,
Washington, DC.

DEAR MR. NORQUIST: Please register my strong support in calling on Congress to pass by April 15, 1999, the bipartisan Tax Limitation Amendment to the U.S. Constitution as drafted by U.S. Senator Jon Kyl, and Rep. Joe Barton, Rep. Ralph Hall, and Rep. John Shadegg.

I support a two-thirds vote requirement to raise taxes both at the federal level and within the New Jersey Legislature as a

means of preventing unwarranted tax increases from stifling economic growth and blighting job creation. A super-majority requirement will force budget writers to consider first eliminating unnecessary government spending before rushing to propose tax increases as a way to finance government initiatives. A super-majority requirement will not mandate tax cuts nor will it prohibit tax increases, but it will require a broader consensus among legislators before seeking a greater share of taxpayers' earnings.

The fiscal policies adopted at any level of government influence the economic well-being of the surrounding community, state, or nation, and requiring a broader consensus to raise taxes is practical change that will likely result in more money circulating in the private sector, the primary creator of jobs and the stimulant for economic growth.

As a Governor who has used the tax code to stimulate growth and job creation, I call on Congress to enact the Tax Limitation Amendment as a sensible safeguard against unnecessary tax increases.

Sincerely yours,

CHRISTINE TODD WHITMAN,
Governor.

STATE OF FLORIDA,
OFFICE OF THE GOVERNOR,
Tallahassee, FL, March 23, 1999.

Mr. GROVER G. NORQUIST,
President, American For Tax Reform, Washington, DC.

DEAR GROVER: Tax limitation is important at all levels of government. Reflecting my strong belief in limited government, I recently called for a $1.2 billion tax cut in Florida, the largest in state history. Simply put, it's not our money; it's the people's money. We should protect their savings and income the best we know how.

This is a philosophy that I think should be practiced at the federal level as well. Therefore, I would be honored to join my fellow Governors in supporting the Tax Limitation Amendment. Thank you again, Grover, for coming to me with such an important issue.

Sincerely,

JEB BUSH,
Governor.

STATE OF NEW YORK,
OFFICE OF THE GOVERNOR,
Albany, NY, January 28, 1999.

Mr. GROVER G. NORQUIST,
President, Americans For Tax Reform, Washington, DC.

DEAR MR. NORQUIST, thank you for your recent letter requesting support for the Tax Limitation Amendment vote. I am proud to concur with Americans For Tax Reform in urging Congress to pass the Tax Limitation Amendment.

Our commitment as public servants ought to be to promote efficient government, which means cutting taxes, first and foremost. It is a commitment to freedom, since we know that to deny people their economic freedom-through excessive taxation or over regulation—is to deny them their right to create opportunities and to pursue their dreams.

New York is leading the nation in cutting taxes and leading America into a new century of hope and opportunity. Since I have been in office, we have cut taxes 36 times, returning more than $19 billion to taxpayers; created more than 400,000 net new private sector jobs, bringing the number of private sector jobs to its highest level in history; reduced the number of people on welfare by 608,000, dropping the rolls to the lowest level since 1968; and led the nation in reducing all crimes in 1997, making our communities safer than they have been since 1970. We have shown that we have the courage to bring about change for the good of ourselves and our children, and for that we can be proud.

Four years of tax cuts have created stronger families, a stronger economy and a stronger New York. In order to protect taxpayers now and in the future, we must lower taxes and make fiscal integrity the law of the land in New York State. The act of raising taxes is a destructive act and should therefore be a difficult act. To meet that standard, I have proposed a State constitutional amendment to require approval by a two-thirds majority of the Legislature to raise State taxes and also firmly support the enactment of Tax Limitation Amendment at the federal level.

By putting the people's money in a safe place where it cannot be touched, we are taking the prudent step of guaranteeing that it is returned to the taxpayers.

Very truly yours,

GEORGE E. PATAKI,
Governor.

STATE OF TEXAS,
OFFICE OF THE GOVERNOR,
Austin, TX, April 5, 1999.

Hon. JOE BARTON,
House of Representatives, Rayburn House Office Building, Washington, DC

DEAR REPRESENTATIVE BARTON: I am pleased that you are continuing your efforts to pass the Tax Limitation Amendment to require a supermajority for the Congress to increase federal taxes.

Limited government provides the greatest freedom to the American people, and the freedom to spend their hard-earned money as they see fit is a fundamental principle we share. By requiring a two-thirds Congressional majority to raise taxes, we can assure that the federal government will not continue to intrude into the lives of American taxpayers and into affairs that are properly handled by state and local governments.

Best wishes in your important endeavors.

Sincerely,

GEORGE W. BUSH,
Governor.

Mr. WATT of North Carolina. Mr. Speaker, I just wanted to inquire whether the gentleman from Texas (Mr. BARTON) made a unanimous consent request to offer those matters for the RECORD?

The SPEAKER pro tempore. The gentleman did ask unanimous consent to revise and extend his remarks.

Did the gentleman from Texas want to enter the letters that he referred to into the RECORD?

Mr. BARTON of Texas. I did, Mr. Speaker, and I thought I had asked for unanimous consent to do that.

Mr. WATT of North Carolina. Mr. Speaker, we have no objection. I just want to make sure he got them in the RECORD. I did not think he ever did.

The SPEAKER pro tempore. Without objection, the letters referred to will be made part of the RECORD.

There was no objection.

Mr. WATT of North Carolina. Mr. Speaker, I ask unanimous consent to submit for the RECORD a study of the Center on Budget and Policy Priorities, which responds to the Heritage Foundation's study referred to by the gentleman from Texas (Mr. BARTON).

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

There was no objection.

The study referred to is as follows:

DO STATES WITH SUPERMAJORITIES HAVE SMALLER TAX INCREASES OR FASTER ECONOMIC GROWTH THAN OTHER STATES?

(By Iris J. Lav and Nicholas Johnson)

The Heritage Foundation contends that states in which a supermajority vote of the legislature is required to raise taxes have experienced faster economic growth and fewer tax increases than other states. A March 1996 Heritage report looks at the seven states that have had supermajority requirements in place for a number of years—Arkansas, California, Delaware, Florida, Louisiana, Mississippi, and South Dakota—and finds that five of the seven states experienced slower than average growth in tax revenue. It also finds that five of the seven states (but not the same five states) experienced faster economic growth than the average state. The Heritage report suggests a causal link between supermajority limits, lower taxes, and faster economic growth, saying ". . . there is no escaping the logical relationship between supermajorities and superior state performance."[1]

This simplistic analysis is flawed in a number of ways. It relies on only one among a number of possible measures of economic growth. It considers only state-level tax changes rather than changes in total state and local revenues, despite the capacity of states to shift costs and responsibilities to local governments. And it compares 1980, a year in which the economy was turning down into a mild recession, with 1992, a year at the beginning of an economic recovery. If one chooses more appropriate data series to measure revenues and economic growth and adjusts the time periods to represent similar points in the business cycle, conclusions opposite to those Heritage has presented may be drawn. The fact that different analytical choices lead to different results should serve as a caution that no supportable conclusions can be drawn from the type of simplistic analysis Heritage has conducted.

By some measures, supermajority states have had lower economic growth and more tax increases than other states. For example:

Five of the seven states with supermajority requirements experienced lower-than-average economic growth measured by change in per capita personal income between 1979 and 1989, two years at similar points in the business cycle.

Four of the seven supermajority states had lower-than-average economic growth measured by change in Gross State Product from 1979 to 1989.

Six of the seven states with supermajority requirements had higher-than-average growth of state and local revenues as a percent of residents' incomes from 1979 to 1989.

Five of the seven states had higher-than-average increases in state and local taxes per capita from 1984 to 1993, two other years falling at similar points in the business cycle.

The factors affecting state economic growth are far more complex than proponents of supermajority requirements typically acknowledge. Such factors include the interplay of state supermajority requirements typically acknowledge. Such factors include the interplay of state resource endowments, labor force skills, location, and

[1] Daniel J. Mitchell, "Why a Supermajority Would Protect Taxpayers," The Heritage Foundation, March 29, 1996.

level of public investment and state services, among others. A far more sophisticated analysis would be required to discern any effect supermajority requirements might or might not have on state tax burdens or state economies.

HERITAGE'S CHOICES OF DATA MAY SKEW RESULTS

In preparing its report, the Heritage Foundation made choices that may have skewed the results of its analysis. The questionable choices include the time periods analyzed, the measure of state economic growth, and the measure of tax burden.

The Heritage report compares state economic growth and changes in taxes from 1980 to 1992, which are years that represent two different points in the ''business cycle.'' In 1980, the economy turned down from the peak of an economic expansion into a mild recession; in 1992 the economy was beginning its upswing from the deep 1990–91 recession. State tax policy and state economic growth each are very sensitive to the business cycle, and different state economies react differently to economic downturns and upswings. An accurate picture of state changes requires comparing two years at similar points in the business cycle.

Heritage chose Gross State Product (GSP) as its measure of state economic growth; GSP measures the total output of all industries within a state. A different measure, personal income, is more often used to gauge state economic activity. Personal income measures the total income of state residents, including income from out-of-state sources. Personal income per capita measures the economic well-being of an average resident, which may best reflect the goal of state economic policy.

Similarly, Heritage chose to consider only taxes levied at the state level. Yet when state taxes are constrained, state legislatures may meet their responsibilities for providing services by shifting new responsibilities to local governments or by cutting local aid. Either course of action can lead local governments to raise their taxes. Because of these potential shifts, a measure that includes both state and local taxes should be considered.

An additional shortcoming of the state tax series Heritage uses is that it excludes many tax-like ''fees.'' A more comprehensive measure, state and local revenues, includes revenue sources such as fees and lottery proceeds that may be substituted for revenues from taxes.

Lastly, the Heritage study measures tax burden by calculating the amount of tax revenue per resident. Many analysts find it more appropriate to measure taxes as a percentage of residents' incomes. Because differing wage levels in different states affect both residents' incomes and the cost of providing government services, measuring taxes as a percentage of income provides a more meaningful comparison of tax levels and changes in tax burden over time.

ALTERNATIVE TIME PERIODS AND MEASUREMENTS YIELD RESULTS DIFFERENT FROM THE HERITAGE RESULTS

Results quite different from those presented in the Heritage report may be obtained by an analysis that matches up similar points in the business cycle and considers a variety of measurements of economic activity and revenues. Depending on the choice of time frame and methodology, such comparisons may actually show that supermajority requirements are associated with increased taxes and slower economic growth.

Table 1 compares the economic growth of the seven supermajority states relative to average growth in all states. Three different measures of growth and two different recent time periods beginning and ending at similar points in the business cycle are considered. Taken together, these measures show no clear connection between supermajority requirements and economic growth. (See appendix tables for detailed comparisons.)

By most measures, the supermajority states split almost down the middle (4–3 or 3–4)—about half experienced stronger economic growth than the national average, while the other half had weaker growth.

By one method of measuring economic growth—change in per-capita personal income from 1979 to 1989—only two of the supermajority states outperformed the national economy; the other five had lower economic growth than the average state.

TABLE 1.—PORTION OF SUPERMAJORITY STATES WITH STRONGER-THAN-AVERAGE ECONOMIC GROWTH

	1979 to 1989	1984 to 1993
Gross State Product	3 of 7	Not available.
Personal Income	3 of 7	4 of 7.
Personal Income Per Capita	2 of 7	4 of 7.

Source: Center on Budget and Policy Priorities. Based on data from Bureau of Economic Analysis, with population adjustments from the Bureau of the Census.

Similar results may be found with respect to levels of revenue increases. Table 2 shows revenue increases in the supermajority states using broader measures of state and local taxes and revenues over the two time periods. The picture that emerges is decidedly mixed.

In only one of the supermajority states did state and local revenue as a percentage of personal income rise less rapidly than in the average state from 1979 to 1989. In the other six supermajority states, the growth of state and local revenue as a percent of personal income was higher than in the average state.

Fewer than half the supermajority states showed lower-than-average growth in state and local taxes between 1984 and 1993, measured either as taxes per capita or taxes as a percentage of residents' incomes.

TABLE 2.—PORTION OF SUPERMAJORITY STATES WITH TAX INCREASES LOWER THAN THE NATIONAL AVERAGE

	1979 to 1989		1984 to 1993	
	State and local taxes	State and local own-source revenue	State and local taxes	State and local own-source revenue
Tax per capita	5 of 7	5 of 7	2 of 7	5 of 7.

TABLE 2.—PORTION OF SUPERMAJORITY STATES WITH TAX INCREASES LOWER THAN THE NATIONAL AVERAGE—Continued

	1979 to 1989		1984 to 1993	
	State and local taxes	State and local own-source revenue	State and local taxes	State and local own-source revenue
Taxes as a percent of income	4 of 7	1 of 7	3 of 7	4 of 7.

Source: Center on Budget and Policy Priorities. Based on data from Bureau of the Census, with income adjustments from the Bureau of Economic Analysis.

TRENDS DO NOT PROVE CAUSATION

Even if tables 1 and 2 presented clearer trends among the seven supermajority states, it would not be correct to conclude that supermajority requirements were a factor in the economic growth or in the tax decisions in those states. Other factors, such as regional economic variations or changes in political power, are much more likely to affect state economic performance and government finances. A far more sophisticated analysis than either the Heritage study or the analysis presented above would be required to conclude that supermajority requirements have had any substantial effect either on state tax burdens or on state economies.

APPENDIX

Table A–1.—ECONOMIC GROWTH IN STATES THAT REQUIRED SUPERMAJORITIES TO RAISE TAXES

	Change in gross state product	Change in personal income		Change in personal income per capita	
	1979 to 1989	1979 to 1989	1984 to 1993	1979 to 1989	1984 to 1993
Arkansas	96%	99%	72%	92%	64%

Table A–1.—ECONOMIC GROWTH IN STATES THAT REQUIRED SUPERMAJORITIES TO RAISE TAXES—Continued

	Change in gross state product	Change in personal income		Change in personal income per capita	
	1979 to 1989	1979 to 1989	1984 to 1993	1979 to 1989	1984 to 1993
California	143%	142%	79%	93%	49%
Delaware	165%	128%	87%	106%	64%
Florida	175%	184%	96%	112%	58%
Louisiana	63%	86%	45%	81%	48%
Mississippi	82%	100%	69%	94%	65%
South Dakota	77%	83%	80%	81%	75%
U.S. Average	112%	121%	76%	101%	61%
Number of supermajority states with economic growth above average	3	3	4	2	4

See notes at end of appendix.

TABLE A–2.—CHANGES IN STATE AND LOCAL GOVERNMENT TAXES AND REVENUE PER CAPITA IN STATES THAT REQUIRED SUPERMAJORITIES TO RAISE TAXES

	1979 to 1989		1984 to 1993	
	State and local taxes	State and local own-source revenue	State and local taxes	State and local own-source revenue
Arkansas	114%	122%	81%	79%
California	101%	123%	62%	70%
Delaware	103%	140%	66%	68%
Florida	126%	155%	91%	97%
Louisiana	87%	119%	49%	56%
Mississippi	96%	117%	75%	73%
South Dakota	83%	97%	68%	46%
U.S. Average	108%	124%	645%	73%
Number of supermajority states with tax or revenue growth below average	5	5	2	5

See notes at end of appendix.

TABLE A–3.—CHANGES IN STATE AND LOCAL TAXES AS PERCENT OF PERSONAL INCOME IN STATES THAT REQUIRED SUPERMAJORITIES TO RAISE TAXES.

	1979 to 1989		1984 to 1993	
	State and local taxes	State and local own-source revenue	State and local taxes	State and local own-source revenue
Arkansas	11%	15%	10%	9%
California	4%	16%	9%	14%
Delaware	−1%	17%	2%	2%
Florida	7%	20%	21%	24%
Louisiana	3%	21%	0%	5%
Mississippi	1%	12%	6%	5%
South Dakota	2%	9%	−4%	−17%
U.S. Average	3%	11%	3%	8%
Number of supermajority states with tax or revenue growth below average	4	1	3	4

Notes.—Gross State Product not available for years after 1992. In cases where the state average equalled the national average, the change was computed to additional decimal places to find the correct comparison. U.S. average excludes Alaska and the District of Columbia, whose revenue systems are significantly different from those of other states. All data are for fiscal years except Gross State Product.

Sources: U.S. Bureau of Economic Analysis, U.S. Census Bureau. Center on Budget and Policy Priorities.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, we have heard a reference by the gentleman from Texas (Mr. BARTON) to how well the States which have supermajority tax requirements are doing based on a Heritage Foundation study that was done.

Well, we have a different study. I do not really want this to get into a debate about whether taxes are good or bad. I think taxes are good sometimes and they are bad sometimes. They can be beneficial; they can be detrimental.

I really think this debate is about the essence of our democracy, which is majority rule. It is not about taxes or no taxes.

None of us look forward to voting for a tax increase. All of us should be held accountable if we are irresponsible in voting for tax increases, and we are subject to account for that every 2 years when we run for office. But I think it would be a mistake for the public to be left with the mistaken notion that all States that have supermajority requirements somehow have passed a magic bullet and they are doing well.

The actual study indicates that five of the seven States with supermajority requirements experienced lower than average economic growth measured by change in per capita personal income between 1979 and 1989. Four of the seven supermajority States had lower than average economic growth measured by change in gross State product from 1979 to 1989.

Six of the seven States with supermajority requirements had higher than average growth of State and local revenues as a percent of residents' income from 1979 to 1989, suggesting that if we did this at the Federal level, we would be simply passing the buck on for higher taxes at the lower level, which is already a problem that all of us recognize.

Five of the seven States had higher than average increases in State and local taxes per capita from 1984 to 1993, again suggesting that if we do not accept the responsibilities for what we are doing at the Federal level and people demand government services, they will have to be delivered at the local level and taxes will be lower there.

Now, I am not getting into a debate about whether taxes are good or bad. This is not about that. But we should be clear that this Heritage Foundation study, which suggests that just because they have a supermajority they have done something magnanimous for the State or for the Nation is just absolute baloney.

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

Mr. BARTON of Texas. Mr. Speaker, it is my distinct pleasure and high honor to yield 3 minutes to the honorable gentleman from Illinois (Mr. HASTERT), the distinguished Speaker of the House of Representatives.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I rise in support of the constitutional amendment today. I commend my colleague from Texas (Mr. BARTON) for his long-time effort. I think that as long as we have known each other he has been working on this issue, and he has exemplified the old

phrase ''If at first you don't succeed, try, try again.'' But when we try and try again, it is for a noble effort.

We must continue to try again to pass this constitutional amendment, as we must continue to try to provide tax relief for the American people.

Make no mistake about it, working Americans are taxed too much. They are taxed at a higher rate than since the Second World War. They are taxed when they eat. They are taxed when they drink. They are taxed when they drive. They are taxed when they work. And they are taxed even when they die.

If we go back a little over a decade ago, we celebrated the anniversary of the Constitution of this country. And right before that, I remember, as I was teaching history in a small high school in Illinois, we were studying the Revolution. This country fought a revolution over taxes. It was the vision of our forefathers that the people in this country should have economic liberty, they should have economic choice, not government choosing how to spend their money, but individuals choosing how to spend the money that they earn.

□ 1445

Higher taxes mean bigger government. If we are going to restore balance to our society where individuals and local communities have more power, we need to make the Federal Government smaller and smarter. Support this constitutional amendment and go on record in support of tax relief for the American people.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to spend a minute or two just talking about what this bill provides for and putting this in context. But first of all let me remind my colleagues of the history again. It is the fourth year on or about tax filing day that my colleagues have brought this same amendment to the floor of the House. It has failed on each prior occasion. They know it will fail again today. And this amendment is not here as a serious legislative undertaking; it is here to make a political point.

If it were here to make a serious legislative point, as opposed to going through a political charade, this bill would have gone through the appropriate committees, one of which would have been the Subcommittee on the Constitution of the Committee on the Judiciary. I cannot imagine bringing a proposed constitutional amendment, an amendment to the most sacred document in government that we have, without going through the Subcommittee on the Constitution and going through the Committee on the Judiciary.

Now, the reason that we did not go that route, or the majority did not go that route is because this is not a serious legislative undertaking. If it were a serious legislative undertaking, they would have made in order proposed amendments to this constitutional amendment because they know that it has serious, serious substantive deficiencies. I want to talk about those deficiencies so that everybody knows what we are talking about. I want to read from section 1 of the bill:

''Any bill, resolution or other legislative measure changing the internal revenue laws shall require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless that bill, resolution, or other legislative measure is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue''—not change the revenue law, but increase the internal revenue—''by more than a de minimis amount.''

Now, let me point out three serious problems with the language there. First of all, this will be the first time ever in the history of this country, if this amendment passed, that the word ''de minimis'' is used in the Constitution. The word does not exist. It probably was not even a word that was in the vocabulary at the time the Founding Fathers were writing the original Constitution.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. WATT of North Carolina. I yield to the gentleman from Texas.

Mr. BARTON of Texas. ''De minimis'' is a Latin word.

Mr. WATT of North Carolina. Let me reclaim my time, unless he is asking me to yield to tell us differently. Is the word in the Constitution?

Mr. BARTON of Texas. No, but there is no prohibition against the word being in the Constitution.

Mr. WATT of North Carolina. Let me get to the point I want to make. ''De minimis'' is probably no worse than ''reasonable cause'' or other general terms that are used in the Constitution. That is not my point.

My point is that we have gone through 200-plus years of litigation determining what those words that are in the Constitution mean, and now we are about to set off 200 more years of litigation about what the term ''de minimis'' means.

Mr. BARTON of Texas. Will the gentleman yield further?

Mr. WATT of North Carolina. Let me get through it. We can engage in a dialogue. The gentleman has got plenty of time to engage in it if he wants to on his side.

Mr. BARTON of Texas. The gentleman has more time than I do now.

Mr. WATT of North Carolina. If we want to set up a judicial process where we spend 200 years defining what the word ''de minimis'' means and have the courts do it, that is what this bill is going to do.

But even more important is, we are setting up a direct conflict between the Congress' definition of de minimis and the court's definition of de minimis. Because when we say the measure is going to be measured, determined at the time of the adoption of the bill, we are trying to give the Congress the authority to make its decision about what the word ''de minimis'' means. But we cannot do that. So basically what we have done is set up a direct conflict between the legislative branch of the government and the judicial branch of the government. That is exactly what we have done.

Now, I recognize that. I recognized that the first time we debated this bill in committee. I recognized it before the Committee on Rules 2 days ago. I went to the Committee on Rules and I said, would you allow me to bring to the floor an amendment which would improve this legislation, which would make it clear that the sole authority that the Supreme Court will have is to determine whether the Congress has followed its own rules in making this determination so that we could avoid this conflict between the legislative branch and the executive branch?

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield on that point? I am going to compliment the gentleman if he will yield.

Mr. WATT of North Carolina. I appreciate it. Is he going to accept my amendment under unanimous consent?

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. WATT of North Carolina. I will yield to the gentleman, so maybe we will get a unanimous consent request.

Mr. BARTON of Texas. I want to compliment the gentleman for his effort. We have given it to our constitutional experts. If the gentleman will work with me, if we are not successful today, we very well could do that. Of course, the gentleman would have to vote with us at some point in time on the amendment.

Mr. WATT of North Carolina. I appreciate the gentleman offering to work with me and, of course, if this bill had gone through the committee, we could have done the work in a serious legislative manner and we could have treated this bill as a serious bill. But it is quite obvious that this is not what this is about. It is about political theater on the 15th of April.

We have got to play political theater so that we can tell the American people how terrible it is that we have taxes. That is what this bill is about today. If it were not about that, we would have considered this amendment.

We even offered an amendment last year that would have taken out the term ''de minimis.'' If you do not want to raise taxes, and you want a two-

thirds requirement, you at least would not get into 200 years of litigation arguing about what de minimis means if you just said it required a two-thirds vote to raise taxes. I mean, that would be clear. At least we would not have to look in a Latin dictionary to figure out what we are talking about and ask the Supreme Court to tell us what we are talking about. At least that would be clear.

Mr. BARTON of Texas. I will agree to that.

Mr. WATT of North Carolina. We even offered to take that out of the bill. You would think that people who were seriously interested in passing a constitutional amendment that limited the ability to raise taxes would have jumped at that, they would have said, ''Yeah, that's absolutely consistent with what we are trying to do.'' But they have not demonstrated any degree of seriousness about this issue.

Everybody has talked about the gentleman from Texas' two-thirds and three-fourths, his equations. I want everybody to stay with me now, because when you require a two-thirds majority vote to do something, what you are saying is, if one-third objects, you cannot do it. So everybody has talked about this powerful supermajority. What my colleagues need to understand is that we are setting up, not a powerful supermajority, what we are doing is setting up a powerful superminority which will control the process. It will be one-third of the people in this House who will be in control of it. It will not be the two-thirds. It will not even be the majority rule. And if that is not countermajoritarian, if that is not counterdemocratic, I do not know what is.

We do not require a two-thirds majority to declare war. If the President came over here and said, please declare war on Kosovo, as he should under the Constitution—the gentleman from California (Mr. CAMPBELL) and I agree on that—it would not require a two-thirds vote. And somehow or another this majority wants to elevate the questions about taxation to some higher pedestal even than a declaration of war. And so really what you are talking about is giving one-third of the people in this House the ability to bring the process to a halt.

I will tell you what that does to my constituency. If I am in the two-thirds or not in the one-third, and I want to get something done, what you have said to my constituency is, you are less important than that one-third minority over there, because they are controlling the agenda. That is not my definition of democracy, my colleagues. We can talk all day today about how this is about taxation and whether we are paying too much in taxes. I have conceded that. I mean, I do not like to pay taxes any more than anybody else. And my constituents do not like it any more than anybody else's. But I will tell you that every American citizen is entitled to the same representation in this body. And any time you create a supermajority and thereby create a super-superminority that can control the agenda of this House and the agenda of this country, you have deprived American citizens of their equal representation in the process.

So it is tax day. You can talk and make it sound like this is about taxation, but it is about basic fairness. It is about democracy. It is about who has the authority to rule. And in my democracy, that is 50 percent of the representatives and 50 percent of the people plus one.

□ 1500

Mr. BARTON of Texas. Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. SHADEGG), the distinguished cosponsor of the amendment who has worked long and hard with me.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 6 minutes.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman from Texas for yielding this time to me.

Mr. Speaker, let me begin by responding to a series of the arguments that have been made on the other side, and I suppose the one that I am tempted to respond to first is the one we heard repeatedly on the other side, that this is not a serious debate or a serious initiative. I have put 5 years into my fight for this legislation, I have worked shoulder to shoulder with the gentleman from Texas (Mr. BARTON), and let me assure my colleagues on behalf of the taxpayers of America this is deadly serious. Indeed I think it is vitally important to the survival of the Nation.

Now let me talk about how they say it is not serious. They say it is not serious because it is a gimmick because it is brought forth on April 15. The date is irrelevant. Would it be a gimmick if it were brought forward on Election Day? Would it be a gimmick if it were brought forth on the birthday of the gentleman from Texas (Mr. BARTON) or my birthday? Would it be a gimmick if it were brought forth on January 1? It makes it a gimmick because it is brought forth on April 15? I do not think so. I think it is a substantive provision which is appropriate to be brought forward on a time when Americans are focused on the tax burden in America.

The opponents say: ''Well, it's a gimmick, and it's not serious because it has failed before.'' That is one of the most stunning arguments I have ever heard on the floor of this House. People in this room benefit today from changes that were fought for in this country over years. The Constitution itself says it can, in fact, be amended by a supermajority, and thank God we have in fact on many occasions amended it, and that is most appropriate, and none of those amendments have passed on the first try. So of course it has required multiple tries, and we will try again if it fails today.

The opponents say: ''Well, if it was serious, they would have taken it to committee.'' In point of fact they know full good and well that it has been taken to committee. It has been taken to committee more than once in the past. Indeed this exact language was taken to committee last year. It went through subcommittee and full committee and was heard, and the amendment which the ranking member on the other side has proposed, which indeed might be a thoughtful amendment, limiting the rule of the courts, was not proffered when it went before committee last year; it was not proffered until it came to the Committee on Rules this year.

Now I want to turn to another argument. My colleague the other side, the ranking member, has talked about de minimis and how this is a great legal flaw in this measure, and yet throughout this debate today we have heard that this is a terrible provision because it would freeze in stone forever and ever our current Tax Code. That argument is not genuine, it is not honest, because the opponents of this legislation know fully well that it is crafted carefully to allow tax neutral tax reform. Indeed the word that the gentleman questions, ''de minimis,'' is an attempt to say: ''Look, our goal is to make sure that if you want to make tax neutral tax reform; that is, tax reform that does not increase the tax burden on the American people, you may do so with a simple majority vote.'' Nothing in this measure would inhibit the ability to do tax neutral tax reform.

Now let us talk about the Heritage Foundation study. We have a duel of studies. They have their study, we have our study. Let me just recite the facts of the Heritage Foundation study because I think it is very important. It proves that tax limitation works. As a matter of fact, looking at the States where it is enacted, tax limitation, in those States taxes go up at a slower rate, only 102 percent. Mr. Speaker, 102 percent is quite a bit, but only 102 percent over 12 years versus States which have no tax limitation; they have gone up by 112 percent. Spending? Spending and tax limitations, gone up. It has gone up by 132 percent, but not by as much as spending in States without tax limitation. In those States it has gone up by 141 percent.

Fundamentally and most importantly for my colleagues on the minority side, the job base grows more rapidly in those States with tax limitation. As the gentleman from Ohio (Mr.

TRAFICANT) from the other side pointed out, if in fact there was no constitutional authority for an income tax when our Constitution was adopted and, as my friend, Mr. TRAFICANT from the minority, pointed out, he believes that pretty well establishes looking at the tax structure then, then it would have required a two-thirds majority and the Founders would have supported a two-thirds majority for future tax increases.

But let us talk beyond the studies; let us talk about experience. In my State of Arizona, when we adopted this in 1992, our economy had been struggling. Since then it has boomed. We have created more jobs than we have helped more people.

Now the last argument and perhaps the most telling argument proffered by the other side is that this will create a rule of tyranny by the minority. Again, that argument is a fraud. We do not have, and my colleagues on the other side understand this and agree with it, we do not have the rule of simple majority in this country. We do not in this Nation allow majorities to run roughshod over minorities. Throughout our Constitution 10 different places require super majorities, but throughout all of the rule in law in this Nation we prohibit majorities from imposing their will unfairly on minorities. Our Constitution protects minorities, as well it should, and that is what this measure says.

But it is interesting. They say do not enact a supermajority requirement for tax increases, and what they imply is that we will require a supermajority to ever adopt any tax. But this is not being offered any point in time when there are no taxes in America, it is not being offered at a time when we will repeal every tax and say we will only pass any new taxes. We will have no tax in America without a supermajority to impose any taxes.

That is not the situation. What this measure says is we have a very heavy tax burden today. It consumes 20 percent of the gross domestic product, and before we raise it yet one more time, before we increase it to 25, or 30, or 35, or 40 percent, or 50 or 60 percent, we ought to have a broad consensus.

I urge my colleagues to support H. Con. Res. 37. We need a tax limitation amendment.

Mr. LEVIN. Mr. Speaker, well, here we are again. For the 4th year in a row—the majority will take the House through the motions of attempting to pass a Constitutional Amendment requiring two-thirds supermajority of the House and Senate in order to pass a tax cut.

Today is the Republican equivalent of Ground Hog Day. Each year at this time the Republican leadership comes out of its hole, sees its shadow, and dusts off this proposed Constitutional Amendment that essentially says, "stop us before we tax again!"

I said the majority is taking us through the motions because this is the same bill they've brought to the Floor in 1996, 1997 and 1998. Each time, the bill goes down to defeat. The majority knows it won't pass again today, but they can't help themselves.

The irony here is that there is actually broad support on both sides of the aisle for cutting taxes, not raising them. There is some difference of opinion on who's taxes should be cut. I would argue that the lion's share of any tax relief should be targeted to working American families and not the very rich. The other key debate concerns Social Security and Medicare. In my view, it is simply irresponsible to move ahead with a $778 billion tax cut before taking action to assure the long-term financial health of Social Security and Medicare. The budget surplus gives us a unique opportunity to address these programs. We should save the entire surplus until we've taken care of Social Security and Medicare.

I urge the House to reject this ill-conceived effort to tamper with the Constitution. Instead of wasting more time debating bills that all of us know will never pass, we should roll up our sleeves and get to work on saving Social Security and Medicare. Then we can take up tax relief for working American families.

Mrs. FOWLER. Mr. Speaker, today I rise in support of the Tax Limitation Amendment that Representative BARTON has introduced. This amendment protects every American citizen. It protects them by making it more difficult for Congress to increase taxes on their hard earned money—and, indeed, it is there money that Congress is charged with allocating and protecting. It should not be easy for Congress to pass a tax increase that will drastically affect American families. Americans work hard for the money that they earn. It is not easy to be a working mother or father. It is not easy to be the head of a household working two jobs to make ends meet. It is not easy for families to watch up to 40 percent of their hard-earned money taken out of their paychecks and sent to the Federal, State and Local governments. And it should not be easy for Congress to increase the tax burden on Americans.

The Tax Limitation Amendment is a common sense piece of legislation. There are 14 states, including the state of Florida, which I represent, that have enacted legislation similar to the proposed amendment which would require a two-thirds majority vote to raise taxes. Congress should not automatically look to tax hikes to raise revenue for government operations. Just as American taxpayers must show restraint in their spending in order to live within their means, Congress must do the same.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise in support of the tax limitation amendment. Never before has the need for this amendment been more obvious. Let me touch on a few well-known numbers. The typical American family pays 38 percent of its income in taxes. This is more than it pays for food, clothing or shelter. Not since World War II has the tax burden on American workers been so high. At the start of this century, Federal, State, and local taxes combined comprised only 8 percent of Americans' income. At the start of this century, Federal, State, and local taxes combined comprised only 8 percent of Americans' income.

Despite the fact taxes are at a peace-time high, the Clinton-Gore administration's new budget—which the House and Senate soundly rejected—called for $175 billion in new taxes and fees.

With the Federal budget surplus projected at $4.9 trillion over the next 15 years, I can't imagine why anyone would want to raise our taxes, but the administration does.

The temptation to raise a tax here and raise a tax there even in years of surplus and prosperity is just too much. They can't resist. This House is the first line resistance to further skyrocketing of taxes that have soared sharply this past century. We must hold the line. We must help our successors hold the line. We owe it to working American families, the single moms and dads, struggling under a tax burden that has nearly quadrupled in this century to hold the line on taxes. Not just today, when the concept of a tax increase is ludicrous, but for years to come.

The most meaningful way we can do that is by passing the Tax Limitation Amendment today. This amendment does not prohibit tax increases in some future years should an urgent need arise. Though, after 5 years of common-sense Republican leadership, our budget and revenues are in such great shape that it's hard to imagine such a day.

But the amendment does require that the need be so clear and so compelling that two-thirds of each House must vote for the tax increase. This amendment is simple, practical and urgently needed. It is an outrage to have working families struggling under an already weighty burden to be weighted down further by an unnecessary tax increase that passes by a handful of votes in a last-minute partisan push. We saw that in 1992. We have seen since how unnecessary that tax increase was. But we are still fighting to roll that tax increase back.

As high as people's taxes get, and as big as the Government gets, the truth is that some people in Washington never think that it's enough. They believe that Government has the right to take as much of a working American's money as it wants to take and to spend it however it wants to spend it.

I don't share that attitude. The American people work hard for their money. They deserve to keep more of it—not less. I believe the tax burden on working Americans should only be increased when the need is so urgent, clear and compelling that two-thirds of the House and Senate will vote for such an increase. An increase under any other circumstances is an affront and outrage to the American people.

Mr. PACKARD. Mr. Speaker, I would like to stand in support of H.J. Res. 37, which will make it more difficult to raise taxes. It is time Congress puts a stop to the raid on the pocket books of American citizens.

H.J. Res. 37 will require a two-thirds supermajority vote in the House and Senate for any net tax increase. This is not a new concept. Fourteen states already require a supermajority in their state legislatures to raise the tax burden on their citizens. It's a simple equation, when taxes are limited, big government spending remains low and economies flourish.

Mr. Speaker, Americans already send an average of 38 percent of their income back to the government in taxes. This is more than

families pay for food, clothing, and shelter combined! Last year, federal taxes consumed 20.5 percent of GNP. This number will only keep increasing unless we put a stop to it.

While our country is experiencing a projected budget surplus of over $4 trillion for the next 15 years, the President wants to waste this surplus and continue to raise taxes by $108 billion. this spending mentality explains why federal income taxes have grown by more than 70 percent during the Clinton-Gore administration. Any surplus is nothing more than an overpayment to Washington by America's taxpayers and we should give it back.

Mr. Speaker, I'm tired of Washington dipping their hands into the pocket of American taxpayers. This legislation will keep the hard-earned money of American citizens out of the hands of Washington politicians who want to continue to raise taxes for big government programs.

Mr. DELAHUNT. Mr. Speaker, I rise in opposition to the resolution.

The framers of our Constitution recognized that certain key questions—such as treaty ratification, conviction in impeachment trials, or expulsion of a member on Congress—demand more than the customary majority.

But with regard to the normal operations of the government, they provided—in all cases—for a simple majority vote.

They made no exception for taxation. Pause and reflect: they made no exception even for declarations of war.

What the framers feared was that a supermajority requirement would give special interests a veto over the political process.

As James Madison wrote, ''It would be no longer the majority that would rule: the power would be transferred to the minority. . . . [A]n interested minority might take advantage of it to screen themselves from equitable sacrifices to the general weal, or, in particular emergencies, to extort unreasonable indulgences.''

Madison could have been describing the very amendment before us today. It would give a veto over revenue bills to a minority of members of either House. It would enable Members of Congress representing one-third of the population—or Senators chosen by one-tenth of the population—to block tax measures supported by the vast majority of Americans. It would give those minorities enormous leverage in an emergency to extract concessions in exchange for their support.

The resolution pays lip service to this concern by allowing the two-thirds requirement to be waived in the event of war. Yet what about other perilous circumstances? Such as hurricanes, floods, terrorist attacks or other localized disasters? A severe economic crisis or a breakdown in the financial system itself? For these emergencies, the resolution makes no exception. Furthermore, it would make it virtually impossible to eliminate corporate subsidies and other loopholes in the tax system.

The proponents of the resolution are content to live with those consequences. Two years ago, they rejected a series of amendments in committee that would have addressed at least some of those concerns. This year, in their haste, they didn't even bother with the committee, but have brought the resolution directly to the floor.

The proponents of the resolution also seem determined to repeat their past mistakes. I was not a member of Congress when the current majority took control in 1995, but I understand the House adopted a rule at that time requiring a three-fifths majority to raise taxes. Unfortunately, having created this rule, the majority found it impossible to govern in accordance with it, and it was repeatedly waived or ignored.

Today that same majority invites us to graft this failed motion onto the Constitution of the United States—where it cannot be waived or ignored. This is an invitation that we should and must decline.

Mr. GARY MILLER of California. Mr. Speaker, I rise to speak in support of House Joint Resolution 37, the ''Tax Limitation Amendment.'' The question is—How hard should it be for government to take someone else's hard-earned money? We know it is very easy for government to spend the money it has taken, but how hard should it be to take an American worker's money?

I think it should be very difficult. We should be absolutely sure before allowing the government to take money someone else has earned by their hard work and sweat. I do not know if a two-thirds vote of Congress should be enough to take an American worker's money, but I strongly support it as a minimum requirement.

Just look at the growth of Federal taxes: Families paid just 5 percent of income in Federal taxes in 1934. Today, the average family pays over 20 percent of its income in Federal taxes; That is the highest peacetime rate ever and the highest overall rate since WW II; 18 of the last 19 Democrat controlled Congresses passed tax hikes, including the $241 billion hike in 1993; Just during the Clinton Administration taxes have grown by over 54 percent, from $1.154 trillion in 1993 to $1.784 trillion in 1999; State and local income taxes are increasing at the same time so that Federal, State, and local taxation is a record 32 percent of national income.

The Founding Fathers created a Republic, instead of a pure Democracy, to protect citizens' basic rights from the ''Tyranny of the Majority.'' I believe it is a basic right to keep what you have earned, and I believe it should take more than 51 percent of Congress to take money from 100 percent of Americans. I encourage each of my colleagues to support the ''Tax Limitation Amendment.''

Mr. BALLENGER. Mr. Speaker, I rise today to express my support for the Tax Limitation Constitutional Amendment.

I applaud my colleagues—Representatives BARTON, SHADEGG, GOODE, and RALPH HALL—for their perseverance in offering this important bipartisan legislation once again. The Tax Limitation Constitutional Amendment (House Joint Resolution 37) would amend the Constitution to require a two-thirds majority vote in both houses of Congress for passage of legislation that would result in any significant tax increase. This supermajority vote requirement would mean that only true national emergencies would be an excuse for raising even higher the tax burden on all Americans.

Now that the Republican-inspired Balanced Budget Act of 1997 has led to the prospect of increasing budget surpluses in the years ahead, it is time to return tax dollars—in excess of Social Security receipts—to the taxpayers who are responsible for the present tax overpayment. Every year around Tax Day my desk is covered with letters and phone messages from constituents who want tax relief—in the form of lower taxes and a simplified tax code. Since my first election to Congress, I have eagerly worked with my colleagues to enact tax relief for individuals and small businesses.

Conversely, I have supported initiatives—like the Tax Limitation Constitutional Amendment—to insure that Federal taxes are not increased. The last thing our citizens and economy need is another round of tax increases like $108 billion which President Clinton proposed in his fiscal year 2000 budget.

It is urgent that we lock into place the discipline we need to maintain a balanced Federal budget and the opportunity for tax relief for our citizens. I call on my colleagues to join me in guaranteeing the American people that we will block the pro-tax crowd in Washington, D.C., through this amendment. Please vote for H.J. Res. 37.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to the validation of this conference report, which includes in it the details of the Budget Resolution passed just a few weeks ago by the Republicans.

At that time I spoke vigorously against the Budget Resolution because I felt it short-changed the American people. Also at that time, I spoke in favor of the Democratic Budget, offered by Ranking Member SPRATT because it was a responsible budget done right. Thereafter, when this resolution once again came before us as it was sent to conference, I supported Ranking Member SPRATT's motion to instruct the conferees to hold off on their submission of the report until we had passed legislation addressing the concerns of our party, and of most Americans—in this case, preserving and extending the life of Social Security and Medicare. I go over this litany of details not to open old wounds, but rather to demonstrate and testify to the American people that the Republicans have had multiple opportunities to save Social Security and Medicare—and each time they turned away.

As I vote to strike down this report, I do so only with the well-being of our constituents in mind. I know that we should be approving a budget that protects the Social Security and Medicare Trust funds by putting money back into those accounts. It should be a budget that will maintain our current Social Security and Medicare benefits, and extend their lives until decades from now, so that all Americans will be able to take advantage of them. This is especially true for women, because due to their longer life expectancy, they must rely on Social Security and Medicare longer than must most men.

I know that we should be appropriating the proper resources to modernize, and some would say revitalize, our public schools. This budget does the opposite; in fact, it reduces our domestic spending on programs that protect the interest of our children. This budget jeopardizes the well being of successful programs by taking $425 million from WIC, and $501 million from Head Start. Nevertheless, in this budget most of that money—$800 million of it—goes instead to tax cuts for the wealthy.

I know that what we should be doing at this time is authorizing a budget that will protect

America's families. It should be a budget that fully funds the Summer Youth Employment Program, which is cut by over $90 million. It could be a budget that saves the Community Development Block Grant Program the indignity of a $50 million cut.

This budget could be more, it could address the needs of our veterans. We could have and should have passed the Spratt Amendment, which would have added an additional $9 billion for veterans programs. We should be voting to pass a budget that fully funds LIHEAP, which provides for necessary heating and cooling for low-income families in times of extreme weather. LIHEAP literally saved lives in my district last summer, and I intend to do what I can to ensure that it is fully funded every year that I serve in Congress.

I had hoped that during conference, that we would have seen drastic improvements in this resolution, improvements that could have been done in a bipartisan and responsible manner. I had hoped that my colleagues across the aisle could be more persuaded by the dedication of Congressmen SPRATT and MCDERMOTT. I desperately wanted to take home to my district a budget that respected our children, our families, our veterans, and our elderly—and I still hope to do so.

Therefore, I urge my colleagues to vote against this conference report, and instead work with us to forge a new budget that will grow America into the 21st century.

Mr. BEREUTER. Mr. Speaker, this Member rises in principled opposition to House Joint Resolution 37, the so-called tax limitation amendment. Certainly it would be more politically expedient to simply go along and vote in support of a constitutional amendment requiring two-thirds approval by Congress for any tax increases. However, as a matter of principle and conscience, this Member cannot do that.

As this Member stated when a similar amendment was considered by the House in the past, there is a great burden of proof to deviate from the basic principle of our democracy—the principle of majority rule. Unfortunately, this Member does not believe the proposed amendment to the U.S. Constitution is consistent or complementary to this important principle.

There should be no question of this Member's continued and enthusiastic support for a balanced budget and a constitutional amendment requiring such a balanced budget. In my judgment, tax increases should not be employed to achieve a balanced budget; balanced budgets should be achieved by economic growth and, as appropriate, tax cuts. That is why this Member in the past has supported the inclusion of a supermajority requirement for tax increases in the rules of the House. However, to go beyond that and amend the Constitution is, in this Member's opinion, inappropriate and, therefore, the reason why this Member will vote against House Joint Resolution 37.

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

The SPEAKER pro tempore (Mr. BOEHNER). All time for debate having expired, and there being no amendment offered, pursuant to House Resolution 139, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 229, nays 199, not voting 6, as follows:

[Roll No. 90]

YEAS—229

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pallone
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—199

Abercrombie
Ackerman
Allen
Baird
Baldacci
Baldwin
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shaw
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Brown (CA)
Dicks
Hastings (FL)
Ros-Lehtinen
Shuster
Waxman

□ 1528

So (two-thirds not having voted in favor thereof), the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

House Resolution 140 was laid on the table.

Stated for:

Mr. LINDER. Mr. Speaker, on rollcall No. 90, I inadvertently pressed the "nay" button. I obviously meant to vote "aye" to require a two-third vote by the Congress to raise taxes.

Mr. SHUSTER. Mr. Speaker, I regret that due to responsibilities in my congressional district that today I was unable to vote on H.J. Res. 37, the Tax Limitation Amendment. If I were able to vote today I would have cast my vote in support of H.J. Res. 37. As a cosponsor of the Tax Limitation Amendment, I strongly support its attempt to make it more difficult for Congress to raise taxes. We in Washington should be working to cut taxes, not raise them, and passage of the Tax Limitation Amendment is a step in the right direction in our efforts to allow more Americans to keep more of their own hard-earned money. In conclusion, I wholeheartedly support H.J. Res. 37 and urge its passage.

EXTENSION OF TAX BENEFITS AVAILABLE WITH RESPECT TO SERVICES PERFORMED IN THE FEDERAL REPUBLIC OF YUGOSLAVIA AND CERTAIN OTHER AREAS

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that it be on order at any time on Thursday, April 15, 1999, without intervention of any point of order to consider in the House the bill (H.R. 1376) to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes; second, that the bill be considered as read for amendment; third, that the amendment recommended by the Committee on Ways and Means now printed in the bill be considered as adopted; and fourth, that the previous question be considered as ordered on the bill, as amended, to final passage without intervening motion, except, one, 1 hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and second, one motion to recommit, with or without instructions; and fifth, that House Resolution 140 be laid upon the table.

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

There was no objection.

Mr. ARCHER. Mr. Speaker, pursuant to the previous order of the House, I call up the bill (H.R. 1376) to extend the tax benefits available with respect to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The bill is considered as read for amendment.

The text of H.R. 1376 is as follows:

H.R. 1376

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

SECTION 1. AVAILABILITY OF CERTAIN TAX BENEFITS FOR SERVICES AS PART OF OPERATION ALLIED FORCE.

(a) GENERAL RULE.—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) QUALIFIED HAZARDOUS DUTY AREA.—For purposes of this section, the term "qualified hazardous duty area" means any area of the Federal Republic of Yugoslavia (Serbia/Montenegro), Albania, the Adriatic Sea, and the northern Ionian Sea during the period (which includes the date of the enactment of this Act) that any member of the Armed Forces of the United States is entitled to special pay under section 310 of title 37, United States Code (relating to special pay: duty subject to hostile fire or imminent danger) for services performed in such area.

(c) SPECIAL RULE FOR SECTION 7508.—Solely for purposes of applying section 7508 of the Internal Revenue Code of 1986, in the case of an individual who is performing services as part of Operation Allied Force outside the United States while deployed away from such individual's permanent duty station, the term "qualified hazardous duty area" includes, during the period for which the entitlement referred to in subsection (b) is in effect, any area in which such services are performed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on March 24, 1999.

(2) WITHHOLDING.—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the amendment printed in the bill is adopted.

The text of H.R. 1376, as amended, is as follows:

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

SECTION 1. AVAILABILITY OF CERTAIN TAX BENEFITS FOR SERVICES AS PART OF OPERATION ALLIED FORCE.

(a) GENERAL RULE.—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) QUALIFIED HAZARDOUS DUTY AREA.—For purposes of this section, the term "qualified hazardous duty area" means any area of the Federal Republic of Yugoslavia (Serbia/Montenegro), Albania, the Adriatic Sea, and the northern Ionian Sea *(above the 39th parallel)* during the period (which includes the date of the enactment of this Act) that any member of the Armed Forces of the United States is entitled to special pay under section 310 of title 37, United States Code (relating to special pay: duty subject to hostile fire or imminent danger) for services performed in such area.

(c) SPECIAL RULE FOR SECTION 7508.—Solely for purposes of applying section 7508 of the Internal Revenue Code of 1986, in the case of an individual who is performing services as part of Operation Allied Force outside the United States while deployed away from such individual's permanent duty station, the term "qualified hazardous duty area" includes, during the period for which the entitlement referred to in subsection (b) is in effect, any area in which such services are performed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on March 24, 1999.

(2) WITHHOLDING.—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 1376.

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

There was no objection.

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

Mr. Speaker, I am proud to bring before the House today H.R. 1376, a bill to extend combat zone tax benefits to U.S. troops serving in Operation Allied Force. H.R. 1376 will provide well-deserved tax relief to those troops, including, first, tax-free treatment of salaries earned while in the combat zone; second, a 180-day tax and filing suspension for our troops and those supporting them, the 180 days would be marked from the date the mission has ended; and third, an exemption from the telephone excise tax for calls made by our troops from the combat zone.

Mr. Speaker, our men and women serving in Kosovo should be focused entirely on keeping themselves safe from harm and achieving their mission. Certainly the last thing they and their families need to worry about right now is dealing with the IRS.

They also deserve the favorable tax treatment that we provide for military personnel serving in combat areas, because the vivid footage and photographs from Yugoslavia clearly show that this is indeed a combat zone.

I am glad that President Clinton agrees. Nineteen days after committing our troops to the Kosovo area and 4 days after I announced our markup, the President on Monday voiced support for the main items in this bill, and said he would issue an executive order to achieve them. I understand that the President has now signed that order.

However, our bill goes further than the President's executive order. As I mentioned, our bill gives the tax and filing suspension not only to those serving in the combat zone, but also to those armed service personnel who are part of Operation Allied Force and who have been relocated overseas.

Since the President has now signed the executive order, the revenue costs associated with the bill are estimated to be negligible.

I include for the RECORD the revised revenue table.

The document referred to is as follows:

ESTIMATED BUDGET EFFECTS OF H.R. 1376, RELATING TO TAX RELIEF FOR PERSONNEL IN YUGOSLAVIA, ALBANIA, THE ADRIATIC SEA, AND THE NORTHERN IONIAN SEA, AS APPROVED BY THE COMMITTEE ON WAYS AND MEANS ON APRIL 13, 1999

[Estimate Includes the Effect of the Executive Order Signed by the President on April 13, 1999, Declaring These Areas a Combat Zone—Fiscal Years 1999–2009 by millions of dollars]

Provision	Effective	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	1999–2004	1999–2009
1. Designate "qualified hazardous duty area" to include Yugoslavia, Albania, the Adriatic Sea, and the Northern Ionian Sea	3/24/99	NO REVENUE EFFECT												
2. Provide section 7508 suspensions to certain military personnel outside of hazardous duty area	3/24/99	NEGLIGIBLE REVENUE EFFECT												
Net total	NEGLIGIBLE REVENUE EFFECT													

Note: Details may not add to totals due to rounding. Prepared by Joint Committee on Taxation.

Mr. Speaker, as long as our troops are under fire, they certainly do not need to be doing battle with the IRS, as well. I welcome the bipartisan support for this bill, and look forward to its prompt passage.

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

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

Mr. Speaker, I am glad to join my chairman in this bipartisan legislation to show support for our American soldiers, our sailors, our airmen and marines involved in this Allied Force operation in the Kosovo area with this much needed tax relief.

This legislation would at least relieve the stress of complying with competing deadlines, and the consequences, of course, of noncompliance for our servicemen, women, and their families.

We will continue to support their efforts wherever our Armed Forces people are, and as the chairman has pointed out, President Clinton on April 12 announced his intention to issue an executive order designating this entire combat area as a combat zone, and we both agree that is a first good step.

The bill also will extend certain tax benefits to military personnel not directly engaged in combat but who otherwise engage in this operation. In addition, certain support personnel, such as staff of the Red Cross who support military personnel in the combat zone, would receive some tax benefits. These provisions acknowledge this effort requires the participation of all to make it successful.

I am glad that we have come together on this, and I do hope that this will be the first of several pieces of legislation that the chairman and I will be bringing to the Floor in a bipartisan way.

Mr. Speaker, the legislation before us today is an example of the good we can accomplish when we come together in a bipartisan manner and work toward a common goal.

I am especially pleased that the Members of the Committee on Ways and means came together in a very bipartisan manner to advance this legislation. I am confident we will repeat this bipartisan effort today.

I am proud to be associated with this effort to provide American soldiers, sailors, airmen, and marines involved in Allied Force Operation in the Kosovo area with much needed tax relief.

I stand here today as a former soldier who engaged in combat during the Korean war. Because of this experience, I can unequivocally state that deadlines for filing tax returns and paying any taxes due are the last thing on the minds of our service men and women engaged in this operation.

This legislation would help eliminate stress of complying with the impending deadlines and the consequences of non-compliance not only for our service men and women but also for their families.

Our service men and women continue to step up to the plate when duty demands it. They perform their duties with enormous skill and bravery. We can do likewise by expediting the passage of this bill and quickly delivering these benefits to our service men and women and their families.

On Monday, April 12, 1999, President Clinton announced his intention to issue an Executive Order designating the Kosovo area of operations as a "combat Zone". That action is a good first step.

I am pleased that the bill also would extend certain tax benefits to military personnel not directly engaged in combat, but who are otherwise engaged in this operation. In addition, certain support personnel such as staff of the Red Cross who support military personnel in the combat zone would receive some tax benefits. These provisions acknowledge that this effort requires the participation of all these individuals to make it a success.

My personnel experience as a member of the armed forces and my desire to keep our military strong with the best America has to offer will make the passage of this legislation especially gratifying for me.

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

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER), who has so actively pursued an interest in our troops and how they are taken care of and how they are supported.

Mr. BUYER. Mr. Speaker, I thank the chairman for bringing this legislation up, and also thank the President for following the chairman's lead on the legislation.

Mr. Speaker, I rise in support of H.R. 1376, the bill to extend tax benefits to our brave American military personnel serving in support operations in Yugoslavia. Historically this benefit has been applied to designated combat zones.

Let me be very clear. I recently accompanied Secretary of Defense Cohen to his recent trip to headquarters Aviano and Ramstein air bases in Italy and in Germany. I came away from that trip with a couple of very stark realities.

One, Europe is at war, and the American service personnel are in it. American brave men and women are engaged in combat. They do not need the burdens of the administrative and bureaucratic Tax Code while serving on the

battlefield, even though that battlefield is through the air power only at this time.

Currently these benefits are applicable to members of the military serving in Bosnia. However, the geocoordinates that have been applied for operations in Bosnia do not apply to Serbia, Montenegro, Albania and the Adriatic Ocean and Indian Ocean.

Although this legislation is included in a tax relief package, in reality it is a quality of life issue. As chairman of the committee concerned with personnel, I view it with that sense. Congress must pass the provision to provide the necessary peace of mind that servicemembers serving in the Yugoslavia area operations and their families need in order to concentrate on their assigned combat mission.

The passage of the quality of life and tax relief package on tax day will send a critically important message to our brave military men and women that members of the military and the American people do care and appreciate their sacrifice and service under obvious risk.

I have one question for the chairman.

Mr. Speaker, since this is an allied air power operation in which there are many bases from which these planes come, if an individual is on a strategic bomber or providing tactical or strategic air fueling missions and finds themselves within the combat zone of the theater of operations, would they be covered under this legislation?

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

Mr. Speaker, it is the intention of the committee to cover those people who are in the combat zone. My understanding is that if they are in there for one part of a day, that they would be covered.

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

Mr. ARCHER. I yield to the gentleman from Indiana.

Mr. BUYER. So if we have a B–1 bomber, a B–2, a B–52, an air fueling mission from the United States that goes over and they come back, if they find themselves in the combat zone, they are covered by the gentleman's legislation?

Mr. ARCHER. If they are in the combat zone.

Mr. BUYER. That is very appropriate.

Mr. ARCHER. I would add, for the gentleman, because I know others will be concerned about this, that we have not extended this to any personnel that stayed domestically located in the United States of America because we, in this legislation, do not intend to change the rules under which we have operated on all previous engagements.

As a result, although they may be involved in the operation, if they never leave the United States of America, then they would not be covered under this legislation.

Mr. BUYER. I thank the chairman for his legislation.

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I appreciate the gentleman yielding time to me.

As the ranking member of the Committee on Armed Services, Mr. Speaker, I recognize the dedication of our men and women in uniform and the personal sacrifices that they make to protect our national security and to ensure international stability.

American servicemen and women serving in the Yugoslav area are engaging in difficult and dangerous missions as good and loyal Americans. It is our duty to show our appreciation for their unselfish actions by removing some of the financial burdens of combat service.

As we did for the troops serving in the Persian Gulf, we must take measures to exempt the hazardous pay of U.S. troops and U.S. service personnel serving in Yugoslavia and that area from income tax. I urge Members' support for this legislation.

I might also add that recently I had the opportunity to visit with our men and women in Aviano Air Base, and also the air base in Ramstein, Germany. I came away with the impression that these are outstanding young Americans. They are working hard, long hours. They are very, very professional in their duty. I am proud of what they are doing to ensure the success of this effort.

We also have men flying out of Knob Noster, Missouri, Whiteman Air Force Base on a very regular basis, a 31-hour round trip to and from the combat zone, unloading their bombs and their precision bombs from the B–2s and then returning back to the Whiteman Air Force Base in Missouri.

Mr. Speaker, I wish to ask the ranking member a question.

In light of the fact that the pilots of the B–2 bombers that fly out of Whiteman Air Force Base, Missouri, enter the combat zone, unload their bombs, and return without stopping, is it the intent of this legislation that they be covered?

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

Mr. SKELTON. I yield to the gentleman from New York.

Mr. RANGEL. There is no question about that, and the chairman has shared that view.

Mr. SKELTON. I thank the gentleman so much.

Mr. GARY MILLER of California. Mr. Speaker, I rise to speak in favor of H.R. 1376. Our American soldiers are far away from home, fighting for our interests. They are giving up time with their families, birthdays, anniversaries, holidays and other special days. If they have to give up all the "good" days, the least we can do is postpone one "bad" day for them.

American soldiers in combat zones should not have to worry about tax day. H.R. 1376 gives our soldiers in combat, or in hazardous duty areas, tax benefits. They will not have to pay taxes on hazardous duty combat pay. They will not have to file tax returns until 180 days after they come back. God forbid this should happen, but if one of our soldiers dies, their survivors will not have to pay estate taxes or the soldier's income taxes. They will not have to pay income taxes on income earned in a combat zone. They will not have to pay the 3 percent federal phone tax, which none of us should have to pay.

We all worry about today—tax day. We all dread filling out or taxes and seeing how much of our hard earned money goes out of our pockets and to the government. Our soldiers have enough to worry about without having to worry about taxes.

When I think of Staff Sergeant Andrew Ramirez, Staff Sergeant Christopher Stone and Specialist Steven Gonzalez, who are now prisoners of war being held in a hostile European country, it puts this all in perspective. It is absurd to think of those three sitting there having to worry about tax day.

Please support H.R. 1376—It is the least we can do.

Mr. KLECZKA. Mr. Speaker, I rise today in support of H.R. 1376, legislation to provide tax relief for military personnel serving in Yugoslavia.

I commend the Chairman and ranking member of the Ways and Means Committee for their timely action on this important legislation. As we are all aware today is April 15—the dreaded tax filing day. However, the troops serving in the Yugoslavian region should not be burdened with the additional worry of filing their taxes today.

Our troops are risking their lives to protect the interests of democracy and human rights in Kosovo. They are bravely and tirelessly working to counter an ethnic cleansing of catastrophic proportions.

The legislation before us has three important features to help the troops.

First, H.R. 1376 says that the troops serving in the region qualify for hazardous duty pay and are exempted from all federal income taxes during their time of service in the combat zone.

Second, H.R. 1376 gives the troops serving in the combat zone and all personnel serving in a support role a tax-filing extension of 180 days after their service with the current operations ends.

Third, the troops serving in the combat zone would be exempt from the 3 percent phone excise tax on all telephone calls.

Mr. Speaker, I urge the House to pass this important legislation to help our brave servicemen and women. Easing their tax burden is the least we can do to show our appreciation for their sacrifice and dedication.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1376. This bill will extend tax benefits to U.S. military personnel serving in the NATO campaign against Yugoslavia.

Mr. Speaker; the men and women serving our nation in conjunction with the NATO operations in Yugoslavia should know they have

our full support. The endeavors in which they have been engaged serve a higher purpose. For Mr. Speaker, I know of no one who wants to see the continuation of conflict in Europe. The United States and its NATO allies cannot walk away from these ethnic, religious, and racial atrocities. NATO's efforts and those of our men and women in the Yugoslavian region are dedicated towards a noble cause of trying to get the world to live on human terms.

The forces are working to save innocent lives, to protect the peace and freedom and stability of Europe. These forces will put an end to Milosevic's notion that it is okay to uproot, destroy and murder people simply because he does not like their ethnic background or religion. I and the other Members of this body, are profoundly grateful for the sacrifices of the young men and women called to serve this nation. Let me also pause to thank the families and loved ones of our service members, we should not take for granted the sacrifice that they make on a daily basis.

I am committed to support you in any way that I can. I was pleased to see that President Clinton early this week issued an executive order making tax-free most or all of the pay received by U.S. Military personnel in Yugoslavia combat zone. President Clinton's executive order also extended suspended for U.S. civilians in the war zone.

H.R. 1376 will extend tax benefits to U.S. military personnel serving in the NATO campaign. U.S. troops receiving "hazardous duty" pay, a salary bonus for serving in a hostile area, would not have to pay income tax on any pay earned while in the Yugoslavia combat zone. In addition, the troops would be exempt from filing income tax, from filing income tax returns during their "hazardous duty" service, and would not have to file final returns until 180 days after such service ends.

This measure should enjoy bipartisan support because our troops should not have to worry about their taxes. I urge my colleagues to support our troops in their current mission by supporting this bill. I support this mission, our troops, and pray that they are successful in their efforts to restore peace and stability to Europe.

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

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

□ 1545

The SPEAKER pro tempore (Mr. SHIMKUS). All time has expired.

Pursuant to the order of the House of today, the previous question is ordered on the bill, as amended.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 10, as follows:

[Roll No. 91]

YEAS—424

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

NOT VOTING—10

Brown (CA)
Dicks
Hastings (FL)
Hastings (WA)
Istook
Moakley
Ros-Lehtinen
Shuster
Sweeney
Waxman

□ 1612

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

House Resolution 140 was laid on the table.

Stated for:

Mr. SWEENEY. Mr. Speaker, I missed rollcall No. 91. My daughter is a finalist in "Writing Olympics" and I will be attending her contest. Had I been present, I would have voted "yes."

Mr. ISTOOK. Mr. Speaker, I was unavoidably detained in committee and missed rollcall vote No. 91, which was on H.R. 1376, a bill to provide tax benefits to American military personnel in Yugoslavia, had I been present, I would have voted "aye."

Mr. SHUSTER. Mr. Speaker, I regret that due to responsibilities in my congressional district that today I was unable to vote on H.R. 1376, "Tax Benefits to American Military personnel in Yugoslavia." If I were able to vote on H.R. 1376 I would have voted in favor of this important bill. This bill which provides tax relief to our brave servicemen and servicewomen is the least we can do for our soldiers who are putting their lives on the line in service of our country. It is my hope and belief that this bill will be approved quickly by the Congress and signed by the President so that we can give a little back to the men and women who are giving our nation so much.

PERSONAL EXPLANATION

Ms. ROS-LEHTINEN. Mr. Speaker, I was unavoidably detained and wish to be recorded as a "yes" vote on final passage of H.J. Res. 37 (rollcall 90) and H.R. 1376 (rollcall 91).

PERMITTING USE OF ROTUNDA OF CAPITOL FOR CEREMONY IN HONOR OF FIFTIETH ANNIVERSARY OF NATO, AND WELCOMING REPUBLIC OF POLAND, REPUBLIC OF HUNGARY, AND THE CZECH REPUBLIC INTO NATO

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 81) permitting the use of the rotunda of the Capitol for a ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, and I will not object, but under my reservation I would be pleased to allow the chairman of the Committee on House Administration, the gentleman from California (Mr. THOMAS), the opportunity to explain the resolution.

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

Mr. HOYER. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

As was indicated, this is the use of the rotunda for the celebration of the fiftieth anniversary of NATO, and it is an especially important fiftieth anniversary because of the beginning of the expansion of NATO across what we used to know historically as the Iron Curtain.

□ 1615

It is, in fact, probably the best evidence we have seen of the reunification of Europe with the admission of the Republic of Poland and the Republic of Hungary and the Czech Republic.

Mr. HOYER. Mr. Speaker, further reserving the right to object, I of course agree with the characterization of this resolution and would add, under my reservation, my own remarks that it is certainly appropriate that this House recognize and allow the recognition of NATO in the Rotunda.

NATO is one of the, perhaps, if not the most successful alliance in the history of the world in terms of maintaining and keeping peace. There is certainly none that excel it. And I am pleased to join with the gentleman from California (Mr. THOMAS) in the support of this resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. GILMAN. Mr. Speaker, reserving the right to object, but I will not object, I welcome this measure. Next week we will be privileged to host in Washington the 50th anniversary of our North Atlantic Treaty Organization. The Congress is honored to be able to play a part in these festivities.

The resolution will enable us to utilize the Rotunda to hold an appropriate ceremony in connection with this very important 50th anniversary commemoration. I urge my colleagues to support the resolution.

Mr. Speaker, I withdraw my reservation of objection.

Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 81

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the United States Capitol is authorized to be used on April 23, 1999, for a ceremony in honor of the Fiftieth Anniversary of the North Atlantic Treaty Organization (NATO) and welcoming the three newest members of NATO, the Republic of Poland, the Republic of Hungary, and the Czech Republic, into NATO. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING AND HONORING CREWMEMBERS OF U.S.S. "ALABAMA" AND U.S.S. ALABAMA CREWMEN'S ASSOCIATION

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the resolution (H. Res. 123) recognizing and honoring the crewmembers of the U.S.S. *Alabama* (BB–60) and the U.S.S. *Alabama* Crewmen's Association, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 123

Whereas the U.S.S. ALABAMA (BB–60) was a South Dakota class battleship that served first in the North Atlantic and then in the Pacific Fleet during World War II;

Whereas in the course of World War II, the crewmembers of the U.S.S. ALABAMA directly shot down 22 enemy aircraft;

Whereas the crewmembers of the U.S.S. ALABAMA earned the American Service Medal, the European-African-Middle Eastern Medal, the Asiatic-Pacific Campaign Medal with 9 Battle Stars, the Philippine Republic Presidential Unit Citation, the Philippine Liberation Ribbon, the World War II Victory Medal, and the Navy Occupation Service Medal;

Whereas the crewmembers of the U.S.S. ALABAMA were a courageous group, braving both the Arctic chill and the Pacific heat to help defend the Nation against enemy oppression;

Whereas many former crewmembers of the U.S.S. ALABAMA belong to the U.S.S. ALABAMA Crewmen's Association;

Whereas each year former crewmembers participate in an annual reunion to celebrate their shared service, memories, and friendship; and

Whereas more than 100 former crewmembers, along with family and friends, are expected to participate in the next reunion, which will be held from April 15 to 18, 1999, aboard the U.S.S. ALABAMA at Battleship Memorial Park in Mobile, Alabama: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors the crewmembers of the U.S.S. ALABAMA (BB–60) and the U.S.S. ALABAMA Crewmen's Association for their valuable contributions to victory and peace in World War II and to the security and prosperity of the Nation.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS THAT GOVERNMENT OF FEDERAL REPUBLIC OF YUGOSLAVIA AND PRESIDENT MILOSEVIC RELEASE UNITED STATES SERVICEMEN AND ABIDE BY GENEVA CONVENTION

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations and the Committee on Armed Services be discharged from further consideration of the concurrent resolution (H. Con. Res. 83) expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its

President Slobodan Milosevic release the three illegally detained United States servicemen and abide by the Geneva Convention protocols regarding the treatment of both prisoners of war and innocent civilians, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mrs. NAPOLITANO. Mr. Speaker, reserving the right to object, and I will not object, I yield to the gentleman from New York (Mr. GILMAN) for an explanation of the concurrent resolution.

Mr. GILMAN. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, this resolution expresses the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President, Slobodan Milosevic, should release the three U.S. servicemen now in his custody. This certainly is an issue of the highest national concern, and our thoughts and prayers are with these brave individuals and their families.

I want to commend the gentlewoman from California (Mrs. NAPOLITANO) for bringing this measure forward at this time. This resolution duly states that the Yugoslav authorities are responsible under the Geneva Convention for the treatment of Staff Sergeant Christopher Stone of Smith's Creek, Michigan; Staff Sergeant Andrew A. Ramirez of Los Angeles, California; and Specialist Steven M. Gonzales of Huntsville, Texas.

Frankly, it is outrageous that Milosevic and his henchmen are toying with these soldiers, exploiting them for their own purposes and at the same time refusing to honor their commitment under the Geneva Convention to permit access of the International Committee of the Red Cross to verify that these men are not being mistreated.

The only photos that we have seen of these men since their abduction indicate that we indeed have cause to be highly concerned with regard to their well-being. The fact that our servicemen were engaged in a peaceful activity, ensuring the stability of the region and helping to prevent the spread of the conflict, only heightens our outrage over the exploitation of their captivity by the Yugoslav authorities.

I hope that we will, through this resolution, signal our strong support for our military personnel, for their families, and also send the message to the Yugoslav Government and its leaders that we are going to hold them strictly accountable for their swift and safe return.

Accordingly, I urge my colleagues to unanimously support H. Con. Res. 83.

Mrs. NAPOLITANO. Mr. Speaker, under my reservation of objection, I yield to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, I thank the gentlewoman for yielding.

I just wanted to take the floor, Mr. Speaker, to express my appreciation to the Speaker, the gentleman from Illinois (Mr. HASTERT), for bringing this resolution to the floor in a timely fashion and for being cooperative on this. I think he does the House proud in the way he has acted on this piece of legislation, and I wanted him to know that we thank him on this side of the aisle for his courtesies and for the expeditious manner in which he has handled this.

I also want to thank the gentleman from Missouri (Mr. GEPHARDT), as well as my colleague from California (Mrs. NAPOLITANO) who has offered this resolution and for her leadership, the gentleman from Connecticut (Mr. GEJDENSON), my friend the gentleman from New York (Mr. GILMAN), the gentleman from Missouri (Mr. SKELTON), the gentleman from South Carolina (Mr. SPENCE) and all of the others who made this possible.

With this resolution, the House reaffirms its deep commitment and concern for our soldiers in captivity: Christopher Stone, Steven Gonzales, and Andrew Ramirez.

And as the gentleman from New York (Mr. GILMAN) so correctly stated just a second ago, we insist that Slobodan Milosevic and the Yugoslavs follow the Geneva Convention with respect to these three soldiers and that they be allowed to be visited by the Red Cross and they be treated humanely while they are captive. These brave men are in our thoughts, and we join Americans everywhere in praying for their swift and safe return.

Again, I want to congratulate my colleague from California (Mrs. NAPOLITANO) for her leadership on this issue.

Mrs. NAPOLITANO. Mr. Speaker, further reserving the right to object, I thank the gentleman from New York (Mr. GILMAN) and the gentleman from Illinois (Mr. HASTERT) and everybody involved. It was a joint effort. It was not just my doing. So I thank the gentleman from New York (Mr. GILMAN) for his support and really fast-tracking it.

House Concurrent Resolution 83 expresses the sentiment not only of the United States Congress, but of the American people that we support our three brave young men being held prisoner in Yugoslavia: U.S. Army Staff Sergeant Andrew Ramirez, Staff Sergeant Christopher Stone, and Specialist Steven M. Gonzales.

Their patriotism, their bravery, and their service to our country is both humbling and inspiring. These courageous men went to Europe prepared to make the ultimate sacrifice for the noble causes of peace and freedom. Now that their own freedom is at stake, the United States, its Congress, and the American people stand firmly in solidarity with them and their families in calling for their release.

I thank all my colleagues for joining me in supporting these brave soldiers of ours and praying for their speedy return to freedom. And God bless all our servicemen throughout the world.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 83

Whereas United States Army Staff Sgt. Andrew A. Ramirez, 24, of Los Angeles; Staff Sgt. Christopher J. Stone, 25, of Smiths Creek, Michigan and San Antonio Texas, and Spc. Steven M. Gonzales, 21, of Huntsville, Texas were abducted from Macedonian territory by Serb forces on March 31, 1999, while patrolling the Kumanovo area 3 miles from the southern Yugoslavia border;

Whereas these 3 honorable United States soldiers, serving in noncombatant status, are now in the custody of the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic;

Whereas the Geneva Convention, the 1949 treaty setting forth international protocols for the treatment of both civilians and military personnel during armed conflicts and declared wars, stipulates that prisoners of war must at all times be humanely treated, provided any necessary medical assistance, protected against acts of violence or intimidation and against insults and public curiosity and evacuated from any area of danger;

Whereas the Geneva Convention also prohibits putting prisoners of war on trial for engaging in ordinary acts of warfare for which the capturing country's own soldiers would not be charged;

Whereas under the Geneva Convention, the International Committee of the Red Cross (ICRC) has the right to nonsupervised visits of prisoners to ensure they are being treated well;

Whereas the Yugoslav Government has as yet not responded to the ICRC's requests; and

Whereas sanctions can be applied to signatories of the Geneva Convention for failing to abide by the convention: Now, therefore, be it:

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

(1) the United States Government should commend the 3 detained United States soldiers for their exemplary service, bravery, duty to their country, and part in helping to ensure a peaceful multiethnic democratic Kosovo on the basis of the Rambouillet Accords;

(2) the United States Government should continue to forcefully press the Yugoslav Government and its president Slobodan Milosevic for the unconditional release of the 3 detained United States servicemen and, in the interim, demand their health and safety, and that the International Committee of the Red Cross be allowed to visit the servicemen and verify their condition without supervision;

(3) the United States Government should condemn any move on the part of the Government of the Federal Republic of Yugoslavia to put the three detained United States servicemen on trial—an act expressly forbidden by the Geneva Convention;

(4) the United States Government should hold the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic personally responsible for the welfare of the 3 detained United States servicemen;

(5) the United States Government should continue to condemn the atrocities committed by the Yugoslav Army or paramilitary forces against civilians in Kosovo, particularly crimes associated with ''ethnic cleansing''; and

(6) the United States Government should support the prosecution under the Geneva Convention of all commanders of the Yugoslav Army or paramilitary forces taking part in acts of ethnic cleaning against civilians.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. GILMAN:

Strike all after the resolving clause and insert the following:

That—

(1) the United States Government should commend the 3 detained United States soldiers for their patriotism, bravery, service, and duty to their country;

(2) the United States Government should continue to forcefully press the Yugoslav Government and its president Slobodan Milosevic for the unconditional release of the 3 detained United States servicemen and, in the interim, to guarantee their health and safety, and permit the International Committee of the Red Cross to visit the servicemen and verify their condition without supervision, and that all other provisions of the Geneva Conventions be fully respected;

(3) the United States Government should condemn any move on the part of the Government of the Federal Republic of Yugoslavia to put the three detained United States servicemen on trial or subject them to public display; and

(4) the United States Government should hold the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic directly responsible for the welfare of the 3 detained United States servicemen.

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. GILMAN).

The amendment in the nature of a substitute was agreed to.

The concurrent resolution was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. GILMAN:

Strike the preamble and insert the following:

Whereas United States Army Staff Sgt. Andrew A. Ramirez, 24, of Los Angeles; Staff Sgt. Christopher J. Stone, 25, of Smiths Creek, Michigan and San Antonio Texas, and Spc. Steven M. Gonzales, 21, of Huntsville, Texas were captured on March 31, 1999, while patrolling the Kumanovo area;

Whereas these 3 honorable United States soldiers are now in the custody of the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic;

Whereas the Geneva Conventions, the 1949 treaties setting forth international requirements for the treatment of both civilians and military personnel during armed conflicts, stipulates that prisoners of war must at all times be humanely treated, provided any necessary medical assistance, protected against acts of violence or intimidation and against insults and public curiosity and evacuated from any area of danger;

Whereas the Third Geneva Convention also prohibits putting prisoners of war on trial for engaging in ordinary acts of warfare for which the capturing country's own soldiers would not be charged;

Whereas under the Geneva Conventions, the International Committee of the Red Cross (ICRC) has the right to nonsupervised visits of prisoners to ensure they are being treated well;

Whereas the Yugoslav Government has as yet not responded to the ICRC's requests; and

Whereas sanctions can be applied to parties to the Geneva Conventions for failing to abide by the conventions: Now, therefore, be it:

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from New York (Mr. GILMAN).

The amendment to the preamble was agreed to.

TITLE AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. GILMAN:

Amend the title so as to read: ''Concurrent resolution expressing the sense of the Congress that the Government of the Federal Republic of Yugoslavia and its President Slobodan Milosevic release the three detained United States servicemen and abide by the Geneva Conventions regarding the treatment of both prisoners of war and civilians.''.

The title amendment was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY, APRIL 19, 1999

Mr. NETHERCUTT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, APRIL 20, 1999

Mr. NETHERCUTT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, April 19, 1999, it adjourn to meet at 12:30 p.m. on Tuesday, April 20, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. NETHERCUTT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

SPECIAL ORDERS

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

CHILD SUPPORT COLLECTION REFORM

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

Ms. WOOLSEY. Mr. Speaker, it is tax day in America. On April 15 each year, each of us has dutifully fulfilled our duty. We have filled out forms, written checks, and stood or are standing in long lines at the post office. We do this because it is our obligation and because it is the law.

Well, many parents have another obligation under the law, and that is to pay support for their children. But four out of five noncustodial parents simply do not pay, and they are getting away scot-free.

Mr. Speaker, such irresponsibility not only hurts their own children but drains the Federal budget and causes the deficit that we fill with our tax dollars, a deficit that increases with increased demand on welfare and other Federal programs that our children need for those of us living up to our responsibilities.

This is simply unfair. And most of all, it is unfair and outright cruel for the children involved. When a parent fails to pay child support, children hear a clear message. The message is that they do not matter.

The gentleman from Illinois (Mr. HYDE) and I believe that it is time to show these children that they do matter, it is time for us as a Nation to care as much about our children as we do about the IRS. That is why today we unveiled legislation to put the Federal Government in charge of collecting child support.

As many people know, I have a very special interest in reforming child support collection. I know firsthand about the difficulty of not receiving child support because 30 years ago I was left to fend for my three children, 1, 3, and 5 years old, when their father did not pay 1 cent of child support.

□ 1630

With no means to collect child support, even though I was employed, I went on welfare to make ends meet. Had we received the child support that was due us, we would not have been on welfare.

The legislation that the gentleman from Illinois (Mr. HYDE) and I are introducing today, the Compassion for Children and Child Support Enforcement Act, makes paying child support as important as paying taxes, and it makes sure that deadbeat parents know it. Simply put, our bill will federalize child support collection and disbursement. Court-ordered support payments would simply be withheld from an employee's pay, just like other payroll deductions. It is easy, it is efficient, and it will work better than the fragmented State-by-State system now in place. After billions of dollars of Federal assistance, States still collect only 22 percent of what children are owed.

Now, to be fair, that is an increase, because 2 years ago child support collection rates were only 20 percent. But if we wait for collection to go up 2 percent each year, custodial parents will be collecting Social Security before they collect child support. Our kids cannot afford to wait that long.

In my home State of California, our children will have an even longer wait under the current system. California is one of nine States without a Statewide tracking system up and running. California has wasted $200 million to build a system which has never gotten off the ground. Without a system in place, our State could face $400 million in fines by the year 2002 for failing to meet Federal deadlines.

This failure is a shame. It is a disaster for California's children. But beyond that, it demonstrates the most fundamental flaw in the current system. A chain is only as strong as its weakest link. One county, one State not quite up to par, and a deadbeat parent has an instant safe haven to avoid child support collection.

With our legislation, deadbeat parents will have nowhere to hide. Cross a county line or a State border, and we still have a hold on the paycheck. I know it will surprise our fellow citizens who are standing in line at the post office to send their tax returns in as we speak, but the IRS has an 84 percent success rate. We can and must harness that success for our children.

EXCHANGE OF SPECIAL ORDER

Mr. DELAY. Mr. Speaker, I ask unanimous consent to take the 5 minute special order of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

PEACE HAWKS—WITH EYES ON THE GROUND

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

Mr. DELAY. Mr. Speaker, I came down to take this 5-minute special order because I read in the Washington Times this morning an excellent article by Elaine Donnelly that so aptly puts where we are today and puts things in perspective as it relates to Kosovo, that I wanted to come down to the floor and read it on the floor because it puts so well what I had been thinking. It goes like this, and I quote:

''As President Clinton continues the bombing campaign over Kosovo, confusion abounds. Former 'doves' are cheering but traditional 'hawks' appalled by Mr. Clinton's command blunders, don't know what to say. Concerned Americans want to support the troops, but they are flummoxed by a President who is misusing authority over them.

''To make sense of what is happening, it helps to recognize Mr. Clinton is not conducting a serious, traditional war. If he were, the first wave of NATO planes would have reduced the palace of Slobodan Milosevic, Rembrandt painting and all, to smoking smithereens.

''The Kosovo operation is different and oxymoronic. It is a 'peace war' waged by 'peace hawks' pursuing a dovish social agenda. Peace hawks are global idealists and former anti-war activists, including the youthful Bill Clinton, who used to 'loathe' the military because it uses lethal force. Now that he is commander in chief, Mr. Clinton can use the troops for more virtuous purposes.

'''Doing good' on a worldwide scale appeals to peace hawks, who are motivated by altruism, not patriotism. The sight of uniformed peacekeepers distributing food in faraway places makes their hearts sing. As columnist Paul Gigot wrote: 'It's as if liberals feel better waging war when U.S. interests aren't at stake.'

''The Kosovo peace war is all about good intentions and grand social objectives. President Clinton said so in a speech before a public employees' union on March 23, rambling on about a vision of 'diversity, community, belonging, and wanting our neighbors to do well,' the President rhapsodized, 'This is why I devoted so much time,' quoting the President, 'to that initiative on race and why I keep fighting for passage of the Hate Crimes legislation, the Employment Nondiscrimination, gay rights legislation, all these things, because I am telling you look all over the world—that's what Kosovo is about. People are still killing each other out of primitive urges because they think what is different about them is more important than what they have in common,''' close quote.

''Mr. Clinton conceded that the people of Yugoslavia had been battling off and on for hundreds of years, but exulting in his own enlightened insight, Mr. Clinton said, 'It is an insult to them to say that somehow they were intrinsically made to murder one another.'

''Deriding those who would say, 'They're just that way' to excuse violence in Northern Ireland or misbehavior among children, the President added, 'Well, if every parent said that, the jails would be five times as big as they are. That's not true. I just don't believe that. And I know what happened in Bosnia, where we found the unity and the will to stand up against the aggression, and we helped to end the war. And later, to make sure the peace would last, we agreed to send troops in with our allies. And I think it was a good investment.'

''So there you have it—victory, as defined by Bill Clinton. Like a parent disciplining an unruly child, our peace-war commander in chief is saying to Kosovo, 'Can't you just get along?' NATO is supposed to continue the bombing, in order to pacify warring factions in Serbia and Kosovo. The ultimate goal is to duplicate the edgy silence of Bosnia, and enforce it with NATO peacekeepers for years, perhaps for decades. This is the 'it' we are 'in', and there is no way Americans can win.

''The entire operation was conceived and launched by Secretary of State Madeleine Albright, who once said to General Colin Powell, then chairman of the Joint Chiefs of Staff, 'What's the point of having this superb military that you're always talking about if we can't use it?' General Powell wrote in his autobiography that Mrs. Albright's outburst, made during a briefing on Bosnia, almost gave him an aneurysm. The general tried to explain that 'American GIs are not toy soldiers to be moved around on some sort of global gameboard.'

''But Mrs. Albright is finally getting her way, despite reported warnings from the current Joint Chiefs of Staff. Once again uniformed leaders are being ordered to make war and peace simultaneously.''

As the late Army Gen. Creighton Abrams, Vietnam-era Chief of Staff used to say, ''Fighting in the name of peace is like seeking virtue in a bordello.''

It is time to start over, before a bad situation gets worse. The deployment of land troops for combat—daintily described by Mrs. Albright as a ''nonpermissive environment''—will not bring peace to a Kosovo that no longer exists. Why not follow the president's lead, and do something to make everyone feel better about the situation?

There are lots of creative ways to achieve the president's stated goals—diversity, community and belonging—without passing bad legislation or needlessly putting combat soldiers at risk. For starters, Mr. Clinton's Hollywood friends could stage a remake of that memorable soft-drink commercial—the one featuring a hillside of children folk-singing about apple trees, honey bees, and buying the world a Coke.

With help, Balkan refugees could participate in the production. Perhaps the International Monetary Fund could take the $5 billion loan that Russian Prime Minister Yevgeny Primakov recently passed up, and divert it to Albania and other neighboring countries that are willing to provide clean clothes, food, and safe, temporary housing.

Forget the usual presidential photo-ops with deployed soldiers in fatigues. Let Bill Clinton risk his own neck for a change. To burnish his legacy, he could fly into Belgrade on an Apache helicopter, and play the saxophone at one of those rock concerts. Even with bulletproof glass, it would make a great picture for the history books—just like the ones of John F. Kennedy in Berlin and Ronald Reagan at the Wall.

Then the belligerent Balkan leaders could be flown back to the White House for some friendly attitude adjustment. They could even shake hands in front of a beaming president, arms outstretched in a striking freeze frame that would make everyone feel good. So all together now . . . let's join hands, light a candle, and sing ''Kumbaya.'' We can win the peace war in Kosovo. Just keep our soldiers out of it.

TAX DEDUCTION FAIRNESS ACT OF 1999

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

Mr. BAIRD. Mr. Speaker, I rise today to introduce legislation that will help restore tax fairness to millions of people in my home State of Washington and in other States throughout this great Nation. The problem, Mr. Speaker, is the lack of a deduction for sales taxes in the current tax code. Although the government allows tax deductions for a number of things, State and local income taxes, property taxes, self-employment taxes and others, one category is noticeably missing and that is sales tax. Today and every year at this time, taxpayers send their tax returns to the IRS. It is a ritual that all Americans have become accustomed to. It is often frustrating. But we do it because we have to uphold our duties as a citizen. But that ritual brings added frustration for taxpayers in my State. A taxpayer in my State who has identical income and expenses to someone in another State should be able to deduct the amount they pay in State income tax, but that is not the case in Washington. We have no income tax, and we are not allowed to deduct our State sales taxes.

Folks in my State have the same amount of Federal income taxes withheld from their paychecks, but when it comes time to itemize their returns, they can only deduct nothing, because they have no income tax and they are not allowed to deduct their sales tax. It is not that we pay less in taxes. On the contrary, we are in the top quarter of States in the amount of our personal income that goes to taxes. But thanks to the change in the tax code in 1986 when lawmakers decided to remove the deduction for sales taxes, people in Washington State were shortchanged.

Let me ask this simple question. Should residents of Washington have to pay hundreds more to the Federal treasury than those who live in other States, including States right across the river? Does it make sense for the Federal Government to dictate to States how they should structure their tax system? I would assert that the answer is clearly no. Federal taxes should be levied on all of our Nation's citizens in a fair and equitable manner, not in a way that gives preference to some who happen to live in one State with an income tax while penalizing residents in States with sales taxes.

That is why today I am introducing legislation to correct this inequity. My bill, the Tax Deduction Fairness Act of 1999, would reinstate the sales tax deduction and direct the IRS to develop tables of average sales tax liabilities for taxpayers in every State. It would then give the taxpayer an option, to deduct either the State income tax or their State sales taxes paid in the previous year.

Frankly, this is nothing new. Before 1986, taxpayers were allowed to use simple tables to deduct their sales tax.

Mr. Speaker, I enter into the RECORD a sample of the form that was used in 1986.

1986 Optional State Sales Tax Tables

If you kept records that show you paid more sales tax than the table for your state indicates, you may claim the higher amount on Schedule A, line 8a.

Your itemized deduction for general sales tax paid can be estimated from these tables plus any qualifying sales taxes paid on the items listed on page 20.

To use the tables:

Step 1—Figure your total available income. Use the total of the amount on Form 1040, line 33, and nontaxable income such as veterans' benefits, workers' compensation, nontaxable part of unemployment compensation or long-term capital gains (however, do not include gains that are nontaxable because they were reinvested in similar property, such as a principal residence), nontaxable part of social security and railroad retirement benefits, dividend exclusion, deduction for a married couple when both work, and public assistance payments.

Step 2—Count the number of exemptions for you and your family. Do not count exemptions claimed for being 65 or over or blind as part of your family size.

Step 3—Find the income line for your state on the tables and read across to find the amount of sales tax for your family size.

Income		Family size						Family size						Family size						Family size						Family size						Family size					
At least	But less than	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5
		Alabama [1]						**Arizona [2]**						**Arkansas [1]**						**California [3]**						**Colorado [2]**						**Connecticut [4]**					
$0	$10,000	128	153	171	184	195	211	143	158	167	174	179	187	151	181	201	217	230	249	167	187	200	210	218	229	43	50	55	58	61	66	141	146	150	153	154	157
10,000	15,000	156	187	208	224	238	258	178	196	208	216	223	233	184	220	244	263	279	302	206	232	248	260	270	284	55	64	70	74	78	83	179	186	191	194	197	200
15,000	20,000	191	229	255	275	292	316	223	245	260	270	279	291	224	268	298	321	340	368	257	288	308	324	336	353	71	82	90	95	100	107	229	239	244	249	252	256
20,000	25,000	223	267	297	320	339	368	263	290	306	319	329	343	260	311	345	372	394	427	303	340	363	381	396	416	85	99	108	115	120	128	276	287	294	299	303	308
25,000	30,000	251	301	335	361	383	415	300	331	350	364	376	392	293	350	389	419	444	480	345	387	414	434	451	474	98	114	125	133	139	149	320	333	341	347	351	357
30,000	35,000	278	334	371	400	424	460	336	370	391	407	420	438	323	386	429	462	490	530	385	432	462	484	503	529	111	129	141	150	157	168	362	376	385	392	397	404
35,000	40,000	303	364	404	436	462	501	369	406	430	447	461	482	351	420	467	503	533	577	422	474	507	532	552	581	124	143	157	167	175	187	402	418	428	435	441	449
40,000	45,000	327	392	436	470	499	541	401	441	467	486	501	523	378	453	503	541	574	621	458	514	550	577	599	630	135	157	172	183	192	205	440	458	469	477	483	492
45,000	50,000	350	420	467	503	534	578	431	475	503	523	540	563	404	483	537	578	612	663	493	553	591	620	643	677	147	171	186	198	208	222	478	497	509	518	525	534
50,000	60,000	382	459	510	550	583	632	475	523	554	576	595	621	440	527	585	630	668	723	542	608	650	682	708	745	164	190	207	221	231	247	532	554	567	577	584	595
60,000	70,000	423	507	564	608	645	699	531	585	619	644	664	693	486	581	646	696	737	798	604	678	725	761	789	831	185	215	234	249	262	279	602	626	641	652	660	672
70,000	80,000	461	553	615	663	703	762	584	643	680	708	730	762	529	633	703	757	802	868	663	744	796	835	866	912	205	238	260	277	290	310	668	696	712	724	734	747
80,000	90,000	498	597	664	716	759	822	634	698	739	769	793	828	569	681	757	815	863	935	720	807	864	906	940	989	225	261	285	303	318	340	733	763	781	794	804	819
90,000	100,000	532	638	710	765	812	880	682	752	795	828	854	891	608	727	808	870	922	998	774	868	928	974	1011	1064	244	284	309	329	345	369	795	828	847	862	873	889
100,000	or more	566	678	754	813	862	935	729	803	850	884	912	952	645	772	857	923	978	1059	826	926	991	1039	1079	1135	263	305	333	354	372	397	856	891	912	927	939	956
Income		**District of Columbia**						**Florida [1]**						**Georgia [1]**						**Hawaii**						**Idaho**						**Illinois [5]**					
$0	$10,000	125	147	162	174	183	197	157	174	184	192	198	207	130	158	176	191	203	221	230	258	277	291	302	318	149	179	200	216	230	250	180	204	220	232	242	256
10,000	15,000	155	183	201	215	227	244	197	217	230	240	248	259	156	189	212	229	244	265	274	308	330	347	360	379	182	219	244	264	280	304	221	251	270	285	297	314
15,000	20,000	193	227	250	268	283	304	247	273	289	301	311	325	188	228	255	276	294	320	328	369	396	415	432	455	223	268	299	323	343	373	272	309	333	351	366	387
20,000	25,000	227	268	295	316	333	358	293	324	343	357	369	385	217	263	294	318	338	368	376	423	453	475	494	520	259	312	348	377	400	434	318	362	390	411	428	453
25,000	30,000	259	306	337	360	380	409	336	371	393	409	423	442	242	294	328	356	378	412	419	471	504	530	550	580	293	353	393	425	451	490	361	410	442	466	485	514
30,000	35,000	289	341	375	402	424	456	376	415	440	459	473	495	266	322	360	390	415	452	458	515	552	579	602	634	324	390	435	470	499	543	400	455	490	517	539	570
35,000	40,000	318	374	412	441	465	500	415	458	485	505	522	545	288	349	390	423	450	489	494	556	596	626	650	685	353	426	475	513	545	592	438	497	536	565	589	623
40,000	45,000	345	406	447	479	505	543	451	498	528	550	568	593	309	374	419	453	482	525	529	595	637	669	695	732	381	459	512	553	588	638	473	538	580	611	637	674
45,000	50,000	371	437	481	515	543	584	487	537	569	593	612	640	329	398	445	482	513	558	561	631	676	710	738	777	407	491	548	592	628	683	507	577	621	655	683	722
50,000	60,000	408	481	529	567	598	643	538	594	629	655	677	707	357	432	483	523	557	606	607	683	732	768	798	841	445	536	598	647	687	746	556	632	681	718	748	792
60,000	70,000	455	536	590	632	666	717	602	665	704	734	758	792	392	474	530	574	611	665	664	747	800	841	873	920	492	594	662	715	760	825	617	701	756	797	830	879
70,000	80,000	499	589	648	694	732	787	664	733	776	809	835	873	424	514	574	622	662	720	717	807	864	908	943	993	537	647	722	780	828	900	675	767	826	871	908	961
80,000	90,000	542	639	703	753	794	854	723	798	845	881	909	950	455	551	616	667	709	772	767	863	925	971	1008	1062	579	698	779	841	894	971	729	829	893	942	981	1039
90,000	100,000	583	687	756	810	854	919	779	860	911	950	980	1024	484	586	655	710	755	822	814	916	981	1031	1070	1128	620	747	833	900	956	1038	782	888	957	1009	1052	1113
100,000	or more	622	733	808	865	912	981	834	921	975	1016	1049	1096	512	620	693	750	798	869	859	967	1036	1087	1129	1190	658	793	885	956	1015	1103	832	946	1019	1074	1120	1185
Income		**Indiana**						**Iowa [1]**						**Kansas [1]**						**Kentucky**						**Louisiana [6]**						**Maine [7]**					
$0	$10,000	169	191	206	217	225	238	134	147	155	161	166	173	118	142	158	171	182	197	118	127	132	136	139	144	105	113	117	121	124	128	117	127	133	137	141	146
10,000	15,000	208	236	253	267	277	293	167	183	193	201	207	215	145	175	195	211	224	243	150	161	168	173	177	182	133	143	149	154	158	163	148	160	168	174	178	185
15,000	20,000	258	291	313	330	343	362	209	229	242	251	259	270	180	217	242	261	278	302	191	205	214	220	226	233	171	183	191	197	202	209	188	204	213	221	226	235
20,000	25,000	302	342	367	387	402	425	248	271	286	298	306	319	211	255	284	307	326	354	229	246	257	264	271	279	205	221	230	237	243	251	225	244	255	264	271	281
25,000	30,000	343	388	417	439	457	482	283	311	328	340	351	365	240	289	323	349	370	402	265	285	297	306	313	323	238	256	267	275	282	291	260	281	295	305	313	324
30,000	35,000	381	431	463	488	507	536	317	347	367	381	392	409	267	322	359	388	412	448	299	321	335	345	353	364	269	289	302	311	318	329	292	317	332	343	352	365
35,000	40,000	417	472	507	534	556	587	349	382	404	419	432	450	293	353	393	425	452	491	332	356	372	383	392	404	299	321	335	346	354	365	324	351	368	380	390	404
40,000	45,000	451	511	549	578	601	635	379	416	439	456	470	489	317	382	426	461	489	531	363	390	407	419	429	443	328	352	368	379	388	401	354	383	402	415	426	442
45,000	50,000	484	548	589	620	645	681	409	448	473	491	506	527	340	410	458	494	525	570	394	423	441	454	465	480	356	382	399	411	421	435	383	415	435	450	461	478
50,000	60,000	531	601	646	680	708	748	451	494	522	542	558	581	374	450	502	543	577	626	438	470	490	505	517	533	396	426	444	458	469	484	425	461	483	499	512	531
60,000	70,000	591	668	718	756	787	831	505	553	584	606	625	650	416	501	559	604	642	697	494	531	553	570	583	602	448	482	503	518	530	548	479	519	544	562	577	598
70,000	80,000	646	731	786	827	861	909	556	609	643	667	687	716	456	549	613	662	703	764	548	589	614	632	647	668	498	535	558	575	589	608	531	575	602	623	639	662
80,000	90,000	700	792	851	896	932	984	604	662	699	726	748	779	493	595	663	717	761	827	600	645	672	692	708	731	546	587	612	631	646	667	580	629	659	681	699	724
90,000	100,000	751	849	913	961	1000	1056	651	714	753	782	806	839	530	639	712	770	817	888	651	699	728	750	768	792	592	637	664	685	701	724	628	680	713	737	756	784
100,000	or more	800	905	972	1024	1065	1125	696	763	805	837	862	897	565	681	759	821	871	947	699	751	783	807	825	852	638	685	715	737	754	779	675	731	766	792	812	842
Income		**Maryland**						**Massachusetts [8]**						**Michigan**						**Minnesota [9]**						**Mississippi**						**Missouri [1]**					
$0	$10,000	103	110	114	117	119	123	81	83	85	86	87	88	131	147	157	165	171	180	117	124	129	132	135	138	247	293	323	347	366	395	139	165	182	195	206	222
10,000	15,000	133	142	147	151	154	158	104	107	109	111	112	113	162	182	194	203	211	222	148	158	163	167	171	175	299	354	390	419	442	476	170	201	222	239	252	272
15,000	20,000	173	184	191	196	200	206	134	138	141	143	144	147	201	225	241	252	261	275	189	201	208	213	217	223	362	429	473	508	536	578	208	247	273	293	309	333
20,000	25,000	210	224	232	238	243	250	162	168	171	173	175	178	236	264	282	296	307	323	227	241	249	256	261	268	418	495	546	586	619	667	243	288	318	341	360	388
25,000	30,000	245	261	271	278	284	292	189	195	199	202	204	207	268	300	321	336	349	367	262	278	288	295	301	309	469	555	613	657	694	748	274	325	359	385	407	439
30,000	35,000	279	297	309	317	323	332	215	222	226	229	232	235	298	334	357	374	388	408	295	314	325	333	339	349	516	611	674	723	764	823	304	360	397	427	451	486
35,000	40,000	312	332	345	354	361	371	240	247	252	256	258	262	327	366	391	410	425	447	327	348	360	369	376	386	560	663	732	785	829	894	331	393	434	465	491	530
40,000	45,000	344	366	380	390	398	409	263	272	277	281	284	288	354	396	424	444	461	484	358	380	394	404	412	423	602	712	786	844	891	960	357	424	468	502	530	572
45,000	50,000	375	399	414	425	434	446	287	296	302	306	309	314	380	426	455	477	494	520	388	412	427	438	446	458	641	759	838	899	949	1023	382	453	501	537	567	612
50,000	60,000	420	447	464	476	486	500	321	331	338	342	346	351	417	467	499	524	543	571	431	458	474	486	496	509	698	826	912	978	1032	1113	418	496	547	587	620	669
60,000	70,000	478	509	528	542	553	569	364	376	384	389	393	399	464	520	556	582	604	635	486	516	535	548	559	574	768	909	1003	1076	1136	1224	463	549	606	650	687	740
70,000	80,000	534	569	590	606	618	636	406	420	428	434	438	444	509	570	609	638	662	696	539	573	593	608	620	636	833	986	1089	1168	1233	1329	505	598	661	709	749	808
80,000	90,000	589	627	650	667	681	700	447	462	471	477	482	489	551	617	659	691	717	754	590	627	649	665	678	697	895	1060	1170	1254	1324	1428	545	646	713	765	308	872
90,000	100,000	642	683	709	728	743	764	486	503	512	519	525	532	591	662	708	742	770	809	639	679	703	721	735	755	954	1129	1246	1337	1412	1521	583	691	763	819	865	933
100,000	or more	693	738	766	786	802	825	525	542	553	560	566	574	630	706	755	791	820	863	687	729	756	775	790	811	1010	1196	1320	1416	1495	1611	620	734	811	870	919	991

(See footnotes on next page.)

1986 Optional State Sales Tax Tables—*Continued*

Income		Nebraska [1]						Nevada [1]						New Jersey						New Mexico [1]						New York [10]						North Carolina [11]					
		Family size						Family size						Family size						Family size						Family size						Family size					
At least	But less than	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5	1	2	3	4	5	Over 5
$0	$10,000	102	112	119	125	129	135	122	132	138	142	145	150	106	110	112	113	114	116	196	232	255	274	288	310	124	136	143	148	153	159	158	191	213	231	245	267
10,000	15,000	126	140	148	155	160	167	156	168	176	181	185	192	138	142	145	147	149	151	240	283	312	334	352	379	156	170	179	186	192	200	190	230	257	278	296	322
15,000	20,000	157	174	185	193	199	209	201	216	226	233	238	246	180	186	190	192	194	197	295	348	383	410	433	466	196	215	226	235	242	252	230	278	311	337	358	390
20,000	25,000	186	206	218	228	235	246	243	261	272	281	288	297	220	227	231	235	237	240	343	405	447	478	505	543	233	255	269	279	288	299	266	321	359	389	413	450
25,000	30,000	212	235	249	260	269	281	282	303	316	326	334	345	258	266	271	275	278	282	388	458	505	541	570	614	268	293	309	321	330	344	298	360	403	436	464	505
30,000	35,000	237	262	278	290	300	314	319	343	358	369	378	391	295	304	310	314	317	322	430	507	559	599	631	680	301	329	347	360	371	386	327	396	443	480	510	555
35,000	40,000	260	288	306	319	330	345	355	382	399	411	421	435	330	341	347	352	356	361	469	553	610	653	689	742	332	363	383	398	409	426	355	430	481	520	553	602
40,000	45,000	282	313	332	346	358	374	390	419	438	451	462	477	364	376	384	389	393	398	506	597	658	705	744	800	362	396	418	434	446	465	381	462	516	559	594	647
45,000	50,000	304	336	357	373	385	403	424	456	476	490	502	519	398	411	419	425	429	435	542	639	704	755	796	857	391	428	451	468	482	502	406	492	550	595	633	689
50,000	60,000	334	371	393	410	424	444	473	508	531	547	560	578	447	462	471	477	482	489	592	699	770	825	870	937	432	473	499	518	533	555	442	535	598	647	688	749
60,000	70,000	373	414	439	458	473	495	535	576	601	620	634	655	511	528	538	545	551	558	656	774	853	914	964	1037	485	531	560	581	598	623	486	588	658	712	757	824
70,000	80,000	410	454	482	503	520	544	596	641	669	689	706	729	572	591	602	610	617	626	716	845	931	997	1052	1132	536	586	618	642	661	687	527	638	713	772	821	894
80,000	90,000	446	494	524	547	565	591	654	703	734	757	775	800	632	653	665	674	681	691	773	912	1005	1076	1135	1222	584	639	674	700	720	749	566	685	766	829	882	960
90,000	100,000	479	531	564	588	608	636	710	764	798	822	842	870	691	713	727	737	744	755	827	976	1075	1152	1215	1307	631	690	728	755	778	809	603	730	816	884	940	1022
100,000	or more	512	567	602	628	649	679	765	824	860	886	907	937	748	772	787	798	806	817	879	1037	1143	1224	1291	1390	676	740	780	809	833	867	639	773	864	935	995	1082

Income		North Dakota [1]						Ohio [1]						Oklahoma [1]						Pennsylvania						Rhode Island						South Carolina					
$0	$10,000	95	105	111	116	120	125	119	128	133	137	141	145	111	132	145	156	164	177	109	114	117	119	121	123	117	121	124	125	127	129	163	196	217	234	248	269
10,000	15,000	120	132	140	146	151	158	151	162	169	175	179	184	136	161	177	190	201	216	139	145	149	152	154	158	149	154	157	159	161	164	198	237	263	283	300	325
15,000	20,000	152	168	178	186	192	200	193	207	216	223	228	236	167	197	218	233	246	265	178	187	192	196	199	203	190	197	201	204	206	210	240	288	320	344	365	395
20,000	25,000	182	201	213	222	229	239	232	249	260	268	274	283	194	230	253	272	287	309	215	226	232	236	240	245	228	237	241	245	248	252	278	333	370	398	422	457
25,000	30,000	210	232	245	256	264	276	268	288	301	310	317	327	220	260	286	307	324	349	250	262	269	274	278	284	264	274	280	284	287	292	312	374	415	447	474	514
30,000	35,000	236	261	276	288	297	311	303	325	340	350	358	370	243	287	317	340	358	386	284	297	305	311	316	322	299	309	316	321	324	329	344	412	457	493	522	566
35,000	40,000	261	289	306	319	329	344	336	361	377	388	397	410	265	313	346	370	391	421	316	330	339	346	351	358	332	344	351	356	360	366	373	447	497	536	568	615
40,000	45,000	285	315	334	348	360	376	368	396	413	425	435	450	286	338	373	400	422	454	347	363	373	380	386	394	363	377	384	390	395	401	401	481	534	576	610	661
45,000	50,000	309	341	362	377	389	407	399	429	448	461	472	488	306	362	399	427	451	486	377	394	405	413	419	428	394	408	417	423	428	435	428	513	570	614	651	705
50,000	60,000	343	379	401	418	432	451	444	477	498	513	525	542	335	395	436	467	493	531	420	440	452	461	468	477	439	455	464	471	476	484	466	558	620	669	708	768
60,000	70,000	386	426	452	471	486	508	501	539	562	580	593	613	370	438	483	517	546	588	476	499	512	522	530	541	496	514	524	532	538	547	513	615	683	736	780	846
70,000	80,000	427	472	500	521	538	562	557	598	624	643	658	680	404	477	526	564	595	641	530	555	570	581	590	602	551	570	582	591	598	607	558	668	742	800	848	919
80,000	90,000	467	516	547	570	588	615	610	655	684	705	721	745	436	515	568	609	642	692	582	609	626	638	648	661	603	625	638	648	655	665	600	718	798	860	912	988
90,000	100,000	505	558	591	616	636	665	661	711	741	764	782	808	466	551	608	651	687	740	633	662	680	694	704	718	654	678	692	702	710	722	640	766	851	917	972	1053
100,000	or more	542	599	635	662	683	714	711	764	797	822	841	869	495	585	646	692	730	786	682	714	733	747	759	774	704	729	745	756	764	776	678	812	902	972	1030	1116

Income		South Dakota [2]						Tennessee [1]						Texas [1]						Utah [12]						Vermont						Virginia [13]					
$0	$10,000	162	192	211	226	238	256	190	224	247	265	279	301	101	111	118	122	126	132	188	223	246	264	279	301	56	65	71	76	80	85	122	147	164	177	188	204
10,000	15,000	198	234	258	276	291	313	232	274	302	324	341	367	127	140	149	155	160	167	229	272	300	322	340	367	71	83	91	97	102	109	149	179	200	216	229	249
15,000	20,000	243	287	316	339	357	384	285	337	371	397	419	451	162	178	189	197	203	212	281	333	368	395	417	450	91	106	116	124	130	140	182	219	244	264	280	304
20,000	25,000	284	334	368	394	416	448	332	392	432	463	488	526	194	214	226	236	243	254	327	388	429	460	486	524	110	128	140	149	157	168	211	254	284	306	325	353
25,000	30,000	320	378	416	446	470	506	376	443	489	523	552	594	223	247	261	272	281	293	370	438	484	519	549	592	127	148	162	173	182	195	238	287	320	345	367	398
30,000	35,000	355	418	461	493	520	560	416	491	541	580	611	658	252	278	294	306	316	330	409	485	536	575	607	655	144	168	184	196	206	220	263	317	353	382	405	440
35,000	40,000	387	456	502	538	567	611	454	536	590	633	667	718	279	308	326	339	350	366	446	529	584	627	662	714	160	186	204	218	229	245	287	345	385	416	441	479
40,000	45,000	417	492	542	581	612	659	490	578	637	683	720	775	305	336	356	371	383	400	481	570	630	676	714	770	175	205	224	239	251	269	309	372	415	448	476	516
45,000	50,000	447	527	580	621	655	705	525	619	682	731	771	830	330	364	386	402	415	433	515	610	674	724	764	824	190	222	243	259	272	291	330	398	443	479	508	552
50,000	60,000	488	576	634	679	716	771	574	677	746	799	843	907	367	405	428	446	461	481	563	667	737	791	835	901	212	247	271	289	303	325	360	434	484	523	555	602
60,000	70,000	541	638	702	752	793	853	635	750	826	885	933	1005	413	456	483	503	519	542	623	738	815	875	924	997	240	280	306	326	343	367	398	479	535	577	613	666
70,000	80,000	590	695	766	820	865	931	693	818	901	966	1018	1096	458	505	535	557	575	601	679	805	889	954	1008	1087	266	311	340	363	381	408	434	522	582	629	668	725
80,000	90,000	636	750	827	885	933	1004	748	883	973	1042	1099	1183	500	552	585	609	629	657	733	869	959	1030	1088	1173	292	341	373	398	418	448	467	563	627	678	719	781
90,000	100,000	681	803	884	947	999	1074	801	945	1041	1115	1177	1266	542	598	633	660	681	711	784	929	1026	1102	1164	1255	317	370	405	432	454	486	500	601	671	724	769	835
100,000	or more	724	853	940	1006	1061	1142	851	1005	1107	1186	1251	1346	582	642	680	708	731	764	833	987	1091	1170	1236	1333	342	398	436	465	489	523	530	639	712	769	816	886

Income		Washington [14]						West Virginia					
$0	$10,000	177	190	199	205	210	217	152	165	172	178	183	189
10,000	15,000	227	245	256	264	270	279	191	207	217	224	229	238
15,000	20,000	293	316	330	341	349	361	242	261	274	283	290	300
20,000	25,000	355	383	400	413	423	437	288	311	326	337	345	358
25,000	30,000	414	446	466	481	493	510	331	358	375	387	397	411
30,000	35,000	470	507	530	547	560	579	372	402	421	435	446	462
35,000	40,000	525	566	591	610	625	646	411	444	465	481	493	510
40,000	45,000	577	622	650	671	687	710	448	485	507	524	538	557
45,000	50,000	628	677	708	730	748	773	484	524	548	566	581	602
50,000	60,000	703	758	792	817	836	865	536	580	607	627	643	666
60,000	70,000	798	861	899	928	950	982	602	651	682	705	723	748
70,000	80,000	890	960	1003	1035	1060	1096	665	720	753	778	798	827
80,000	90,000	980	1056	1103	1138	1166	1205	726	785	822	849	871	902
90,000	100,000	1066	1150	1201	1239	1269	1312	784	848	888	918	941	975
100,000	or more	1151	1241	1296	1337	1370	1416	841	909	952	984	1009	1045

Income		Wisconsin [15]						Wyoming [1]					
$0	$10,000	142	151	156	159	162	167	115	137	152	163	172	186
10,000	15,000	180	191	197	202	206	211	140	166	184	198	209	226
15,000	20,000	230	244	252	258	263	269	170	203	224	241	255	275
20,000	25,000	276	292	302	309	315	323	198	235	260	279	295	319
25,000	30,000	319	338	349	358	364	373	223	265	293	315	333	359
30,000	35,000	360	381	394	403	411	421	246	292	323	347	367	396
35,000	40,000	399	423	437	447	456	467	267	318	351	378	399	431
40,000	45,000	437	463	478	490	499	512	288	342	378	407	430	464
45,000	50,000	474	501	518	531	541	554	307	365	404	434	459	496
50,000	60,000	527	558	576	590	601	616	335	398	440	473	500	540
60,000	70,000	594	629	650	666	678	696	369	439	486	522	552	596
70,000	80,000	659	698	721	739	752	771	402	478	529	568	601	649
80,000	90,000	722	764	790	809	823	845	433	515	569	612	647	698
90,000	100,000	782	828	856	876	892	915	462	549	608	653	691	746
100,000	or more	841	890	920	942	959	984	490	583	645	693	733	791

[1] Local sales taxes are not included. Add an amount based on the ratio between the local and state sales tax rates, considering the number of months each rate has been in effect.

[2] Local sales taxes are not included. Add the amount paid.

[3] The 1¼ percent local sales tax is included. If a ½ of 1 percent local sales tax for transportation is paid all year (Alameda, Contra Costa, Los Angeles, San Francisco, San Mateo, and Santa Cruz Counties), add 8 percent of the table amounts. For Santa Clara County, add 17 percent of the table amounts.

[4] Sales tax paid on any item of clothing costing $75 or more may be added to the table amounts.

[5] Sales tax paid on electricity and natural gas is not included. Sales tax paid on these items may be added to the table amounts only if it is paid at the general sales tax rate. The Illinois table is based on a combined 6 percent rate (5 state, 1 local). Residents of Du Page, Kane, Lake, McHenry, and Will Counties may add 5 percent; Cook County may add 19 percent; Chicago may add an additional 19 percent of the table amount. For other local sales taxes, see footnote 1.

[6] If your local sales tax applies to food for home consumption, check your local newspaper during mid-January for the correct deduction. Otherwise, see footnote 1.

[7] Sales tax paid on 750 KWH or more of electricity per month may be added to the table amounts.

[8] Sales tax paid on any item of clothing costing $175 or more may be added to the table amounts.

[9] Sales tax paid on purchases of natural gas or electricity may be added to the table amounts. For local sales tax, see footnote 1.

[10] Local sales taxes are not included. If paid all year, add 26 percent of the table amount for each 1 percent of local sales tax rate. Otherwise, use a proportionate amount. For New York City, add 107 percent of the table amount.

[11] The North Carolina table is based on a combined 4½ percent rate (3 state, 1½ local). If the ½ of 1 percent local sales tax is not paid, subtract 10 percent of the table amount.

[12] The Utah table is based on a 5½ percent combined state and local rate. If the ¼ percent county sales tax for transportation is paid all year, add 5 percent of the table amount. Otherwise, see footnote 1.

[13] Local 1 percent sales tax is included.

[14] The Washington table is based on a combined 7 percent rate (6.5 state, 0.5 local). For local sales tax, in addition to the ½ of 1 percent included in the table, see footnote 1.

[15] Sales tax paid on the purchase of natural gas or electricity (May through October) may be added to the table amounts. For local sales tax, see footnote 1.

Critics might suggest this would make the tax code more complex. I am the last to want to make the tax code more complex and in fact I will work vigorously to simplify that code. But the bill I am introducing today does not complicate the tax code. It adds one very simple line to one simple form already filled out by a taxpayer itemizing his or her deductions. Adding that line will save our taxpayers hundreds of dollars every year. For clarity, I will submit that Schedule A for the RECORD as well.

SCHEDULES A&B (Form 1040)

Department of the Treasury Internal Revenue Service (99)

Schedule A—Itemized Deductions

(Schedule B is on back)

▶ Attach to Form 1040. ▶ See Instructions for Schedules A and B (Form 1040).

OMB No. 1545-0074

1998

Attachment Sequence No. 07

Name(s) shown on Form 1040 | Your social security number

Medical and Dental Expenses		**Caution:** *Do not include expenses reimbursed or paid by others.*		
	1	Medical and dental expenses (see page A-1)	1	
	2	Enter amount from Form 1040, line 34 . 2		
	3	Multiply line 2 above by 7.5% (.075)	3	
	4	Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-		4
Taxes You Paid (See page A-2.)	5	State and local income taxes	5	
	6	Real estate taxes (see page A-2)	6	
	7	Personal property taxes	7	
	8	Other taxes. List type and amount ▶	8	
	9	Add lines 5 through 8		9
Interest You Paid (See page A-3.)	10	Home mortgage interest and points reported to you on Form 1098	10	
	11	Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see page A-3 and show that person's name, identifying no., and address ▶	11	
Note: Personal interest is not deductible.	12	Points not reported to you on Form 1098. See page A-3 for special rules	12	
	13	Investment interest. Attach Form 4952 if required. (See page A-3.)	13	
	14	Add lines 10 through 13		14
Gifts to Charity	15	Gifts by cash or check. If you made any gift of $250 or more, see page A-4	15	
If you made a gift and got a benefit for it, see page A-4.	16	Other than by cash or check. If any gift of $250 or more, see page A-4. You **MUST** attach Form 8283 if over $500	16	
	17	Carryover from prior year	17	
	18	Add lines 15 through 17		18
Casualty and Theft Losses	19	Casualty or theft loss(es). Attach Form 4684. (See page A-5.)		19
Job Expenses and Most Other Miscellaneous Deductions	20	Unreimbursed employee expenses—job travel, union dues, job education, etc. You **MUST** attach Form 2106 or 2106-EZ if required. (See page A-5.) ▶	20	
	21	Tax preparation fees	21	
(See page A-6 for expenses to deduct here.)	22	Other expenses—investment, safe deposit box, etc. List type and amount ▶	22	
	23	Add lines 20 through 22	23	
	24	Enter amount from Form 1040, line 34 . 24		
	25	Multiply line 24 above by 2% (.02)	25	
	26	Subtract line 25 from line 23. If line 25 is more than line 23, enter -0-		26
Other Miscellaneous Deductions	27	Other—from list on page A-6. List type and amount ▶		27
Total Itemized Deductions	28	Is Form 1040, line 34, over $124,500 (over $62,250 if married filing separately)? **NO.** Your deduction is not limited. Add the amounts in the far right column for lines 4 through 27. Also, enter on Form 1040, line 36, the **larger** of this amount or your standard deduction. **YES.** Your deduction may be limited. See page A-6 for the amount to enter. ▶		28

For Paperwork Reduction Act Notice, see Form 1040 instructions. Cat. No. 11330X **Schedule A (Form 1040) 1998**

If you look simply at line 5 of Schedule A, you see where people who pay income taxes to their State can deduct that, and you will see there is no line for Washington State taxpayers or taxpayers in similar States to deduct their sales tax.

This is not a complicated bill. It is a very simple bill, it is a fair bill and I would urge my colleagues to support it. We have an obligation to treat citizens fairly at the Federal level. That is why I am here, to fight for simple fairness.

This is the second time I have stood here in this well in less than a month to sponsor legislation that will protect our citizens from being subjected to unfair taxation. I will come back to the well of this House again and again until we achieve that standard.

I hope that my colleagues will see the wisdom of this fair proposal and that we can take swift action to restore this common-sense option. I invite them to join me in this effort for the simple reason that it is the right thing to do.

ON NATIONAL SECURITY

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

Mr. NETHERCUTT. Mr. Speaker, I rise this afternoon out of concern for the State of America's national security. I do not want to speak directly to the ongoing operations in Kosovo today, although I am deeply troubled by the enormous uncertainties that seem to be the consequence of a poorly planned policy. Instead, I want to address the consequences of Kosovo on the U.S. military presence worldwide. I believe we are facing a period of unacceptable risk.

Our armed forces are spread across the globe, from South Korea to Latin America. We are engaged in areas that are clearly essential to American security and in areas that are clearly tangential to our security. We are engaged in what are essentially two air wars on two continents at the same time to which we are asking combat engineers to devote themselves to building roads and bridges. We are deterring invasion and we are garrisoning in support of peace agreements.

What we must consider is whether we are doing too much and we spread too thin. Historically we have been warned of the dangers of ''imperial overstretch.'' Unfortunately, I have fears that we are reaching such a point today. I do not want to call for retrenchment or retreat, but we must ask if we have gone too far and if we have asked too much of the armed forces. If we have, it is the job of Congress and the administration to work together to identify solutions.

In 1997, the Quadrennial Defense Review reaffirmed the requirement that the U.S. must be prepared to fight two nearly simultaneously major theater wars while also staying ready for lesser contingencies. I have argued in Congress that the available funding for the Department of Defense has been inadequate to meet those requirements.

When the United States fought the 1991 Persian Gulf War, we had about 3.2 million soldiers in the active and reserve components. Ten years later, today, we have 900,000 fewer men and women in uniform.

□ 1645

The Army, which has been tasked with the responsibility of maintaining the majority of our overseas presence, has seen its active duty end strength fall by some 40 percent since 1991. Today we maintain as a matter of national strategy 100,000 troops in Asia and another 100,000 troops in Europe. We now have more than 20,000 personnel actively engaged in Operation Allied Force, and nearly 40,000 personnel are engaged in an astonishing 20 other operations around the world today, and the situation today varies only slightly from the breakneck operational pace since the Persian Gulf War. A recent Congressional Research Service report counts 28 different contingency operations from 1991 until now at a cost of nearly $18 billion. The President has committed our resources to these operations.

The Air Mobility Command Base in my hometown of Spokane at Fairchild is an example of this extraordinary intensive operational tempo. Fairchild is kept very busy supporting KC–135 aerial refueling tankers from 16 different locations around the world. Ninety-seven percent of the total crew force from the 92nd Airlift Wing is deployed today.

We are trying to maintain this level of international presence with increasingly ancient equipment. The KC–135's based at Fairchild have an average age of 37 years. There is no planning for replacement largely because there are no funds available. The B–52s, which were also once based at Fairchild, are slightly older, yet the Air Force intends to keep them in the inventory until 2040. No replacement is in sight, another victim of dramatically smaller defense budgets. Despite the intensive operational pace, defense spending has fallen 30 percent from Fiscal Year 1991 levels and 40 percent from Fiscal Year 1985 levels.

As we overcommit our forces to tangential operations around the globe, the risk increases. Troops deployed in Haiti cannot immediately support missions in Korea, and troops trained to keep the peace in Bosnia are not combat ready if they are called upon to defend Kuwait.

A rubber band can only be stretched so far before it breaks, and I fear we are nearing that point. Mr. Milosevic called the Clinton administration's bluff in Kosovo, and 3 weeks ago American forces were pitched into a war we had not planned for and lacked the resources to immediately support. What would formerly have been considered a lesser contingency has now tied down a significant number of our conventional combat power.

General Clark's recent request for reinforcements is for a total of 800 planes in the region, tying up nearly seven combat air wings out of a total of 20 in Europe. Our most important assets are committed. We have heavily taxed our available airlift. It is all tied up with supporting our forces and the refugees in Kosovo. There is no carrier battle group providing coverage in Northeast Asia because of the need to support the Balkan mission. We have nearly expended all available air launched cruise missiles, and both the Air Force and the Navy have submitted emergency requests to replenish depleted stores.

Now it looks like the President is going to be calling up the Reserves to support this mission, the first call-up since the Persian Gulf War. Can we sustain this pace? It is very questionable. We must fund it if we are going to sustain it.

The services have presented the National Security Appropriations Subcommittee a list of unfunded requirements that amounts to over $7 million a year, and these funds are needed just to meet the military's most critical needs, not considering any of the shortfalls that have emerged in the last few weeks. This is a serious situation and supplemental funding should include not just the costs of the operation, but also the critical funds that the military needs to step back from the brink to which it has been pushed. We must reverse continued deterioration of our Armed Forces.

FEDERAL EMPLOYEES GROUP LONG-TERM CARE INSURANCE ACT OF 1999

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

Mr. CUMMINGS. Mr. Speaker, the provision of long-term care insurance coverage to Federal employees is an important priority for me as ranking member of the Subcommittee on Civil Service. On January 6, I introduced H.R. 110, the Federal Employees Group Long-Term Care Insurance Act of 1999. My bill is one of four elements of the comprehensive long-term care package proposed earlier this year by President Clinton.

H.R. 110 would authorize the Office of Personnel Management to purchase a policy or policies from one or more qualified private sector contractors to make long-term care insurance available to Federal employees, retirees and eligible family members at group rates. Coverage would be paid for entirely by those who elect it.

The Clinton administration and I support modifying H.R. 110 to extend long-term care coverage to employees of the United States Postal Service, active duty military personnel, military retirees and their families. I believe that extending coverage to Postal employees and military personnel would make the risk larger and more diverse and would help keep costs down.

All participants other than active employees and active duty military personnel would be fully underwritten, as is standard practice with products of this kind. Coverage made available to individuals would be guaranteed renewable and could not be canceled except for nonpayment of premiums. Though each participant would be responsible for paying the full amount of their premiums based on age at time of enrollment, group rates will save an estimated 15 to 20 percent off the costs of individual long-term insurance care policies.

OPM will be responsible for the administrative costs of the program, which is estimated to be only $15 million over a 5-year period. This would include developing and implementing a program to educate employees about long-term care insurance. Extending OPM's market efforts to postal employees, active duty military personnel and retirees would, however, increase first year administrative costs above what is included in this estimate.

To date, the Subcommittee on Civil Service has held three hearings on offering long-term care insurance as a benefit option for Federal employees. We have heard the testimony of people who have had to bear the tremendous costs of providing long-term care for a loved one. We have heard testimony from the Office of Personnel Management on long-term care insurance carriers, about the best approach for implementing a long-term care program for Federal employees.

At the subcommittee's most recent hearing in Jacksonville, Florida, which was held just a week ago, I heard from witnesses who testified how important it is for Americans to invest in long-term care insurance, particularly women. A study last week found that women are more vulnerable to the financial and emotional strains associated with long-term care. Women live longer, generally earn less than men, save less for their retirement, receive lower Social Security payments, and are often caregivers when a family member becomes ill or infirm.

The American Health Care Association commissioned a national telephone survey of 800 adult Americans between the ages of 34 and 52 years of age, baby boomers, in September of 1998. As it pertains to women, the study found the following:

Among baby boomers, men save on the average of one-third more than women save for their retirement. More than one-third of all boomer women expect to be a caregiver for a family member. Female boomer caregivers are almost twice as likely to expect to provide care for a parent or in-law as they are to provide it for their husband. Half of the women in the study said that they had to reduce the number of hours they worked and give up space in their homes to provide this care. In addition, sizeable percentages said that they had to hire nursing help, incur large expenses, and quit their jobs or take a leave of absence as a result of their caregiving responsibilities.

More than 7 in 10 female boomers say that they are concerned about saving enough for retirement, while nearly two-thirds say they are concerned about saving enough to pay for long-term care. Finally, 58 percent of boomers support the idea of offering quality long-term care insurance to Federal employees to set a national example to encourage businesses to offer this benefit to their employees.

I believe that H.R. 110 will help to raise the general public's awareness of the need for long-term care insurance and underscore the limitations associated with the reliance on Medicaid for one's long-term care needs.

SENDING GROUND TROOPS TO KOSOVO WOULD COMPOUND A HUGE FOREIGN POLICY ERROR

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

Mr. DUNCAN. Mr. Speaker, last night on the CNN national news the anchor woman said that Congress did not question the costs of the Kosovo-Serbia bombings, implying total support. That very morning, however, the Congressional Quarterly had a headline that said, ''Congress Eyes Cost of U.S. Role in Kosovo.''

There probably is no question that this money will be approved. However, it is simply wrong to imply that no Members of Congress question these costs.

We are now being told that we will soon be asked to approve $4 billion for the costs of our air war. One estimate is that ground troops and reconstruction costs could soon total $10 billion. This is money that will have to be taken from other programs and from American taxpayers, and if we have to stay in there to preserve the peace for many years to come, the costs could just become unbelievable. Many Members of Congress feel it was a horrible mistake to get into this mess in the first place and that our bombings have made a bad situation many times worse than if we had simply offered humanitarian aid.

CNN and much of our liberal national media may want a much bigger role. The American people want out of there, the sooner the better.

Yesterday a Democratic Member of the House sat down next to me and said, ''I don't know who these people are polling. Everyone in my district is strongly opposed to this war.''

In just the past couple of days, Mr. Speaker, I have had similar comments made to me from both Democratic and Republican Members of the House from Missouri, Virginia, New York, Kentucky, Arizona, Maryland, Alabama, California, North Carolina and Florida. I have not been seeking these comments. I have been taking no formal survey. But Members of the House have been telling me that their constituents are almost totally opposed to this war in Serbia and Kosovo.

Our colleague, the gentleman from Iowa (Mr. GANSKE) was on the C-Span Washington Journal yesterday morning. He said he has had over 1,000 people in town meetings over the recess and that when he asked how many favored ground troops in Kosovo, only 10 people raised their hands.

Last Thursday morning this same question was asked on the leading talk radio show in Knoxville. Only one call came in favor of ground troops, yet the national media has this drumbeat going for a bigger, longer, more expensive war. Heaven help us if part of this is about ratings, or so some of our leaders can prove how powerful they are, or to leave some great legacy as world statesman.

I believe this is going to go down as one of the great miscalculations in American history and certainly one of the most expensive. We have turned NATO from a purely defensive organization into an aggressor force for the first time in history, and one that has attacked a sovereign nation for the first time in history.

With our bombings in Iraq, Afghanistan, the Sudan and now Serbia and Kosovo, we are bombing nations which have not threatened us in any way, which have not jeopardized our national security and where we have no vital U.S. interests, and we are quickly turning people who would like to be our friends into bitter enemies of the United States. We have taken a bad situation and made it many times worse by our bombings and have created a huge refugee crisis in the process, and all of this was done by the President apparently against the advice of his top military advisers and against the advice of the head of the CIA.

The Christian Science Monitor, the National Journal and many other leading publications and columnists have pointed out that there are at least 30 or 40 other conflicts, small wars, going on all over this world right now, several far worse than Kosovo before we started bombing. Our policy should have been, Mr. Speaker, and should be now: humanitarian aid, yes; bombings and ground troops, no.

The U.S. was doing 68 percent of the bombing before General Clark requested 300 more planes. If the majority in Congress wants to send ground troops in and, I think, ignore their constituents in the process, then let the Europeans lead for once. We do not have to carry the entire burden. Those who wanted to expand NATO membership a few months ago to bring in Poland and Czechoslovakia and Hungary should call on those countries to supply troops. They have done nothing so far, and it is obvious that NATO would not be doing all of this or any of this were it not for U.S. insistence.

One of our leading columnists, Mr. Speaker, wrote a couple of days ago these words:

''Three weeks into Bill Clinton's Balkan adventure, and America risks a debacle. The human rights crisis in Kosovo has exploded into a catastrophe. Slobodan Milosevic is being rallied around like some Serbian Churchill, Montenegro and Macedonia are destabilized, Russia is being swept by anti-American jingoism, and U.S. troops may have to go marching into the big muddy. Such are the fruits of Utopian crusades for global democracy.''

Mr. Speaker, several times over the last few days I have heard reports on national networks saying that Members of Congress were getting ''antsy'' about not committing ground troops to Kosovo. The implication is that all of the Members of Congress want ground troops in there immediately.

I believe it was a terrible mistake to start bombing in the first place, and it certainly would be compounding a huge error to place many thousands of ground troops in there now.

As many columnists have pointed out, the NATO bombings have made this situation much worse than it ever would have been if we had simply stayed out. The very liberal Washington Post Columnist, Richard Cohen, wrote, ''I believe, though, that the NATO bombings have escalated and accelerated the process. For some Kosovars, NATO has made things worse.''

Pat M. Holt, a foreign affairs expert writing in the Christian Science Monitor, wrote, ''The first few days of bombing have led to more atrocities and to more refugees. It will be increasing the instability which the bombing was supposed to prevent.''

Philip Gourevitch, writing in the April 12 New Yorker Magazine, said: ''Yet so far the air war against Yugoslavia has accomplished exactly what the American-led alliance flew into combat to prevent: Our bombs unified the Serbs in Yugoslavia, as never before, behind the defiance of Milosevic; they spurred to a frenzy the 'cleansing' of Kosovo's ethnic Albanians by Milosevic's forces; they increased the likelihood of the conflict's spilling over into Yugoslavia's south-Balkan neighbors; and they hardened the hearts of much of the non-Western World against us—not least in Russia, where passionate anti-Americanism is increasing the prospects for the right-wing nationalists of the Communist Party to win control of the Kremlin and its nuclear arsenal in coming elections.''

Many conservative analysts have been very critical. Thomas Sowell wrote: ''Already our military actions are being justified by the argument that we are in there now and cannot pull out without a devastating loss of credibility and influence in NATO and around the world. In other words, we cannot get out because we have gotten in. That kind of argument will be heard more and more if we get in deeper.

''Is the Vietnam War so long ago that no one remembers? We eventually pulled out of Vietnam,'' Mr. Sowell wrote, ''under humiliating conditions with a tarnished reputation around the world and with internal divisiveness and bitterness that took years to heal. Bad as this was, we could have pulled out earlier with no worse consequences and with thousands more Americans coming back alive.''

Mr. Sowell asks, ''Why are we in the Balkans in the first place? There seems to be no clear-cut answer.''

William Hyland, a former editor of Foreign Affairs Magazine, writing in the Washington Post said, ''The President has put the country in a virtually impossible position. We cannot escalate without grave risks. If the President and NATO truly want to halt ethnic cleansing, then the alliance will have to put in a large ground force or, at a minimum, mount a credible threat to do so. A conventional war in the mountains of Albania and Kosovo will quickly degenerate into a quagmire. On the other hand, the United States and NATO cannot retreat without suffering a national and international humiliation. * * * the only alternative is to revive international diplomacy.''

Mr. Hyland is correct, but unfortunately I am afraid that ground troops in Kosovo would be much worse than a quagmire. Former Secretary of State Lawrence Eagleberger was quoted on a national network last week as saying that the Bush administration had closely analyzed the situation in the Balkans in the early 1990s and had decided it was a ''swamp'' into which we should not go.

NATO was established as a purely defensive organization, not an aggressor force. With the decreased threat from the former Soviet Union, was NATO simply searching for a mission? Were some national officials simply trying to prove that they are world statesmen or trying to leave a legacy?

The United States has done 68 percent of the bombing thus far. This whole episode, counting reconstruction and resettlement costs after we bring Milosevic down, will cost us many billions.

IIf there have to be ground troops, let the Europeans take the lead. Do not commit United States ground troops. Let the Europeans do something. The U.S. has done too much already. Humanitarian aid, yes; bombs and ground troops, no.

[From the Washington Post, Feb. 13, 1999]

THE MESS THEY'VE MADE

(By Patrick J. Buchanan)

Three weeks into Bill Clinton's Balkan adventure and America risks a debacle. The human rights crisis in Kosovo has exploded into a catastrophe. Slobodan Milosevic is being rallied around like some Serbian Churchill. Montenegro and Macedonia are destabilized; Russia is being swept by anti-American jingoism; and U.S. troops may have to go marching into the Big Muddy.

Such are the fruits of Utopian crusades for global democracy.

The great lesson of Vietnam was: Before you commit the army, commit the nation. Clinton and Madeleine Albright launched a war against Yugoslavia with the support of neither.

Yet this debacle is not their doing alone. It is a product of the hubris of a foreign policy elite that has for too long imbibed of its own moonshine about America being the ''world's last superpower'' and ''indispensable nation.'' Even as we slashed our defenses to the smallest fraction of GDP since before Pearl Harbor, the rhetoric has remained triumphalist, and the commitments have kept on coming.

Responsibility must be shared by Congress, for Clinton's intent to launch this Balkan war was long apparent. Yet Congress failed either to authorize war or deny the president the right to attack.

With Milosevic still defying NATO, we are admonished that ''failure is not an option.'' the United States must do ''whatever is necessary to win.'' Otherwise, NATO's credibility will be destroyed.

But this is mindlessness. If the war was a folly to begin with, surely, the answer is to cut our losses and let the idiot-adventurers who urged the attack resign to write their memoirs, rather than send 100,000 U.S. troops crashing into the Balkans to save the faces and careers of our blundering strategists. Only a fanatic redoubles his energy when he has lost sight of his goal.

After the Gallipolli disaster, Churchill went; after Suez, Eden went; after the Bay of Pigs, Allen Dulles departed the CIA. Surely, this is a wiser, more honorable, course than a ground war in Kosovo.

Moreover, Americans will not support ''whatever is necessary to win.'' We are not going to turn Belgrade into Hamburg. As one recalls the horror at Nixon's ''Christmas Bombing'' that freed our POWs at a cost of 1,400 dead in Hanoi, all but surgical bombing is out.

And if we send in the troops, what do we ''win''? The right to say that NATO defeated Serbia? The right to occupy Kosovo?

If, after we take Kosovo, the Serbs conduct a guerrilla war against our troops, and the KLA begins a war of liberation to kick NATO out, annex western Macedonia and unite with Tirana, our ''victory'' will have produced the very disaster we wish to avoid.

''It is unworthy of a great state to dispute over something that does not concern its own interests,'' and Bismarck, who called the entire Balkans ''not worth the bones of a single Pomeranian grenadier.'' When did that peninsula become so critical to the United States that we would go to war over whose flag flew over Pristina?

''Arm the Kosovars!'' urge other armchair strategists. But do we really want another Afghanistan—in the underbelly of Europe?

What a mess the interventionists have made of it. Because the NATO expansionists could not keep their hands off the alliance, they have shattered the myth of its invincibility and may have called into being a Moscow-Minsk-Beijing-Belgrade-Baghdad axis.

But maybe the foreign policy establishment needed a second Cold War, as anything is preferable to irrelevance.

Out of this disaster, what lessons may be learned?

First, America cannot police the planet on a defense budget of 3 percent of GDP. Our dearth of air-launched cruise missiles, the

need to shift carriers from the gulf, the delay in deploying the Apaches, the calling up of the reserves—all point to a military that is dangerously inadequate to the global tasks we have added since the Cold War.

Unless America is prepared to restore Ronald Reagan's Army, Navy and Air Force, we cannot stop a rearmed Russia in East Europe, police the Balkans, roll back a second Iraqi attack on Kuwait, contain North Korea and prevent another of Beijing's bullying assaults on Taipei. Should one or two of these emergencies occur at once, we will be suddenly face to face with foreign policy bankruptcy.

America must retrench and rearm.

What the United States needs today in the Balkans is a least-bad peace, patrolled by Europeans, where Serbs rule Serbs, Croats Croats and Albanians Albanians. And if, in the negotiations to end this tragedy, Belgrade cries, ''No American troops in Kosovo!'' let us insist upon it, and bring our soldiers home from Europe, as Ike told JFK to do nearly 40 years ago.

□ 1700

EMPLOYEE OWNERSHIP ACT OF 1999, LEGISLATION AS SIGNIFICANT TO THE AMERICAN PEOPLE AS THE HOMEOWNER'S MORTGAGE DEDUCTION

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

Mr. ROHRABACHER. Mr. Speaker, today I am submitting to Congress what I believe will be an historic piece of legislation. It is entitled The Employee Ownership Act of 1999. This legislation, I predict, will be as significant to the American people as the homeowner's mortgage deduction, which has ensured the widespread ownership of homes throughout the United States of America.

In fact, 60 percent of the American people own their own homes, and this can be traced to the fact that we have written our tax law in a way that encourages widespread ownership of housing and homes in the United States.

The goal of my bill is that after 10 years, 30 percent of all of America's major corporations will be owned and controlled by their own employees. Now, I know that sounds a bit radical. That sounds like a big change, but we have had a great deal of employee ownership expansion over these last 20 years.

This bill, under the guise of ESOPS, Employee Stock Ownership Plans, what I am proposing is an ESOP-plus-plus idea that would increase employee ownership throughout this country.

This bill will bring about a new category of American business, the Employee Owned and Controlled Corporation, EOCC.

These new corporate structures would be modeled somewhat after United Airlines. As we know, the employees at United Airlines bought a controlling interest in their own corporation and now make many of the decisions that affect United Airlines and thus affect the employees.

In fact, the legislation I am proposing would establish an employee trust that when it owns 50 percent of the shares of a company will be entitled to substantial tax incentives that will encourage the growth of employee ownership and ensure the success of this new employee owned and controlled company.

Some of the tax incentives suggested by my legislation: Number one, if someone sells stock in a company to an employee trust or to the employee who is part of the trust, that person shall pay no capital gains on the sale of that stock. Thus, someone is given the incentive to sell the stock to an employee.

Employees who accept stock as part of their pay during the creation of an employee owned trust, that if they accept it in lieu of their pay, they will not have to pay income tax on that stock.

Of course, corporations have a right not to be a part of an employee trust and there are many corporations who will not participate in this or employees who will not be part of this, but if, for example, an employer or anyone else who owns stock in a company, which is establishing an employee trust, if they sell their stock or, let us say, they give their stock to an employee trust as part of a bequeathal situation, where someone is leaving that in their will to the employee trust, then it decreases the inheritance liability on their estate by a one-to-one ratio.

So if someone left a million dollars in their will to an employee trust of stock in that company, well, then the inheritance liability to their heirs would be reduced by that one million dollars.

The goal of this, of course, is to expand employee ownership. In the end, if we have established these employee owned and controlled companies, they will, by my legislation, not pay corporate income tax. This will provide a major incentive for Wall Street to work with the working people of this country to empower them in a way that they will be able to control their own economic destiny as never before.

This would be the equivalent of the Homestead Act. Many people forget that the Republican Party was the party of the Homestead Act. In 1862 when Abraham Lincoln signed the Emancipation Proclamation, that same day he signed the Homestead Act, which opened up the idea of ownership of property to millions of people. It was essentially an important part of the American dream.

What we are trying to do now is expand upon that, expand on the home mortgage deduction, expand on the Homestead Act, expand on the idea that people have a right to own their own home but they also should have an incentive in the tax system to own and control their own company. Thus, they will control their own economic destiny. This is the ultimate empowerment. This will increase productivity. It will see that there are no strikes because people would be striking against themselves, their own company or at least they would be more willing to talk out problems within a company.

THE KOSOVO CONFLICT, NO END IN SIGHT

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

Mr. CUNNINGHAM. Mr. Speaker, I want to give some perspective on an issue that is, I think, very near and dear to every American's heart, as it is in Kosovo today also.

I would like to give the Speaker a little perspective. First of all, according to Henry Kissinger, and I agree, Rambouillet was a very poor foreign policy. It was an agreement only between Albania and the United States in which the United States knew, in no uncertain terms, that Serbia would never give up Kosovo itself. Any history student would know that.

We have spent $16 billion in Bosnia to date; Somalia cost us billions of dollars; Haiti cost us billions; $4 billion times the four strikes in Iraq, the Sudan, Afghanistan. Our troops are deploying 300 percent above the highest level in Vietnam but yet we are doing it with about half the force. Enlisted retention in our own military is below 23 percent; pilots, 30 percent.

The Joint Chiefs of Staff said we are $150 billion short. We cannot buy spare parts. We do not even have basic bullets. Top gun, 14 of 23 aircraft are down; 18 for engines; 137, parts.

Kosovo, and this is according to General Clark, I was with General Clark just days ago and I said I want to know how many sorties the United States is flying. Mr. Speaker, General Clark said, and this is accurate to the sortie, 75 percent of all strikes in Kosovo are being flown by the United States. That does not include the B–2s, the tankers, the support aircraft like C–17s and C–130s. That brings it up to 82 percent.

We are dropping 90 percent of all the weapons, so we are paying for over 90 percent. That does not even include our ships. That does not include our manpower over there. My point is that it should be the other way around.

The reason given by General Clark is that other nations do not have the stand-off capability that we do so we are having to fly 90 percent of this stuff, 82 percent of it and 90 percent of the ordnance.

My point is that the supplemental that we are going to ask for, if NATO

is a fair share organization, then NATO ought to pay the United States between $10 and $20 billion for our supplemental and not come out of our taxpayers' dollars.

Let me give you another perspective. Before the bombing in Kosovo, there were only 2,000 deaths. Each death is important, but in perspective there were only 2,000 deaths attributed in Kosovo that whole year. One-third were Serbs and other nationalities besides the Albanians, but after the bombing look at the number of deaths. We have just killed 70 Albanians in a convoy trying to get out of Kosovo. NATO has killed 70 Albanians in an air strike. Look at the million refugees that these air strikes have caused that would not be there unless we had bombed Kosovo.

The Croatians executed 10,000 Serbs in 1995 in Croatia. They deported and fled over 250,000 Serbs as refugees. Indonesia has killed millions; Turkey, thousands; India with the Sikhs; China, thousands with Tibet. Yet, we are in a mass war where there is less than 2,000 deaths, and over a third of those by the people we are claiming to bomb.

The Pentagon, confirmed by Secretary Cohen, that the Pentagon did not want to execute just air strikes. The Pentagon told the President that they would not work alone, that they would exacerbate the problems, cause refugees, kill a lot of people. The United States would have to pay for a lot of it and unless we put ground troops in there the goals were not attainable. Yet, the President says no ground troops, which I am opposed to also.

Why is he opposed to it? Because the Germans balked, the Italians balked. In World War II, Germany had 700,000 troops in Kosovo. The Chechens, with one half the force that Milosevic has, killed those Germans. General Shelton just 2 days ago said that this is the easiest place to defend and the most difficult to attack in the world.

We do not belong there, Mr. Speaker. This is Clinton's war. Clinton ought to get out of it.

OUR POWS, WE WANT THEM SAFE, SOUND AND RETURNED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wanted to join in supporting H.R. 84, the resolution by the good and kind gentlewoman from California, to acknowledge and applaud the bravery of the POWs in Kosova. Two of those young men are members of the Texas family, Sergeant Stone and Mr. Gonzalez. We offer to that family or those families, along with the family of Sergeant Ramirez, our deepest sympathy and recognition of the bravery that these men have exhibited.

We say to Mr. Milosevic that we hope that he is listening very strongly to this resolution that has been offered. We want them safe and we want them sound and we want them returned. We also want, as the resolution has indicated, that the Red Cross can go in and determine that these individuals have been treated fairly and are safe. Most importantly, we acknowledge that they have been taken wrongly.

I hope that as this House has expressed itself in its support for these young men and the military efforts, that the families will know that we are paying attention to the safety of the POWs and we are also paying attention to their needs.

It is with great regret that I have to stand on the floor to acknowledge that today we have POWs, but it is with great joy and recognition of our unity that we say collectively today, as the resolution was passed, we stand behind those POWs, respecting them, honoring them and knowing that they will know that we will not rest until they are safely returned.

BILLIONS OF DOLLARS SPENT ON SALMON RESTORATION IN COLUMBIA RIVER BY FEDERAL GOVERNMENT, WITH MINIMAL RESULTS

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

Mr. METCALF. Mr. Speaker, our Pacific Northwest salmon populations have been in decline for decades. Recently, nine new populations were listed as endangered or threatened under the Endangered Species Act. The Federal Government and the States are poised to provide substantial sums of money for habitat rehabilitation and restoration efforts but, beyond that, the Federal Government must be a helpful advisor only with the decisions made thoughtfully and judiciously at the State and local level. We must not allow, nor can we afford, another debacle such as occurred on the Columbia River in recent years.

Billions of dollars have been spent on salmon restoration in the Columbia River by the Federal Government over the last 20 years, with minimal results; largely because it has ignored available salmon technology.

Now that so many salmon populations have been listed under ESA, my concern is that the Federal agencies will try to exert control over more and more aspects of salmon recovery. Bureaucracies centered in Washington, D.C., however well intentioned, are incapable of solving the salmon problems of the Pacific Northwest. We all pay the price for the mistakes made by the Federal Government.

The most prized salmon specious are the king, coho and sockeye salmon. We have correctly focused our attention on them. However, it is more complicated than that. I believe we must look at the restoration of all five species, including chum and pink salmon. Historically, vast runs of chum and pink salmon fertilized the rivers with large numbers of decaying bodies of the adults after spawning.

□ 1715

Thus the newly-hatched chum and pink fry had an adequate food supply as they migrated downstream, and then the young king and coho fed on the myriads of young pinks and chums. The degradation and blocking of spawning habitat has been a major problem, so habitat restoration and removal of blockage which obstructs returning spawners must be high priorities for salmon restoration.

Again, my fear is that habitat restoration may be the singular objective of those making the endangered or threatened listening, which could weaken our rehabilitation effort, and thus subject our area to excessive Federal regulations and restrictions.

Habitat restoration and protection are critical elements, but the well-developed salmon technology presents us a wide range of additional options, such as:

No. 1, the use of culvert upgrading, reconfiguration and maintenance;

No. 2, predation control, very important;

No. 3, careful regulation of all commercial salmon fishing in saltwater, and extremely careful supervision of any commercial fishing in spawning rivers;

No. 4, spawning channels and overwintering sloughs, to give maximum protection to the presently returning wild salmon.

We must keep our eyes on the objective and support those programs that will truly enhance our weakened salmon runs. We have neither time nor money for overzealous political correctness nor the control games that Federal agencies might seek to impose.

We must maximize the survival of offspring of the returning fish each year. As well as natural spawn, we must supply fertilized eggs to hatcheries for the following enhancement purposes: Remote egg boxes, net-pen rearing of fish to their optimal size, and small stream rehabilitation by planting fed fry into every small and medium stream and tributary that could provide a route to saltwater for outbound juveniles. In the old days, the small streams produced millions and millions of fish.

We should encourage Washington State in its programs that are already tracking towards these goals. Several tribes are on the cutting edge of salmon rehabilitation, and tend to have land and water areas available for their use. In addition, they have a cultural

and historic head start moving in this critical direction.

Bringing the salmon back will not be an easy task, but it is an achievable goal. We need to make sure that our salmon dollars are delivered into the right hands, and that they are spent appropriately.

RESPONSIBLE BUDGETING AND THE BEST USE OF THE BUDGET SURPLUS

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, last year the House budget resolution was so controversial that House and Senate Republicans never even convened a conference. This year the budget resolution, as passed by the House, is as unrealistic as last year's plan, and even more irresponsible. Some in Congress, because of their fixation on exploding tax cuts, have presented unworkable appropriations bills, and they do nothing to extend the solvency of social security and Medicare.

As opposed to the fiscal responsibility demonstrated by Democrats, the budget passed by the majority party returns us to the unrealistic fiscal policies of the 1980s. Although it claims to shore up social security, to finance a large tax cut, to dramatically increase defense spending and keep government spending down, the truth is much different. The majority's budget, as in the resolution, simply cannot keep all the promises made.

Democrats, on the other hand, have aimed to produce future economic growth through debt reduction and investments, exactly the mix of priorities that a successful business would adopt in good times.

Republicans have voted to reserve virtually the entire bounty of economic growth and fiscal discipline for tax cuts that will likely benefit only those who are already doing very well in the current economy. It is simple. The majority budget resolution may well burden future generations because of tax cuts and spending obligations made today, and they rely on surplus projections well into the future.

What does this mean for the people we represent? Little will be left for our urgent needs. Our national need to invest in social security and Medicare solvency, in education, in research and development, and in the environment will remain unmet.

The budget resolution that was passed by the House yesterday does not do enough for Americans when it comes to investing in education. It will not help hire more teachers, it will not help districts modernize their schools. It takes money away from higher education.

If we are going to prepare our children for the future, we have to do better. We have to make education a priority.

The problems go beyond education. Consider, for a moment, the implications of our budget resolution on the environment. America's public lands, wildlife, fish, and plants are assets that belong not just to us but to our children. We must allow for an increase in funding for protecting the environment and improving our communities. What will our children say if priceless resources disappear to suburban sprawl? Will future generations have the opportunity to see ancient forests or wildlife in their natural habitat?

Furthermore, we need to do more to support and encourage research and development. As a scientist, I understand the importance of increasing funding for both the National Science Foundation and for the National Institutes of Health. Today's research is at the threshold of major scientific advancement, which can dramatically improve the quality of life for the American people.

All of us have seen the benefits, the actual benefits and the potential benefits of research. Whether it is new discoveries to help fight AIDS and breast cancer, initiatives to improve our understanding of how ecosystems interact, or investing in teacher training to help students get the mathematics and science skills they need to succeed in today's and tomorrow's society, each action leads us to the doorstep of breakthroughs in improving the quality of life.

We need to make a stronger commitment to the future, and increasing funding for research and development should be part of that commitment. We simply need to make an investment now. It will benefit all of us and future generations. Waiting until later only delays the improvements in quality of life.

The President has proposed that we use the surplus to strengthen social security and Medicare, and to extend the lives of those programs. I will continue to work with other Members of Congress to use the surplus to pay down our national debt, to strengthen social security and Medicare, to encourage investments in education, and to meet our other long-term needs for environmental protection and research and development.

AMERICA NEEDS TO SET BUDGET PRIORITIES AND FOCUS ON PAYING DOWN THE NATIONAL DEBT

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

Mr. SMITH of Washington. Mr. Speaker, yesterday we took the first step on a long process of passing a budget this year, and a very important budget it will be as it will lay out priorities as we move into the next century. It will in fact be the last budget of the 20th century. As we move forward, we need to set our priorities.

This will be a long process as we go through the summer and into the fall in deciding what those priorities should be in passing a budget. I rise today to emphasize the importance of fiscal discipline, fiscal responsibility, and paying down our debt as we move through that process. I feel that should be the number one priority of this body in the budget process and for the future, as it is what can best help the people of this country.

We still have a significant financial problem. The news has gotten better in recent years. We have reduced the yearly size of the deficit, and we actually have the possibility of moving towards a surplus. All of that is good news, and many people on both sides of the aisle and many Congresses through the past 6 or 7 years can rightfully take credit for that, but the job is not done. I worry a great deal as I listen to the debate and listened to the debate this past week on the budget resolution that people have lost sight of that fact. We are talking about surplus politics, and I think we do so prematurely.

To begin with, we still incorrectly, from an economic standpoint, count the surplus in the social security trust fund as income to the Treasury, and use that surplus to claim an overall surplus when in fact we have an overall deficit.

Last year's numbers make this point clearly. We had a $100 billion surplus in the social security trust fund. The rest of the budget actually ran a $30 billion deficit, so presto, we have the $70 billion surplus that everybody has been talking about, it does not really exist, but that surplus in the social security trust fund is already obligated. We have to pay it back, plus interest to the Treasury, so that the trust fund can pay out the social security benefits that all of us, or all of us hopefully some day, that many of us, are due. So it is not money we can count as a surplus. To count it that way is to spend it twice. When we spend money twice, we wind up in debt as far as we are.

The second critical point in this is we still have an overall debt. That $70 billion surplus, mythical though it may be, even within the grounds of that myth is only a 1-year surplus, with quotations around it. The overall debt continues to grow. It is approaching $6 trillion.

On a yearly basis we pay $215 billion to service that debt. That is 15 percent of the budget, 15 percent of our budget, and $250 billion that basically goes simply to pay off past excess. It does nothing to meet our obligations at present or in the future, and it should be reduced.

Now is the time to do it. We have a very strong economy. We have unemployment at 4.2 percent. We have virtually nonexistent inflation, a booming stock market, with growth to match. If we cannot begin to pay down that debt now, we never will. We will never get there if we do not take that step right now. We need to step up to that as a priority.

I am concerned, as I look at the debate that we had on the budget resolution, that we are not heading in the right direction. I basically look at the budget resolution of this week that was passed in the House as a bad news-good news situation.

The bad news is, it is not a particularly good budget resolution, and the debate was even worse, from a fiscally responsible and economically accurate standpoint. But the good news is it borders on meaningless. What really is going to matter is the 13 appropriation bills that both bodies have to pass between now and October. There is no way that those 13 appropriation bills are even going to come close to matching what was in that budget resolution.

I say that is good news because the budget resolution overpromised in a number of different areas. Essentially by holding back key specifics, the budget resolution was able to promise in a number of interesting areas, promise more spending on defense, although they added another little trick in there that they promised budget authority but not necessarily outlays.

What is the difference between budget authority and outlays, we ask? It is the difference between promising to spend money and actually spending it. There is a big difference between those two things.

Beyond that, the pledges for increased spending in defense, in education, while at the same time including a massive back end tax cut, and by ''back end'' I mean it grows in the out years, in the first 5 years it is not too much, in the second 5 years it is more, in the third five years it is even more, all of that, for all of that to work within any sort of fiscally responsible framework requires cuts in the rest of the budget that nobody is prepared to make, and therefore were not spelled out in that budget resolution, for some very good reasons. If they had been spelled out nobody would have voted for it and it would not have passed.

So the budget resolution was more or less a political document, an effort to try to gain favor in some areas by playing various tricks and smoke and mirrors games with the budget numbers. So it is not going to happen, but we are going to have a situation where we are going to have to pass a real budget. What is going to happen is all of those promises that were made during the budget resolution debate are going to be very tough to meet, in reality.

What is going to happen? My fear is that what is going to happen is exactly what happened in the 1980s, long before I got to Congress, actually when I was in high school and college and watched with horror as my predecessors in this body spent all of our future money.

Basically what happens is an agreement is reached that goes something like this: I will take your tax cut if you take my spending increase. That works out just fine for that Congress. They are able to pass out a lot of goodies and make every one happy, but it sets up a situation that I, among others, walked into in the mid 1990s.

Basically it is like showing up at the time that the credit card bill comes due. It is not a lot of fun and it is not good for the country, because I understand the Federal Government has many positive things that it needs to do. It has spending programs in the areas of education, in the areas of defense, environmental protection, medical research. It has tax cuts it can do.

All of those things are important, but they are not peculiar to this one moment in time. Ten years from now, 20 years from now, 30 years from now, and beyond, residents of this country are going to have needs in all of those areas, needs that they will not be able to meet if we spend the money now irresponsibly.

I am afraid that we are headed in that direction by overpromising, by talking about the politics of a surplus and where can we spend the money, where should we spend the money, what tax cuts we should do, way beyond what we can actually afford to do, and not even taking into account the nearly $6 trillion debt that we have run up over the course of the last 30 years.

□ 1730

Let us be fiscally responsible and start paying that down.

Worse than that, the debate, as I watched it, degenerated into a criticism of the Clinton budget and a battle over who is, quote, setting aside more for Social Security.

There are a couple of problems with this argument. First of all, it allowed many of the majority party who supported their budget to not even really talk about their budget, but rather try to focus their attention on proving that the President's budget that he introduced 3 months ago was bad.

That may well be. In fact, an amendment was offered by a Member of the majority that was supposedly exactly the President's budget. It was defeated, I think, with only two votes voting in favor of it.

From the time that budget was introduced, many things have changed, many other ideas have come up. The budget is a dead issue. Yet, that is what the majority party spent most of its time talking about.

I would have much preferred them to have spelled out some of the specifics of their own resolution. I also would have much preferred them to be a little bit more honest in their analysis of that budget.

I brought a chart with me which I saw frequently on the day that the budget resolution was debated being brought up and put forth by the majority party as evidence that their budget was better for Social Security than the President's was.

I bring this chart up mainly for illustrative purposes to show how—well, dishonest might be too strong a word; we are supposed to not say things like that in this honest body—let us say how disingenuous the debate was. I will put that chart up now.

This chart shows the commitment on Social Security. It is interesting. The Republicans' argument throughout the whole budget was that their budget sets aside 100 percent of the Social Security Trust Fund or, sorry, 100 percent of the surplus for Social Security, whereas the President only sets aside 62 percent.

The interesting thing is, and they absolutely had to be aware of this fact, the 62 percent that they are talking about, or sorry, the 62 percent that the President was talking about was 62 percent of the entire surplus, whereas the number that the Republicans were referring to in their budget was 100 percent of the Social Security surplus.

So basically the President was talking about 62 percent of a much larger number. In fact, a fascinating fact is this 62 percent of that much larger number is almost exactly the same as that 100 percent. In other words, there is no difference whatsoever.

Yet, the majority got up here and argued repeatedly that their budget was better because it set aside 100 percent instead of 62 percent. It is just exactly that sort of disingenuous use of fact that colored the debate and got us way off the topic. That topic ought to be fiscal responsibility.

If we want to do something about Social Security and Medicare, and that is really a third point in addition to the two prior points about how our budget situation is not as rosy as it is, those being, one, that we still count the money that we borrow from the Social Security trust fund; two, we have an existing debt; three is the coming bills on Social Security and Medicare once the baby boom retires, those exploding bills that are out there and what we are going to do about them.

Nowhere in the budget resolution does it say anything about any sort of Medicare or Social Security reform to deal with those problems. If we do not, that is going to further exacerbate our financial situation.

The level best thing that we can do for dealing with those programs, well, there is two things: one, we can reform the two programs, but two, is to not spend the money now. Because the interesting thing about this chart is both

the President and the Republicans are being somewhat disingenuous in arguing about how much money they, quote, unquote, are setting aside for Social Security.

We cannot bind future Congresses in that way. As future Congresses pass budgets, they will decide whether or not to spend this money on Social Security, Medicare, or someplace else. It will require a year-to-year decision to decide what to do with that.

So to say that we are setting it aside now is somewhat empty rhetoric except for this point: It is arguable that the extent to which we are fiscally responsible now, in other words, the extent to which we do not spend money or do not give out tax cuts that further inhibit our ability to have revenues for Social Security and Medicare, to the extent we do that, we will be in a better position to deal with Social Security and Medicare in the future.

So the number one biggest test, aside from all this baloney with the charts, this effort to confuse people by taking two separate numbers and treating them as the same when they are not, look at the budget and see if it is fiscally responsible. That is the test on whether or not we are preparing for dealing with the coming increases in cost and Social Security and Medicare.

Again, when we look at the budget resolution we passed this week, it promised $800 billion in tax cuts over 10 years. Actually, that number balloons even further in the next 5 years, over a 15-year period. It also promised massive increases in a number of different areas of spending. All of that will jeopardize this chart considerably.

That is what we need to look at as we debate the budget in the months ahead. Because, as I said, the hard work is yet to come. We have basically done the smoke and mirrors, twisted the numbers around to make them look as good as possible. Now we actually have to pass realistic appropriations bills. That is going to be far, far more difficult than simply passing a piece of rhetoric.

I rise today to urge fiscal responsibility. Balance the budget and pay down the debt. That is the best thing we can do for society today and in the future.

Mr. Speaker, I am pleased to yield to the gentleman from Arkansas (Mr. BERRY), a colleague who will help in this argument. I appreciate his coming down.

Mr. BERRY. Mr. Speaker, I want to thank the gentleman from Washington (Mr. SMITH) for the opportunity to participate in this effort.

Mr. Speaker, I am reminded of an occasion that actually happened to me. I had been from a farm to town to get some supplies, and I was on my way back. One of my neighbors was out in his field, and he was walking back toward the road. He waved me down. Out in the country, when someone waves at you, well, you generally stop and at least say hello. I was concerned that he might need a ride someplace or need to see me about something. So I stopped.

He walked over to my truck, and he said, ''I just wanted to check.'' He said, ''Do I look like an idiot?'' I said ''Well, sir, you are not. You are a distinguished-looking fellow and certainly do not look strange in any way.'' He said, ''Well, I just wanted to check.'' He said, ''It seems like everybody that comes down this road today wants to take advantage of me.''

That is kind of the way I view this budget. The Congress this week passed perhaps the most irresponsible budget resolution this country has ever seen. The Republican leadership's budget does nothing to solve our Nation's most pressing need, the solvency of the Medicare trust fund. The Republican leadership's budget does nothing to pay down our national debt.

Instead, it devotes any future surpluses that are estimated, and they are projected at close to $800 billion and this is money we do not have, to a tax cut without making any corresponding spending cuts.

I am in favor of cutting taxes, particularly for small business owners. But to ignore this country's $5.3 trillion national debt, to ignore this country's future Medicare needs is just plain wrong.

To make these assumptions that we are going to have this great wealth to spend out here and be irresponsible about it, like we were back in the 1980s, and to run the risk of incurring yet more debt and to not at the very least have a protection mechanism in there where these tax cuts do not take place where this money does not exist is irresponsible.

The American people expect us to come up with a realistic fiscal plan for this country. Let us shelve this unworkable, unrealistic budget resolution and get to work on real budget.

Again I am reminded of a story that actually happened. For 30 years, I ate breakfast in the same cafe every morning before I went to my farm with the same group of people.

One of the fellows I usually ate with, and he is no longer with us, but he would come back in that cafe late in the afternoon, and he would have taken his ballpoint pen, and he would have figured on his pants leg, in the fall of the year, his combine would make the first round around the field, and he would estimate how much his yield was going to be and how much he was going to get for it.

He would figure up right there on his pants leg how much money he was going to have. Sometimes he would go to town and spend quite a bit of that. Then the harvest would not turn out quite as good as he expected, and the price maybe would deteriorate, and he would end up in trouble.

The next morning, when he would come back to the cafe, he would have washed those pants, and his money would have all disappeared.

I am afraid, if we take this budget with all these projected surpluses that we do not really have, it will happen to this country like it happened to my friend. We will wash our pants, and all the money will be gone.

So I urge this body to be more conscious of what a workable and realistic budget resolution should be and to do our best to work toward that goal.

Mr. SMITH of Washington. Mr. Speaker, I thank the gentleman from Arkansas for those well-said words.

Mr. Speaker, I yield to the gentleman from Florida (Mr. DAVIS) who is a member of the Committee on Budget and has done an outstanding job of standing up for fiscal responsibility for both his constituents and the rest of the country as a member of that Committee on Budget. I appreciate his support.

Mr. DAVIS of Florida. Mr. Speaker, I just want to highlight one more time what we have been talking about tonight, and that is that there should be no greater priority in this Congress than paying down the $5.3 trillion Federal debt.

We are living in a time of uncertainty. We have got a difficult situation. We are going to do our best to manage in Kosovo. We have got an incredibly healthy economy, but we cannot be certain what lies ahead. The most prudent thing for us to be doing right now is to make paying down this massive Federal debt our highest priority.

There are three good reasons why we ought to do that. First is, it is the right thing to do for our children and grandchildren. We should not force them to inherit this massive debt.

The second reason is, it will help us prepare Medicare and Social Security for the retirement of the baby boomers, because those funds that we set aside by virtue of paying down the debt can be used as the baby boomers begin to retire and put more strain on Medicare and Social Security.

Finally, it is the best thing we can do here in Congress to assure that this economy will stay healthy.

Chairman of the Federal Reserve Board, Alan Greenspan, testifying before the House Committee on the Budget, makes it perfectly clear that, as we pay down this Federal debt and the Federal Government competes less to borrow money in the private sector, it has a direct bearing on interest rates.

In my home, like many of the homes we represent, Hillsborough County and Tampa and Florida where the average mortgage is about $115,000, when we drop interest rates about 2 points, from 8 percent to 6 percent, that reduces a monthly mortgage payment by $155.

I will tell my colleagues that $155 reduction in that homeowner's monthly

mortgage payment is better than most of the tax cuts that are being promised here in Washington. They can be taken immediately, and one does not have to call one's accountant to figure out how to do it.

That is just one example of the positive impact of paying down the debt, apart from the fact it is the right thing to do, apart from the fact that it is the best thing we can do right now for Medicare and Social Security.

So I urge my colleagues to take a second look at this $780 billion tax cut that we just passed here, and let us go back and let us do a tax cut, but let us put first things first. Let us pay down this massive Federal debt. Let us make that our highest priority. It will produce benefits at home for homeowners, for students who have student loans, for people who are trying to pay back credit card debts, and it is the right thing to do for our children and grandchildren.

Mr. SMITH of Washington. Mr. Speaker, I want to follow up on that last point about keeping the economy strong. I came into Congress in 1996. Before that, I served 6 years in the Washington State senate, so I started there in 1990.

I came into the body in the State senate during down economic times, during a time period when our treasury had a $2 billion shortfall; and in the State of Washington, $2 billion is a lot of money.

We had to figure out how to deal with that in terms of cutting spending and raising taxes and basically dealing with covering the debts of government.

That is a horrible situation to have to deal with as compared to the situation that we are in right now with a strong economy generating strong revenues, so that we can fund programs and hopefully pay down the debt.

If we can pay down the debt, if we can be fiscally responsible in a way that keeps the economy moving forward, that will have benefits that spread all across the country and must be a top priority.

I want to touch on one other point. Basically, I figure a lot of people might be tuning in and saying, what is a Democrat doing talking about a balanced budget and fiscal responsibility? Well, I feel that I am a member of the new Democratic Caucus, the new Democratic Coalition that is very interested in focusing on issues like fiscal responsibility and paying down the debt. Because, though we believe in government, we do believe that government has a limited role to help in areas like education and infrastructure and protecting the environment. We also recognize that if we are not fiscally responsible, we will not be able to do that. We will not have the confidence of the voters in the first place that their tax dollars are being well spent.

Second of all, as I mentioned earlier, these are not one-time needs.

□ 1745

We are not the only generation that is ever going to need these things, and if we spend all the money now, we do a grave disservice to the future.

I have been very pleased with the number of my Democratic colleagues who have made paying down the debt and getting a balanced budget the number one priority in this budget process. I think it speaks well for the direction of the Democratic party today.

That, Mr. Speaker, is an excellent intro for the gentleman from Minnesota (Mr. DAVID MINGE), who has been probably the leader in our caucus on fiscal responsibility and paying down the debt, and I yield to him at this time.

Mr. MINGE. Mr. Speaker, I want to thank my colleague from Washington for this opportunity to speak during his special order.

First, I would like to say that I would associate myself with my colleague's comments. I certainly agree with the gentleman wholeheartedly. And I would further preface my remarks by complimenting the Speaker. The Speaker has done a remarkable job of keeping his commitment to moving the budget resolution through on a timely basis.

I know that on our side of the aisle we have had difficulty with this some years. Last year, with different leadership, we never did have a concurrent budget resolution that passed Congress, which was a real failure of leadership. But this year we do have a concurrent budget resolution, and I do think the Speaker is to be commended for the priority he has accorded this task and the fact it was completed on a timely basis. It is almost historic.

I would also like to compliment the leadership for staying within the budget caps. The President also stayed within the budget caps. There has been a lot of squabbling about whether this budget or that budget was actually within the budget caps, and of course there will be a great deal of anguish as we try to live within the budget caps, but, nonetheless, we have had a remarkable bipartisan commitment to staying within the budget caps.

The next question is how have we acquitted ourselves of our responsibility to deal with this task of providing the Committee on Appropriations and the other committees in Congress with a road map as to how they ought to perform their functions vis-a-vis the budget for the fiscal year 2000 and for the subsequent budget years. I think it is here that we begin to really see some disagreement in perspective.

As my colleagues have indicated, there is some real unhappiness with the fact that the priority that we ought to be according to paying down the debt has not been shared on a bipartisan basis to date. We have had several years of remarkably good economic times, about 9 years, and we are all pleased here in the United States that we have had good economic times. It is the economy more than anything else that has allowed us to come within just a fraction of a percent of balancing the budget here in fiscal year 1999. And the hope is, with the new CBO baseline, we will indeed balance the budget in fiscal year 2000 without using Social Security. It is historic.

So the question is if we are balancing the budget without using Social Security, what are we doing to address the problem of the $5.7 trillion national debt? What priority do we accord that? And, Mr. Speaker, I would like to emphasize that I, and I think most Members in Congress, feel that paying down the national debt is indeed a top priority.

Certainly it is refreshing to see us take the Social Security Trust Fund out of the budget and quit using that to subsidize other programs or the budget generally. But the fact of the matter is that by taking the Social Security Trust Fund off budget, we are only doing what we really should have done years ago. And what we are failing to do at this point is to use some of the surplus that has been projected for the next 5 years and the next 10 years to pay down on this debt.

My colleagues and I in the Blue Dog coalition, and about 135 of us, voted for a budget 3 weeks ago that would devote 50 percent of the surplus to paying down on the debt. This budget proposal had bipartisan support, and the new Democratic coalition was a very important part of this. Tragically, we could not prevail on the majority to include this commitment to paying down the national debt in the budget that was passed here this week.

I would like to urge that in the weeks and months ahead that we work together on a bipartisan basis and determine if there is a way that we can go back to that principle of devoting 50 percent of our surplus that is projected to reducing our Nation's debt. In these good times, we ought to be making the repairs to our fiscal house.

There is a saying that when the sun is shining, it is time to fix the roof. Well, the sun is shining on the American economy these days, and it is time to fix the budget roof, to pay down that debt so that the legacy that we are leaving our children does not include this $20,000 per capita debt that each man, woman and child has in the United States today as their part of being Americans.

If we take that $5 trillion and divide it by our Nation's population, it is roughly $20,000 that each man, woman and child in this country has as that person's share of the Nation's debt.

Now, President Clinton did not handle it quite the same way we did in the budget that was proposed by the Democrats. He would take a portion of the

surplus and reserve that for the Medicare program. And although that is not identical, it certainly is a step in the right direction, and I want to commend the President for that. I hope that the President can work with those of us in Congress to achieve this goal.

I would like to make one other comment, if my colleague from Washington would indulge me, and that is that we have a great deal of emphasis these days on trying to do right by the men and women in our armed forces; in their pay scale and in their retirement benefits. I do not disagree that the men and women in uniform need additional compensation so that they are fairly treated in this robust economy that we have. I realize that we are losing experienced military personnel, taking early retirement or not reupping because they can do better in the private sector.

But I would like to emphasize that as we proceed with this task of trying to do right by the men and women that work for the Federal Government, that we not overlook the fact that the civil servants similarly find that the private sector is quite attractive. In fact, I have met with folks that work for the Farm Service Agency in the rural Midwest, and I am learning that, to the horror of the administrator of that program, we are daily losing highly qualified experienced personnel to the private sector; people that are saying they are not sure what this agency is going to be doing; they are concerned that there have been cutbacks in staffing levels and there may be further cutbacks; and the compensation level has not kept up with the private sector.

So it is easy to pick out one group and say we are going to favor that group, but I think it has to be a balanced approach. And we should not lose sight of the fact that other men and women working for the Federal Government are in a similar predicament.

Now, having said this, I am not urging that we go back and somehow do something irresponsible with the budget. I am simply saying it is a task of being fair and proportional. It is a question of equity. And as we proceed with the appropriations bills, I trust that we will be fair to all Federal employees.

In closing, I would again like to thank the gentleman from Washington for his leadership on this and urge that we recognize the importance of paying down this vast national debt as a top priority and using the budget surpluses that are anticipated in the years to come.

Mr. SMITH of Washington. Mr. Speaker, I thank the gentleman from Minnesota.

To conclude this topic, I will just go back to where I started from. This is going to be a long process. The budget resolution that we have passed is but the first step. Passing the 13 appropriations bills over the course of the next 6 to 7 months will be the important step. That is where we will make the decisions.

And as we approach those decisions, we have a clear choice. We can do politics as usual. And politics as usual basically means that we over promise and play political games to try to make it look like we can keep more promises than we possibly can in the hopes that the people we are making those promises to will not notice that we have not kept them or, better yet, will find somebody else to blame for the fact they have not been kept.

That is the politics of taking one person's tax cuts, another person's spending increases, doing a deal, and just worrying about the debt later. That process is what got us into this mess in the first place.

I understand how powerful that process can be. Not a day goes by that I do not have somebody come into my office and present a very credible case for a need. Whether it is a need for spending increases or a need for a particular tax cut, they make very powerful arguments.

And we must look at each one of those situations and make disciplined decisions. But we cannot look at each one of those and simply say, well, gosh, is this an important program; would we like to spend money on it; and, if so, we must. We must look at that side of the equation, but we must balance it against the overall needs of a fiscally responsible budget and not promise more than we can possibly give out.

I fear that the old politics of the 1980s, of basically winning elections one check at a time, whether it is a tax cut or a spending increase that makes some group happy, is where we are headed again. And when I see people talking about the so-called politics of never-ending surpluses, I see us drifting into that direction and it worries me.

Because the other choice is to be fiscally responsible in how we approach the budget and be disciplined, and place as an overarching priority that shall not be bent that we first balance the budget and, second, begin paying down the debt.

Now, the good news is that because of that strong economy we can do both those things and still do some other things. We can increase spending to help our men and women of the armed forces and we can do some tax cuts. But we cannot do everything that everybody has laid out on the table during the course of this budget resolution debate.

And if we promise too much and get ourselves too far down that road so that we feel we cannot go back on those promises, what will suffer is fiscal discipline. And, more specifically, what will suffer is our children and their children and the future generations of this country who, once again, will grow up to be handed a credit card bill as the first thing that we give them. That is not leadership. That is not what we were elected to do.

Now, I know a good many people say the way to get reelected is to bring home stuff. Whatever it is, a bridge, a swimming pool, a new school, whatever, we must bring home something to our constituents so that we can show them that we have made a difference. In each election what I want to be able to say that I brought home to the people I represent is fiscal responsibility; a balanced budget that is going to keep our economy strong and keep our commitment to future generations. That ought to be enough for Members of Congress to bring home.

That is the message I am getting from my constituents; be responsible, be disciplined. Yes, we have needs, but there is no reason we cannot meet those needs within the parameters of a balanced budget and paying down the debt. Make that the top priority.

Mr. Speaker, with that I would like to now yield to the gentleman from Arkansas (Mr. VIC SNYDER), who has been a leader on fiscal responsibility and making sure that we have a fair and balanced budget.

Mr. SNYDER. Mr. Speaker, I thank the gentleman for allowing me to be here with him this evening. I appreciate the work the gentleman has done on these issues and the folks that stayed around to talk about the importance of fiscal discipline.

As the gentleman knows, the House has adjourned for the week. Most people are in planes heading home, and it seems like we had some stalwarts defending the importance of fiscal discipline in this country to stick around this evening and discuss this issue.

I want to make a comment briefly, if I could. I heard someone on the House floor today talking about how we have the situation now where we have budget surpluses as far as the eye can see. As far as the eye can see. I think it is very nice to be part of a Congress, in my second term, where we can talk about budget surpluses. But as I look out at the world today, I also see challenges as far as the eye can see.

Mr. Speaker, we better be very, very careful that we not head down the path of a lack of fiscal discipline and head into the time of not being responsible in how we deal with these surpluses or we will make some mistakes like we have in the past.

□ 1800

So what are some of the challenges? We talked a lot about the importance of dealing with Social Security and Medicare before we talk about major and large and huge tax cuts. That is what the American people want us to do. They want us to deal with the challenges of Social Security and Medicare.

They understand this baby boomer generation, of which I am a member. When we are fully retired in 15 or 20 years, we will challenge those two systems.

The events in Kosovo and the Balkans in the last 3 weeks really bring home the importance of having a well-funded and adequate and strong and capable and technologically superior defense. And there were a lot of us that have been concerned, even before these events in the Balkans, that we need to put additional money into the defense budget. Clearly, the events of the last 3 weeks, the last 21, 22 days, bring home that even more.

I am also on the Committee on Veterans' Affairs and have been very concerned as a family doctor about, are we adequately funding the health needs of veterans? I believe there is going to be some information come out in the next few days about the potential once again, bring home the potential once again for hepatitis C and its impact on the VA health care system.

As we learn more and about hepatitis C, its long latency period, about the increased risk to Vietnam veterans, about the devastation that it can bring on people years after they incurred the virus through chronic hepatitis, through loss of their liver, through death. I had a friend who died a few months ago of hepatitis C, and he had been in good health at age 43 2 weeks before his death.

And finally, the changing world economy. It is too soon to think that because we see surpluses as far as the eye can see that this world economy will never change in a negative direction. Of course we are going to have recessions. Of course we are going to have recessions in the future, some of which may be fairly major. These are the kinds of things that we have to be prepared for that are challenges in the future.

Agriculture: In Arkansas we had terrible problems with drought and low prices, and I do not see and I do not think many people in Arkansas see that improving this next cycle. That is going to be a very great challenge for this country, and we are nowhere close to solving that.

Challenges take money. And I support tax cuts. I supported the tax cuts in 1997. I supported balancing the budget in 1997. But before we are too quick to give away huge tax cuts, contrary to the wishes of the American people, we had better deal with these very, very significant challenges, solve them first, be sure that we maintain our budget discipline, our fiscal discipline is so important to this country and so important to the American people, and then deal with the long-term issue of what kinds of tax cuts, in what amounts can we give tax cuts to the American people.

And I know every Member of Congress would like to give tax cuts to the American people if it is fiscally sound.

I appreciate the gentleman from Washington (Mr. SMITH), his work on this issue.

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

CHINESE ESPIONAGE

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

Mr. BURTON of Indiana. Mr. Speaker, I rise to address the issues of Communist China's efforts to steal our most advanced nuclear secrets, their funneling of illegal contributions to President Clinton's 1996 reelection campaign, and how the Clinton administration, either intentionally or through incompetence has irreparably damaged and compromised the security of every man, woman, and child in the United States.

Mr. Speaker, last summer during President Clinton's trip to China, Jiang Zemin, the President of China, told him that he had no involvement in campaign fund-raising in the United States; and President Clinton took his word for it.

In that July 2, 1998, press conference, President Clinton said, ''They looked into that, and he was obviously certain, and I do believe him, that he had not ordered or authorized or approved such a thing, and that he could find no evidence that anybody in governmental authority had done that,'' giving illegal campaign contributions to the Democratic National Committee or the President's Reelection Committee.

Why would President Clinton say that, Mr. Speaker? The New York Times reported in May that Johnny Chung was given $300,000 by Ms. Liu Chao-ying, a Chinese aerospace executive who is a lieutenant colonel in the People's Liberation Army in Communist Army, and her father at one time was the head of the Chinese People's Liberation Army.

In April of 1996, 27 months before President Clinton's meeting with President Jiang of China, Sandy Berger, the head of the National Security Council, was briefed that China had stolen W–88 nuclear warhead designs, neutron bomb data, and that a spy might still be passing secrets to China at Los Alamos, one of our nuclear research facilities.

Now, the W–88 nuclear warhead design is a miniaturized nuclear warhead, and you can put as many as 10 of them on one missile. So you can hit 10 cities with one missile launched from China, thereby endangering as many as 50 or 60 million Americans. And the neutron bomb data, that kind of information, would allow an enemy of the United States, Communist China, to launch a missile at the United States with a neutron bomb warhead, and when it explodes, kills everybody in the city but it does not destroy the infrastructure, the roads, the bridges, or the buildings.

Now, Sandy Berger, the head of the NSC, would have had to have told the President about this. Why would President Clinton say that he believed President Jiang of China?

Mr. Speaker, on April 8, 1999, at a joint press conference with President Clinton, when Communist China's Prime Minister Zhu Rongji was here, he was asked about China's theft of U.S. nuclear secrets; and Prime Minister Zhu said, ''I have no knowledge whatsoever of any charge of any allegation of espionage or the theft of nuclear technology, and I do not believe such story.''

And President Clinton responded, ''China is a big country with a big government, and I can only say that America is a big country with a big government and occasionally things happen in this country and in this government that I do not know anything about.'' And he was indicating that the stealing of this technology and the illegal campaign contributions that were authorized by the leaders of the Communist Chinese Government could have happened without their knowledge.

If that happens in Communist China, they either shoot them or put them in prison. So it is disingenuous for the President to say that he believed him when he knew full well that this was taking place.

In July of 1997, a year before his meeting with President Jiang and 27 months before his meeting with Prime Minister Zhu, the administration acknowledges that NSC Director Sandy Berger briefed the President, told him about weaknesses in our nuclear laboratories and about China's spying.

So when President Clinton met with President Jiang and Prime Minister Zhu, he had already been briefed by NSC Director Berger sometime before about the possibility of spying and espionage taking place at our nuclear facilities.

Before the President met with Zhu, the L.A. Times reported that Johnny Chung had testified under oath that he was directed to make illegal campaign contributions to the President's reelection campaign by General Ji Shengde, who met with him three times and ordered that $300,000 be directed to Chung for political contributions, and that there were other conduits, other people that they were working with to get money into the President's reelection campaign and to the Democratic National Committee.

Now, Johnny Chung was a friend of the President. He was in the White House 50 times. He brought other people in, Communist leaders, to meet

with the President. And he was one of the major conduits of bringing illegal campaign contributions into this country.

General Ji Shengde was the head of the Chinese Communist military intelligence, the equivalent of our Defense Intelligence Agency in this country; and he was the one that was giving the order to funnel these illegal campaign contributions from communist China into the President's reelection campaign and into the Democrat National Committee.

Now, why would President Clinton suggest that maybe the Chinese leadership did not know about the spying at Los Alamos? Why would he say that? Mr. Speaker, when they do something in China, as I said before, they either shoot them or throw them in jail.

Now, regarding Chinese espionage. In April of 1996, 27 months before President Clinton accepted President Jiang's denial, and 3 years before he suggested that China's spying might be the fault of ''big government,'' the Department of Energy's chief of intelligence Notra Trulock told National Security Advisor Sandy Berger, the head of the NSC, that China had stolen both W–88 nuclear warhead designs, that is the miniature nuclear warhead that they can put 10 of them on one missile, and neutron bomb data; that a spy might still be passing those secrets to China from Los Alamos, our nuclear research facility.

Mr. Speaker, according to Energy officials who took part in the meeting and read highly classified materials used to prepare for it, Sandy Berger was also told how the stolen technology could fit into Beijing's overall nuclear strategy and how the W–88 technology could be used as part of a plan to rely on the mobility of truck-launched missiles with small warheads to better survive a counter-nuclear attack by the United States.

According to the New York Times, Energy officials said the briefing was a culmination of a 5-month interagency study of the W–88 theft and related issues and it was pretty was ''a pretty specific briefing.'' One American official who was present said that. Sandy Berger was even told that investigators had identified a prime suspect at Los Alamos in the theft and would shortly turn their information over to the FBI for a formal criminal inquiry.

Why did Sandy Berger, the head of the NSC, appearing on NBC's Meet the Press last month, say the information he was told about 3 years ago was very general and very preliminary? Why did he say we did not have a suspect in the theft of the W–88 technology? Why did he say that we did not know who, we did not really know how, and we did not really know what?

We know at the end of the briefing that I just talked about, according to officials that were present, Notra Trulock referred to a report from a Chinese source which had been provided to the Department of Energy by the FBI in March of 1996, over 3 years ago.

Mr. Speaker, the Chinese source indicated that officials inside China's intelligence service were boasting about how they had just stolen secrets from the United States and had used them to improve Beijing's neutron bomb.

The source further suggested that Chinese agents solved a 1988 design problem by coming back to the United States in 1995 to steal more secrets. The source, who in the past has provided reliable information, even detailed how the information was transferred from the United States to communist China.

According to one official, the intelligence about the neutron bomb was hot off the press and it was included in the briefing to warn the White House of the possibility of continuing Chinese espionage.

Mr. Speaker, in November of 1996, almost 1½ years after first suspecting the theft of nuclear secret from Los Alamos, Charles B. Curtis, the Deputy Secretary for Energy, ordered a series of security measures to be carried out on a straight timetable during the next several months. None of these measures were carried out until September of 1998, almost 2 years later, and there was a threat and a strong indication that espionage had taken place and our top secrets were being stolen by the communist Chinese. Why did we wait 2 years? Why did they not implement those series of security measures?

Mr. Speaker, in March of 1997, 4 months before President Clinton was scheduled to visit China, the Energy Department's Acting Secretary for Defense Programs, Victor Reis, and the Acting Director for Nonproliferation, Kenneth Baker, prevented Notra Trulock, when he saw further evidence that the Chinese had other ongoing spy operations at the weapons lab and he asked to meet with Secretary of Energy Federico Peña, they kept him from briefing Secretary Peña for 4 months. Why?

Mr. Speaker, in April of 1997, when the FBI requested a wiretap to be put on the phone of the conversations of Wen Ho Lee, the chief suspect in the theft of America's W–88 miniaturized warhead technology, the nuclear technology, they were turned down by the Justice Department.

Why would the Justice Department turn down this request for electronic technology to be put on this gentleman's phone when they thought and highly suspected and even knew that he was giving top secret nuclear technology to the Chinese communists that endangered every man, woman, and child in this country?

Why would the Justice Department not allow electronic technology and wiretaps to be put on his phone? Why? And who at the Justice Department turned down this request? This guy was accused of stealing America's most advanced nuclear technology. Why was this request turned down? Why?

In August of 1997, FBI Director Louis Freeh told Energy Department officials that the Bureau did not have enough evidence to arrest Wen Ho Lee, but that Mr. Lee could now be removed from his position without harming their investigation and that DOE was to determine whether or not to keep Lee on since ''the case was not as important as what damage he might do or continue to do by accessing additional information.''

□ 1815

Why did the Department of Energy keep Lee on with FBI approval, retaining his security clearances until December of 1998, about 2 years later, when he was moved to a nonclassified area and took a lie detector test for the first time. Why?

Mr. Speaker, again in 1997, in July, a year before his meeting with President Jiang and 21 months before his meeting with Prime Minister Zhu, Sandy Berger, the head of the NSC, received a second detailed briefing about China's spying and soon after told President Clinton about weaknesses at the laboratories and about China's spying.

Mr. Speaker, in August of 1997, Gary Samore, the senior National Security Council official assigned to the China spy case asked, now, get this, asked the CIA director to seek an alternative analysis on how China developed its smaller warheads. In other words, he did not want to talk about them being stolen from Los Alamos through espionage. He wanted to find out an alternative analysis from the CIA on how they might have gotten this technology. Immediately after he got this briefing from Notra Trulock in August of 1997. Why, when presented with such overwhelming evidence of Chinese espionage, did Gary Samore at the National Security Council seek to downplay the significance of the information, asking the CIA to come up with another explanation about China's advances? Why?

Mr. Speaker, in May of 1998, Notra Trulock, Energy Department's director of intelligence, was demoted to acting deputy director of intelligence after he made a third report to the Energy Department Inspector General about a steady pattern of suppression of counterintelligence issues. Somebody was trying to keep a lid on all this.

Mr. Speaker, in July 1998, the same month that President Clinton was meeting with China's President Jiang, when the House intelligence committee requested an update on the spy case from Notra Trulock, Trulock testified that Acting Energy Secretary Elizabeth Moler ordered him not to go to

the panel for fear that the information would be used to attack President Clinton's China policy. Why did Elizabeth Moler do this?

Mr. Speaker, the Chinese thefts of U.S. nuclear secrets, according to Paul Redmund, the CIA's chief spy hunter, were, quote, far more damaging to national security than Aldrich Ames—he is the spy who is now in jail—and the spying would turn out to be as bad as the Rosenbergs. Now you recall the Rosenbergs were the ones who gave nuclear secrets to the Russians and the Soviet Union back during and after World War II. Both of them were executed for giving that nuclear technology to the Soviets so that they could build their nuclear missiles that were directed at the United States. And he said, this Mr. Redmund, that this spying would turn out to be as bad or worse, or as bad as the Rosenberg case. You can see how really bad this is.

Mr. Speaker, at the same time that China was conducting its highly successful espionage operations against the United States, the Committee on Government Reform, which I chair, for 2 years has known about and tracked millions of dollars that were given to the Democrat Party and the President's reelection committee that can be directly traced to Hong Kong, Macao, Indonesia, South America and Communist China. Mr. Speaker, long before President Clinton met with President Jiang and long before he met with Prime Minister Zhu, we knew for a long time that China's head of military intelligence, General Ji Shengde, had been pulling the strings for a massive conglomerate called China Resources which U.S. intelligence agencies have said operates fronts for the People's Liberation Army in Hong Kong and worldwide.

Mr. Speaker, for a long time we have known that China Resources has joint ventures with the Indonesia-based international firm called the Lippo Group. We have also known that the Lippo Group is run by Mochtar and James Riady. We have known that the ethnic Chinese James Riady is a close friend of the President's and has frequently visited him at the White House. He was also instrumental in getting John Huang appointed to a very important position at the Commerce Department and later at the Democrat National Committee.

Mr. Speaker, we have known that James Riady's chief adviser on political donations was John Huang, who is a former employee of the Lippo Group and who accepted this job at the Commerce Department and then left the Commerce Department to work at the Democrat National Committee where, with the help of James Riady and the Lippo Group and Mochtar, he collected nearly $3 million in illegal campaign contributions for the Democrat Party and the President's reelection committee.

Mr. Speaker, we have in our possession checks, copies of checks which represent illegal contributions to the Democrat Party drawn from accounts in the Lippo Bank which is controlled by the Riady family.

It is now being reported that Johnny Chung, who gave more than $360,000 to the Democrat Party, has told a grand jury that some of the money he contributed to the Democrat Party came from China's head of military intelligence, the very same people that wanted this nuclear technology, General Ji Shengde. General Ji is the man in the Chinese military most likely to be directing China's spy operations and most likely to be interested in America's nuclear secrets.

Mr. Speaker, it now appears that General Ji was the mastermind behind China's efforts to get the Clinton-Gore team reelected. Johnny Chung has reportedly told a grand jury he was coordinating efforts to funnel money into the campaign, along with others, according to General Ji. Is it possible that he was working with John Huang and Charlie Trie as well?

Mr. Speaker, Johnny Chung, John Huang and Charlie Trie together raised over $3 million in illegal donations, that we know of, that have been linked to the Bank of China.

Mr. Speaker, it is important to repeat that on July 2, 1998 during President Clinton's trip to China when he was asked to comment on his discussions with President Jiang Zemin about China's involvement in campaign fund-raising in the United States, President Clinton said, ''they looked into that, and he was obviously certain, and I do believe him, that he had not ordered or authorized or approved such a thing, the illegal contributions, and that he could find no evidence that anybody in governmental authority had done that.'' The President said he believed that.

Mr. Speaker, President Clinton at his own press conference on March 19, 1998, in response to the question, ''Can you assure us, the American people, that under your watch no valuable secrets were lost,'' and he said, quote: Can I tell you there has been no espionage at the lab since I have been President? I can tell you that no one has reported to me they suspect such a thing has occurred.

Mr. Speaker, on April 8, 1999, at a joint press conference with President Clinton when China's Prime Minister Zhu Rongji was asked about China's theft of nuclear secrets, Zhu said, ''I have no knowledge whatsoever of any charge of any allegation of espionage or the theft of nuclear technology and I don't believe such a story.'' This is the prime minister of China.

President Clinton responded, ''China is a big country with a big government and I can only say that America is a big country with a big government and occasionally things happen in this government that I do not know anything about.''

Mr. Speaker, how could President Clinton, who knew at least 1 year before meeting with President Jiang and probably as early as April of 1996 about Chinese spying, and had all this information about illegal Chinese efforts to funnel money into the 1996 Clinton-Gore reelection efforts, say, ''I do believe'' President Jiang? It is just almost disingenuous.

Mr. Speaker, it is inconceivable that President Clinton did not know about China's espionage and China's funneling of illegal contributions into this reelection campaign when he met with Prime Minister Zhu.

Mr. Speaker, how could the President who had been briefed by Sandy Berger in July of 1997 and probably as early as April of 1996 about Chinese spying suggest that maybe China's spying was the result of ''big government'' and that maybe China's leadership did not know about their spying at Los Alamos? Wen Ho Lee we know had not only been involved in that spying, at least that is what we believe now, and he has already taken some lie detector tests and is still under investigation, we also know that he called convicted spy Peter Lee at the Livermore Laboratories where a neutron bomb was being researched some time ago. How could the President say that this was a result of big government?

It is impossible that the Chinese leadership did not know about this spying. You get shot in China when you do something like that without telling the leadership.

Mr. Speaker, on March 7, 1997, President Clinton said, ''I don't believe you can find any evidence of the fact that I had changed government policy solely because of a contribution.''

Mr. Speaker, in February of 1998, 5 months before he met President Jiang and 14 months before he met Prime Minister Zhu, President Clinton ignored strenuous objections from the Department of Justice which was investigating the Loral Corporation for an unauthorized technology transfer to China and granted Loral a waiver for official transfers of essentially the same missile technology to China that Loral was being criminally investigated for giving to China without authorization in 1996.

Bernard Schwartz, the chairman of Loral Corporation, contributed over $1.365 million to various Democratic accounts, including the reelection of the President.

Mr. Speaker, in a March interview with CNN's Wolf Blitzer, when questioned about China's spying at Los Alamos, Vice President Gore said, ''The law enforcement agencies pursued it aggressively with our full support.''

On March 14, 1999, Sandy Berger asserted that upon learning of China's nuclear espionage, the administration, quote, imposed and enforced the strictest controls on China of any country except those for which we have embargoes, such as Libya, end quote.

Mr. Speaker, if the Vice President and NSC Director Sandy Berger are right, why after showing deceptive answers in his first lie detector test in December of 1998 did it take the Clinton administration another 2 months to give Mr. Lee a second test? After failing that second test, why did it take them another month to get rid of him?

Why did Elizabeth Moler, who ordered Notra Trulock not to brief the House Intelligence Committee say that she could not recall being told about Trulock's request for a briefing even when a memorandum from Mr. Trulock concerning the briefing request was found in the safe in her office after she left her job at the Energy Department?

Mr. Speaker, if what the Vice President and Sandy Berger say is true, why, within 2 months after becoming Energy Secretary in January of 1993, when Keith Fultz, Assistant Comptroller General with the General Accounting Office, briefed Hazel O'Leary and strongly recommended that the Department of Energy improve controls over foreign visitors to DOE weapons laboratories and urged O'Leary to seek a further briefing about espionage at DOE laboratories from U.S. intelligence agencies, did Fultz say that O'Leary say she did not seem very interested in the matter?

Why, according to the Washington Times, did a former contractor for one of the Department of Energy's three nuclear weapons laboratories recall that O'Leary, quote, decided in her infinite wisdom to lessen security at the labs? Nuclear technology is being stolen and she lessened security at the labs. The Cold War is over, the contractor says that she indicated, and in Mrs. O'Leary's mind it was not necessary to have so much money spent on security. We did away with the people in actual security guard forces, security clearances were deemed virtually unnecessary in all but a very few areas, former secure areas were opened up, and many documents and files were allowed to be seen which at one time were of a secret or classified nature.

Why, according to the Washington Times, did the White House originally tell the Cox committee that the President was not told about Chinese espionage until 1998? We know he must have known back as far as 1997 or 1996 when his NSC director, Sandy Berger, found out about it.

Why did David Leavy, spokesman for the National Security Council, explain this discrepancy by saying, ''Well, after the Cox committee process, we've remembered more.''

Mr. Speaker, on April 7, 1998, speaking at a U.S. Institute for Peace event, President Clinton implied that anyone critical of China was using, quote, caricatures and exaggerating the Chinese threat.

Let me share a portion of the President's speech according to the record.

''Now, we hear that China is a country to be feared. A growing number of people say that it is the next great threat to our security and our well-being.

''They claim it is building up its military machine for aggression and using the profits of our trade to pay for it. They urge us, therefore, to contain China, to deny it access to our markets, our technology, our investment, and to bolster the strength of our allies in Asia to counter the threat a strong China will pose in the 21st century. What about that scenario? Clearly, if it chooses to do so, China could pursue such a course, pouring much more of its wealth into military might and into traditional great power geopolitics.

''This would rob it of much of its future prosperity, and it is far from inevitable that China will choose this path. Therefore, I would argue that we should not make it more likely that China choose this path by acting as if that decision has already been made.

''We have to follow a different course. We cannot afford caricatures.''

Well, the President knew that they had been stealing nuclear secrets from our laboratories, our nuclear laboratories, neutron bomb technology, W88 technology, MRVing technology for warheads and it had been given to them by a person who worked for the laboratory. The President had to know this as far back as early 1997, and yet they kept the man on there for over 2 more years and the President said we do not need to worry about that?

Why is China taking this additional nuclear technology if they do not really need it, if they do not have any intentions of using it? Just a couple of years ago, they fired some missiles into the Sea of China next to Taiwan. One of the leading military people in China said that he did not think the United States would worry too much about that because if we got involved, we would be much more concerned about Los Angeles than we would about Taiwan.

□ 1830

The implication was that there might be a threat that they would do something like launching a missile at Los Angeles if we stuck our nose into the Taiwanese issue.

Mr. Speaker, on March 29, 1999, one week before President Clinton's press conference with Chinese Prime Minister Zhu, Newsweek reported that when the CIA recently showed data obtained from its sources on China to a team of nuclear weapons experts, they practically fainted. These are our nuclear weapons experts, and when the CIA recently showed that data that was obtained from its sources about China's stealing of that technology, our nuclear weapons guys almost fainted.

The data, much of it written in Chinese and never read, had been stored in CIA computers and forgotten until now. It showed that Chinese scientists were routinely using phrases, descriptions and concepts that came straight out of U.S. weapons laboratories like Los Alamos. ''The Chinese penetration is total,'' said one official close to the investigation. ''They are deep, deep into the lab's black programs,'' and black programs are our most sensitive nuclear technology security issues, and they are deep, deep into them according to our experts.

Newsweek even reported that China may have even recently acquired two U.S. cruise missiles that failed to detonate during last fall's U.S. attack on terrorist Osama bin Laden and may be attempting to copy their sophisticated guidance and avoidance avionics technology.

Mr. Speaker, how can the President say that anyone who is critical of China and the threat are using caricatures?

Mr. Speaker, over the last 2 years my committee has been conducting an investigation into illegal fund-raising including illegal efforts by the Chinese to influence our elections. We have had 121 people. Nothing like this in the history of the country: 121 people have either taken the Fifth Amendment or fled the country. A number of the most important people on this list are now in Communist China. When my staff attempted to travel to China to interview some of these people, the Chinese government denied us visas and said they would arrest anybody we sent over there to investigate this.

Mr. Speaker, we asked the Bank of China to provide us with bank records that would show the origins of millions of dollars in foreign money that was funneled into the President's reelection committee and the Democrat National Committee. The Bank of China has turned us down flat. The Clinton administration has refused to do anything to help us get this important information.

Mr. Speaker, when so many people take the Fifth Amendment or flee the country, it is obvious that a lot of laws have been broken.

Mr. Speaker, the Clinton administration failure to investigate China's funneling of illegal contributions into the Clinton-Gore reelection campaign and China's theft of America's most advanced nuclear secrets are absolute tragedies. Either intentionally or through its own incompetence, the Clinton administration has caused irreparable damage to America's national security. It has compromised the

security of every man, woman and child in this country.

Mr. Speaker, this has to be investigated. The American public has a right to know what is going on regarding these illegal campaign contributions, and the thefts of our nuclear technology, and whether or not there is any connection between the two. We can no longer accept the compromise of this nation's national security, and we intend to pursue it as hard as we possibly can. But we need the help of the Justice Department, which has been stonewalling us, and we need the administration to give us some assistance as well.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BAIRD) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BAIRD, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

(The following Members (at the request of Mr. NETHERCUTT) to revise and extend their remarks and include extraneous material:)

Mr. DELAY, for 5 minutes, today.

Mr. NETHERCUTT, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CUNNINGHAM, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ROHRABACHER, for 5 minutes, today

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 440. To make technical corrections to the Microloan Program.

ADJOURNMENT

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, April 19, 1999, at 2 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the first quarter of 1999 by Committees of the House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during first quarter of 1999, pursuant to Public Law 95–384, and for miscellaneous groups in connection with official foreign travel during the calendar year 1998 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO GREAT BRITAIN, FRANCE, AND BELGIUM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 13 AND FEB. 20, 1999

Name of Member or employee	Date		Country	Per Diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Benjamin Cline	2/14	2/17	Great Britain		365.00		(3)			668.05	1,095.00
	2/17	2/18	France		332.00		(3)			1,192	332.00
	2/18	2/20	Belgium		291.00		(3)			20,882	582.00
Total											2,409.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

BENJAMIN CLINE, Mar. 19, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO MOSCOW AND ST. PETERSBURG, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 12 AND MAR. 16, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Curt Weldon	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Roger Wicker	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Robert Cramer	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. John Hostettler	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Jim Turner	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Ron Lewis	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Roscoe Bartlett	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Hon. Brian Gunderson	3/13	3/16	Russia		1,150.00		(3)				1,150.00
Total					9,200.00						9,200.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

CURT WELDON, Apr. 8. 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, TRAVEL TO ALBANIA, MACEDONIA, AND KOSOVO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 13 AND FEB. 18, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Charles E. White		2/13	United States		[3] 455.00		2,237.96				2,692.96
	2/14	2/15	Albania								
	2/15	2/16	Macedonia								
	2/16	2/17	Kosovo (Serbia)								
	2/17	2/18	Macedonia								
	2/18		United States								
Hon. Frank R. Wolf		2/13	United States		[4] 470.00		2,237.96				2,707.96
	2/14	2/15	Albania								
	2/15	2/16	Macedonia								
	2/16	2/17	Kosovo (Serbia)								
	2/17	2/18	Macedonia								
	2/18		United States								
Total					925.00		4,475.92				5,400.92

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Figure results from subtracting $245.00 unused per diem returned to State Department from original per diem figure of $700.00.
[4] Figure results from subtracting $230.00 unused per diem returned to State Department from original per diem figure of $700.00.

FRANK R. WOLF, Mar. 16, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE DELEGATION OF THE NORTH ATLANTIC ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 13 AND FEB. 21, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Tom Bliley	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Herb Bateman	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Ralph Regula	2/13	2/15	Belgium		873.00						
	2/15	2/16	France		332.00						
Commercial airfare							2,713.64				3,918.64
Hon. Marge Roukema	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Michael Bilirakis	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Paul Gillmor	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Roy Blunt	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
Commercial airfare							2,608.64				4,145.64
Hon. Joel Hefley	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Scott McInnis	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Ron Packard	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. John Tanner	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Hon. Porter Goss	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		332.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,107.00
Susan Olson	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Jo Weber	2/13	2/15	Belgium		873.00		([3])				
	2/15	2/17	France		664.00						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE DELEGATION OF THE NORTH ATLANTIC ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 13 AND FEB. 21, 1999—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Robin Evans	2/13	2/15	Beligum		873.00		(3)				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Linda Pedigo	2/13	2/15	Belgium		873.00		(3)				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
Ron Lasch	2/13	2/15	Belgium		873.00		(3)				
	2/15	2/17	France		664.00						
	2/17	2/18	Cyprus		200.00						
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						2,439.00
John Walker Roberts	2/16	2/18	Cyprus		200.00		(3)				
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						902.00
John Herzberg	2/16	2/18	Cyprus		200.00		(3)				
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						902.00
Jason Gross	2/16	2/18	Cyprus		200.00		(3)				
	2/18	2/18	Greece		124.00						
	2/18	2/21	Turkey		578.00						902.00
Total					44,140.00		5,322.28				49,462.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DOUG BEREUTER, Mar. 23, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE BRITISH-AMERICAN PARLIAMENTARIAN GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Parker Brent	11/12	11/17	England				2,307.00				2,307.00
Delegation expenses:											
Return of accrued interest from 1994–1997									8,563.25		8,563.25
Representational									603.30		603.30
Miscellaneous									10.88		10.88
Total							2,307.00		9,177.43		11,484.43

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUG BEREUTER, Mar. 5, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE CANADA-U.S. INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1998.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Amo Houghton	5/14	5/18	USA				(3)				
Hon. Phil Crane	5/14	5/18	USA		900.43		(3)				900.43
Hon. William Delahunt	5/14	5/18	USA		900.43		(3)				900.43
Hon. Benjamin A. Gilman	5/14	5/18	USA		900.43		(3)				900.43
Lee Hamilton	5/14	5/18	USA		900.43		(3)				900.43
Hon. John LaFalce	5/14	5/18	USA		900.43						1,230.43
Commercial airfare							330.00				
Hon. Bill Lipinski	5/14	5/18	USA		900.43		(3)				900.43
Collin Peterson	5/14	5/18	USA		900.43		(3)				900.43
Hon. E. Clay Shaw, Jr.	5/14	5/18	USA		900.43		(3)				900.43
Hon. Cliff Stearns	5/14	5/18	USA		900.43		(3)				900.43
Hon. Fred Upton	5/14	5/18	USA		900.43		(3)				900.43
Carl Ek	5/14	5/18	USA		900.44		(3)				900.44
Allison Kiernan	5/14	5/18	USA		900.44		(3)				900.44
Ken Nelson	5/14	5/18	USA		900.44		(3)				900.44
Frank Record	5/14	5/18	USA		900.44		(3)				900.44
Bob Van Wicklin	5/14	5/18	USA		900.44		(3)				900.44
Delegation Expenses:											
Miscellaneous									8,202.48		8,202.48
Representational									38,319.30		38,319.30
Interest Returned to Treasury									1,738.73		
Total					13,506.50		330.00		46,521.78		60,358.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

AMO HOUGHTON, Mar. 15, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE U.S. CONGRESS-EUROPEAN COMMUNITY INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Curtis Banks	6/25	6/28	United States		492.70						492.70
Nancy Bloomer	6/25	6/28	United States		417.00						417.00
Hon. Kevin Brady	6/25	6/28	United States		417.00						417.00
Matt Eggers	6/25	6/28	United States		417.00						417.00
Chaplain James Ford	6/25	6/28	United States		417.00						417.00
Hon. Benjamin Gilman	6/25	6/28	United States		417.00						417.00
John Holiday	6/25	6/28	United States		417.00						417.00
Hon. Steven Horn	6/25	6/28	United States		417.00						417.00
Hon. Sheila Jackson-Lee	6/25	6/28	United States		417.00						417.00
Shelly Livingston	3/1	3/3	United States		519.54		457.00				976.54
David Malech	6/24	6/28	United States		585.84						585.84
Drake McGraw	6/25	6/28	United States		417.00						417.00
Laura Rush	6/25	6/28	United States		624.87		230.00				854.87
Hon. Tom Sawyer	6/25	6/28	United States		417.00		207.00				624.00
Linda Solomon	3/1	3/3	United States		367.46		457.00				824.46
	6/24	6/28	United States		657.44		230.00				887.44
Hillel Weinberg	6/25	6/28	United States		417.00						417.00
Kathy Wilkes	6/25	6/28	United States		417.00						417.00
Delegation expenses:											
Representational									54,295.24		54,295.24
Translation									7,326.84		7,326.84
Miscellaneous									190.90		190.90
Interest paid back to the U.S. Treasury									8,503.91		8,503.91
Total					8,251.85		1,581.00		70,316.89		80,149.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BEN GILMAN, Mar. 8, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE MEXICO-U.S. INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jim Kolbe	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Benjamin A. Gilman	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Cass Ballenger	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Joe Barton	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Brian Bilbray	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. William Delahunt	6/19	6/21	Mexico		287.87		(3)				287.87
Hon. David Dreier	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Bob Filner	6/19	6/21	Mexico		282.58		(3)				282.58
Hon. Lee H. Hamilton	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Donald A. Manzullo	6/19	6/21	Mexico		272.00		(3)				272.00
Hon. Silvestre Reyes	6/19	6/21	Mexico		272.00		(3)				590.04
Commercial airfare							318.04				
Hon. Mark Sanford	6/19	6/21	Mexico		272.00		(3)				272.00
Everett Eissenstat	6/19	6/21	Mexico		175.18		(3)				175.18
Charmaine Houserman	6/19	6/21	Mexico		175.18		(3)				175.18
Shelly Livingston	6/1	6/3	Mexico		328.38		(3)				974.64
Commercial airfare							646.26				
John Mackey	6/19	6/21	Mexico		175.18		(3)				175.18
Caleb McCarry	6/19	6/21	Mexico		175.18		(3)				175.18
Denis McDonough	6/19	6/21	Mexico		175.18		(3)				175.18
Delegation expenses:											
Representational functions									2,344.60		
Translation/Interpreting									760.18		
Miscellaneous									292.32		
Return of accrued interest to Treasury									9,201.48		12,598.58
Total					4,669.91		964.30		12,598.58		18,232.79

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JIM KOLBE, Mar. 8, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE NORTH ATLANTIC ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1998

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	3/27	3/30	Portugal		621.99		(3)				621.99
Hon. Gerald Solomon	3/27	3/30	Portugal		621.99		(3)				621.99
Hon. Tom Bliley	3/27	3/30	Portugal		621.99		(3)				621.99
		11/15	United Kingdom				2,350.28				2,350.28
Susan Olson	3/27	3/30	Portugal		621.99						621.99
	5/22		Spain				908.96				908.96
	11/8		United Kingdom				2,540.64				2,540.64
Josephine Weber	5/22		Spain				520.96				520.96
	11/9		United Kingdom				2,756.64				2,756.64
	11/12		United Kingdom				[4] 40.68				40.68
Carol Doherty	5/22		Spain				520.96				520.96
Ronald Lasch	5/22		Spain				908.96				908.96
Hon. Owen Pickett		11/15	United Kingdom				2,350.28				2,350.28
Hon. John Tanner		11/15	United Kingdom				2,350.28				2,350.28
Hon. Robert Wise		11/15	United Kingdom				2,350.28				2,350.28

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE NORTH ATLANTIC ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND DEC. 31, 1998—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Robert King		11/14	United Kingdom				2,948.28				2,948.28
		11/14	United Kingdom				[4] 24.00				24.00
Linda Pedigo		11/14	United Kingdom				2,948.28				2,948.28
		11/14					[4] 53.00				53.00
Michael Ennis		11/14	United Kingdom				2,948.28				2,948.28
Delegation expenses:											
Representational									25,330.65		25,330.65
Miscellaneous									3,661.98		3,661.98
Accrued Interest Returned to Treasury									12,846.16		12,846.16
Total					2,497.96		26,529.76		41,838.79		70,847.31

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Taxi fare.

DOUG BEREUTER, Mar. 11, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION OF THE SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
John Finerty		2/7	United States				4,285.73				4,285.73
	2/8	2/17	Russia		1,345.00						1,345.00
Janice Helwig		1/11	United States				3,718.45				3,718.45
	1/12	3/31	Austria		10,329.91						10,329.91
Hon. Steny Hoyer		1/13	United States				5,102.39				5,102.39
	1/14	1/16	Austria		380.00						380.00
Marlene Kaufmann		1/13	United States				5,102.39				5,102.39
	1/14	1/16	Austria		380.00						380.00
Michael Ochs		1/4	United States				6,408.95				6,408.95
	1/5	1/6	Turkey		211.00						211.00
	1/6	1/9	Kyrgyzstan		680.60						680.60
	1/10	1/16	Kazakstan		1,566.00						1,566.00
					14,892.51		24,617.91				39,510.42

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRIS SMITH, Mar. 30, 1999.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1533. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clopyralid; Extension of Tolerance for Emergency Exemptions [OPP–300837; FRL–6074–5] (RIN: 2070–AB78) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1534. A letter from the Secretary of Defense, transmitting the report to Congress for Department of Defense purchases from foreign entities in fiscal year 1998, pursuant to Public Law 104–201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

1535. A letter from the General Counsel, Department of Defense, transmitting an interim report of the Department's study of the methods of selection of members of the Armed Forces to serve on courts-martial; to the Committee on Armed Services.

1536. A letter from the Chair, Defense Environmental Response Task Force, Under Secretary of Defense, transmitting a report on the actions of the Defense Environmental Response Task Force for Fiscal Year 1998; to the Committee on Armed Services.

1537. A letter from the Under Secretary of Defense, transmitting a report on the status of efforts to prepare a plan for the inventory management of in-transit items as required by Section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999; to the Committee on Armed Services.

1538. A letter from the Under Secretary of Defense, transmitting the Department of Defense Nuclear, Biological, and Chemical (NBC) Defense Annual Report to Congress, March 1999; to the Committee on Armed Services.

1539. A letter from the Director, Office of Thrift Supervision, transmitting notification of the details of the Office's 1999 compensation plan; to the Committee on Banking and Financial Services.

1540. A letter from the Chairperson, National Council on Disability, transmitting the Council's Annual Report for Fiscal Year 1998, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and the Workforce.

1541. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories: Amendment for Hazardous Air Pollutants Emmissions From Magnetic Tape Manufacturing Operations [FRL–6321–8] (RIN: 2060–AH71) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1542. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 067–1067a; FRL–6315–9] received March 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1543. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production [AD–FRL–6322–8] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1544. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Implementation Plan and Redesignation Request for the Muscogee County, Georgia Lead Nonattainment Area [GA–42–1–9908a; FRL–6321–1] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1545. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Washington [WA 68–7143–a; FRL–6322–5] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1546. A letter from the Administrator, Environmental Protection Agency, transmitting the Residual Risk Report to Congress; to the Committee on Commerce.

1547. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans;

State of Iowa [IA 068–1068a; FRL–6322–1] received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1548. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acid Rain Program, Continuous Emission Monitoring Rule Revisions [FRL–6320–8] (RIN: 2060–AG46) Recevied April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1549. A letter from the Secretary of Energy, transmitting the Combined Thirty-Ninth through Forty-Third Quarterly Reports to Congress on the status of Exxon and Stripped Well Oil Overcharge Funds covering April 1, 1997, through June 30, 1998; to the Committee on Commerce.

1550. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report required under the Support for East European Democracy Act of 1989, pursuant to 22 U.S.C. 5474; to the Committee on International Relations.

1551. A communication from the President of the United States, transmitting a report on the Strategic Concept of NATO; to the Committee on International Relations.

1552. A letter from the Chairman, Merit Systems Protection Board, transmitting the Twentieth Annual Report on the activities of the Board during Fiscal Year 1998, pursuant to 5 U.S.C. 1206; to the Committee on Government Reform.

1553. A letter from the Director, Office of Personnel Management, transmitting the Department's final rule—Retirement, Health, and Life Insurance Coverage For Certain Employees Of The District Of Columbia Under The District Of Columbia Courts And Justice Technical Corrections Act of 1998 (RIN: 3206–AI55) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1554. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Environmental Differential Pay for Working at High Altitudes (RIN: 3206–AI36) received April 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

1555. A letter from the Chairman, Federal Election Commission, transmitting three urgent recommendations for legislative action, pursuant to 2 U.S.C. 437d(d)(2); to the Committee on House Administration.

1556. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the 1998 Section 8 Report on National Natural Landmarks that have been damaged or are likely to be damaged; to the Committee on Resources.

1557. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants: Final Rule to List the Flatwoods Salamander as a Threatened Species (RIN: 1018–AE38) received March 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1558. A letter from the Interim Staff Director, United States Sentencing Commission, transmitting an annual report of the commission's findings, pursuant to 18 U.S.C. 3552 nt.; to the Committee on the Judiciary.

1559. A letter from the Regulations Officer, Department of Transportation, transmitting the Department's ''Major'' final rule—Parts and Accessories Necessary for Safe Operation; Lighting Devices, Reflectors, And Electrical Equipment [FHWA Docket No. MC–94–1; FHWA–1997–2222] (RIN: 2125–AD27) received March 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1560. A letter from the Under Secretary of Defense, transmitting a report on the actions taken to develop an integrated program to prevent and respond to terrorist incidents involving weapons of mass destruction; to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TALENT (for himself, Mr. STENHOLM, Mr. PAUL, Mr. GOODE, Mr. HUNTER, Mr. HAYWORTH, Ms. PRYCE of Ohio, Mr. CUNNINGHAM, Mr. NORWOOD, Mr. RYUN of Kansas, Mr. BARRETT of Nebraska, Mr. PETERSON of Pennsylvania, and Mr. HILLEARY):

H.R. 1427. A bill to amend the Occupational Safety and Health Act of 1970 to further improve the safety and health of working environments, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LANTOS:

H.R. 1428. A bill to amend title 18, United States Code, to strengthen the ban against assault weapons by restricting the availability of such weapons and certain of their component parts; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois (for himself, Mr. FRANK of Massachusetts, Ms. PELOSI, Ms. LEE, Mr. LANTOS, Mr. CUMMINGS, Mr. HINCHEY, Mr. CLAY, Ms. SCHAKOWSKY, Mrs. CLAYTON, Mr. BARRETT of Wisconsin, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. RUSH, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Ms. KILPATRICK, Mr. THOMPSON of Mississippi, Mr. OWENS, Mr. FILNER, Mr. HILLIARD, Mr. MEEKS of New York, Ms. NORTON, Mrs. MEEK of Florida, Mr. BISHOP, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1429. A bill to establish a program under the Secretary of Housing and Urban Development to eliminate redlining in the insurance business; to the Committee on Banking and Financial Services.

By Mr. GILMAN (for himself, Mr. BOEHLERT, Mr. HOUGHTON, and Mr. SHOWS):

H.R. 1430. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, to increase the availablility and affordability of professional development for child care providers, to expand youth development opportunities, to ensure the safety of children placed in child care centers in Federal facilities, to ensure adequate child care subsidies for low-income working families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Government Reform, Banking and Financial Services, House Administration, Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 1431. A bill to reauthorize and amend the Coastal Barrier Resources Act; to the Committee on Resources.

By Mrs. KELLY (for herself, Mr. ROMERO-BARCELO, Mr. COOKSEY, Mr. SANDERS, Mr. SHOWS, Mr. GARY MILLER of California, Mr. BROWN of California, Mr. BARR of Georgia, Mr. JONES of North Carolina, and Mr. METCALF):

H.R. 1432. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide long-term nursing care at public expense to any veteran with a service-connected disability of 50 percent or greater; to the Committee on Veterans' Affairs.

By Mr. BAIRD:

H.R. 1433. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Ways and Means.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, and Mr. BOEHNER):

H.R. 1434. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. METCALF (for himself, Mr. LEACH, and Mr. KANJORSKI):

H.R. 1435. A bill to allow depository institutions to offer negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, to require the Board of Governors of the Federal Reserve System to pay interest on certain reserves, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, and Mr. STENHOLM):

H.R. 1436. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

H.R. 1437. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

H.R. 1438. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

H.R. 1439. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. GREENWOOD (for himself, Mr. OSE, Mr. ENGLISH, and Mr. HORN):

H.R. 1440. A bill to amend the Internal Revenue Code of 1986 to reduce the 15 and 28 percent individual income tax rates to 10 and 23 percent over a 10 year period; to the Committee on Ways and Means.

By Mr. BOEHNER (for himself, Mr. GOODLING, Mrs. ROUKEMA, Mr. BALLENGER, Mr. BARRETT of Nebraska, Mr. HOEKSTRA, Mr. MCKEON, Mr. CASTLE, Mr. SAM JOHNSON of Texas, Mr. TALENT, Mr. GREENWOOD, Mr. GRAHAM, Mr. SOUDER, Mr. NORWOOD, Mr. PAUL, Mr. SCHAFFER, Mr. UPTON, Mr. DEAL of Georgia, Mr. HILLEARY, Mr. SALMON, Mr. TANCREDO, Mr. FLETCHER, Mr. DEMINT, Mr. ISAKSON, Mr. DELAY, Ms. PRYCE of Ohio, Mr. CUNNINGHAM, Mr. KASICH, Mrs. MYRICK, Mr. LARGENT, Mrs. NORTHUP, Mr. BARTON of Texas, Mr. NETHERCUTT, Mr. WELDON of Florida, Mr. HAYWORTH, Mr. SHADEGG, Mr. SUNUNU, Mr. CALVERT, Mr. DICKEY, Mr. HEFLEY, Mr. SESSIONS, Mr. WATKINS, Mr. WICKER, Mr. GOODLATTE, Mr. DOOLITTLE, Mr. RAMSTAD, Mr. GOSS, Mr. HUTCHINSON, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. GARY MILLER of California, Mr. SKEEN, Mr. STEARNS, Mr. PETERSON of Pennsylvania, Mrs.

BIGGERT, Mr. BURTON of Indiana, Mr. LATHAM, Mr. PITTS, Mr. PICKERING, Mr. KNOLLENBERG, Mr. PORTER, and Ms. GRANGER):

H.R. 1441. A bill to amend section 8(a) of the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. CALVERT:

H.R. 1442. A bill to amend the Federal Property and Administrative Services Act of 1949 to continue and extend authority for transfers to State and local governments of certain property for law enforcement, public safety, and emergency response purposes; to the Committee on Government Reform.

By Mr. CONYERS (for himself, Mr. MENENDEZ, Ms. WATERS, Mr. SCOTT, Ms. JACKSON-LEE of Texas, Mr. NADLER, Mr. BERMAN, Mr. WEINER, Mr. CUMMINGS, Mr. MEEKS of New York, Mr. HILLIARD, Mr. FARR of California, Mr. LEWIS of Georgia, Mr. DIXON, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, Mr. HINCHEY, Mr. PAYNE, Mr. CLAY, Mr. BARRETT of Wisconsin, Mrs. CLAYTON, and Mrs. JONES of Ohio):

H.R. 1443. A bill to provide for the collection of data on traffic stops; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself and Mr. WALDEN of Oregon):

H.R. 1444. A bill to authorize the Secretary of the Army to develop and implement projects for fish screens, fish passage devices, and other similar measures to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, and Idaho; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT (for himself and Mr. WATKINS):

H.R. 1445. A bill to promote research into, and the development of an ultimate cure for, the disease known as fragile X; to the Committee on Commerce.

By Mr. DUNCAN:

H.R. 1446. A bill to amend the Internal Revenue Code of 1986 to allow a tax-free distribution from a qualified retirement plan to the extent that the distribution is contributed for charitable purposes; to the Committee on Ways and Means.

By Mr. FORD (for himself, Mr. RANGEL, Mr. CUMMINGS, Mrs. THURMAN, Mr. MEEKS of New York, Mr. UNDERWOOD, Mr. THOMPSON of Mississippi, and Ms. MILLENDER-MCDONALD):

H.R. 1447. A bill to provide for the coordinated end-to-end testing and disclosure of the readiness of certain Federal and non-Federal computer systems for the year 2000 computer problem; to the Committee on Science.

By Mr. FRELINGHUYSEN:

H.R. 1448. A bill to require the Administrator of the Federal Aviation Administration to redesign expeditiously the airspace over the New Jersey/New York metropolitan area, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GORDON:

H.R. 1449. A bill to amend title 18, United States Code, to prohibit sports agents from influencing college athletes; to the Committee on the Judiciary.

By Mr. KLECZKA (for himself, Mr. OBEY, Mr. BARCIA, Mr. SMITH of New Jersey, and Mr. MURTHA):

H.R. 1450. A bill to protect the privacy of the individual with respect to the Social Security number and other personal information, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAHOOD (for himself, Mr. SHIMKUS, Mr. EVANS, Mr. BLAGOJEVICH, Mr. PHELPS, Ms. SCHAKOWSKY, Mr. PORTER, Mr. RUSH, Mr. MANZULLO, Mr. LIPINSKI, Mr. COSTELLO, Mr. GUTIERREZ, Mr. HYDE, Mr. WELLER, Mr. EWING, Mr. CRANE, Mrs. BIGGERT, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H.R. 1451. A bill to establish the Abraham Lincoln Bicentennial Commission; to the Committee on Government Reform.

By Mr. LAHOOD:

H.R. 1452. A bill to create United States money in the form of noninterest bearing credit in accordance with the 1st and 5th clauses of section 8 of Article I of the Constitution of the United States, to provide for noninterest bearing loans of the money so created to State and local governments solely for the purpose of funding capital projects; to the Committee on Banking and Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMPSON:

H.R. 1453. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for 2-earner married couples; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. LEACH, Mr. OBERSTAR, Mr. HORN, Ms. WOOLSEY, Mr. MINGE, Ms. LEE, Ms. RIVERS, Mr. DELAHUNT, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. DEFAZIO, Mr. HINCHEY, Mr. PAYNE, Ms. PELOSI, Mr. CONYERS, Mr. MARKEY, Mr. ENGEL, Mr. TOWNS, Ms. BROWN of Florida, Mr. MCGOVERN, Mr. OWENS, Mr. BROWN of California, Mr. FRANK of Massachusetts, and Mr. MORAN of Kansas):

H.R. 1454. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for nonmilitary purposes, to create the Religious Freedom Peace Tax Fund to receive such tax payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. STARK, and Mr. BERRY):

H.R. 1455. A bill to amend title XI of the Social Security Act and the Internal Revenue Code of 1986 to establish a mechanism to promote the provision of Medicare cost-sharing assistance to eligible low-income Medicare beneficiaries; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. WICKER, Ms. WOOLSEY, Ms. PELOSI, Mr. KINGSTON, and Mr. UPTON):

H.R. 1456. A bill to improve the National Writing Project; to the Committee on Education and the Workforce.

By Mr. MINGE (for himself and Mr. GILCHREST):

H.R. 1457. A bill to amend the Internal Revenue Code of 1986 to extend the credit for producing electricity from certain renewable resources; to the Committee on Ways and Means.

By Mr. NETHERCUTT (for himself and Mr. WAMP):

H.R. 1458. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the old-age, survivors, and disability insurance taxes paid by employees and self-employed individuals, and for other purposes; to the Committee on Ways and Means.

By Mr. PETRI (for himself and Mr. ANDREWS):

H.R. 1459. A bill to authorize the Secretary of Labor to establish voluntary protection programs; to the Committee on Education and the Workforce.

By Mr. REYES:

H.R. 1460. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Resoration Act to decrease the requisite blood quantum required for membership in the Ysleta del Sur Pueblo tribe; to the Committee on Resources.

By Mr. ROGAN (for himself and Mr. ROTHMAN):

H.R. 1461. A bill to amend title 18, United States Code, to exempt qualified law enforcement officers from State laws prohibiting the carrying of concealed firearms; to the Committee on the Judiciary.

By Mr. ROHRABACHER (for himself, Mr. CAMPBELL, Ms. KAPTUR, Mr. KUCINICH, Mr. BILBRAY, Mrs. BONO, Mr. BOUCHER, Mr. CALVERT, Mr. CONDIT, Mr. COX, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Mr. GALLEGLY, Mr. GILCHREST, Mr. GRAHAM, Mr. HORN, Mr. HUNTER, Ms. LEE, Ms. MCKINNEY, Mr. METCALF, Mr. GARY MILLER of California, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. POMBO, Mr. RADANOVICH, Mr. ROGAN, Mr. ROYCE, Mr. SANDERS, Mr. SOUDER, Mr. SHADEGG, Mr. TANCREDO, Mr. WELDON of Florida, Mr. WICKER, and Mr. WALSH):

H.R. 1462. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the ownership and control of corporations by employees; to the Committee on Ways and Means.

By Mr. ROTHMAN (for himself and Mr. HOLT):

H.R. 1463. A bill to require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself, Mr. TIAHRT, Mrs. CUBIN, Mr. BURR of North Carolina, Mr. SCHAFFER, Mr. BLILEY, and Mr. BURTON of Indiana):

H.R. 1464. A bill to amend the Internal Revenue Code of 1986 to provide that farm income may be allocated among taxable years; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 1465. A bill to amend the Internal Revenue Code of 1986 to allow a credit for residential solar energy property; to the Committee on Ways and Means.

By Mr. SANDLIN:

H.R. 1466. A bill to amend the Internal Revenue Code of 1986 to repeal estate, gift, and generation-skipping transfer taxes; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself, Mr. TRAFICANT, Mr. BRADY of Texas, Mr. CALLAHAN, Mr. CAMPBELL, Mrs. CHENOWETH, Mr. DEMINT, Mr. HALL of Texas, Mr. HEFLEY, Mr. HUNTER, Mr. LINDER, Mrs. MYRICK, Mr. NORWOOD, Mr. PACKARD, Mr. PETERSON of Minnesota, Mr. SCARBOROUGH, Mr. STUMP, and Mr. TANCREDO):

H.R. 1467. A bill to promote freedom, fairness, and economic opportunity for families by repealing the income tax, abolishing the Internal Revenue Service, and enacting a national retail sales tax to be administered primarily by the States; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THUNE (for himself, Mr. POMEROY, Mr. MINGE, and Mrs. EMERSON):

H.R. 1468. A bill to amend the Agricultural Market Transition Act to eliminate the limitation on loan rates for marketing assistance loans through the 2002 crop year; to the Committee on Agriculture.

By Mr. THUNE:

H.R. 1469. A bill to amend the Internal Revenue Code of 1986 to reestablish the marketing aspects of farmers' cooperatives in relation to adding value to a farmer's product by feeding it to animals and selling the animals and to grant a declaratory judgment remedy relating to the status and classification of farmers' cooperatives; to the Committee on Ways and Means.

By Mr. VISCLOSKY:

H.R. 1470. A bill to reduce corporate welfare and promote corporate responsibility; to the Committee on Ways and Means, and in addition to the Committees on Resources, Agriculture, Science, Banking and Financial Services, the Budget, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 1471. A bill to eliminate money laundering in the private banking system, to require the Secretary of the Treasury to warn insured depository institutions of foreign countries in which there is a concentration of money laundering activities, to amend the Bank Holding Company Act of 1956 to require the Board of Governors of the Federal Reserve System to include money laundering activities in the consideration of applications under section 3 of such Act, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. WELDON of Pennsylvania (for himself, Mr. WATKINS, Mr. CHAMBLISS, Mr. LANTOS, Mr. NEAL of Massachusetts, Mr. LAFALCE, Mr. HINCHEY, Ms. BROWN of Florida, Mr. LEWIS of Georgia, Mr. NETHERCUTT, Mr. MCNULTY, Mr. CUMMINGS, Mr. FRANKS of New Jersey, Mr. KOLBE, Mr. HOEKSTRA, Mrs. MINK of Hawaii, Mr. FROST, Mr. ORTIZ, Mr. COSTELLO, Mr. REYES, Mr. BARRETT of Nebraska, Mr. KLECZKA, Mr. ISAKSON, Mr. ROMERO-BARCELO, Mrs. CAPPS, Mr. RANGEL, Mrs. MORELLA, Mr. JEFFERSON, Mr. SHOWS, Ms. JACKSON-LEE of Texas, Mr. DIXON, Mr. BILIRAKIS, Mr. WEINER, Mr. RUSH, Mr. BALLENGER, Mr. PASTOR, Mr. FOLEY, Mr. STARK, Mrs. KELLY, Ms. KILPATRICK, Mr. GONZALEZ, Mr. LAHOOD, Mr. HOEFFEL, Mr. BERMAN, Mr. FRELINGHUYSEN, Mr. FORBES, Mr. SHERWOOD, Mr. CANADY of Florida, and Mr. CRAMER):

H.R. 1472. A bill to allow postal patrons to contribute to funding for diabetes research through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Government Reform.

By Mr. BLUMENAUER:

H. Con. Res. 86. Concurrent resolution expressing the sense of Congress regarding Federal decisions, actions, and regulations affecting water; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA (for herself, Mr. SHOWS, Mr. BACHUS, Mr. UPTON, Mr. NEY, Mr. CAMPBELL, Mr. WHITFIELD, Mr. WOLF, Mrs. THURMAN, Ms. DANNER, Mr. DOOLEY of California, Mr. KUYKENDALL, Mr. LEACH, Mrs. KELLY, Mrs. MINK of Hawaii, Mr. LATOURETTE, Mr. RILEY, Mr. HALL of Ohio, Mr. HOSTETTLER, Mr. MARTINEZ, Mr. MCHUGH, Mr. DIXON, Mrs. MORELLA, Mr. FILNER, Mr. BENTSEN, Mr. BEREUTER, Mr. GARY MILLER of California, Mr. LOBIONDO, Mr. TANNER, Mr. ROHRABACHER, Mr. GILLMOR, Mr. NADLER, Mrs. EMERSON, Mr. HERGER, Mr. BARRETT of Wisconsin, Mr. SMITH of Washington, Mr. WELLER, Mr. PAUL, Mr. SHERMAN, Mr. BLUMENAUER, Mr. ROTHMAN, Mr. WALSH, Mr. BARRETT of Nebraska, Mr. GORDON, Mr. PASTOR, Mrs. CAPPS, Mr. BERMAN, Ms. KAPTUR, Mr. OSE, Mr. HILL of Indiana, Mr. BONIOR, Mr. FARR of California, Mr. LUCAS of Kentucky, Ms. BERKLEY, Mr. SNYDER, Mr. PRICE of North Carolina, Mr. CLYBURN, Mr. NEAL of Massachusetts, Mr. MCCOLLUM, Mr. SHAYS, and Mr. DIAZ-BALART):

H. Con. Res. 87. Concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

19. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, relative to Resolution No. 29 petitioning the Congress of the United States and the executive branch of the federal government to prohibit federal recoupment of state tobacco settlement recoveries; to the Committee on Commerce.

20. Also, a memorial of the Senate of the State of Pennsylvania, relative to Senate Resolution No. 48 memorializing the Congress of the United States to enact legislation clarifying section 1903(a)(3) of the Social Security Act to protect the states from Federal seizure of any portion of the tobacco settlement funds by the Secretary of Health and Human Services as an overpayment under the Federal Medicaid program; to the Committee on Commerce.

21. Also, a memorial of the General Assembly of the State of Nevada, relative to Assembly Joint Resolution No. 5 urging the Congress to enact legislation that provides for the payment of lump sums to persons who became eligible for social security benefits after 1981 and before 1992 and have received lower benefits as result of the changes in the computation of benefits enacted by Public Law 95–216, as compensation for the reduced benefits they have been paid; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REYES:

H.R. 1473. A bill for the relief of Vince Munoz, Governor of the Tribal Council of the Ysleta del Sur Pueblo and all other enrolled members of the Ysleta del Sur Pueblo; to the Committee on the Judiciary.

H. Res. 141. A resolution for the relief of Vince Munoz, Governor of the Tribal Council of the Ysleta del Sur Pueblo and all other enrolled members of the Ysleta del Sur Pueblo; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mr. GILLMOR and Mr. MCCOLLUM.

H.R. 7: Mr. SAM JOHNSON of Texas, Mr. DEAL of Georgia, Mr. MCKEON, Mr. POMBO, Mr. ADERHOLT, Mr. SALMON, Mr. RYAN of Wisconsin, Mr. WELDON of Florida, Mr. CRANE, Mr. FOLEY, and Mr. HOSTETTLER.

H.R. 21: Mrs. EMERSON, Mr. GEKAS, Mr. TALENT, Mr. CLYBURN, Mr. FILNER, Mr. QUINN, Mr. MINGE, Mr. GARY MILLER of California, and Mr. WISE.

H.R. 41: Mr. SHOWS.

H.R. 72: Mr. HOLDEN, Mr. CONDIT, and Mr. NEY.

H.R. 152: Ms. BROWN of Florida.

H.R. 165: Mr. BONIOR and Mr. CONYERS.

H.R. 175: Mr. BAIRD, Mr. ROTHMAN, Mr. DOOLEY of California, Mrs. CHENOWETH, Mrs. BIGGERT, Mr. BRADY of Pennsylvania, Mr. LAHOOD, Mr. EVANS, Mr. BROWN of Ohio, Mr. ORTIZ, Mr. THUNE, Mr. WEINER, Mr. GILMAN, Mr. MINGE, Mr. LAMPSON, Mr. KINGSTON, Mr. EHLERS, Mr. PRICE of North Carolina, and Mr. ROGAN.

H.R. 194: Mr. UPTON.

H.R. 210: Mrs. WILSON and Mr. HILLIARD.

H.R. 216: Mr. SHAYS.

H.R. 218: Mr. HULSHOF, Mrs. CAPPS, Mr. WHITFIELD, and Mr. LARGENT.

H.R. 242: Mr. SESSIONS, Ms. DEGETTE, Mr. BEREUTER, Mr. BACHUS, Mr. PAUL, Mr. WAMP, Mr. HEFLEY, Mr. RILEY, Mr. SCHAFFER, and Mr. HILL of Montana.

H.R. 318: Mr. BOYD.

H.R. 351: Mr. PITTS, Mr. SHAYS, and Mr. GUTIERREZ.

H.R. 360: Mr. FORBES and Ms. MCCARTHY of Missouri.

H.R. 362: Mr. WEXLER and Ms. ROYBAL-ALLARD.

H.R. 363: Mr. MCINTYRE, Ms. ROYBAL-ALLARD, Mr. MCCOLLUM, Mr. TURNER, and Mr. BISHOP.

H.R. 364: Ms. ROYBAL-ALLARD.
H.R. 365: Ms. ROYBAL-ALLARD.
H.R. 366: Ms. ROYBAL-ALLARD.
H.R. 380: Mr. WELDON of Pennsylvania, Mr. BALLENGER, Mr. MALONEY of Connecticut, Mr. ROEMER, Mr. MCINTYRE, Mr. UPTON, and Mr. SWEENEY.
H.R. 383: Mr. HINCHEY, Mr. FILNER, Mr. ENGEL, Mr. ENGLISH, and Mrs. THURMAN.
H.R. 407: Mr. SCHAFFER.
H.R. 408: Mr. ENGLISH and Mr. JEFFERSON.
H.R. 417: Mr. WEYGAND.
H.R. 425: Mr. FRANK of Massachusetts, Mrs. MEEK of Florida, Mr. MCDERMOTT, Ms. PELOSI, Ms. ESHOO, Mr. CAPUANO, Ms. BROWN of Florida, and Mr. BLUMENAUER.
H.R. 464: Mr. REGULA, Mr. HALL of Texas, Mr. HINCHEY, Mr. RUSH, Mr. KINGSTON, Mr. DREIER, and Mr. MCCRERY.
H.R. 469: Mr. KENNEDY of Rhode Island, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. FOLEY, and Mr. WEXLER.
H.R. 486: Mr. BUYER.
H.R. 527: Mr. FILNER.
H.R. 574: Mr. WELDON of Florida.
H.R. 580: Mr. ENGLISH.
H.R. 601: Mr. WELDON of Florida.
H.R. 604: Mr. KENNEDY of Rhode Island and Mr. PETRI.
H.R. 607: Mr. RAMSTAD.
H.R. 672: Mr. HULSHOF and Mr. JOHN.
H.R. 682: Mr. UDALL of Colorado.
H.R. 693: Mr. NUSSLE.
H.R. 699: Ms. NORTON and Mr. NADLER.
H.R. 710: Mr. GORDON, Mr. WICKER, Mr. WATTS of Oklahoma, Mrs. MYRICK, Mr. LUCAS of Oklahoma, Mr. CAMPBELL, Mr. PICKERING, Mrs. CLAYTON, Mr. ISTOOK, Mr. RADANOVICH, Mr. CRAMER, Mr. WELLER, Mr. FOLEY, Mr. DUNCAN, Mr. THOMPSON of Mississippi, Mr. FROST, Mr. DEMINT, Mr. COBURN, and Mr. LAMPSON.
H.R. 721: Mr. NETHERCUTT, Mr. RODRIGUEZ, Mr. GONZALEZ, and Mr. POMBO.
H.R. 742: Mr. GONZALEZ, Mr. GEORGE MILLER of California, and Mr. WEXLER.
H.R. 750: Mr. ROTHMAN.
H.R. 767: Mr. TERRY.
H.R. 805: Mr. SNYDER.
H.R. 828: Mr. GILLMOR and Mr. GOODLATTE.
H.R. 835: Mr. HINCHEY and Mr. MCCRERY.
H.R. 837: Mr. CLAY.
H.R. 838: Mrs. THURMAN, Mr. PRICE of North Carolina, and Mr. BOUCHER.
H.R. 844: Mr. GARY MILLER of California, Mr. YOUNG of Alaska, Mr. JEFFERSON, Mr. MCDERMOTT, Mr. BONIOR, Mr. COOK, Ms. PRYCE of Ohio, Mr. SCHAFFER, Mr. MILLER of Florida, Mrs. FOWLER, Mr. WEXLER, and Mrs. JOHNSON of Connecticut.
H.R. 845: Mr. WEINER.
H.R. 860: Mr. BISHOP.
H.R. 864: Mr. DUNCAN, Mr. GORDON, Mr. CHAMBLISS, Mr. DINGELL, Mr. CALVERT, Mr. FRANK of Massachusetts, Mr. SCHAFFER, Ms. LEE, Mr. HORN, Mr. CUNNINGHAM, Mr. HOLDEN, Mr. CAPUANO, Mr. DELAHUNT, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mr. BORSKI, Mr. BLAGOJEVICH, Mr. RANGEL, Mr. GREENWOOD, Mr. CONDIT, Mr. LIPINSKI, Mrs. KELLY, Mr. HOEKSTRA, Mr. BENTSEN, Mr. EVANS, Mr. WEINER, Mr. THUNE, Ms. PELOSI, Mr. KANJORSKI, Mr. LAHOOD, Mr. COSTELLO, Mrs. CHENOWETH, Mr. BRADY of Pennsylvania, Mrs. BIGGERT, Mr. GILMAN, Mr. MINGE, Mr. GEJDENSON, Mr. ORTIZ, Mr. THOMPSON of California, Mr. TIERNEY, Mr. MARKEY, and Ms. LOFGREN.
H.R. 883: Mr. LAHOOD, Mr. BERRY, Mr. SHIMKUS, Mr. HULSHOF, Mr. CANADY of Florida, Mr. GALLEGLY, and Mr. ORTIZ.
H.R. 894: Mr. OSE.
H.R. 895: Mr. SANDERS, Mr. DELAHUNT, Mr. BALDACCI, Mr. SHERMAN, Mr. LANTOS, Mrs. MEEK of Florida, Mrs. MINK of Hawaii, Mr. MEEHAN, Mr. THOMPSON of Mississippi, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. FILNER, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. FROST, Ms. KILPATRICK, Ms. NORTON, Mr. KENNEDY of Rhode Island, Mr. OLVER, Mr. WEXLER, Mr. MCGOVERN, Mr. WYNN, Ms. BROWN of Florida, Mr. PAYNE, Ms. PRYCE of Ohio, Mr. WEINER, Mr. CUMMINGS, Ms. DEGETTE, Mr. ENGEL, Mr. COYNE, Mr. STARK, Mr. WU, Mr. DAVIS of Florida, Ms. SLAUGHTER, Mr. FOLEY, Mr. CAPUANO, and Mr. THOMPSON of California.
H.R. 902: Mr. WEINER.
H.R. 919: Mr. PAYNE.
H.R. 927: Mr. CRANE, Mr. HULSHOF, and Mr. UDALL of Colorado.
H.R. 938: Mr. BONIOR.
H.R. 939: Mr. DAVIS of Illinois.
H.R. 957: Mr. CHAMBLISS, Mr. BERRY, Mr. BRYANT, Mr. SHUSTER, Mr. BOSWELL, Mr. FLETCHER, Mr. OLVER, Mr. LEWIS of Georgia, and Mrs. KELLY.
H.R. 959: Mr. ENGEL, Mr. FATTAH, and Mr. MOAKLEY.
H.R. 984: Mr. RAMSTAD, Mr. PAYNE, Mr. MILLER of Florida, Mr. TOWNS, and Mr. OWENS.
H.R. 991: Ms. BALDWIN.
H.R. 993: Mrs. MYRICK and Mr. GEKAS.
H.R. 997: Ms. JACKSON-LEE of Texas, Mr. FRANKS of New Jersey, Mr. ANDREWS, Mr. GILMAN, Mrs. LOWEY, Mr. BLAGOJEVICH, Mr. WEINER, Mr. PICKET, Mr. KING, and Mrs. ROUKEMA.
H.R. 1001: Mr. BARCIA, Mr. TANNER, Mr. COYNE, Mr. LEWIS of Georgia, and Mr. SCARBOROUGH.
H.R. 1008: Mrs. MINK of Hawaii, Ms. WOOLSEY, Mr. REYES, Mrs. CAPPS, and Mr. GREEN of Texas.
H.R. 1012 Mr. UNDERWOOD, Mr. CHAMBLISS, and Mr. CALVERT.
H.R. 1041: Mr. DEMINT.
H.R. 1053: Ms. WATERS.
H.R. 1070: Mr. BISHOP, Mrs. MINK of Hawaii, Mr. FRANK of Massachusetts, Mrs. FOWLER, Mr. KENNEDY of Rhode Island, and Mr. KIND.
H.R. 1071: Mrs. MEEK of Florida.
H.R. 1074: Mr. ROYCE, Mr. BARR of Georgia, Mr. GARY MILLER of California, Mr. STUMP, Mr. WELDON of Florida, and Mr. TIAHRT.
H.R. 1075: Mr. SAWYER.
H.R. 1082: Mr. JEFFERSON.
H.R. 1084: Mr. WELDON of Florida.
H.R. 1091: Mr. UNDERWOOD, Mr. MCINNIS, and Mr. FROST.
H.R. 1092: Mr. WELDON of Florida.
H.R. 1096: Mr. CAPUANO.
H.R. 1098: Mr. MALONEY of Connecticut, Mr. SCHAFFER, Mr. SHOWS, Mr. ROHRABACHER, Mr. ENGLISH, Mr. CANADY of Florida, and Mr. TIAHRT.
H.R. 1109: Mr. LAFALCE.
H.R. 1111: Mr. ANDREWS, Mr. LOBIONDO, and Mr. COOKSEY.
H.R. 1122: Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. CUNNINGHAM, and Mr. ENGLISH.
H.R. 1139: Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. GONZALEZ, Mr. GORDON, Mrs. LOWEY, Mr. MARKEY, Mrs. MCCARTHY of New York, Mrs. MEEK of Florida, Mrs. MINK of Hawaii, Mr. NADLER, Mr. OLVER, Mr. THOMPSON of Mississippi, and Mr. UNDERWOOD.
H.R. 1145: Mr. SCARBOROUGH.
H.R. 1154: Mr. JEFFERSON and Mr. STEARNS.
H.R. 1172: Mr. SHOWS, Mr. PICKERING, Mr. GONZALEZ, Ms. PRYCE of Ohio, Mr. CARDIN, Mr. FATTAH, Mr. WEINER, Mr. JENKINS, Ms. KAPTUR, Mr. BRADY of Pennsylvania, Mr. PITTS, Mr. JEFFERSON, Ms. DEGETTE, Mr. FOLEY, and Mr. TERRY.
H.R. 1180: Mr. THOMPSON of California, Ms. KILPATRICK, Mr. MCDERMOTT, Mr. MCNULTY, Ms. SCHAKOWSKY, Mr. OLVER, Mr. RAHALL, Ms. PELOSI, Mr. SANDERS, Mr. BENTSEN, Mr. PRICE of North Carolina, and Mr. BERMAN.
H.R. 1215: Mr. LANTOS, Mr. MARTINEZ, Ms. ROYBAL-ALLARD, Mr. RYAN of Wisconsin, Mr. CONDIT, Ms. BALDWIN, Mr. WAXMAN, and Mr. GREEN of Wisconsin.
H.R. 1221: Mr. PASCRELL.
H.R. 1222: Mr. GANSKE.
H.R. 1223: Mr. EWING, Mr. COSTELLO, Mr. LIPINSKI, Mr. RUSH, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mrs. BIGGERT, Mr. EVANS, and Mr. WELLER.
H.R. 1237: Mr. KENNEDY of Rhode Island and Mr. FORBES.
H.R. 1244: Mr. LAFALCE and Mr. LAMPSON.
H.R. 1248: Mr. ALLEN, Ms. KAPTUR, Mrs. ROUKEMA, Mr. BOEHLERT, Mr. WATKINS, Mr. MALONEY of Connecticut, Mr. FILNER, Mr. NADLER, Mr. SANDERS, Mr. HASTINGS of Florida, Mr. JEFFERSON, Mr. MARKEY, Mr. KENNEDY of Rhode Island, and Mr. COOKSEY.
H.R. 1261: Mr. GOODE.
H.R. 1266: Mr. DELAHUNT.
H.R. 1270: Mr. LUTHER and Mr. OBERSTAR.
H.R. 1275: Mr. SCARBOROUGH.
H.R. 1281: Mr. GARY MILLER of California.
H.R. 1288: Mr. BRADY of Pennsylvania, Mr. EVANS, Ms. SLAUGHTER, and Mr. MCINTYRE.
H.R. 1289: Mr. MEEHAN, Mr. STARK, and Mr. VENTO.
H.R. 1300: Mr. GREENWOOD, Mr. SHOWS, and Mr. MARTINEZ.
H.R. 1322: Mr. COX, Mrs. BONO, and Mr. HUNTER.
H.R. 1330: Mr. GREEN of Texas.
H.R. 1331: Mr. GREEN of Texas, Mr. GONZALEZ, Mr. ANDREWS, Ms. BROWN of Florida, Ms. SLAUGHTER, Mr. BONIOR, Mr. VENTO, and Mr. FATTAH.
H.R. 1346: Mr. GREEN of Texas, Mr. WYNN, Mr. FALEOMAVAEGA, Mr. RANGEL, Mr. ROTHMAN, Mr. HINCHEY, Mr. UNDERWOOD, Mrs. MEEK of Florida, and Mr. GEORGE MILLER of California.
H.R. 1348: Mr. KENNEDY of Rhode Island, Mr. ROHRABACHER, Ms. DANNER, Mr. SHOWS, Mr. BARTLETT of Maryland, Mr. SMITH of Michigan, Mr. HOEKSTRA, Mr. SAM JOHNSON of Texas, Mr. GRAHAM, Mr. HILLEARY, Mr. RILEY, Mr. GIBBONS, Mr. HOSTETTLER, Mr. CHAMBLISS, Mr. WELDON of Pennsylvania, Mr. TIAHRT, Mr. PITTS, Mr. GREEN of Texas, Mr. HUNTER, Mr. TALENT, Mrs. MYRICK, Mr. CALLAHAN, and Mr. NUSSLE.
H.R. 1354: Mr. BAKER, Mr. COMBEST, Mr. JONES of North Carolina, Mr. MORAN of Kansas, and Mr. BONILLA.
H.R. 1355: Mr. RUSH.
H.R. 1357: Mr. SESSIONS.
H.R. 1363: Mr. WOLF.
H.R. 1387: Mr. SKELTON.
H.R. 1395: Mr. GARY MILLER of California.
H.R. 1398: Mr. GARY MILLER of California.
H.R. 1402: Mr. CASTLE, Mr. FOSSELLA, Mr. KING, Mr. MCNULTY, Mr. NADLER, Mr. QUINN, Mr. LAMPSON, Mr. ENGLISH, Mr. FILNER, Ms. SLAUGHTER, Mr. SHERWOOD, and Mr. LAZIO.
H.J. Res. 10: Mrs. EMERSON.
H.J. Res. 25: Mr. GIBBONS, Mr. SPRATT, and Mr. REYES.
H.J. Res. 37: Mr. SIMPSON.
H. Con. Res. 22: Mr. COOK.
H. Con. Res. 30: Mr. NORWOOD and Mr. HOSTETTLER.
H. Con. Res. 36: Ms. KAPTUR and Mr. BONIOR.
H. Con. Res. 54: Mr. SMITH of New Jersey.
H. Con. Res. 58: Mr. GREEN of Wisconsin and Mr. TANCREDO.
H. Con. Res. 75: Mr. GARY MILLER of California, Mr. NEAL of Massachusetts, Ms. WATERS, Mr. WATT of North Carolina, Mr.

DIXON, Mr. WEXLER, Mr. BORSKI, Mr. FRANKS of New Jersey, Mr. HALL of Texas, Mr. LANTOS, Mr. PITTS, Mr. HORN, Mr. GUTIERREZ, Mr. PORTER, Ms. SLAUGHTER, and Mr. ROTHMAN.

H. Res. 60: Mr. BROWN of California.

H. Res. 89: Mr. BRADY of Pennsylvania and Ms. ESHOO.

H. Res. 97: Mr. GONZALEZ and Mr. WAXMAN.

H. Res. 107: Mr. ALLEN, Mr. FALEOMAVAEGA, Mr. GONZALEZ, and Mrs. CLAYTON.

H. Res. 133: Mr. TOWNS, Mr. CRAMER, Mr. THOMPSON of California, Mr. WEINER, Ms. BALDWIN, and Ms. ESHOO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 469: Mr. HASTINGS of Washington.

H. Res. 124: Mr. HASTINGS of Washington.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1, April 14, 1999, by Mr. TURNER on H. Res. 122, was signed by the following Members: Jim Turner, Richard A. Gephardt, Brian Baird, David E. Bonior, Sam Farr, Grace F. Napolitano, Martin Frost, Thomas C. Sawyer, Stephanie Tubbs Jones, Earl Blumenauer, James P. Moran, Ron Kind, Thomas H. Allen, Jim Davis, Bernard Sanders, Albert Russell Wynn, Eddie Bernice Johnson, Sanford D. Bishop, Jr., Gary L. Ackerman, Ron Klink, Nick Lampson, Tammy Baldwin, Earl Pomeroy, Bill Luther, Max Sandlin, Bill Pascrell, Jr., Robert A. Borski, Frank Mascara, John Elias Baldacci, Paul E. Kanjorski, Robert A. Brady, Carolyn McCarthy, Lloyd Doggett, David E. Price, Rosa L. DeLauro, Steny H. Hoyer, Ellen O. Tauscher, Joseph Crowley, Martin T. Meehan, Neil Abercrombie, James P. McGovern, Michael E. Capuano, Baron P. Hill, John Lewis, Lois Capps, Rush D. Holt, Ruben Hinojosa, Darlene Hooley, Patrick J. Kennedy, Zoe Lofgren, James H. Maloney, Carolyn C. Kilpatrick, John F. Tierney, Mike Thompson, Shelley Berkley, Dennis Moore, Lane Evans, Lynn C. Woolsey, Joseph M. Hoeffel, Janice D. Schakowsky, Ed Pastor, Charles A. Gonzalez, David Wu, Marcy Kaptur, Bob Etheridge, Jonn M. Spratt, Jr., Marion Berry, Julia Carson, Juanita Millender-McDonald, Gene Green, Karen L. Thurman, Major R. Owens, Nancy Pelosi, Diana DeGette, Lousie McIntosh Slaughter, Jay Inslee, Tom Udall, Lucille Roybal-Allard, Loretta Sanchez, Bart Stupak, Pat Danner, Mark Udall, Eliot L. Engel, Jim McDermott, John B. Larson, Silvestre Reyes, Bob Clement, John W. Olver, William J. Coyne, Sander M. Levin, George E. Brown, Jr., Michael R. McNulty, Anna G. Eshoo, John S. Tanner, Lynn N. Rivers, Eva M. Clayton, Steve R. Rothman, Chaka Fattah, Ted Strickland, Barbara Lee, Gregory W. Meeks, Edward J. Markey, Jerrold Nadler, John D. Dingell, Robert Menendez, Ronnie Shows, Anthony D. Weiner, David D. Phelps, Henry A. Waxman, Fortney Pete Stark, Nydia M. Velazquez, David Minge, Charles W. Stenholm, William D. Delahunt, Gary A. Condit, Norman Sisisky, Bob Filner, Debbie Stabenow, Norman D. Dicks, Sam Gejdenson, Benjamin L. Cardin, Allen Boyd, Ike Skelton, Robert Wexler, Mike McIntyre, Karen McCarthy, Dale E. Kildee, Carrie P. Meek, Thomas M. Barrett, Xavier Becerra, John J. LaFalce, Sherrod Brown, Rod R. Blagojevich, William O. Lipinski, Luis V. Gutierrez, Dennis J. Kucinich, Brad Sherman, Robert A. Weygand, Leonard L. Boswell, Jose E. Serrano, Elijah E. Cummings, Edolphus Towns, James E. Clyburn, Chet Edwards, Nita M. Lowey, Robert T. Matsui, Melvin L. Watt, Maurice D. Hinchey, Harold E. Ford, Jr., Robert E. (Bud) Cramer, Jr., Barney Frank, Sheila Jackson-Lee, William J. Jefferson, Maxine Waters, Jesse L. Jackson, Jr., Ciro D. Rodriguez, George Miller, Bart Gordon, Bruce F. Vento, Patsy T. Mink, Christopher John, Rick Boucher, Solomon P. Ortiz, Tim Roemer, Robert E. Andrews, Martin Olav Sabo, Howard L. Berman, Tony P. Hall, Charles B. Rangel, Frank Pallone, Jr., Julian C. Dixon, Cynthia A. McKinney, John Conyers, Jr., William (Bill) Clay, Danny K. Davis, Bobby L. Rush, Gerald D. Kleczka, Carolyn B. Maloney, Jerry F. Costello, Ken Bentsen, Adam Smith, Calvin M. Dooley, Robert E. Wise, Jr., Vic Snyder, Peter A. DeFazio, Peter Deustch, Tom Lantos, Donald M. Payne, and Corrine Brown.

SENATE—*Thursday, April 15, 1999*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. This morning's prayer will be delivered by our guest Chaplain, Hiram H. Haywood, Jr.

We are glad to have you with us.

PRAYER

The guest Chaplain, Rev. Hiram H. Haywood, Jr., Archdiocese of Washington, Basilica of the National Shrine of the Immaculate Conception, Washington, DC, offered the following prayer:

Lord our God, Almighty King, Most Gracious Father, we offer You our humble thanks for Your past blessings. We offer You all praise, all honor, and all glory.

Heavenly Father, we humbly ask that we may always prove ourselves a people mindful of Your favor and glad to do Your will. Lord, please bless this great land of ours with honorable endeavor, sound learning, and pure manners.

Almighty and ever living God, may You infuse the women and men of this august body, the Senate of the United States of America, with the wisdom to discern Your will and the courage and fortitude to implement it. Grant them the tenacity, at all times and in every place, to stand steadfast in Your faith. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

Mr. CRAPO. Mr. President, I thank the Chair.

SCHEDULE

Mr. CRAPO. This morning the Senate will immediately begin the final 5 hours of debate on the budget resolution conference report. Therefore, Senators can expect a rollcall vote on adoption of the conference report at approximately 2 p.m. or earlier if time is yielded back. Under a previous order, the Senate may also expect a final vote on the House version of S. 767, the uniformed services tax filing fairness bill. That vote is expected to occur immediately following the vote on the budget conference report.

I thank my colleagues for their attention, Mr. President. I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000—CONFERENCE REPORT

The Senate resumed consideration of the conference report.

Mr. GRAMM. Mr. President, I rise today in support of the budget that is before the Senate. I am sorry that our dear chairman, Senator DOMENICI, is not here, but I want to say some very strong, positive things about this budget, and I wish he were here to hear it. I want to say it mostly because it is true. It would just be a plus if he were here to hear it.

It has been my great privilege since I first came to Congress to be actively involved in budget debates. In fact, I remember the first debate I ever was involved in as a Member of the House was a debate about raising the debt ceiling, and I remember as if it were yesterday the House majority leader, Congressman Wright from Texas, stood up and said that we had no choice except to raise the debt ceiling of the Government, that we were in a position that a man would be in if his wife went out and ran up all these debts on the credit card and the debt collector was at the door.

Today, in this era of political correctness, no one would ever suggest such a thing. They would say their spouses ran up these bills, and probably the reality would be the man did run up the bills in any case. But the point is that the then-majority leader of the House, in 1979, made the point that these bills had been run up and the bill collector was at the door, and so we didn't have any choice except to pay the bills as any good, honest family would.

And so I stand up and say that the first thing I ever said in debate in the Chamber of the House was, well, it is not really the way it works. It is true that honest families would pay their bills, but what they would do is they would sit down at the kitchen table, they would talk about how they got in this financial mess, they would get out the credit card, they would get out the butcher knife, they would cut up the credit card, they would get an envelope and pencil and they would work out a new budget on the back of an old used envelope, and they would start over again. The problem in Congress was we kept simply spending money, incurring debt, raising the debt ceiling, and nobody ever sat down around the kitchen table, nobody ever got out the butcher knife and cut up the credit cards, and so, as a result, we never changed anything.

So anyway, I opposed raising the debt ceiling. It failed. And then we tried to offer an amendment trying to tie the debt ceiling to the budget and saying you can only raise the debt ceiling if you balance the budget.

Well, to make a long story short, from that time in 1979 until today, I have been involved in debate about every budget that has passed in this Congress or been enforced in this Government since 1979. And let me say that of all those budgets, this is the best budget that has ever been written by American Government in that period.

Now it is probably not, certainly not the most profound budget. The most profound budget was the Reagan budget that was written in 1981. But in terms of what you want a budget to be, it would be very hard to improve on what this budget does. And it is one of my frustrations that everything is now so focused on the war in Kosovo and on many other issues, and we are not having any kind of adequate debate or focus of attention on the profound nature of the budget that is in front of us and what great promise this budget holds for America if we actually enforce this budget.

So let me begin by just ticking off some things this budget does, and then I want to get into a discussion of a comparison of this budget with what the President proposed. I want to get into some of these areas like Social Security and Medicare that have been talked about a lot and will be talked about again. But let me outline what this budget does.

First of all, this is a 10-year budget that, if enforced, will balance the budget every single year for 10 years. To sort of turn on its head the language of the 1980s, this is a budget that has surpluses as far as the eye can see. And it has those surpluses because it maintains a restriction on spending in a period where revenues are gushing into the Federal Treasury, a period where if we are not very careful we are going to see the launching of a massive new spending spree which could squander the surpluses of today that give us the opportunity to pay down debt, to rebuild Social Security, and do it right this time by basing it on wealth instead of debt, that give us the ability

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

to let working men and women in America keep more of what they earn through a reduction in taxes. If we can keep these spending control measures in place, we can provide adequate Government—in fact, the highest levels of Government spending in American history. And yet by controlling the growth of spending, with the power of the American economy and our competitiveness on the world market and the attractiveness of our capital market with huge amounts of wealth flowing into our equity markets, inflating values, making American families richer, and inducing them to take income and capital gains and pay record levels of taxes on it, we can keep the budget balanced, we can rebuild Social Security based on wealth, and we can cut taxes for working Americans. This budget does all those things.

Now, a budget is like a marriage license. It gets you into the deal, but it doesn't make it successful. The easy part is saying ''I do.'' The hard part of a successful marriage is what comes after the wedding. But you cannot have the successful marriage if you don't have the wedding. We are being brought to the altar here with a document that promises all the right things. It is now going to be up to us to enforce those promises. But the key promise, the linchpin of this budget, the element of this budget on which everything else hinges is it enforces the spending caps. If we do not control spending, we are not going to have the surplus. We are not going to be able to rebuild Social Security based on wealth instead of debt. We are not going to be able to preserve a balanced budget, and we are not going to be able to cut taxes.

Now, the second thing this budget does, which I rejoice in, is it strengthens our ability to do these things. Every Member of Congress, and I wish every American, understood what happened last year. The President stood up really on the opening day of Congress last year in the State of the Union Address and said save Social Security first. Don't spend a penny of the surplus on either Government programs or tax cuts. Save every penny of it for Social Security.

Well, we all know that the President was not telling the truth. We all know that in the end we ended up spending very much of that surplus. We ended up on the last day of Congress taking a third of the surplus that was meant for Social Security and spending it on other programs, and we did it in the name of emergency spending.

One of the most important features in this budget is that we have in this budget an enforcement mechanism that says that if someone wants to designate an emergency in nondefense spending, they are going to have to get 60 votes, if somebody raises a point of order. My basic view is, if something is not important enough or enough of an emergency that 60 out of the 100 Members of the Senate will vote for it, then it is not an emergency.

I say right now that I personally intend, if others don't, to raise a point of order against each and every emergency spending bill that would raid the Social Security trust fund. I give notice right now that anybody who has an idea that we are going to make all these wonderful promises, that we are going to promise to love, cherish, and obey in this little wedding we are having here on the budget, but that we are going to turn around and start cheating in the fall by breaking this budget by claiming all kinds of expenditures are an emergency, that they better be ready to get 60 votes in the Senate if they are going to be successful. They better be ready for a real battle, because I, for one, believe in this budget, and I intend to fight for it very, very hard.

This budget puts a focus on some priorities. It basically says that even in a tight budget not all spending is equal. It puts a focus on veterans' health care, and it does it by, quite simply, taking the position that in a time when you are trying to control spending, you have benefits and you have earned benefits. The basic position of our budget is that those who have served the country, who have preserved its life by wearing with pride its uniform and fighting its wars and by keeping its peace, that even at a time when we have tight budgets, they ought to come first. So this budget provides more money for veterans' health care, and I support it.

This budget provides more money for education. It doesn't create the money magically. It takes it away from other programs, with the basic idea that we ought to let the States decide how to spend money on education rather than the Senate being a huge 100-member school.

This budget calls for an increase in defense. One of the great unknowns now, not knowing what the war in Kosovo is going to cost, is what is this going to do with our budget and where do we go from here. I want everybody to understand that this budget is written in such a way that we contemplate an increase in defense spending. We want to give a pay increase to everybody in the military. We want to try to provide the pay and benefits and recognition that will help us retain in uniform and recruit the finest young men and women who have ever worn the uniform of the country. Today they wear that uniform with pride, but we have grown increasingly concerned that we are falling behind in recruitment, in retention. We are having trouble, especially, keeping pilots. Now that the President has us deployed in some 30 different engagements around the world, where defense spending has been cut by over a third since its peak in real terms, and yet we have massive military deployments, what is happening is, people are beginning to leave the military.

This pay increase that we call for in this budget is vitally important in terms of helping us recruit and retain the best people. Having all these miracle weapons does us no good if we don't have quality people to man those systems. We have the best people in uniform today that we have ever had. We want to keep it that way. That is what this budget does.

That is the choice we have. The choice that is presented to us in this budget is, even though we are in a period of record prosperity, even though the level of revenue flows is a record level, what we call for is to limit the growth of Government spending, put a focus on areas like veterans' health care and education and defense, use the surplus to deal with the looming crisis that faces us in Social Security, and to the extent that we have surpluses flowing from the general budget instead of from Social Security, take the bulk of that money and give it back to working families in tax cuts.

That is what this budget does. I believe that it is an excellent budget. I think looking at the whole package, it is the finest budget presented in America in the 20 years that I have served in Congress.

Talking specifically about several different areas, I want everybody to understand that there is a shell game going on with Social Security. I want to explain, because people have trouble understanding what it is the President is doing on Social Security and what this budget does on Social Security. Let me first explain what this budget does on Social Security, and then explain the fraud that is perpetrated in the President's budget.

What this budget does on Social Security is very, very simple. It says every penny that we collect in Social Security taxes that we don't have to have to pay Social Security benefits should be dedicated to Social Security. It ought to be locked away, and it ought to be available to any effort to rebuild the financial base of Social Security. But we should not spend it on any other Government program, nor should we use it for tax cuts. In fact, Senator DOMENICI, in a proposal that is enshrined in this budget, but we will have to vote on separately, sets up a lockbox where we literally change the lending limits that the Government faces, the debt ceiling, so that we will not be able to spend one penny of the Social Security surplus.

This is vitally important because, as anybody in the Senate knows, and I wish every American knew, our Government has been stealing every penny of money coming in to the Social Security trust fund. We currently have IOUs

for this money that are sent to West Virginia and put in a metal filing cabinet, but the Government then takes the money and spends it on everything but Social Security. None of that money is being used for Social Security purposes.

Senator DOMENICI's lockbox would change that permanently and say that this money would be set aside to reduce debt, and it would be available when we can agree with the White House on a way to rebuild the financial base of Social Security. That is a critically important proposal.

If the American people knew the extent that we have been stealing money out of the Social Security trust fund, there would be outrage in the country. That is exactly what is happening. The Domenici lockbox ends that forever, and it is vitally important. I hope every Member will support it.

Now, let me talk about this shell game the administration is playing on Social Security. Let me say, to begin with, that if you have been involved in every budget since 1979, you have seen phony assumptions, smoke and mirrors, shell games, or whatever the words are that we use. But let me say, so that no one is confused, that in Republican and Democrat administrations I have seen people make assumptions that were wildly unrealistic about the future, about what inflation was going to be, about what interest rates were going to be, about what economic growth was going to be, about what spending was going to be; but those were always assumptions about what was going to happen in the future where at least people could say, well, it may be based more on hope than reality, but it could happen.

What the Clinton administration has done is they have brought phoniness, distortion and untruth into the budget at a level which has never existed in the American budget in the history of this country. And no better example exists than under Social Security.

I think I can explain it to you very simply. Here are the facts. In the year 2000, the first year of this budget, we projected a $131 billion surplus in the unified Federal budget. If you take every penny we get from every source, and you take every penny we spend on every program or giveaway, or lose, or forget about, and you bring those two together, we are taking in $131 billion more than we are spending. Now, Social Security is taking in $138 billion more than it is spending. So while we show that we have a $131 billion surplus, the reality is that if you don't count the Social Security trust fund, we are actually spending $7 billion more than we take in.

So let me show it to you this way. We are taking in $138 billion more than we are spending on Social Security alone. We are then spending $7 billion of that money from Social Security on general government. Now, that would leave you with $131 billion of money for Social Security.

What the administration does is it sends to West Virginia this piece of paper that actually prints out on a computer, and it says, ''IOU Social Security $138 billion.'' So they get this piece of paper, they tear it off—and it has actually been on television, and they won't let you photograph the bonds, interestingly—they tear off the perforated edges and they take that $138 billion IOU and put it in the filing cabinet.

Now, what happens is, we then spend $7 billion of it immediately, and that brings us down to $131 billion. Now, the President says, well, let's take 62 percent of that and give it back to Social Security and we will spend 38 percent of it. So we started with $138 billion, we spent $7 billion, and then the President says let's spend 38 percent of what is left and then we will send another IOU to Social Security for $81 billion. So out of the $138 billion that they initially had, they send IOUs to Social Security for $219 billion. Now, they started with $138 billion and then they spent $7 billion, and then of that $131 billion that was left, they spent another $50 billion, and then they give Social Security an IOU for $219 billion.

Now, any freshman accounting student in any accounting class in America would be given an ''F'' if they proposed on an examination paper such an accounting system. Yet, some of the most highly educated people in America—men and women of great stature—stand up in front of God, a television camera, and everybody else in the world and defend this totally phony, fraudulent, embarrassing proposal. I guess we all have our own standards, but I would not do it. I don't admire people who do it. I think it does a terrible injustice and disservice to the American public that this is happening.

I wanted to show this graph to sort of bring the whole thing together. What I have here is plotted between the years 2000 and 2009, the years where this budget is in effect, the Social Security surplus. It starts out at $138 billion and it grows over the period to over $200 billion a year. That is the amount of money that Senator DOMENICI locks away in his lockbox. Now, in addition to the Social Security surplus, because the economy is growing so quickly and because we are controlling spending, if we actually do it, we will get an additional surplus in the rest of the Government in this area that I call ''B'' on this chart.

Interestingly enough, what the President does is, he says let's take 38 percent of this unified budget, Social Security plus non-Social Security budget, and let's spend it and then give the rest to Social Security on top of the Social Security surplus that we have already measured. So that is how they start out with the Social Security surplus and then end up with these huge IOUs that they claim they are giving to Social Security. It is interesting because if you look at the President's plan—and this chart is from the Social Security Administration—if you look at their plan, they claim that under their plan they are building up the assets of Social Security from $864.4 billion to $6,697.8 trillion. Yet, when you look at the Office of Management and Budget figures—and all this is put out by the same administration—when you look at their actual level of paying down the debt, that level turns out to be only $2,183.6 trillion. So the question is, What happened to the $3.6 billion? What happened to it?

The President says that under his system, with all this double counting of money, he was putting $5.8 trillion into Social Security; yet, his budget shows only $2.163 trillion actually saved for Social Security. What happened? Well, what happened is that none of this money ever went to Social Security to begin with. It was all a paper, double-counting bookkeeping. Their own numbers show it. Yet, nobody is embarrassed enough about it to simply say, well, this is phony and we apologize and we should have never tried to perpetrate this fraud on the American people.

Now, I think we can be proud of the fact that in this budget every penny of the Social Security surplus is locked away to be used for Social Security. And when we decide how to save Social Security—and I wish we could decide today; maybe we will tomorrow—those funds will be there for that purpose. I think that is very important and I want to congratulate Senator DOMENICI for his leadership on this issue. I want to address two other issues and I will speed it up if anybody else comes over and wants to speak. If not, I will give a fairly detailed description of both.

The next issue is tax cuts. The budget before us simply says that every penny of the Social Security surplus will be there for Social Security; that of the surplus that is left, we keep a reserve of money that is available for a contingency use which could be used for one of many purposes, and then after we set aside that contingency, we provide the rest of the money for tax cuts for working Americans. After all, the surplus we have is due to the fact that Americans are working harder, working smarter, working in a more productive way, earning more and paying more taxes.

There have been several proposals to cut taxes. None of them are endorsed in this budget. This budget simply gives to the Finance Committee the ability to cut taxes. And there have been a lot of proposals discussed. But the one that especially our Democrat colleagues have talked the most about is

a proposal to cut taxes across the board. This has given rise to a debate in which I love to engage. Obviously, my Democrat colleagues love to engage in it as well. This is the debate that basically takes the view, as our Democrat colleagues often do, that investment is a good thing but investors are somehow bad people; that wealth is a wonderful thing but people who create it, that somehow there is something wrong with them, or that there is something wrong with letting them keep part of it. I don't understand how you can love investment and not love investors.

I view people who are successful as being public benefactors. I never got a job being hired by somebody who made less money than I did. Everybody who ever hired me was richer than I was, which is why they were hiring me rather than me hiring them. And I never resented the fact that people had gotten rich by working in America. But here is what you are going to hear all day today, and here is what you are going to hear as we debate the tax cut.

We have a very, very progressive tax system in America. ''Progressive'' is really a phony word. It is a made-up word that is meant to really cloud the issue so you don't really understand. Under our system, if you make more money, you not only pay more taxes proportionately, but the rate of taxes goes up. So that as you make more money, your taxes don't go up proportionately but they go up exponentially.

Our system of taxes is so progressive that roughly 50 percent of Americans pay virtually no income taxes. And they pay no income taxes because there are many provisions which were adopted when Ronald Reagan was President in terms of changing the Tax Code. We were able to make some changes with the child tax credit and in our tax cut of 2 years ago that further exempted income from taxes. But the bottom line is that about 95 percent of income taxes are paid for by people who are in the upper half of the income distribution in the country.

What our Democrat colleagues have discovered is that we do have a progressive income tax. So that if I pay $5,000 of income taxes, and someone else pays $50,000 of income taxes, and we give a 10-percent tax cut, I get $500 as a tax cut and they get $5,000 as a tax cut. And our Democrat colleagues think that is somehow outrageous.

But the point is, the only way you are getting more of a tax cut is if you are paying more taxes. So that what they are really talking about is that the system is progressive.

Should it be progressive? You know there are many people who believe we ought to have a flat tax and that everybody ought to pay the same rate. But the point is, if we are going to cut taxes and Senator ROCKEFELLER pays 10 times as much in taxes as I do, or 100 times as much in taxes as I do—I don't know, and I hope he pays 100 times as much because then he is better off and so is America. But, whatever it is, the fact that he would get a bigger tax cut than I do from an across-the-board tax cut is the most reasonable thing on Earth to me if he is, in fact, paying more taxes than I am paying.

I believe our No. 1 priority in cutting taxes is we ought to cut everybody's taxes by 10 percent. So, if you do not pay any taxes, you should have learned in the third grade—since I repeated the third grade I remember it—that anything times zero is zero. So with a 10-percent tax cut, if you are not paying any taxes, you don't get a tax cut. You are going to hear our colleagues say, well, 50 percent, or 40 percent, or whatever the number is they choose or make up today, people will get no tax cut under a 10-percent tax cut. The only person in America who will get no cut in income taxes from a 10-percent tax cut by definition is a person who pays no income taxes.

Here is my point. Most Americans don't get Medicaid. Most Americans don't get food stamps. Most Americans don't get welfare. Why don't they get those things? They don't get those things because they are not poor. Tax cuts are for working people. Welfare is for poor people. Medicaid is for poor people who are sick. Medicare is for elderly people for their health care. We have many different programs that do not go to everybody. We have very few programs in America that everybody benefits from directly.

The point is, if not everybody gets welfare, why should we be shocked that if you do not pay income taxes, that when we cut income tax rates you don't get a tax cut? I don't find that to be shocking. I don't have any trouble saying to somebody in my State who says, ''You cut income tax rates by 10 percent and I didn't get a tax cut.'' I know, because I understand arithmetic, that they are not paying any income taxes anyway. So I don't have any problem saying, ''Yes. That is right,'' because tax cuts are for one unique group of Americans, ''wagon pullers,'' I call them—the people who are pulling the wagon in which so many other Americans are riding; the people who are paying for the Medicaid they don't get, for the welfare benefits they don't get, for the food stamps they don't get. Tax cuts are for the people who are pulling the wagon in which all other beneficiaries of Government are riding.

So I don't feel the least bit squeamish about saying that tax cuts are for taxpayers. If you do not pay income taxes, you don't deserve a cut in income taxes, because you are not paying any.

We have a surplus because Americans are working harder and paying more taxes. In fact, they are doing it today, tax day. I want everybody who is going to the post office today to send their taxes to the government—if you happen to be on mountain time, or if you are on Pacific time and you have nothing better to do than to turn on C-SPAN—I want you to remember this when you pay your taxes: I want you to remember, you didn't get food stamps, you didn't get welfare, you didn't get Medicaid, but I believe—and the party I am a member of, the Republican Party believes—that you ought to get a tax cut. Our Democrat colleagues are going to say—you are going to hear it, so pay close attention. They are going to say, yes, you get a tax cut. You—this person working in Los Angeles, CA, on your way to mail your check in right now—you get a tax cut.

Think of these people that don't get a tax cut. How is it fair that Joe Brown and Susie Brown, who make $21,000 a year, pay no income taxes, and get an earned-income tax credit—which is really a welfare benefit—why is it they don't get a tax cut when you do? The answer is, they don't pay any income taxes and you do.

We have this basic viewpoint which our Democrat colleagues find to be radical. That point is, if you don't pay income taxes, you don't get a tax cut; if you do pay income taxes, you do get a tax cut. The more taxes you pay—and God bless you for doing it, because if people are paying record taxes it means they are earning record incomes—I believe, and the great majority of the Republicans in Congress believe, if you pay more taxes, you ought to get a bigger tax cut. That is what an across-the-board, 10-percent tax cut would do.

A final point: This used to be a bipartisan idea. John Kennedy proposed an across-the-board tax cut in 1961 which was adopted and became law. His famous words are, ''A rising tide lifts all boats.'' That is still believed by one-half of the political spectrum in America. It is no longer believed by the other half—and that is the half that he was once a part of.

To conclude, let me talk a little bit about Medicare. There is no more fraudulent portion of the President's budget than the proposal about Medicare. Let me give Members a tiny bit of history. We, through an act of Congress, signed by the President, set up a Medicare Commission. In a gesture toward bipartisanship, Republicans—who control both Houses of Congress—agreed to appoint a Democrat, Senator BREAUX, as chairman of that Commission. Senator BREAUX did a great job as chairman of the Medicare Commission. It was my privilege to serve on that Commission. I remember as if it were yesterday President Clinton called the whole Commission down to the White House and talked to us about the terrible problems we had in Medicare and challenged each of us not to let the work of the Commission fail because of us. He challenged each of us to find a way to be for the final proposal.

As it turned out, as most people now know, the final work of the Commission did fail. It failed by one vote. Not one single person appointed by President Clinton found a way to be for the final proposal, and they all voted against the Commission proposal. The President, in 3 months, had an opportunity to change American history on Social Security and Medicare, and in both cases he failed.

What did the President do in his budget? What the President did in his budget is literally this: He said we are going to pay off debt—though not as much as the Domenici budget—but we are going to name the debt reduction in honor of various programs. That is in essence what it was. In essence, what the President's budget does is send a little note to Medicare that says: You will be happy to know that Federal debt was reduced by such and such an amount and it was done in your name. It would be sort of like our Presiding Officer having someone send a check to his university saying, ''We made a contribution in your name,'' and then you say, ''When do I get the money?'' You don't ever get the money.

What the President did in Medicare—which was one of the cruelest hoaxes I can imagine in public policy—the President didn't give Medicare a penny over 10 years, provided no additional money to Medicare. In fact, he cut Medicare, cuts that are not in the budget before the Senate. So he cuts Medicare funding over 10 years, and yet by sending this IOU to HCFA, the agency that runs Medicare, he somehow creates the impression that he has given Medicare more money, when none of this IOU can be spent. In fact, the only way we could ever provide money under this is to raise taxes, to cut Medicare or cut other Government programs. Yet the President creates this impression that he has provided this money that could be used for pharmaceutical benefits or all these other wonderful benefits. It is a cruel hoax.

What we do in our budget is set out a procedure where this reserve fund, this reserve money that we didn't use for tax cuts that we kept as a buffer could, in part, be used for Medicare. Our problem in Medicare is we need to adopt the Breaux Commission report. We had a vote on instructing conferees for us to preserve our commitment to that. It is in this budget. We are going to bring that proposal to the Finance Committee. I hope we are going to adopt it.

What that proposal will do, in addition to planting the seeds to save Medicare, for moderate- and low-income retirees it will, for the first time, give them assistance on pharmaceuticals. For middle-income retirees and upper-income retirees, by expanding the options that are available, by literally letting them have the same health insurance that I have as a Member of the Senate, it will allow them for the first time to have an opportunity to buy into a plan that will give them some assistance with their pharmaceuticals.

I have talked a long time and covered a lot of subjects. Let me conclude by simply congratulating Senator DOMENICI. This is a great budget. If we can enforce this budget, America will be richer, freer, and happier. If we can enforce this budget, we will have an opportunity to begin the long process of rebuilding the financial base of Social Security based on wealth and not debt. If we can enforce this budget, we will pay off Government debt. If we can enforce this budget, we will be able to give working Americans tax cuts.

It is one thing to enter the marriage; it is another thing to make it a successful one. This is a very important day, a very important budget. I am very proud to be for it.

I yield the floor.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I just came to the floor to hear my distinguished colleague from Texas say this is the finest budget in 20 years.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. I yield 10 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 minutes.

Mr. HOLLINGS. Mr. President, this is the same act, same scene, under different auspices, different rules and regulations, with the manifest intent, in this particular Senator's opinion, that what is on course here is a Milton Friedman-like plan of the distinguished Senator from Texas to privatize Social Security, to establish private savings accounts. The Republicans do this in violation of all the rules and regulations that you can think of that have been put in over the past several years to bring about fiscal discipline.

Let's get right to the point: We, up until now, have been on course with some fiscal discipline. Credit President Clinton and the 1993 Congress that enacted the Balanced Budget Act, which cut spending, increased taxes, increased taxes on Social Security—the very measure that they said was going to end the world and throw us into a depression whereby even the distinguished chairman on the House Budget Committee said he would change parties. I don't know whether he is running today for President as a Democrat or Republican, but to my knowledge Mr. KASICH is still a Republican. He said he would change parties if it worked. It is working. The market is over 10,000, we have housing starts and inflation is down, unemployment is down, and everything else of that kind.

When they reported this budget, trying to continue the fiscal discipline, here is the language:

In addition to the fiscal policies contained in the budget resolution, I also am troubled by the process the Republican majority wants to use in this year's budget. The reconciliation process have been used sparingly in the past to improve the fiscal health of the budget. It was created to give the Senate a process for making difficult fiscal decisions—decisions that often require cutting popular programs and increasing taxes to balance the budget.

That is not the case this year. The Republicans want to use the reconciliation process to dramatically reduce revenues over the next ten years and impair the progress we have made so far in reducing the deficit and beginning to pay down the debt.

The budget resolution also would modify the pay-go point of order. Pay-go was required to insure the Senate would provide off-sets to reduce taxes or increase spending. The modified budget resolution now will make it possible to cut taxes without a fiscal off-set. By making it easier to use future surpluses to cut taxes instead of paying down the debt, this will eliminate the fiscal discipline that has reduced the deficit and contribute to the fiscal cancer eating away at America.

I say cancer, and I say that advisedly, because when President Johnson last balanced the budget, the interest cost on the national debt was only $16 billion. Today it is just about $1 billion a day. The last estimate of the Congressional Budget Office was $357 billion each year. When President Johnson last balanced the budget, after 200 years of history—the cost of all the wars from the Revolution on up, World War I, World War II, the cost of Vietnam, Korea—the interest cost on the national debt was only $16 billion. Now, since that time, without the cost of a war—we made money on Desert Storm—so, without the cost of a war it is now $1 billion a day, eating away. With that wasted money, the interest cost on the debt, I could give the distinguished Presiding Officer his $80 billion tax cut, I could give our Democratic friends our $80 billion in increased spending, I could give $80 billion to save Social Security, I could give $80 billion to pay down the debt—that is only $320 billion. But we are going to spend at least $357 billion this year on nothing, and if interest costs start going back up we will be to $500 billion.

But, to the original point, read this conference report. Here are the shenanigans that go along and are given dignity by my distinguished colleague from Texas saying it is the finest budget he's seen. I was sorry to see him do that because I joined him in passing Gramm–Rudman-Hollings for fiscal discipline, and this is the most undisciplined shenanigan that you will ever find.

On page 18, section 202 of the conference report:

Whenever the Committee on Ways and Means of the House or the Committee on Finance of the Senate reports a bill, or an amendment thereto is offered, or a conference report thereon is submitted that enhances retirement security through structural programmatic reform, the appropriate

chairman of the Committee on the Budget may—

(1) increase the appropriate allocations and aggregates of new budget authority and outlays by the amount of new budget authority provided by such measure (and outlays flowing therefrom) for that purpose;

(2) in the Senate, adjust the levels used for determining compliance with the pay-as-you-go requirements of section 207; and

(3) reduce the revenue aggregates by the amount of the revenue loss resulting from that measure for that purpose.

I want the Parliamentarian to listen to that one. I can tell you how he will rule. He will say it means whatever Mr. DOMENICI says it means. What does that gobbledygook mean? Listen to this. I will read it again:

Whenever the Committee on Ways and Means of the House or the Committee on Finance of the Senate reports a bill or an amendment thereto is offered, or a conference report thereon is submitted that enhances retirement security through structural programmatic reform, the appropriate chairman of the Committee on the Budget may [blah blah blah blah].

He can do away with the pay-go rule, he can cut the revenues, he can do whatever he pleases. And that is what my distinguished colleague from Texas calls the finest budget he has seen, because he doesn't want this crowd to read and understand what is going on.

Bring out the Roth IRA for the rich. Under this budget, pass a law, don't care about the rules, don't care about pay-go, don't care about any available monies. I say that IRA is for the rich because one American—to bring it into focus, Bill Gates, $51 billion—is worth more than 100 million Americans. One man in this society that we are developing is now worth more than 100 million Americans.

So there are a lot of people who do not have anything to say about this. But you sort of enhance your security and retirement—for the idle rich. Whoopee and the dickens with the pay-go rule, Mr. Parliamentarian. You don't have to worry about that. You don't have to worry about the loss of revenue or anything like that, the reconciliation process. It is reserved. Now the Republicans can come on in and privatize Social Security, all under the auspices of saving Social Security.

It is still off on this public debt, as if there is some difference from the national debt. Let me explain one more time. When you pay down your public debt, you increase your Social Security debt. That is where the money comes from. The whole gimmick here is to pay down Wall Street's credit card with the Social Security credit card. It is like having a Visa and a Master and you want to pay down the MasterCard with your Visa card, so you pay down the MasterCard with the Visa card. But it is still your card; it is your debt. All you've done is shift debt from spending column to another. That is why the debt this particular fiscal year, 1999, goes up $100 billion. That is the Congressional Budget Office figure.

Let's sober up here. Everybody is running around saying, ''Surplus, surplus.'' How are we going to do it? They all have different ideas: ''Surplus, surplus.'' The truth of the matter is there is no surplus. There is a deficit. We are spending $100 billion more than we are taking in.

I thank the distinguished Presiding Officer.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me thank the Senator from South Carolina. This country could have avoided an awful lot of the pain of the 1980s and 1990s if this country had listened to the Senator from South Carolina on budget matters. There has been no Member of this body who has had a better handle on the budget problems of this country than the Senator from South Carolina. Years ago, if we would have followed the Hollings plan and put in place a budget freeze, we could have avoided the massive deficits that came in the 1980s and the early 1990s, and this country would have been in a far better fiscal position.

He has been an activist and a leader on the Budget Committee of every effort to provide fiscal discipline to this country. I venture to say, in this Chamber there is no single Member who has made a greater contribution moving this country from massive deficits to now surpluses than the Senator from South Carolina. Senator HOLLINGS has been, I think, a model of what a United States Senator should be, in terms of budget discipline for this country. This country owes him a debt of thanks for the leadership he has provided.

Mr. HOLLINGS. If the distinguished Senator will yield, he has been far too generous. Our floor leader, Senator CONRAD of North Dakota, has really been leading the fight for us in the Budget Committee. That is why we are able to get some semblance of some discipline there. I hope, with the conference—maybe I could ask the Senator a question. Did they have a conference? Did the distinguished Senator from North Dakota go to a conference on the budget?

Mr. CONRAD. Yes. I was on the conference committee. It went to the conference.

Mr. HOLLINGS. Oh, they had one.

Mr. CONRAD. They had one, but they did not have a budget there. It is most amazing. As my colleague knows, a conference is the representatives of the Senate and the representatives of the House coming together to work out the differences between the two. We were there, the Members were there.

I think you would have been quite amazed, I say to the Senator from South Carolina, because there was no budget there, there was no document there. There was no discussion about the differences between the House and Senate. What we had was an immaculate conception. What we had was a document that appeared out of nowhere after we had met.

Mr. HOLLINGS. As one big charade, rather than save Social Security, they plan to privatize it. There is no question in this Senator's mind.

Mr. CONRAD. To privatize it or raid it in some other way. We really do not know. I was very interested to listen to the Senator from Texas say—say—that they had reserved every penny of Social Security surplus for Social Security. That is what we said.

Mr. HOLLINGS. That is what he said.

Mr. CONRAD. Unfortunately, that is not what the budget document provides. It is very interesting; the Senator from South Carolina probably knows better than anybody how one can play games with these documents. It is fascinating what they have done here, because on one line, they suggest that they have provided a lockbox for Social Security. That is on one line on page 16 and it runs on to page 17. But then on the bottom of page 17, in the next section, they gut what they did earlier on the page. This is the oldest budget game in the book: ''Now you see it, now you don't.''

Mr. HOLLINGS. It is an old insurance game. I remember that when I was Governor, we were trying to clean up the insurance industry in my State. A new company was looking for a slogan, and we finally came up with the winning slogan: ''Capital Life will surely pay, if the small print on the back don't take it away.''

Now we have it all the way up here 35 years later in the budgetary process of the U.S. Government.

Mr. CONRAD. I wish it were not the case but, unfortunately, it is. We had, I think, hoped—certainly the Senator from South Carolina and I—that we would be at a point where we really would reserve every penny of Social Security surplus for Social Security. We thought that is where we were headed. Unfortunately, what our friends across the aisle have done is indicate that that is what they are doing, but that is not what the budget document says. No, no, no, they have changed it all, and they have made it possible to continue the raid on the Social Security trust fund on a simple majority vote which, of course, their lockbox was intended to protect against.

Unfortunately, what they say they have done and what they have done are two very, very different things.

Mr. HOLLINGS. They gave the key for the lockbox to everybody save the Social Security recipients.

Mr. CONRAD. Social Security is clearly in danger. Clearly, the priority on the other side is a tax cut, a massive tax cut at all costs. That is their priority.

Looking at this budget, the budget that is before us, the major problem with it is that it does not represent the priorities of the American people. I think the best way to understand this is we now have projected a surplus over the next 10 years of $2.6 trillion. Our friends on the other side say all of the non-Social Security surplus—virtually all of it—ought to go for a tax cut. Nothing, not a dime out of that surplus is for Medicare—not a dime—even though it is in greater danger than Social Security. They do not have the resources available for the high-priority domestic concerns of education, health care, defense, because if you look over time, they are going to have massive cuts in those categories. They are disguised, they are hidden, but they are there.

Mr. President, I think perhaps it would be useful to recount a little bit of the budget history, how we got to where we are today and where we are headed.

This chart shows over the last 30 years the budget history of the United States at the Federal Government level. We can see the last time we had a surplus was back in 1969, a little bitty surplus of $3 billion. We bumped along. Then we got into the seventies and the deficits started rising. Then we got into the Reagan years and the deficits exploded.

We then had the Bush years and the deficits got even worse, so that on a unified basis—unified basis simply means all spending, all revenue put in one pot; that is a so-called unified budget—and on a unified basis in 1992, the last year of the Bush administration, we had a $290 billion deficit.

In 1993, President Clinton put before the Congress a 5-year plan to reduce the deficit. We passed that plan. It was done with all votes on this side of the aisle. Not a single Republican voted for that plan. Not one. That plan has reduced the deficit each and every year of the 5 years of the plan. In fact, now we are seeing a slight surplus.

What did that plan contain? It cut spending. It cut spending and it raised income taxes on the wealthiest 1 percent in this country. The Senator from Texas who was talking earlier opposed that plan. He said, as did many on that side of the aisle, that it would not work. In fact, they said it would increase the deficit. They said it would increase unemployment. They said it would increase inflation. They said it would be an economic disaster. They were wrong. They were not just a little bit wrong, they were completely wrong.

The fact is that plan worked and worked extremely well, and the proof is in the pudding. We can see what happened to the deficit after that plan passed in 1993. Each and every year the deficit came down. In this last year, we ran on a unified basis a $70 billion surplus, and we are headed for much larger surpluses if the projections come true.

On a unified basis, we ran a surplus last year. But remember, that counts all revenues and all expenditures. If we take out Social Security, because that is a separate trust fund, we will see we still ran a deficit last year of $29 billion—if we take out Social Security—because it was in surplus by about $100 billion.

The good news is, we are very close to balancing without counting Social Security this year, and in 2001, we anticipate we will balance without counting Social Security. That is an enormous, enormous development and enormous progress.

You can see back in 1992, if we were not counting Social Security, we had a $340 billion deficit. That is the kind of progress that has been made, and it has been made because, as I indicated, we had a 1993 5-year plan that cut spending, raised taxes on the wealthiest 1 percent, raised income taxes on the wealthiest 1 percent, and in 1997, we had a bipartisan deal. In that case, we came together and agreed on a budget plan to finish the job of balancing the budget.

This chart shows what the 1993 plan did and what the 1997 plan did. You can see most of the savings are the result of the 1993 package. Again, our friends on the other side of the aisle—all of them, to a person—voted against it. The bipartisan agreement was 1997, but most of the work has been done by the 1993 5-year plan and that, in combination with the 1997 plan, has put us in this very favorable circumstance we face now.

I thought just for the record we should look back on what the deficits were under each of the last three Presidents.

With President Reagan, from 1981 through 1988, we saw the deficits explode.

They went from $80 billion a year—that is the deficit he inherited—and very quickly he shot it up to $200 billion. Then we, at the end of his term, saw some improvement—back down to about $150 billion.

When President Bush came in, the deficits exploded again, and went from $150 billion, as I indicated, up to $290 billion a year by 1992.

Under President Clinton, as I indicated, in 1993 we passed a 5-year plan; and we can just look at the results. In 1993, the deficit was $255 billion. And you can see each and every year thereafter the deficit went down under that 5-year plan. We almost achieved unified balance under that 5-year plan.

So the proof is in the pudding. Our friends on the other side of the aisle talk about ''sham'' and ''hoaxes,'' and all the rest of it. The proof is in the pudding. My friends, Democrats passed a plan in 1993, without a single Republican vote. Democrats did the heavy lifting to get this country back on a fiscally responsible course. Facts are stubborn things. And the facts show, without question, that the Democrats passed a plan that, in fact, restored fiscal health to this country.

It is true in 1997 we did get together on a bipartisan basis to finish the job. I wish it could have been bipartisan in 1993. But our friends on the other side of the aisle said then that if you pass this plan, you are going to make the deficit worse. They said if you raise taxes, even if it is on just the wealthiest 1 percent, that is going to collapse the economy.

They were wrong. Their economic prescription for this country was wrong. And the facts clearly show that they were wrong. Thank goodness there were people who were willing to stand up and cast very tough votes to cut spending and, yes, to raise taxes on the wealthiest 1 percent so we could get this country back on course. It worked; and it worked splendidly. The results are dramatic. Not only have we reduced the red ink and eliminated it—no more running of deficits—but we also got remarkable economic results.

We now have an unemployment rate that is the lowest in 41 years. The other side said, when we passed the 5-year plan in 1993, if you pass it, unemployment is going to go up. Unemployment went down. Unemployment went way down, the lowest it has been in 41 years.

The other side said, the inflation rate, if you pass this plan, will go up. They were wrong. The inflation rate has gone down. We have the lowest rate of inflation in 33 years.

But the good news does not end there.

In addition, we passed welfare reform. In fairness and in truth, that was done on a bipartisan basis. We came together on welfare reform. And the result, coupled with the good economy that came from the 1993 budget plan, that coupled with welfare reform, has led us to the lowest percentage of our people on welfare in 29 years. Look at this dramatic improvement in terms of the percentage on welfare in this country.

As well, Federal spending has come down because, as I indicated, in 1993, part of that package was to cut the growth of spending in this country. And we did even more in the 1997 bipartisan plan. So the two together, the 1993 plan and the 1997 plan, have brought down Federal spending as a percentage of our national income to its lowest level since 1974. So now we are spending, as a percentage of our national income, the lowest level in 25 years of the Federal Government.

Because we have reduced deficits and gotten our fiscal house back in order, debt held by the public has also declined. We reached a debt, in relationship to our gross domestic product, of

50 percent in 1993. We saw, through the Reagan and Bush years, that the debt was climbing in relationship to the size of our gross domestic product. In 1993, when we passed that plan, we stopped the growth of the debt in relationship to the size of our income and reversed it. So now we have seen the debt come down to a level of 44 percent of our gross domestic product. And we anticipate, if we stay the course that we are currently on, we will get the debt down to only 9 percent of our gross domestic product in 2009.

The budget before us threatens that course. Because the colleagues on the other side of the aisle are so fixated on a massive tax-cut scheme, they would rather do that than to make this progress in reducing our national debt. I think that is precisely wrong. I think what we did in 1993 demonstrates that taking debt burden down gives a greater lift to this economy than any tax-cut scheme that anybody can come up with. That is not to say we should not have tax reduction, because we should.

The question is one of priorities and proportion. Our friends on the other side of the aisle say—we have $2.6 trillion of surpluses projected over the next 10 years—there are only two priorities. Their two priorities are to safeguard $1.8 trillion of that for so-called ''retirement security''—I don't know exactly what that means. That entire $1.8 trillion is generated by Social Security. It should be set aside for Social Security. That is the plan we Democrats offered in the Budget Committee. We offered to safeguard every penny of Social Security surplus for Social Security. That is $1.8 trillion.

In addition, we said we also ought to put about $400 billion aside for Medicare. The budget that is before us does not provide one penny of these projected surpluses for Medicare —not one penny. These are not the priorities of the American people.

Instead, our Republican colleagues say all the non-Social Security surplus, or virtually all of it—because you have about $800 billion of non-Social Security surplus over the next 10 years—they say, use virtually all of it for a tax-cut scheme. And the best description we have of what they do with it is a 10-percent, across-the-board tax cut. That is what the chairman of the Finance Committee has said he thinks should be done. That is what their leadership in the House have said they think should be done.

We have a different view of what the priorities for the American people are. For that $2.6 trillion, we say every penny that comes from the Social Security surplus ought to be reserved for Social Security. Interestingly enough, that is what was passed here in the Senate. But it went to the conference committee, and somewhere in the dead of night they backed away from that commitment; they backed away from that commitment and they came up with this very clever, very complicated little scheme. And this very complicated and very clever scheme says, on one page, yes, we are going to devote the Social Security surpluses to Social Security, but in the very next line they undermine it all—they undermine it all—they create a big loophole so that on a simple majority vote here the Social Security fund can be raided, can be looted, just like it has been done for the last 15 years. That is wrong. That is not the priority of the American people.

The American people want to preserve every penny of Social Security surplus for Social Security. That is what the Democrats offered in the Senate Budget Committee. In addition to that, we said the next $400 billion of surplus ought to be reserved to strengthen and protect Medicare. Our friends on the other side have not provided one penny of the projected surpluses to strengthen Medicare. Instead, they say, let's have this massive tax cut scheme to benefit primarily the richest and wealthiest among us.

Now, the Senator from Texas says, you cannot love investment and not love the investor. That is true. I think we all respect those who invest. We respect those who save. We respect those who are successful. The question is, how do we use Government policy? Who do we benefit when we make decisions? Do we use governmental power to benefit the wealthiest among us? Is that what we do?

That is not what I favor. As I said, I believe the first priority ought to be every penny of Social Security surplus for Social Security; that is, $1.8 trillion of the $2.6 trillion we now estimate will be in surplus over the next 10 years. But the next $400 billion we say ought to be used to strengthen and protect Medicare. That leaves another $400 billion that would be available for high-priority domestic needs under our plan, like education, like health care, and, yes, defense and tax relief for the American people.

Our friends on the other side of the aisle have a different view. They say, yes, reserve the $1.8 trillion, but not just for Social Security, no, not just for Social Security. They call it ''retirement security.'' If they want to reserve every penny for Social Security, why don't they say Social Security? Why have they come up with this new term ''retirement security''? I think most of us know why they have done that—because the Senator from Texas has a scheme to privatize part of Social Security, and he wants the money reserved for his plan. He doesn't want to say reserve every penny of Social Security surplus for Social Security. Instead, he wants to make people believe he is going to do that, but then he provides a big loophole so that later on this year he can come along and raid the Social Security trust fund for his plan to create private accounts. That is what is really going on here.

None of us is fooled. They do not provide anything, not a penny of these projected surpluses, to strengthen and protect Medicare, when we know Medicare is in the most imminent danger of being insolvent. We say the priority ought to be Social Security and ought to be Medicare and, after that, we also ought to have some money for high-priority domestic needs like education and health care, and, yes, tax relief. But it is a matter of priority, and our friends on the other side of the aisle say the priority ought to be a massive tax cut.

This is the comparison for what happens. Let me focus on the 10 years. The blue column represents what the Republicans would do to pay down debt, and the red column shows what we offered as Democrats in the Budget Committee to pay down debt. A lot of people might be as surprised by this, because the Democratic plan paid down more debt than the Republican plan. We paid down more debt over the next 10 years, by nearly $400 billion over and above what is in the Republican plan, because we believe that is a key priority for the country.

Again, our Republican friends think there is a different priority. They want to have this massive tax cut scheme. That is really what is most on their mind. Unfortunately, because of this, they do not have, as I have indicated before, one penny of the surpluses set aside to strengthen Medicare, not a dime. They have what I call ''the Republican broken safe.'' Here it is. You look in it and what do you find? There is nothing there.

Now, with what they have done in the conference committee, we ought to have this up for Social Security, too, because, goodness knows, we could find, after the clever game they have played here in this budget document, that we may go into the Social Security trust fund in the future and open the vault door and find there is nothing there, either. Because they have this set up so that they can raid every penny of the Social Security trust fund surplus and put it over into private accounts. They could do that. They could use it for a tax cut and call it retirement security. Who knows what that means, ''retirement security''? If they wanted to reserve the money for Social Security, why didn't they say it?

Well, I guess if we wanted to be fair to them, they do say it, don't they? On one line they say they are going to reserve the money for Social Security, but they say, by a simple majority vote, you can overturn that. Before it was a supermajority vote. Now in the dead of night they changed it, simple majority vote, and now you can loot Social Security. You can raid it, because in the very next line, section 202,

they created another reserve fund. It is clever.

I don't think it is going to work for them, because the American people are too smart. They know the kind of games that get played here in Washington.

This is one of the most cynical games I have seen yet. In the Budget Committee, when we vote and the people are there watching and the reporters are there watching, we vote to protect every penny of Social Security surplus for Social Security. That is the vote when everybody raised their hands in the Budget Committee. Maybe that is the reason, when we held the conference committee meeting between the House and the Senate, the Members were there, but there was no budget there. How can you have a meeting about a budget and not have the budget there? It was very interesting. There were no TV cameras there. We were there, the Members representing the House and the Senate, but there was no budget document there.

I think I now know why there was no budget document there—because they did not want this little trick revealed. They did not want this little loophole found out. They were hoping they had buried this so deep in the document that nobody would find it in time for this discussion and this debate and this vote. But we are going to vote, and we are going to see who is ready to protect Social Security and who has a mind to raid it later this year. We are going to see, by Members' votes, who is committed to protecting Social Security and who is committed to protecting Medicare and who isn't. We are going to see whose priority is a massive tax cut scheme for the wealthiest among us, because that is really what is afoot here. That is really what is afoot.

What happens if you give a 10-percent across-the-board tax cut? For those in this country who earn less than $38,000 a year, they are going to get $99. That is going to be their tax cut. But for folks who are earning over $300,000, they are going to get $20,000 of a tax cut. The Senator from Texas thinks this is a fair deal. I don't think this is a fair deal. I don't think this represents the priorities of the American people.

The other side is saying the priorities of the American people are to have a massive tax cut that would give a $20,000 check to those earning over $300,000 a year in this country, send $99 to those who have an income of less than $38,000, and not have one penny of the surplus available to strengthen Medicare, and to leave vulnerable the Social Security trust fund that everybody says ought to be inviolable, ought not be touched, that every penny ought to be set aside to redeem the promise made by Social Security.

That is what I thought we were going to do. That is what the Democrats offered in the Senate Budget Committee. We offered a plan that said of the $2.6 trillion of surpluses, take the $1.8 trillion that comes from Social Security and dedicate every penny to Social Security.

Take the next $400 billion and use it to strengthen Medicare. Take the final $400 billion and use it, yes, for tax relief, but also for high-priority domestic needs such as education and health care and, yes, defense. Those are America's priorities.

But that is not what is in this budget resolution. These are not America's priorities. These are the priorities of, frankly, those who are getting ready to get a $20,000 tax break, and they are salivating. Of course, for the very wealthy, it is much more than this. For those who have had good fortune in this country—and we are grateful for that; it is one of the great things about America, that people have had enormous advantages. The priority of this country isn't to make those who have had great success even more comfortable; the priority of the American people is to strengthen Social Security, strengthen and protect Medicare, provide for high-priority domestic needs such as education and health care and, yes, defense, and also to provide tax relief. My Republican friends have just focused on a tax cut scheme. That is what is wrong with this budget at the most fundamental level.

I see that my colleague from the State of Washington is here. How much time would she like?

Mrs. MURRAY. I would like 15 minutes.

Mr. CONRAD. Mr. President, I yield 15 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 15 minutes.

Mrs. MURRAY. Mr. President, I rise today to express my deep disappointment with the budget we are going to be voting on today. And while I applaud the efforts of the Republican leadership to have a budget resolution, I believe that in the haste to get something out by April, we have put together a budget that really lacks any sense of fiscal responsibility.

Mr. President, I urge my colleagues to vote ''no'' on this conference report. This report before us fails our families and it fails our children. This is the first budget for a new century, but it does very little to prepare us for the challenges we are going to face. It ignores key investments in education, health care, environmental protection, and child care. Regrettably, it ignores our obligation to current retirees and those who will retire within the next 20 years.

Mr. President, I have listened to many of my colleagues who talk about returning the people's money to the people, and I could not agree more. We should allocate part of the surplus to saving Social Security and Medicare. Hard-working Americans have paid their FICA and Medicare payroll taxes with the understanding that when they reach the age of 65, or become disabled, they will be guaranteed Social Security benefits and Medicare. Social Security and Medicare allow the elderly independence and dignity in the years spent after a lifetime of work. We must reserve part of today's surplus to honor this commitment, and this budget does not do that.

We all know that Medicare is in real crisis. Yet, the only recommendations this budget offers are vague statements about reform. There is no talk about investing in prevention benefits that ultimately will save Medicare dollars. There is no language to improve the program so that senior citizens and the disabled can take advantage of new advances in biomedical research to improve the quality of their lives and their health. The priority of this budget before us appears to be to simply raid the Federal Treasury for an across-the-board tax cut.

We need to follow the example of working families. We have a budget surplus for the first time in decades because of tough fiscal discipline and wise economic investment. Just like families, we tightened our belt and restored fiscal soundness to the Federal Government. We should now use this surplus to save for and invest in the future. These are simple choices: Invest in our children and save for our retirement. That is the goal of most families.

I also point out to my colleagues the unfortunate fact that the conferees, in the middle of the night, behind closed doors, stripped out important language we had passed in the Senate regarding women and Social Security. Based on my reading of the conference report, it appears that my language was dropped. At the end of the report, there is a listing of all sense-of-the-Senate amendments adopted during consideration of the budget, but there is no explanation from the managers as to the status of these amendments. In addition, these amendments are clearly not part of the conference report pending before us.

Mr. President, an amendment I offered in committee and on the floor put every Senator on the record as being committed to protecting the safety net for women and making real change, to pull more older women out of poverty as we move forward with Social Security reform. My amendments were aimed at expressing our support of maintaining a guaranteed inflation-protected benefit for women and working to reform benefit calculations for Social Security. The amendment I offered on the floor made it clear that, through the process of Social Security reform, we would recognize the sacrifices women make to take care of their families.

I was proud to offer these amendments and had hoped that instead of just talking about taking care of women in the course of Social Security reform, there would be a solid, bipartisan commitment to addressing the unique economic situation faced by most women today. But it seems that, once again, the needs of women have been ignored or forgotten. With no women on the Senate Finance Committee, I wanted a strong statement from the Senate that the real interest of women who depend on Social Security would not be negotiated away. I wanted to be sure that all Members understood the changing dynamics of the workforce and the difficult choices women must make every single day.

Women make decisions in their thirties and forties for the welfare of their families, like raising children, only to find out in their sixties and seventies that this sacrifice has cost them their economic security in old age. A surviving spouse can also face a dramatic change in her standard of living immediately following the loss of her husband.

Women, on the average, give 11 and a half years of their working lives to their families. They jeopardize their long-term economic security and retirement income to meet the immediate needs of children or aging parents. A surviving spouse can see a reduction of as much as 50 percent of her Social Security income following the death of her husband. Is this the reward women deserve for caring for their families? Social Security reform gives us the chance to make things right for working women and protect their guaranteed benefit. We owe this to all families.

Unfortunately, when given the chance to assure women that their interests and real economic situation would not be forgotten, it would appear that the Republicans have now turned their backs. The failure to include my amendments will only make me work harder to educate women and to fight for women during the debate on Social Security reform.

I will not let the administration or Members of the Senate off the hook. There is no greater threat to women and families than a Social Security reform proposal that ignores the economic disadvantages still faced by working women and older women. I hope that all working women and older women are watching the debate on Social Security reform and taking note.

Mr. President, I also want to say again how disappointed I am in this budget process. When I decided to serve on the Budget Committee, I wanted to return some common sense to our fiscal policy. I wanted to bring the voice of working families to the table, and I don't think this budget passes the test. It is seriously flawed when it comes to the issue of education.

When I talk to my constituents about education and the efforts of Congress, most people are very surprised and angered to learn that less than 2 percent of overall Federal spending goes to education. They think education should be a higher priority, that we should improve and increase education spending, and so do I.

Instead, other than an increase for the Individuals with Disabilities in Education Act—an important $500 million increase that I think we all support—we will see cuts in education funding, and cuts in other important areas in social services and job training.

Even with the increase for IDEA, this budget agreement assumes $200 million in other funds—or $700 million if IDEA is included—in cuts below a freeze that would have to come from other discretionary programs in education, social services and job training.

Where will the axe fall? The Senate's budget specifically focused on subfunction 501—K–12 education. But after working with the House, this conference proposal now is silent on K–12 education as a specific subfunction. Can we then assume that our public schools will bear the burden of these cuts? Or will the cuts be in other important areas? The list is long. Will it be Head Start or national service, job training or juvenile justice, student aid or nutritional programs?

The American people in overwhelming numbers support increased funding for education. The Congress of the United States has not yet heard the message. This budget conference agreement does not place education as a high enough priority. Among other things, this budget completely ignores the pressing need to continue in the national effort to help local school districts hire 100,000 new, well-qualified teachers.

In the classroom, when students wonder why their teacher is not prepared to help them learn math and science—they can look to this budget. When they are stuck in an over-crowded classroom, they can look to this budget. When they learn that there will be less student aid this year than last year, they can look to this budget. When the American people see that fewer children are graduating with the skills they need to participate in our fast-changing economy, they can look to this budget and the short-sighted priorities of the 106th Congress.

A small bright spot in this otherwise bleak budget is the important expansion to child care funding. The Senate overwhelmingly supported the Dodd child care amendment to the budget resolution. I cosponsored that amendment, and while only part of it was retained, I think we have the beginnings of real, bipartisan progress on child care funding.

What the Senate supported yesterday in an overwhelming 66–33 vote, was a historic first step that would have increased child care funding by $12.5 billion over 10 years—nearly doubling our federal investment in quality child care.

What the Senate is being asked to support today is not the complete Dodd amendment, but with a $3 billion investment in the child care and development block grant, and $3 billion in tax incentives, we are making a good start.

Child care questions are becoming more and more pressing for more parents every day. With concerns about affordability, quality, and access—and with more low-income parents going into the workforce—the needs are changing and increasing. More child care is needed during ''off hours''—such as evenings and weekends. More child care is needed in rural settings, impacting transportation, work schedules, and the amount of licensed family child care providers.

It is vital that we make improvements for child care; the provisions of this conference agreement are a beginning to real progress.

But Mr. President, the glimmer of hope offered by the language on childcare is not enough reason to support the FY2000 Budget before us and I urge a no vote on the Conference Report. Under the unrealistic limits set under this budget, as a member of the Appropriations Committee, I know we will be unable to protect the real concerns of working families. Our hands will be tied when it comes time for us to invest in important priorities like education, health care, environmental protection, agriculture, biomedical research, and early childhood development.

Mr. President, finally, I commend Senator LAUTENBERG for his leadership in attempting to work for real progress and for a true fiscal plan that will guide us in the new millennium. I know he shares my disappointment in this resolution. But I thank him for the tremendous amount of work and leadership he has given us on the Budget Committee as we move forward.

Thank you, Mr. President.

Mr. President, I suggest the absence of a quorum, and I ask that it be equally divided.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. DOMENICI. I will be pleased to yield whatever time the Senator wants.

Mr. GRAMS. Less than 10 minutes.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I rise this morning to support the budget conference report. Before I speak on the report, I would like to take this opportunity to commend the Senate Majority Leader and Chairman DOMENICI for their outstanding leadership in crafting and delivering this well-balanced budget proposal.

I believe this budget blueprint is a great achievement of this Congress, and it will ensure our continued economic growth and prosperity in the new millennium.

Protecting Social Security, reducing the national debt and reducing taxes are imperative for our economic security and growth. Our strong economy has offered us a historic opportunity to achieve this three-pronged goal.

This budget conference report has showed us how we can provide major tax relief while preserving Social Security and dramatically reducing the national debt, as well as providing sufficient funding for all necessary Government functions.

President Clinton has proposed to spend over $158 billion of the Social Security surplus in his budget over the next five years for unrelated Government programs, instead of protecting Social Security. Remember the phrase, ''Save Social Security first''? That is not in the President's budget.

This budget conference report includes a safe-deposit box to lock in every penny of the $1.8 trillion Social Security surplus earned in the next 10 years to be used exclusively for Social Security.

Stopping the Government from raiding the Social Security Trust Funds is an essential first step to ensure Social Security will be there for current beneficiaries, baby boomers and our children and grandchildren.

I was pleased to join Senator ABRAHAM and others to offer an amendment during the Senate floor consideration that made this our number-one priority under this budget.

It is also notable, that under this budget, the debt held by the public will be reduced dramatically, much more than what President Clinton has proposed in his budget.

This budget conference report reserves nearly $800 billion of the projected non-Social Security surplus—those are the tax overpayments of working Americans—earmarking $800 billion for tax relief. This is the largest tax relief enacted since President Reagan's tax cuts in the early 1980s.

As one who has long championed major tax relief, I am pleased all Senators supported my resolution to protect this tax relief in the Budget Resolution.

My language offers options for middle-income tax relief such as broad-based tax relief, marriage penalty relief, retirement savings incentives, death tax relief, health care-related tax relief, and education-related tax relief.

The purpose of the provision is to assure the American people that we have made a commitment to major tax relief, and that there is room in this budget to fulfill this commitment while protecting Social Security and Medicare, providing debt relief and respecting some new spending priorities.

I am particularly pleased, Mr. President, that this budget conference report has retained my proposal which could allow us to lock in for immediate tax relief any additional on-budget surplus as re-estimated in July by the Congressional Budget Office for fiscal year 2000.

I believe this is solid protection for the American taxpayers. I thank the Senate majority leader and, again, Chairman DOMENICI for retaining this important provision in the budget conference report.

As the economy continues to be strong, we may have more revenue windfalls to come in the next 10 years that are above and beyond the Social Security surplus. We must return these tax overpayments to hard-working Americans. They should benefit from the surpluses they are paying in rather than allowing Washington to stand first in line saying, ''Let's spend your money rather than giving it back.''

The logic for tax relief is fairly simple. Despite a shrinking Federal deficit and a predicted onbudget surplus, the total tax burden on working Americans today is at an all-time high. Americans today have the largest tax burden ever in history—even larger than during World War II—and the tax burden is still growing.

Federal taxes today consume about 21 percent of the total national income. A typical American family now pays about 40 percent in total taxes on everything they earn. That is more than it spends on food, clothing, transportation, and housing combined. So they are spending more to support Uncle Sam than they do on the basic necessities of life. It is still imperative to provide tax relief for working Americans and address our long-term fiscal imbalances.

Not only does this budget fund all the functions of the Government, but it also significantly increases funding for our budget priorities, such as defense, education, Medicare, agriculture, and others.

Although I have reservations about some new spending increases, including this conference report, I think overall the report is well balanced.

This conference report also retains the Senate-passed amendment that Senator GRASSLEY and I offered. This provision would reserve up to $6 billion for crop insurance reform. Including this funding increase in the budget conference report is an important step, I believe, in realizing our goal of real crop insurance reform to help ailing farmers.

One of the promises made during the debate of the 1996 farm bill was that Congress would address the need for a better system for crop insurance. Last year, we witnessed devastating circumstances come together in my home State of Minnesota to create a crisis atmosphere for many of our farmers and for farmers around the country, as well. We also saw the current Federal Crop Insurance Program fail for far too many farmers. Funds for crop insurance reform are the best dollars we can spend to help American agriculture, and this is a far better way to assist farmers than any of the spending that we have included in the emergency spending bills. We need to pass this.

Finally, Mr. President, unlike President Clinton's budget, which, again, has broken the spending caps by over $22 billion, this budget maintains the fiscal discipline by retaining the spending caps. There are those who claim we cannot avoid breaking the caps as we proceed to reconcile this budget. I say if we do our job to oversee Government programs, we will know which areas can be streamlined and which program funding can be shifted to new priorities. Let's make sure we do our job to justify all Government funds are wisely spent.

In closing, cutting taxes, reducing the national debt, and reforming and protecting Social Security and Medicare at the same time are all possible. It is not either/or. It is not either Social Security or giving tax cuts. We can do all with what we have in the budget. This budget conference report has showed us how we can do it.

The bigger challenge facing us now is that we must have the strong political will to follow through on this budget. We must defend the principles and priorities highlighted in this budget blueprint through the entire appropriations and reconciliation processes, as well as in other legislative initiatives during the first session of this Congress.

Mr. President, I look forward to working with my colleagues to achieve the goals set forth in this budget. Again, I commend the Senate majority leader and also committee Chairman DOMENICI for putting this budget together.

Thank you very much, Mr. President. I yield the floor.

Mr. LAUTENBERG. Mr. President, I yield 15 minutes of our time to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank the ranking Democrat on the Senate Budget Committee, Senator FRANK LAUTENBERG, who has announced his retirement. He is headed for the last budget roundup. This is the second to the last stop. I have one more year with FRANK LAUTENBERG as spokesman

on that committee who has made an enormous contribution to the committee, his State, to this Nation, and certainly this budget deliberation. We are going to miss him. He has done a great job for America.

I have known for many years the chairman of this committee, Senator DOMENICI of New Mexico. When I was a member of the House Budget Committee, his reputation was well known. He has been a deficit hawk for as long as I have known him. I am sure he has some sense of relief today dealing with a budget that is in much better circumstances than it was a few years ago. That is due in no small measure to his contribution. Though I may disagree with him on this particular budget resolution, it does not diminish my respect for what he has done in this budget process in demanding honesty. I hope he will continue on that pursuit, and I hope we will share goals in the near future. I am looking forward to doing just that.

Mr. DOMENICI. Mr. President, I thank the Senator very much. I appreciate his comments very much.

Mr. DURBIN. Mr. President, having said all these wonderful things about Senator DOMENICI, I am going to tell you what is wrong with his budget resolution, and he is not going to be a bit surprised by all that.

There are a few things where we do disagree. As Senator GRAMS of Minnesota just mentioned, there is overriding concern by all of us about the future of Social Security. I think Senator CONRAD on the Democratic side offered a very novel, imaginative, and positive contribution to this debate when he suggested we lock up the Social Security surplus for Social Security.

This would be done by requiring that an extraordinary vote of 60 votes would be required to spend the Social Security trust fund surplus for anything other than Social Security. We understand Social Security is a solid covenant between generations. Without it, 16 million more Americans would live in poverty, and Social Security is the principal source of income for two-thirds of older Americans and the only source of income for nearly one-fifth of our seniors.

This trust fund will go bankrupt in the year 2034 when people like myself, if we are lucky to be alive, will be part of the huge baby-boom generation looking to a smaller pool of American workers to sustain us. That is why the actions we take today for the future of Social Security are so critically important.

I am afraid the Republican alternative in this budget resolution is not nearly as good as Senator CONRAD's suggestion of a 60-vote lockbox. I am afraid we have fallen short of the mark when coming to guaranteeing the future of Social Security in this budget resolution.

There is another element, though, that is even more mystifying. There is an old poem that goes something like this:

> As I was walking up the stair, I met a man who wasn't there. He wasn't there again today. I wish that man would go away.

The man I am talking about is Medicare. The problem with Medicare will not go away. The Medicare trust fund is expected to go bankrupt in the year 2015. If that is not bad enough, as baby boomers like myself retire, the strain will become even greater. By 2034, the number of Medicare beneficiaries is expected to double to almost 80 million American seniors.

The Democrats had a proposal to deal with that. The Democrats came forward and said we should dedicate a substantial portion of any future surplus to go to Medicare so that in addition to reforming Medicare, we would be putting our surplus funds into it so that it would be strong for many years to come. Our lockbox proposal for Medicare would save $376 billion of the budget surplus for the next 10 years, and it would extend Medicare solvency by 12 years to the year 2027.

By locking these funds away, we make sure the country will have time for a serious debate on the future of Medicare reform while we are certain that it is going to be solvent. Unfortunately and sadly, and almost without explanation, the Republican budget proposal before us today does not put away a single penny—not one cent—for Medicare. It does not extend the life of the trust fund by a single day. That, I think, is an abdication of responsibility, not just to the 40 million seniors who depend on Medicare but to their children who want their parents and grandparents to live in dignity and without worry about medical bills.

If we ignore Medicare, we are ignoring a looming crisis. This budget resolution does not address it. We will be hearing from the other side about how this budget resolution "fully funds Medicare." But a fully funded Medicare is still going to go bankrupt in just 16 years. The truth is, this budget does not do anything substantial for the Medicare system. It could leave it withering on the vine from neglect.

This chart indicates the difference in approach between the Republican side in blue and the Democratic side in red about the dedication of surpluses for Social Security and Medicare.

You can see a substantial difference between the two; in the years 2000 to 2004 composite—the first graph—and then later the 2000 to 2009 composite. It indicates the different dedication of funds to make certain Medicare is included in any plan that is a part of this budget resolution.

Let me speak for a moment about tax cuts, too. As I have said many times, there is just no more appealing phrase for a politician than, "I favor a tax cut." People cheer, "Oh, we love you. This is great." But we have to be honest with the American people. Some politicians in the past have talked about, "Read my lips: No new taxes." The American people learned a lesson there. They want honest talk about taxes. They do not want promises that cannot be kept or promises that we should not keep. The Democratic plan has targeted tax cuts, after we dedicated funds for Social Security, after we dedicated funds for Medicare. We kept a substantial portion aside for tax cuts targeted for the American families truly in need.

That would include USA accounts, the President suggested, so that more working families can save for retirement.

Long-term care tax credits, think of how many people are worried about their parents and grandparents now in nursing homes or in need of special care. This $1,000 tax credit would be a helping hand to literally millions of Americans in that predicament.

The child and dependent care tax credit, we proposed $6.3 billion to help pay for child care. We want Americans to work. But while they work, we want their children to be in safe and loving hands. And that means quality day care and stepping in to help low-income families so they can pay for that day care. And a tax credit for work-related expenses for people with disabilities. This will defray special employment-related costs incurred by those people with disabilities, such as transportation and technology costs.

Our tax cuts are geared to make certain that we meet our obligations first to Social Security and Medicare, and then to the American working families who most deserve them. It is still a mystery as to what the Republican tax cut will be. I am not sure. Perhaps we will have an explanation of it sometime later today before we vote on this budget resolution.

But, in fact, we have heard one proposal from JOHN KASICH, the chairman of the House Budget Committee, about a 10-percent, across-the-board tax cut. What would that tax cut mean? It is a good day to ask the question—on April 15.

For those with incomes under $38,000 a year, the Republican tax cut of Mr. KASICH is $99 a year. That is almost $8.25 a month that people will have to spend under the Republican tax cut, if they happen to be among the 60 percent of working Americans who make less than $38,000 a year. Think of it—a Republican tax cut that might pay half of your cable TV bill each month. Isn't that something to look forward to?

But if you happen to be in an income category in the stratosphere—over $300,000 a year—a 10-percent tax cut is $20,697.

So the people with the money are given the tax cuts. The folks who are

working to raise their families and pay their bills, under this Republican tax-cut plan, get $99 a year. I do not think that is fair. April 15 is a good time to talk about taxes. I want to remind my wife to get the forms in the mail before midnight back home. We want to make sure we do file our taxes on time, as all Americans should. But I hope that we will take a minute to reflect on the tax burden in America and what has happened to it.

The median family income in America—that is the average—is $54,000. If you look at the tax burden on working families in America over the last 22 years, you will see an interesting thing has occurred. The taxes had gone up in the early 1980s, and then started coming down; and then look where they have dropped by 1999—the lowest tax burden in 23 years.

Anyone writing a check today will say, ''I wish it was even lower,'' but the fact is it has been coming down. The U.S. Treasury reports a family of four, with the median income of $54,900, will pay the lowest percentage of its income in taxes since 1976. It shows that many families with half the median income—these are folks making about $27,000 a year—let me show this chart here—some of our hardest working families, I might add—will actually pay no income tax at all or get a check back from the government. They have an average income tax burden of a negative 1 percent. Their overall tax burden is the lowest in more than 30 years. This chart indicates it is the lowest in 35 years. A family of four can make up to as much as $28,000 and not owe a dime in taxes.

Incidentally, one of the reasons many of these family tax burdens are lower is because of our expansion of the earned income tax credit in 1993. This tax credit focuses on helping working families.

What a contrast: A Republican proposal by a Congressman from Ohio for a tax cut to benefit the wealthiest; the earned income tax credit designed to help working families. It really tells a world of difference in philosophy when it comes to tax cuts.

The interesting thing is if you look at those who are doing pretty well in America, those making twice the median income; that would be over $109,000 a year. Their tax burden is also declining. The average Federal tax burden of a family of four with twice the median income is the lowest it has been since 1988, and the second lowest since 1977.

We back these figures up by an analysis, not from some Democratic Party organ but, rather, the accounting firm Deloitte and Touche, a group recognized as reputable in the field. Their analysis shows that the average Federal tax rate is lower today than it was 20 years ago for virtually every type of taxpayer.

We want to continue that, target the tax cuts to the families that need it the most, but it is not in this budget resolution—an approach which is so general as to suggest we would be giving tax cuts to the wealthiest among us instead of those who work the hardest, the working families struggling to put their kids through school.

We are going to face a crisis here on this budget debate, and it will come soon. I am afraid when we take a look at the Republican budget resolution, with tax cuts for wealthy people, we are going to find ourselves cutting back on a lot of spending. Some on the Republican side have stood up and very honestly said that is OK, ''We believe that cutting back on Federal spending is good at any cost.'' I have second thoughts about that, because some of the programs which we will cut with this budget resolution are critically important to many American families.

As a result of this resolution, as many as 100,000 fewer American kids would have access to Head Start—Head Start— that early childhood development program where kids get a chance to prepare themselves for kindergarten and first grade. One-hundred thousand more kids in America would be off the program as a result of this budget resolution.

Another program, that is near and dear to my heart, the WIC Program—Women, Infants, and Children Program—brings in pregnant mothers, mothers with young children, and helps them with nutritional assistance during the pregnancy and after the children are born. One out of four American babies is in this program. Lower-income families need this helping hand to make sure their kids get nutritious food and so that the mother is healthy when she delivers the baby.

Is there any better investment of money in this country than doing what we can to make sure that our pregnant mothers and their children, at their earliest age, are off to a healthy, nutritious start? This Republican budget resolution will cut over 1.2 million low-income women, children, and infants from the WIC Program. How can that make this a better country?

And when it comes to some basic things, we all abhor drugs in America and drug crimes, and yet with this budget we will be forced to cut the number of Border Patrol agents who are trying to ferret out those smuggling narcotics into America. So 1,350 fewer Border Patrol agents, 780 fewer drug enforcement agency personnel out there fighting the war on drugs—think about that for a second. Does that make any sense? More drugs in America, so we would have more people ultimately committing crimes and going to prison because we give a tax cut to the wealthiest people in this country. This is upside down thinking and a reason why many of us question its wisdom.

Funding eliminated for 21 Superfund sites; 73,000 summer jobs and training opportunities cut.

The list goes on.

Cuts in food safety. You ask the American people, what do you expect of your Federal Government? In the State of Iowa a poll said: The first thing is to make sure the food we eat is safe to eat. People are concerned about that. They hear about scandals where children eat tainted food, or the elderly do, and get seriously ill, if not die, and yet we cut back in the Department of Agriculture in areas of food safety. How can we possibly rationalize and explain that in the name of giving greater tax cuts to wealthy Americans?

Let me close by saying that I respect the hard work that has gone into this budget. I respect the serious difference of opinion between the Republican side and the Democratic side.

I think ours is a more balanced and rational approach. It takes care of the future of Social Security. It provides help for Medicare where the Republican budget resolution provides none. It provides tax cuts for families that really need it and doesn't give tax cuts to the wealthiest among us. It also provides that we will have the money available to meet the basic needs of America when it comes to educating kids, feeding pregnant mothers and children, providing for the kind of law enforcement that is essential for the security of this country.

I hope that before this is all said and done, President Clinton can bring the leaders on Capitol Hill, the Republican leaders in the Senate and the House, together and that we can work out some reasonable bipartisan compromise. I am afraid this budget resolution does not reflect that, and that is why I am going to respectfully oppose it and vote against it.

I yield back the remainder of my time.

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

Mr. DOMENICI. Mr. President, I yield myself as much time as I use.

First, let me speak to those who are wondering what the time sequencing is and when we might vote. We know of only one additional Senator on our side who wants to speak, and that will be Senator SLADE GORTON. I understand that we know, in fact, where he is. He is at a committee hearing, but as soon as he comes, he will be our last speaker. We are anxiously waiting to see how many more there are on the other side, and we are hoping that in all events we will be through debating this budget resolution within an hour or less. That will set a time certain that is accommodating to the leaderships in terms of when we vote.

Having said that, let me just comment a bit with respect to a few things that have been said by the distinguished Senator from Illinois.

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, I rise to speak a few words to the Senate and anybody interested with reference to some of the comments made by my good friend from Illinois, Senator DURBIN. I do mean that. He is a very new member of our committee, and I find him to be a very dedicated and hard-working Senator. I reciprocate with my compliments to his work and effort.

I do believe we have a propensity on the floor to argue and, in many cases, to exaggerate so as to prove our point. Let me make sure that the American people understand the tax cut we are talking about.

It is projected that in the next decade we will have $2.5 trillion in surplus money coming into the Federal Government. Let's for a moment understand basically what that means, $2.5 trillion. The entire budget of the United States for everything is about $1.8 trillion a year. We will have a surplus that dramatically and extensively exceeds the total amount we are spending annually for all programs of government.

Where did that $2.5 trillion come from? It did not drop on us from outer space, nor did a big rain cloud come over and rain came down and it was full of dollars and that is where the $2.5 trillion in surplus came from. I think most people, if given three or four things they could choose from, would choose the right answer—the taxpayers paid it in. The taxpayers pay $2.5 trillion more in the next decade in taxes than we need to run government based upon a reasonable program.

Obviously, if you believe there is a never-ending need for government spending, then you can whisk away that $2.5 trillion and say, let's spend it. Frankly, for all of the desires of the American people, they are not crazy. In fact, they understand implicitly what is going on. When, in fact, you have this kind of excess taxes being paid in, there is a difference, dramatic difference, between the two parties. The Republicans say don't grow government, give the money back to the taxpayer.

That is what all this argument is about. What do you do with that excess, which is more money per year and per the next decade from the taxpayers, all taxpayers, than we need for our current budget plans?

You could invent new budget plans, I say to the occupant of the Chair, and spend every cent of it. Or you can do something as wild as the President has recommended, which not even the Senate believes is responsible—indeed, both sides. You can take a huge chunk of that money and put it into the Medicare trust fund without reforming or changing Medicare, just put it in there and put out, as the President did, 15 percent of that surplus in IOUs. The IOUs have value, because what are the IOUs? The IOUs are postdated checks which are going to come due at some point.

Who is going to pay for them? It is the American taxpayer who is going to have to redeem them in 10, 15, or 20 years, because it is just a postdated check. You understand that, but if they understood it, they would say: What is this all about? We thought we were fixing Medicare, reforming it and making it more efficient. Sometime out there in the future, those IOUs are going to come due, and we are going to have to pay them. New taxes are going to have to be imposed.

What do the Republicans think? Republicans think that during the next decade you ought to take every single solitary penny of Social Security surplus, which is part of that $2.5 trillion that I have been talking about, and put it in a position in the budget where it can't be spent for anything other than senior needs.

There are arguments that isn't enough for Medicare, that we don't provide for Medicare in this budget. Let me just tell you what we do provide. We provide $462 billion more in that trust fund than the President did, and he heralded his budget as being responsive to the proposition that every single penny of trust fund money would be deposited in the trust fund for Social Security, excepting he had a nice little funny thing in there. That was over 15 years—we never have budgeted like that—which meant that he only put 62 percent of the Social Security surplus into a Social Security accumulating trust fund, and then he did this IOU business with Medicare. Essentially, it is as if there is a plan, an intentional approach to say to the American people: Don't worry about the taxes you are paying in and the excess; we have it all taken care of; we are going to spend it.

As a matter of fact, it is most interesting; the President of the United States spent in the first 10 years $158 billion of the Social Security surplus for programs.

Unequivocal. Nobody denies it. The President's OMB people don't deny it. They say that doesn't matter because over many years we are going to save the money for Social Security, but we will spend some of it in the first decade. In fact, that $158 billion is in the first 5 years of the budget—it is going to be spent.

Having said that, the other issue that seems to always come up is, if you are going to give tax cuts, it just has to be that the Republicans are going to take care of the rich people and not the middle income and family people, because there have been various Senators and House Members speaking about what they might want. I will remind everybody listening to that kind of stuff on the floor, you should know that that budget resolution, by operation of law, does not say how the taxes will be cut. It says how much. And in the processes of the Congress, later on—in fact, under this budget, it is in July of this year—the tax-writing committees, after hearings, after citizen input, after talking with Senators from both sides of the aisle, will produce the tax bill. That will be the time to decide what is in it. And it is actually a red herring to talk about what is in that tax bill—because we don't know—as a justification for not having any tax cuts. But that doesn't sound right, does it? Well, it is right.

Those who use the argument that it is going to be a bad tax bill, so don't have any tax cut, are essentially saying we don't want to give you a tax cut because we don't know what will be in it. But I will tell you what the budget resolution says. That is the best I can do. It recommends that such tax relief could include any or all of the following: an expansion of the 15-percent bracket, marginal rate reductions, a significant reduction or elimination of the marriage tax penalty, retirement savings incentives, estate tax relief, an above-the-line income tax reduction for Social Security payroll taxes, tax incentives for education, parity between the self-employed and corporations with respect to tax treatment of health insurance premiums, capital gains taxes, and fairness for family farmers.

Now, that is what we are discussing. Do we want to allow some or all of that to be debated and looked at? That is why we have a tax provision in this budget resolution.

Let me just quickly go through one other thing and then summarize what we have done. First, in the Medicare program, by virtue of a good economy, meaning high unemployment, a lot of people paying into these trust funds, we have extended the life of Medicare, Part A—that is the hospitalization part in the trust fund—for 8 years without Congress doing a thing. The current program lives for 8 years longer than expected just 6 months ago because the economy is powerful.

Now, almost everyone knows we have to reform, change, make better, make more efficient the Medicare program. There are some who would like to deposit $400 billion in the trust fund of Medicare and let it sit there as IOUs for the future, without first determining what does Medicare need or, to put it another way, without any reform or changes in Medicare. None. That is

what it contemplates. And an extension of the trust fund is contemplated by just pouring that money in and taking IOUs. It isn't spent. It extends the life of Medicare some 8 or 9 years, and it doesn't contemplate or envision reform. It doesn't pay for prescription drugs. And, incidentally, as an aside, anybody who would like to ask the OMB of the United States, the Office of Management and Budget, the Congressional Budget Office, the Comptroller General, ask them if the President paid for prescription drugs in his budget—zero. He suggests we might want to do that sometime as part of reform.

Now, one Democrat Senator said, ''Republicans want to raid the Federal tax treasury for a tax cut.'' Now, isn't that an interesting concept? Raiding the Federal Treasury for a tax cut. What is the Federal Treasury? What is the Federal Treasury into which the taxpayers are paying $2.5 trillion more than you need for Government? What is the Federal Treasury?

My friends, the Federal Treasury belongs to the American people. It does not belong to the Government. If we reduce the size of Government and there is money left over and we say let's give it back to the public, are we raiding the Treasury of the United States, or are we giving back to our citizens the overpayment they have paid in income taxes that is lodged temporarily, or housed in the U.S. Government?

I wonder how the people who are hurrying today to the post offices trying to get their tax returns in would feel if they knew that over the next 10 years as they file their returns, they are overpaying the Government; and, as a matter of fact, if you add it all up, they are paying $2.5 trillion over current expenditures. I think they would be wondering, what is the U.S. Treasury? We thought maybe it was ours.

In summary, we think we have a very good plan to enter the millennium. If the President would like to enter that millennium with us, that would be great. Everybody listening and everybody who follows budgets should know that there has not been a vote in this Congress, or in our Committee on the Budget, on a Democratic budget. They don't have to produce one. When I was in the minority, I didn't produce a budget every year. So everybody will know, we didn't vote on a Democrat budget; we voted on the President's budget. While there was a lot of argument about whether we were voting on it or not, that is what it said—that we were voting on it. Now it will be interesting to know what results from that vote: No, every member of the committee; Yes, zero members of the committee.

Now, if in fact it was a great budget on Social Security, a great budget on Medicare—just those two—if it was great on those, Democrats would have voted for it because, after all, it is pretty clear that is what they believe to be the biggest issue going. They didn't vote for it.

Now, what this budget does is save Social Security and puts in a trust fund $462 billion more than the President put in, and the number is $1.8 trillion. You can't spend it. It is there. You can't use it for tax cuts, that is for sure. As a matter of fact, we will soon vote on legislation to lock it up so that it can't be used without 60 votes.

Save the Social Security trust fund first. That is the No. 1 plank, the No. 1 priority in the budget. Second, make sure we have done everything we can to promote Medicare reform and see to it that we do have the resources for it. We have done that. I am not going to repeat the three or four things in the budget and just say those were No. 1 and No. 2. Three, we have dramatically increased national defense. Everybody understands that. If they didn't understand it 2 weeks ago, they ought to understand it now. The costs that we are incurring in Kosovo now, over and above defense spending we contemplated year by year, are astronomical. We soon may have to add to that, in an emergency, as much as $5 billion. And if we went on for a whole year, depending upon which kind of activity we have had, the number could be more than twice or three times that amount. So we have increased it substantially.

In our prioritizing, in our setting forth what we think should be paid for first, we have increased education $3.8 billion in the first year, $38 billion over the next 5, beyond that requested by the President. Our only hope is that none of that money will be used unless we have a new approach to public education funding, and that we would send the money down to the locales with ''flexibility and accountability.'' Those are the two new words we want to attach—to give them flexibility and make them accountable. Don't tell them how to use it because one shoe doesn't fit everything in the school districts from East to West and North to South in this great land.

We have sustained and added to all of our criminal justice activities, and we have added $1.7 billion to veterans' hospital care, substantially more than the President, because we think that is one of our real values in this country—to take care of veterans' health benefits.

I may have missed one thing or two. But I will summarize the effect of all of that.

We will have cut the national debt in half by creating that surplus and setting it there. We have reduced the national debt in half, substantially more than the President reduced the national debt. We think that is very, very good for our future.

I might say it is obvious that a number of our domestic accounts, aside from those that we treat with priority and that I have just stated, will go up. It will be very difficult to do all of the things Government is currently doing and meet this budget. In the appropriated accounts of our Government, between defense and nondefense, it is now about 30 percent of the budget, and it is going to be hard for those accounts to fit within this very tightly and stick to the balanced budget numbers. But it was my opinion, with the Senate of the United States, with one Democrat supporting us and the rest of us on our side unanimously voting for this, that we thought the best way to approach a successful American economy was to stick to the balanced budget plan in terms of people believing we meant what we said—that we were going to ''ratchet down'' Government and make sure we had a credible plan to do it.

Having said that, if Senator GORTON does not arrive shortly, I will be able to tell Senator LAUTENBERG that we don't have any other speakers. We will check with him right now so I can inform the Senator.

Mr. LAUTENBERG. Will the Senator yield for a few minutes so that the Senator from California can have 10 minutes now while we are waiting for Senator GORTON?

Mr. DOMENICI. Sure. Of course.

Mr. LAUTENBERG. I yield 10 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I thank my chairman, Senator DOMENICI, and my ranking member, Senator LAUTENBERG, for yielding me 10 minutes of time.

Mr. President, I have served on the Budget Committee since I came to the Senate. That was almost 7 years ago. In the House I served for the maximum period allowable on the House Budget Committee, 6 years. So I have seen budgets come; I have seen budgets go. I have seen good ones, bad ones, middle-of-the-road ones. And I have to say that my heart is heavy as I look at this budget. My heart is heavy because I think it is not a good roadmap for our future.

I say that because I think this budget fixates on tax cuts to the wealthy, to the exclusion of other important critical priorities such as Social Security, Medicare solvency, and the environment. Under this proposal, virtually all of the onbudget surplus would be used for tax cuts. Tax cuts are good and I certainly do support targeted tax cuts to people who need it, such as the kind of program we unveiled yesterday at the White House with the President, the USA accounts, the Universal Savings Accounts that will go to people with $100,000 a year and less, and give them incentive to save by having matching funds from the Federal Government. It will make life good for our people. That is the kind of tax cut we ought to be talking about.

But that is not an across-the-board tax cut that we hear talked about. And my friend from New Mexico says it is premature to criticize the tax cut portion of this; we don't know what it will look like.

I have listened to Congressman KASICH and others wax eloquent about the importance of an across-the-board cut, and we know what that means. It will mean $99 back for most of the people earning approximately $40,000 a year or less. But for those in the very high brackets, those who earn $800,000, we are talking about $20,000 a year back.

Mr. President, $20,000 back to some who earn more than $300,000, the top 1 percent, is that something that we can truly say is going to bring the American dream to the people who do not have it? I don't get it. That is more than people make on a minimum wage, who sweat and toil every day—at the minimum wage. And we have had great objection every time we tried to raise the minimum wage.

I don't even get into the people who make $1 million a year. High-wage earners are good people. They have worked hard. But I don't find when I talk to them that they are saying to me, ''Senator, you have to give us more money back.'' They are doing well. They are doing well in the stock market. They understand that this country does well when you bring everyone along.

So I have a problem.

Let me give you another clue as to why I believe these tax cuts will go to those at the very, very top of the ladder. If you look carefully in this budget proposal and they talk about taxes, they go out of their way to mention cuts in estate taxes—taxes that are paid when someone dies. Mr. President, almost ninety-nine percent of the people in this country will never have to pay an estate tax. In other words, we have exempted much income from the estate tax. Here we see the Republican majority fighting again for the top 1 percent of income earners.

Mr. President, I offered a very simple amendment in the committee. Do you know what it said? If there are going to be tax cuts, the substantial benefit should go to the first 90 percent of income earners. The Republicans didn't want to vote on that. As a matter of fact, my chairman, whom I respect and like and admire, said, you know, last year that was a good idea; this year it is not a good idea. They wouldn't take that. They substituted some other language. Then when we got to the floor of the Senate, guess what. They didn't want to vote on it. They accepted it only to drop it in the conference.

So this budget fixates on tax breaks for the people who do not need them. And even bipartisan votes were dropped in the conference. It is hard for me to understand how this is a good roadmap for our future. Education, yes there is a good increase needed in education. But every single amendment that was moved forward, such as the one from our ranking member on school modernization, was dropped in the conference.

My language on after school, which we know works for our children—and we have so many local districts that want that program—was dropped in the conference. Why? The new thing: We don't want to tell local districts what to do. Mr. President, these programs don't tell local districts what to do. We simply make funding available if they believe after school is a priority, if they believe school modernization is a priority, if they believe putting more teachers in the classroom is a priority.

The new words are ''flexibility'' and ''accountability.'' How is it holding anyone accountable if you give them money and you don't even tell them you think they ought to look at after school, or you think they ought to look at lowering the number of children in the classroom? We were elected because we have views on these subject matters, not just to simply write a blank check and say, ''Oh, take the money. We don't care.'' Do with it what you will: Put a new carpet in the administrator's office, have him hire a new assistant, put a shower in his office. I don't think that is the way we ought to legislate. We ran on these issues. We understand them. If we don't, we don't belong here.

I am not going to give a blank check to some school administrator. I am going to say, look, this is what we have available for you if you feel these are your priorities. Do Members know who set that standard, that kind of model? Dwight David Eisenhower, Republican President in the 1950s who authored the National Defense Education Act, who said there is a shortage of math teachers and science teachers; the Federal Government will help you pay to train those teachers—a Republican President. He didn't say, ''Here, take the money, we don't care what you use it for.'' He said there is a national problem here, let's address it.

We know there is a national problem, as the Senator from New Jersey knows, fixing up the schools. We know there is a national problem, no afterschool programs, our kids get in trouble. We know there is a national problem, too many children in the classroom. We simply try to put some language in and it gets dropped in the conference.

Yes, my chairman is right: There is a huge difference between Democrats and Republicans. More and more I realize this. All you need to do is look at this budget to find it. They don't save Social Security. They put it in a lockbox for 1 year. They have language that mandates that the Social Security surplus be used only for the payment of Social Security benefits, retirement security, or to reduce the Federal debt.

What does retirement security mean? It could mean anything. You could argue you give a tax cut to someone earning over $300,000, that will help him with his retirement. Not only that, if we want to break out of the lockbox, it looks to me like they only need 51 votes to do it. They don't save Social Security. They do nothing for Medicare.

I was surprised to hear my chairman say, ''Without doing anything, the economy is good, Medicare is doing great.'' Medicare needs attention. We are living longer—that is the good news; the bad news is there are strains on Medicare. We should have put money into that program.

My chairman was right, we never offered a Democratic alternative budget. We had amendments on every one of these issues. My ranking member offered them on every one of these issues. We know where we stand. We said we want Medicare funding from the surplus put into a lockbox, too, because we think Medicare, as well as Social Security, are safety net issues that need to be addressed.

The point is they don't do in this budget what they should do for Social Security and Medicare. They don't do in this budget what they should do for working men and women. They don't do anything for the environment.

Senator CHAFEE, a Republican Senator, had his language dropped. Yes, they put $200 million in from one account to another but the language that directing that the money be used for land and water conservation stateside spending was dropped. There is no instruction here.

Senator JOHNSON, who will be speaking shortly, and I worked together on a very important amendment to set up mandatory spending for the environment, for a land and water conservation fund, for the purchase of open space. It was bipartisan, adopted in the committee and was dropped in the conference.

I point out Senator MURKOWSKI has a bill on this matter, I have a bill on this matter, several other Republicans and Democrats have bills on this matter. We were simply making room for the environment in this budget and it is gone. This is a roadmap that I do not think is a good roadmap for America today. I am very sorry to stand here and say that because I believed we had an opportunity to do some very good things because we are on such strong fiscal ground. We had a chance to do some important things. We are going to see huge cuts in domestic spending as these numbers go over to appropriations. They are hidden in this budget right now, but as soon as you get over to appropriations it is going to be very, very difficult. There will be cuts in domestic priorities.

I will vote against this budget. We had an opportunity to work together;

we didn't do it. We didn't save Social Security, we didn't save Medicare, we didn't talk about the real needs in education, we turned our back on the environment. This is a budget that I do not believe the American people will support.

I don't hear the American people saying give tax breaks to the people who earn over $300,000, $500,000 or $1 million a year. I don't hear them saying that. Do you know what I hear them saying—keep up fiscal responsibility and give help to the people who really need that help so they can climb up that economic ladder and this country can truly be all it can be.

I yield back my time to Senator LAUTENBERG.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS-CONSENT AGREEMENT

Mr. LAUTENBERG. Mr. President, I have a unanimous consent request that the list of those who are going to speak on the budget be identified as follows: Senator WELLSTONE, Senator GORTON, Senator HUTCHISON, Senator JOHNSON, and Senator LAUTENBERG.

Once these Senators have spoken, I ask unanimous consent that all debate time on the pending conference report be yielded back. I ask further consent that the vote occur on adoption of the conference report at 2 p.m. today. I include in that unanimous consent request that after those Senators have spoken, the request then include a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. LAUTENBERG. I yield such time as needed to the Senator from South Dakota, up to a maximum of 15 minutes.

Mr. JOHNSON. Mr. President, I thank Senator LAUTENBERG for his leadership on this budget resolution. As a member of the Senate Budget Committee, it has been an honor and, I have to say, also, unfortunately, somewhat of a frustration to have participated in this process in the committee and to see now what has come to the floor.

I am saddened that what could have been a watershed opportunity for the American people—to lay out a budget that makes sense, which establishes the proper priorities for the coming years—apparently is going to be missed and profoundly missed in a very unfortunate way.

It is remarkable how we arrived at this point. When I first came to the Congress as a Member of the other body some 12 or 13 years ago, I had some doubts that I would ever see the collapse of the Soviet Union, the fall of the Berlin Wall, or debate how to utilize a Federal budget surplus, but here we are. We do have that opportunity, last year having been a surplus year, at least under a unified budget. And this year, which ends September 30, the projections are that we will be at least $130 billion in the black for this coming fiscal year. Again, let me be clear that in the unified budget, all of those surplus dollars are attributable to Social Security, lest anyone gets too carried away about spending the surpluses that are here in the near term.

It seems to me that throughout this debate that there are four principles that ought to be followed as we craft a roadmap for where we go from here, from this fork in the road that we thankfully have come to. This crossroads follows on the heels of the 1993 budget agreement and was supplemented by the 1997 budget agreement, both of which I voted for. It seems to me we ought first protect Social Security and Medicare—not just Social Security, but protect them both.

It seems to me that a significant portion of resources that we come into ought to be used to pay down already-existing debt. When Jimmy Carter concluded his Presidency, this Nation had an accumulated debt of around $1 trillion. That exploded to $5.5 trillion, mostly through the borrow-and-spend policies of the 1980s. Now we have an obligation to pay that debt down, reduce debt service, reduce the cost of money, and free up resources for the private sector so buying a house, buying a car, sending a kid to college, and expanding a business become more affordable.

Third, we do need to look at tax relief, but we need to do so in a careful manner. We should not commit dollars that we do not have, those that are only projected far, far into the future. There is talk on this floor about how we are going to spend surpluses available to us 15 years down the road, surpluses of massive proportions. We have seen in the past what has happened with budget projections from both the OMB and CBO. We know the availability of those dollars may or may not occur. It seems to me a great deal of restraint ought to be used on the part of both political parties, for both spending and tax relief, when making plans premised on dollars that may or may not be available in the future.

But I do believe over the near term we ought to try to design a budget package that will provide some level of tax relief for people in this country, primarily for middle-class and working families. There is a very legitimate role to be played for a tax relief package, but it can only be part of an overall strategy.

Last of the four items that I think we need to take into consideration are the key investments that need to be made. I think the American people feel the same way. The American people want some tax relief, but they also want to see Social Security and Medicare protected. They also want to do some things for our schools, environment, kids, and communities. It is that kind of balanced agenda that makes some sense. To repudiate the ability to make the key investments that need to be made, I think, reflects an ideological orientation to this budget that is far away from where the American people are.

There is little wonder in my mind, frankly, why poll after poll shows the American people overwhelmingly rejecting what has become the Republican budget agenda in the House and the Senate. The Republican agenda is lopsided—not balanced, thoughtful, or progressive—and it does not do the things the American people want to see happen. All of the money essentially goes toward tax relief, aside from an increase in defense and a couple of other assorted very narrow increases. Because of this budgeting, we are going to wind up by the year 2004, which is only 5 years down the road, with cuts growing from 11 percent this year to some 27 percent. These are, in effect, shutdown types of cuts for programs like Head Start and Meals on Wheels and toxic waste cleanup and for Women, Infants, and Children, and Border Patrol, not to mention community health clinics, environmental initiatives, funding for our national parks and rural development. All of these programs are at tremendous jeopardy because of the very one-sided, very lopsided, and, I think, unthoughtful approach that we are being presented on the floor of the Senate today.

On top of that, while there is some provision for an increase in education funding in this budget resolution, it is far smaller than that included in the Senate budget resolution; the increase of $2.6 billion is now only $259 million for fiscal year 2000. This budget puts out of reach our ability to deal constructively with the need to renovate and build new schools, to provide the numbers of new teachers we need, and to supply the technology we need in our schools.

In my State of South Dakota we are seeing bond issue after bond issue go down all across the State because people find they simply do not have the resources to make the investments in school facilities that need to be made. Yet we are walking away from what could be a very constructive and commonsense partnership—where the decisionmaking is left at the local school level but the financial partnership is among Federal, State, and local governments—that could make quality educational opportunities for our kids a realistic possibility in the next century.

The situation is similar for child care. While the Senate accepted the amendment of Senators DODD and JEFFORDS that provided an additional $12.5 billion over 10 years for existing childcare and development block

grants, the conference report cuts that by $9.5 billion. So, again, we are denied the ability over the long haul to make the investments needed, even in a block grant fashion. It leaves the decisionmaking and flexibility to the States to invest in the kinds of programs that I think every American sees need to be made for our kids—afterschool programs, day-care programs. These are the things we need to do if we are going to invest in the minds of children so they can go on to have successful lives and take care of their own needs.

I am pleased because the amendment that Senator WELLSTONE and I offered on the Senate floor, which would have resulted in a total increase of $3 billion in VA health care funding and which was accepted here, has been, for the most part, retained. This conference report calls for a $2 billion level of increase. That is not as much as I would like to see or Senator WELLSTONE would like to see. It is not what our veterans' groups would like to see. It is an improvement, however, over where this body was earlier. It will make a significant positive difference. We will come back and see what we can do in future years to augment funding for veterans' health care. But I think getting $2 out of $3 billion when we started with zero is progress. It is a step in the right direction, I would have to say.

I want to share with Senator BOXER my profound disappointment at the deletion of the Land and Water Conservation Fund Reserve Fund. This was an opportunity we had. We had bipartisan support in the Budget Committee and bipartisan support on the floor of the Senate to have the opportunity to set aside offshore drilling resources to be utilized for the benefit of the environment and our National Park System in this country. Yet we are going to be denied that opportunity because of the deletion of that provision from this budget resolution. No matter how we come together in future debates, authorizing legislation about reinvigorating our park system with some additional resources from oil revenues, we are not going to have the opportunity to be as effective as we could have been. So I am disappointed about that portion of the conference report as well.

It is remarkable that we arrived at this point where we can talk about surpluses. There are many people who are no longer with us because they voted, with courage and with integrity, for past budget-balancing legislation—most notably the 1993 budget agreement that passed with no support from any Republican in either the House or the Senate. A great many Democrats lost their seats because of that vote. Yet now we find ourselves not with the $292 billion annual deficit that this country had 6 years ago but with a $131 billion surplus.

President Bush, to his credit, supported the 1990 budget agreement. I have to say, in all candor, a contributing factor to his loss of the Presidency was the fact that he supported the precursor to our 1993 budget agreement. Again, in politics sometimes, no good deed goes unpunished, and that has been the case with some of our past budget legislation.

I will have to say now we are at this watershed opportunity. There are some positive provisions in the budget resolution, and I applaud the sponsors for that. I applaud Senator DOMENICI for that. But there are so many missed opportunities; a roadmap to where the American people want to go simply is not there. This is not a Republican or Democrat issue. I think commonsense, moderate, mainstream Americans know where they want to go—providing some tax relief but also paying down some debt; making key investments in our kids, our communities, and our schools. Those opportunities, unfortunately, in this roadmap are lost.

I yield such time as I may have.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I yield myself such time as the majority has as I may utilize.

Mr. President, here in the Congress of the United States, this April 15 can be a day for modest congratulations for us. We will have passed a budget resolution on the day mandated by the Budget Act for only the second time in more than 2 decades.

Moreover, we will be adopting a budget resolution that balances the budget not only for the 1 year in which it is firmly binding, fiscal year 2000, but we hope for at least a decade to come.

We will be adopting a budget resolution that does more to secure the future of our Social Security safety net than has any budget resolution since the Budget Act itself was passed, first, by assuring that the entire Social Security surplus is used to pay down the debt and not to be spent on a wide range of other matters, as was recommended by the President's budget itself and, second, by calling for a lockbox to see to it that the condition of preventing the Social Security surplus being used for any other purpose is permanent and not temporary only.

Second, this budget resolution offers real tax relief to the American people. In that connection, it is especially appropriate that we will be adopting this budget resolution on time.

Today, of course, is tax day. April 15 is the day that the complexity and incomprehensibility of our mammoth Federal Tax Code hits home to almost every American. Today, my constituents in Washington State and, of course, citizens all across the United States rush to the post office, as I did myself this morning, to get their income tax postmarked on time.

I think it is appropriate to address my own hopes and the intentions of this budget resolution that this Congress will act on tax relief and perhaps begin to look forward to an even more fundamental tax reform.

Families whom I represent in the Northwest deserve a rebate from the Federal budget surplus in the form of tax relief, allowing them to decide how best to use their hard-earned dollars. I also believe that it is time to scrap the current Federal income tax code as being far too complicated, too burdensome, and too unfair.

Let me discuss for a few moments the reasons for providing tax relief to American taxpayers. I would like to share with the Senate a few telling facts about the nature of that tax burden today.

A recent Congressional Research Service study found that an average American family will pay $5,370 more in taxes over the course of the next 10 years than the Federal Government needs to operate under the budget resolution that we adopted just a year ago and this even after assuring that all our obligations to Social Security and Medicare have been met.

Next, the Independent Tax Foundation found that this year Americans on average will work 129 days to pay off their total tax bill imposed at Federal, State, and local levels, while my Washington State taxpayers will have to work even longer, 132 days on average.

Third, American workers now pay more in Federal, State, and local taxes than for food, clothing, and shelter combined.

And fourth, the Federal Government collects more in taxes than ever before, currently nearly 21 percent of America's gross domestic product, the highest percentage since World War II.

These are simply facts, not arguments. Reasonable people can agree that Americans are having to turn over too much of their hard-earned dollars in taxes. Tax relief is not a question of need, it is a question of justice. Is it right and just for citizens from Wenatchee to Woodinville to Walla Walla to work more than a third of the year just to pay their taxes? I think not.

Unfortunately, President Clinton and his Vice President GORE proposed in their budget to increase—that is right, a net increase in taxes of $96 billion over the next 10 years. You might wonder why a President and Vice President want to raise taxes when we already have the highest burden since World War II. Why do they want to raise taxes when the Federal budget is operating in a surplus? It should be no surprise considering that ever since they were sworn into office in 1993, they

have not proposed a net tax cut. In spite of the fact that President Clinton and Vice President GORE campaigned in 1992 on the promise of a middle-class tax cut, they ignored that promise and promptly increased taxes by as much as any administration in the history of the United States.

Why? It is very simple. In his State of the Union Address, President Clinton proposed 77 new Federal programs. Why does this administration believe that the Government needs to spend more money on so many new programs? Because the President and the Vice President do not trust the American people to spend their own money wisely. They believe that they can spend it better.

I disagree. To the taxpayers in towns across my State and across the United States, I say that the Republicans who are adopting this budget do so because they trust you and your family and your neighbors better to spend your own money on your own needs and priorities than bureaucrats in Washington, DC, will ever be able to do.

This is one reason that I so strongly favor this budget. This budget sets aside every penny of the Federal budget surplus generated from Social Security into a lockbox for the purpose of strengthening that Social Security system for the future, but it provides that we will return any additional surpluses in the form of tax reductions, up to $142 billion over the next 5 years and $778 billion over ten years, to the people who have paid those taxes.

What form of tax relief are we talking about? I must confess that I do not know. Congress will debate that later this year. Four major proposals, however, are: eliminating the marriage tax penalty, ending or reducing the death tax, reducing capital gains taxes, and an across-the-board cut in income tax rates.

While I certainly am not able to predict what the final tax relief bill will look like, I hope that it will include some elements of all four of these proposals. But the important point is that this budget resolution allows that debate to take place, allows the Congress to permit the American people to spend their own money, return it to them in the form of tax relief, as against the proposal of the President and the Vice President to increase taxes so that they can determine where that money is spent.

I must also say, incidentally, at least that I am every bit as committed to replacing our current Federal income tax code as I am to reducing that tax burden. It is time to scrap it. It is too complicated, too burdensome, too unfair. We need to focus our attention in Congress on developing an alternative. That alternative needs to be fair, simple, uniform and consistent. It is that support on my part that has led me to cosponsor the Tax Code Termination Act. The bill would sunset the current income tax code, except for those funding mechanisms for Social Security and Medicare, by December 31 of the year 2002. It would require a simple majority vote by Congress to reinstate the current code if agreement on a replacement code cannot be reached. But the real points are two: It makes absolutely certain the need to scrap the current Tax Code, and it will act as a catalyst to jump-start debate on a new one.

Mr. President, Americans deserve a Tax Code they can understand and predict. Today, about the only thing Americans can predict about the Tax Code is that they will send a big check off to Uncle Sam by April 15, and about the only thing they understand is that the IRS will find them if they do not.

This should change, and it is why I am working to help pass a tax relief bill and why I will be working in favor of a new Federal Tax Code that is fair, simple, uniform, and consistent. But a true debate on tax relief, a chance to say exactly what it is we want, depends on a budget resolution which calls for or requires it.

This budget resolution does so, Mr. President. This budget resolution is on time. This budget resolution says to the American people: We will secure Social Security for you; we will balance the budget so the economy can keep growing; but the money that is not needed to meet the requirements of the agreements that we made a year ago or 2 years ago is going to be returned to you in the form of tax relief.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank you.

I think what I will do is pick up on the comments of my colleague from Washington because otherwise you just come to the floor and you have something that is well rehearsed; and it is better, I think, to respond to what other Senators have said. That makes for more of a debate, though I find it frustrating to speak on the floor of the Senate because it is sometimes hard to engage in debate.

On the question of spending money more wisely, the tax cuts that my colleague talks about, he mentioned the first 5 years, $143 billion over 5 years. It will be $778 billion over 10 years. It is backloaded. It is really not what I would actually call fiscally responsible or very conservative.

The theory is to get the money back to the people. ''You can spend it more wisely.'' Here is my question. I do not know about Illinois, but in the State of Minnesota, only 35 percent of senior citizens, 35 percent of Medicare recipients—there are probably close to 700,000 Medicare recipients in our State—have any prescription drug benefit coverage at all, only 35 percent.

It is not uncommon to talk to an elderly woman or a couple and find that they are spending up to 30, 40 percent of their monthly budget just on prescription drugs. They cannot afford it. So we have a budget resolution here that says to the senior citizens in Minnesota, ''Spend your money more wisely. If you can't afford prescription drug costs, spend your money more wisely.'' There is a disconnect here. This is why this Republican budget resolution is going to be in big-time trouble with people in this country. It does not make any sense to people.

To senior citizens in Minnesota, this budget resolution says, ''When it comes to prescription drug costs that put you under, spend your money more wisely.'' When it comes to family farmers who have been buffeted about, and many of them destroyed by the ''freedom to fail'' bill—a great bill for multinational corporations, a terrible bill for family farmers—when we come to the floor and say we have to get farm income up, we have to take the cap off the loan rate, and then it gets scored by CBO, we are told we cannot afford to do it. The Republican response to the family farmers in Minnesota who are going under is, ''Spend your money more wisely, because we're going to give you a tax cut that will enable you to spend your money more wisely,'' while people go under.

Mr. President, I meet families in Minnesota and families all across the country when I get a chance to travel. And one of their top issues, one of the most important issues they have, is affordable child care. It is a huge issue, not just for low-income, not just working-income; I am talking middle-income families. He is 30; she is 28; they have two children. It costs them $12,000, $13,000 a year for child care—not to mention the fact that way too high a percentage of these child-care centers really are not that great. Some of them are downright dangerous. The care is not necessarily developmental child care, and the people who work there are severely underpaid.

So what are we saying to working families in our country, in Minnesota, in New Jersey, or in Illinois, who can't afford child care? We are saying, ''Spend your money more wisely.'' I have news for you: For a typical family, a young couple making $35,000 a year, with $12,000 child care expenses, this does not work.

What about for the children? What about for the children? I am glad to hear of my colleague's concern for Social Security. And I am glad to hear that the Democrats are also focused on Medicare, unlike my colleagues on the other side of the aisle. But in all due respect, it is our children who are going to be in the next century. The next millennium is going to belong to our children. And we have close to one out of every four children under the

age of 3 growing up poor in our country, and one out of two children of color under the age of 3 growing up poor in our country today; and because of this budget resolution, with all of these tax cuts and all of these caps, we are going to see a lot of these domestic programs taking a hit of about $43 billion.

So what are we saying? We are going to cut Head Start? We are going to cut child nutrition programs? We are going to cut the Women, Infants, and Children Program? Where are we going to cut? I do not understand the distorted priorities of this budget resolution. There is an old Yiddish proverb that says: ''You can't dance at two weddings at the same time.'' You can't have all of these backloaded tax cuts, the vast majority of which are going to flow to people with very high incomes—that has always been the record of my Republican colleagues—and make your investment in the Pentagon, and do what you say you are going to do for Social Security, and at the same time make any investment in the health and skills and intellect and character of children. We are going to cut programs for children.

By the way, as to ''Spend your money wisely,'' do not tell some child who is poor—the poverty being involuntary—that he or she should spend their money more wisely. They do not have any money to spend wisely. I doubt whether we are going to cut the National Institutes of Health budget, but we are certainly not going to increase it.

So to my colleague, who is no longer on the floor, talking about ''Spend your money wisely,'' you say to people who are struggling with Alzheimer's or breast cancer or Parkinson's disease or diabetes—and I can list many other illnesses as well—all sorts of people come to Washington, and they try to get more money spent for research for the cure to these diseases, to the point where we have one group of people struggling with an illness pitted against another group of people struggling with an illness. It is just horrible. And we are saying to these people, we are going to have these backloaded tax cuts over the next 10 years—''Spend your money more wisely.''

In all due respect, I think, even though the Chair of the Budget Committee is one of the Senators whom I have the most respect for—he is really kind of my working partner when it comes to the mental health work—this budget resolution and the priorities of this budget resolution are not consistent with what I would call the sort of basic core values of the American people, of people in this country, of people in Minnesota.

People want to see some investment in children. They do not want to see Head Start cut. They do not want to see WIC cut. They do not want to see backloaded tax cuts over the next 10 years, most of it going to high-income, wealthy people. And people get it; they know that we have to be fiscally responsible. They want the deficits gone. They want to see us focus on Social Security to make sure it is solvent. We know we absolutely should be committed to Medicare. And then with what we have, we ought to make the kind of investments that make sense for our Nation.

Where do we want to be in the year 2050? If you want to have a solvent Social Security system, then you want to have the children who are small today as adults who are independent, productive, highly trained, morally caring men and women. And you are not going to get there if you are going to leave one-fourth of the children of America behind.

Where is the investment in these children? Where is the investment in these families? Where do we want to be in the year 2050? On every single issue I can think of, Social Security, Medicare, our country doing well in the international economy, economic performance, economic growth, reducing crime, reducing violence, you would want to make sure that we do our very best by all of our children in the United States of America. And you know what? This budget resolution fails that test, and therefore I will vote against it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

Mr. CRAIG. Mr. President, understanding the order, I ask unanimous consent to speak on the budget for up to 10 minutes.

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

Mr. CRAIG. Mr. President, today I rise in support of the conference report on the budget resolution. I extend my sincere congratulations to the chairman of our Budget Committee for the work that he and that committee have so successfully completed in the last number of weeks. In fact, I am extremely pleased with where we are as a Senate at this moment in time.

Many of our constituents around the country were frustrated as the Senate convened this year to start with an impeachment process of the President, fearing that we would be so bogged down in that that we would not get to the work of our people and get to the work of Government and to processes like the budget resolution.

Quite the opposite has happened. The Senate responded in a timely and constitutionally proper manner to the impeachment issue and then moved rapidly into its work. As a result, we are here today voting on a budget resolution which will be adopted as a conference report. It will be the second earliest date of adoption of a budget resolution in the 23 years of the Budget Act. That is why I think the chairman of our Budget Committee deserves the congratulations of the Senate and why the American people ought to at least be assured that we are here and at work and doing what we should be doing in behalf of them to make sure their Government responds appropriately to the needs of all of our taxpayers.

This budget demonstrates that we can and should have a balanced fiscal program that addresses our Nation's major priorities. If we and future Congresses and the President follow the plan that is now laid before us in this budget resolution, we will pay down the public debt. There will be $463 billion more in debt reduction than the President's budget offered us over the next 10 years.

I have had the privilege of serving in Congress for a number of years. I tell my colleagues, I have watched the debt grow, and I voted against most of that growth. Today to be able to vote for debt reduction is a very positive move for this Congress and laying the course for future Congresses to do the same. One-half of the debt held by the public can be paid off in the next decade if we follow the general outlines of the budget that Senator DOMENICI has put before us. We will make sure Social Security revenues are reserved exclusively for Social Security benefits. We will safeguard the current Social Security system for today's seniors and for those who plan to retire in the near future.

Mr. President, I, like you, have just returned from my State and from the Easter recess. While I was there, I held what I think is the beginning of a series of town meetings that I will hold across the State on Social Security and its need for modernization. I invited seniors in high school and senior citizens to attend, and they did in large numbers. I was extremely pleased not only by their turnout but by their willingness to listen and react and give me ideas about what they see the Social Security system being and what it ought to be.

I told them that we, by our budget here and by balancing the budget and producing surpluses, are providing the country with a generational opportunity to maintain a strong Social Security system while at the same time offering a modernization package that can take young people entering the workforce and paying Social Security through a lifetime of developing an annuity program that would be much like a positive retirement program that

they could take with them when they retired and would be substantially more than if they were in the current Social Security system. More importantly, it would not have to address substantial tax increases in Social Security in the outyears beyond 2034 and 2035.

So for the first time since 1960, the budget will be balanced without counting Social Security surpluses. We will provide a reasonable and necessary amount for tax relief for working Americans and their families. You heard the Senator from Washington and others in just the last few hours talk about an American taxpayer that is paying his or her taxes today, being taxed at the highest level ever in the history of our country. We are turning that around.

I am pleased to be able to be here on the floor today, on a day when most people are going to the post office to pay their taxes, or at least to file their tax returns, to say that we are going to change some of that. While this is a tax cut, I also agree with my colleague from Washington, Senator GORTON, that we ought to be looking at tax reform in the near future that will simplify the Tax Code and make it much less intimidating than it is today to all of us; those who are relatively sophisticated and those who are less sophisticated find it all very intimidating and difficult to comply with.

All tax relief will be provided out of the onbudget surplus, that is, the non-Social Security surplus. And $778 billion over 10 years sounds like a lot of tax relief, but it is a tax reduction of less than 3.5 percent. So when some of our colleagues come running to the floor wringing their hands about giving tax breaks when we ought to be spending all this money, as the President wants to do for new programs, let me say to them that we are only offering a 3.5-percent tax reduction against the highest taxes in the history of our country, and we are offering it over a 10-year period. Frankly, it is nowhere near what I hoped it would be, but it clearly moves us in the right direction.

This budget continues. The American people demanded fiscal discipline and responsibility in 1994 when they changed the character and culture of the Congress and they said quit building deficits and get your fiscal house in order and control the size of Government. So we abide by the budget caps adopted in 1997 in a bipartisan balanced budget agreement. It continues the spending restraints we began in 1995, a product of that 1994 election and the 1994 Congress—the first Republican Congress in 40 years, which has helped produce the balanced budget and the projected surpluses.

This budget fully funds and protects the solvency of Medicare. In that respect, it stands in clear contrast to what the President has proposed, which actually proposed to cut Medicare funding and promised only General Treasury IOUs for the future. I am amazed that that has missed the attention of the press and a lot of the American people since our President proposed it. But it really was a first-class shell game, probably one of the best I have seen produced by this administration, when they said they were doing one thing when, in fact, they were actually doing another.

To hand this next generation a whole fist full of IOUs after mounting the hugest debt in the history of our country just doesn't make a lot of sense. So we are not doing that in this budget. We won't do that. It would not be fair, and most important, it would not be responsible. Of course, Medicare still needs the attention in the long term, and Senators—Republicans and Democrats alike—have stepped up and said we ought to do so. Democrat Senator KERREY of Nebraska and Democrat Senator BREAUX of Louisiana worked hard to work with us on a bipartisan, long-term Medicare plan, and it is necessary. Congress ought not to go home this year without doing it. But my guess is that we will because of the politics of it. That should not happen.

The fact that a bipartisan Medicare Commission broke down because the President's appointees would not walk up to the line and do what was right—I am not sure why, but my guess is they would like to perpetrate another ''medi-scare'' as a tactic going into the next political cycle. It is pretty unconscionable that anybody would want to do that. But there is really no other explanation for why they failed to do what had to be done because those of us who face the electorate and understand the complications of Medicare stepped to that line and said reform is necessary and offered a reform package, Democrat and Republican alike. I have mentioned several of those Democrats. So that work is yet to be done. Medicare reform is yet to be dealt with, and I hope we can do it because it is necessary.

This budget strengthens America's defense forces too long neglected under this administration. Yet, this is an administration that has used our defense forces more than nearly any other President in a peacetime era. It is time that we make sure that America's sons and daughters who put themselves in harm's way in the protection of our Nation have their interests served. When I speak of their interests being served, I mean making sure that we back them up with equipment and technology, compensate them adequately, and give them the dignified quality of life that anybody in that service deserves. This budget meets the challenges of the 21st century with positive initiatives in agriculture, child care, and education.

What I am telling you, Mr. President, is I think this is a pretty darn good budget. It is sound and it is a conservative budget. It recognizes the value of balancing, and it recognizes the reward to the taxpayers that a balanced budget ought to offer. It is good for the economic security of the American family by recognizing that we are going to let them keep some of their hard-earned dollars instead of cycling them to Washington and try to get them back.

All of the money that we spend here comes from somebody's hard work, somebody who gets up every morning bright and early and goes to work and works hard for 8, 10, 12 hours a day. They willingly pay a very large chunk of their income to Government. Now that we have balanced the budget, why should we be chasing new Government programs, or bigger Government programs, or programs that ultimately take freedom away from people and their choice? Why should we not be rewarding the taxpayer by saying that we have enough and we are going to send some of it back to you, and we are not going to take it away from you in the future, unless we come to you and ask you for it because there truly is a national need. That is the way good Government works and, very frankly, I think this is a pretty good Government budget. I strongly support it.

I urge my colleagues to vote with us for it, and I urge my colleagues to work with the Finance Committee and with the Senate to devise a tax package that is fair and equitable across the board, that recognizes issues such as the marriage penalty, that recognizes an issue such as small family business owners who grow too old to operate their business and want to pass it through to their children and are being denied that because the children would have to sell it to pay the taxes on it.

That is a great tragedy in the American dream—how our Government ever got crosswise with the idea of a family being able to pass down through the generations a business that they have built and has grown over the years and now have to sell to pay the inheritance tax, the death tax.

Now, I am not suggesting that if it doesn't move in the family and it is simply sold at the end of a generation, it ought not to receive some tax. But when we are talking small, privately held businesses, farms and ranches, Main Street small businesses that make our country work so well, and then find out that mom and dad can't hand it to a son or daughter without the Government taking nearly all of it, or the son and daughter then spending their lifetime to buy it back, frankly, that is wrong. I and others have worked a long time to reduce the death tax. We have been able to do some of that. Why don't we just eliminate it, or deal with it in a way which says that if that asset moves out to be sold in the marketplace as an asset for sale then it

comes under the normal tax of the income of an individual with the proper considerations against depreciation and all of that? That would be fair. That would be just. We should deal with our countrymen in a way that says we recognize that those who work for the American dream ought to be allowed to pass that dream forward to the next generation. That is one of those kinds of tax reforms I hope we can get at this year.

There are a good many others that our colleagues are working on and that will be embodied in the tax relief package that is placed in this to this budget resolution.

Once again, let me praise the chairman of our Budget Committee, and that committee and the will of the Republican Congress that says that a balanced budget is something we will keep and continue to work for and that surpluses should be handed back as rewards to the American taxpayer instead of spent. That is what this budget does. I am proud to have been a part of it.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I believe everyone knows that today is tax day in America. I think we have been talking about it. And I think it is very appropriate that we have a budget resolution on the floor today that we can say will give tax relief because that is set aside in this budget.

The tax burden on Americans is too high. The average American family pays 38 percent of its income in taxes to some government—the Federal Government, the State government, and the local government. As a percentage of gross domestic product, taxes are higher today than they were at any time in this country since World War II.

That is why the budget resolution that we are going to pass is significant. The American people should know that on April 15 this Congress is going to pass a plan that provides a $770 billion tax cut over the next 10 years. There couldn't be a clearer message from this Congress about what our priorities are, and that is tax relief for hard-working American families.

There are some, including the President, who oppose our plan. They say that Washington will save money for working Americans. But we know that is not going to happen. We have heard that before. And we know that we haven't had a budget surplus nor tax cut in this country—until this Republican Congress was elected—for 40 years. So we know who cares about tax cuts for the American family.

I think we have chosen the right course. Giving the extra money to the Government would not ever get it back to the people. But we believe that people who earn the money have the right to it. And that is why we will have a tax bill when this budget is passed.

There are many tax proposals that come before the Senate, many of which I support. Certainly reducing capital gains taxes would be good for our country. Reducing or eliminating the estate taxes would be good for this country; and across-the-board tax relief, 10 percent across the board, so that when you are writing your check today, you can just take 10 percent of the check you wrote and know that would not be in your tax bill next year and you would be able to spend that money the way you think it is best for your family.

But there is one that is my priority, and it is to eliminate what I think is the worst transgression we have in our Tax Code. That is the marriage tax penalty. Right now, 21 million American families pay up to $1,400 on average more just because they are married. So we say to people, you have to choose between love and money in our country.

If you want to get married, start a family, and build up your savings to make a downpayment on a new home, we will make you $1,400 less able to do that. That is a lot of money to the hard-working couples who are hardest hit by this tax.

I have introduced legislation to eliminate this penalty. We could allow couples to split their incomes evenly or we could double the standard exemption to widen the tax brackets for married couples so they match those of single filers. We could also let people choose if it is better for them to file as singles or as married couples. That way, no one would pay a penalty for getting married. I hope it will be our highest priority with the tax cuts that are provided in this budget.

I read in USA Today an op-ed piece this morning on the marriage tax penalty. Their contention is that this only affects the higher-income couples. They say that the bulk of those suffering this marriage tax penalty are dual-income families at the middle-income level, $50,000. I have a legislative correspondent in my office and his combined family income is $50,000. He makes about $25,000 and his wife must work for them to be able to make ends meet. She makes about $25,000. They are a young couple. I don't think that people who make $25,000 a year are wealthy, and I most certainly think if they have to have two incomes in order to make ends meet that we are not increasing the standard of living in this country. To go forward and say two people who make $25,000 a year should owe Uncle Sam $1,400 more, I think is absolutely wrong, particularly a young couple that is trying to get started, to make a downpayment to buy a home.

I hope we can correct this inequity. I think two-income earners at the $25,000 level deserve some help. I am going to try to get it for them.

This is a red letter day. This is the day that we see how much it costs for us to support government. All of us want to do our fair share. I would never say we should have no taxes because we do enjoy good service—hopefully—for the taxes that we pay. However, 38 percent of a person's income in taxes is hard to explain. It is hard to explain that you are getting that much service for your dollars. I think you could get a lot less service and a lot more choice if we lower the taxes for everyone in this country so that hard-working Americans could see the benefits of working harder and doing better. That is the American dream. That is what made this country great—that we would say to people, if you work harder you can do better and you can give a little more to your family or your children. That is why adding on some of these taxes is so important.

Today, we are going to pass a budget resolution that will do that, that will say to the hard-working American that help is on the way. I just hope we can come to terms with the President so that we will be able to pass a tax bill that really will go to the hard-working American who is struggling to make ends meet.

I appreciate the leadership of Senator DOMENICI and Senator LAUTENBERG for putting this budget resolution forth. I think it is a good one. It is a responsible spending of our hard-earned tax dollars. Most important, on tax day, I hope people realize that we are going to try to cut that burden. This budget resolution is a start in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, we are coming to ''H'' hour here. That is not happy hour, as far as I am concerned. I can think of other words that start with an H—like horrific, horrendous, horrible, hurtful—but I won't use that vocabulary. I will just infer it.

The occupant of the Chair has been in government for some time, and I am sure he has seen it from a different perspective. We see good people sincerely

believing in what they are doing at odds with one another, in such contrasting views that it is hard to reconcile the difference of what is and what isn't the reality. This is no suggestion of prevarication or fabrication. I am not talking about that. I know there is genuine belief.

I differ sharply with my friends and colleagues on the other side regarding this budget. Few people have I more respect for than the chairman of the Budget Committee, Senator DOMENICI. Boy, we have some scraps. They are really good ones. The fact of the matter is, he is a bright guy. He understands a budget as few here do. He is one of the few Senators who has to teach his staff what it is all about. That is intended to be a joke.

The rest of us do it differently. I hope the public doesn't take that too seriously, Mr. President.

The fact of the matter is Senator DOMENICI very well knows ''budgeteering,'' but I think in this case it is fair to say there is an error in the approach. I think the policy as proposed by the budget conference report is fiscally dangerous. I think if we go the way it appears that we will go, we could be approaching in the not-too-distant future a shutdown of the Government. Everybody who has been around for any length of time remembers how painful the last shutdown was: People were not getting Social Security checks, veterans' benefits were not being paid, services people count on for their everyday existence were just unavailable. Other matters that seemed to be routine, such as entrances to national parks, families planning for a year to visit one of our national parks and finding out they were closed. Became important. Airplanes, trains, buses, cars—all that planning, gone.

I predict we are going to be playing Russian roulette to see who pulls the trigger on whether or not we have a Government shutdown because this budget ''ain't for real,'' to use the language, when we look at what happens as a result of the intent to give a tax cut across the board—a lot of it to wealthy people—and we know that some time ago Senator DOMENICI said we were taking people's word for what the intention is without seeing it clearly spelled out.

Few people have as much authority around here as the distinguished Senator of the Finance Committee, Senator ROTH. He was speaking to Reuters and he said he was very much in favor of using bigger than expected budget surpluses to fund an across-the-board income tax of 10 percent or more. That is what Reuters reported:

> ''I don't think it is too big,'' the Delaware Republican said of the 10 percent income tax cut. ''If anything, I would like to have it bigger.''

That is a pretty good indicator of where we are going. We are not protecting Social Security in the way that we proposed here on the floor of the Senate 2 days ago. We had a vote. I offered the amendment. I said no Social Security surplus shall be used for anything other than Social Security, pure and simple.

The language is very direct. Mr. President, 98 people voted for it. We had zero opposition, 98–0. It went to conference with the House. For those who don't understand the arcane process here, the House and the Senate get together and have a conference to decide on what the various legislative programs will be, we agree between us on a conference report, and that is what we are voting on today.

As it happens, there is a Republican majority in the Senate. There is a Republican majority in the House. As was noted, we, the Democrats, do not participate. That is the game. It is understood. Next year, when we are in the majority, I expect to be more forgiving and perhaps we will even invite one of the Republicans to the conference meeting.

But the fact is, the product that came out is one that is a Republican delivery. Make no mistake about it. And the consequence of that is the bill we have in front of us with huge tax breaks for wealthy people. If you make $800,000, you will get a $20,000 tax break. If you make $800,000, you get $20,000 worth of extra spending money. That can buy, perhaps, a nice little boat or a downpayment on a summer home or something of that nature. But the person who makes $38,000: $99, that is what he or she is going to get in terms of a tax break, $99. Don't spend it all in one night, friends, because it is supposed to last for a whole year. That is a tax cut: $99.

So when we look at it, it is obvious that we are not dealing with the needs of the average working person, the hard-working person, a family making $38,000. We have heard the distinguished Senator from Texas talk about a person working in her office who, with his spouse, put together an income of $50,000. That is not a lot of money today. Those are the kinds of folks to whom we have to be sensitive, to target tax cuts for them and make sure the woman who wants to work can get some decent child care and get some credit on her taxes for it. If you have an elderly parent who needs long-term care, get a tax credit for that; a tax credit for education; those are the kinds of tax credits or tax breaks I think we ought to be giving. That is what the Democrats are proposing.

One of the things we are doing is proposing a tax cut that, in the course of 10 years, will be three-quarters of a trillion dollars—$750 billion in round terms. The consequence of that, the result of that, is going to be that we will not have sufficient funds to pay for Government services. We will not have enough funds to pay for full staff for the FBI. We will not have enough funds to pay for full staffing of drug enforcement agents. We will not have enough funds to include 800,000 low-income women, infants, and children in programs for nutrition assistance.

We are not talking about extra money to take a trip to Europe; we are talking about food. Mr. President, 800,000 of those people are going to lose assistance from the Government. The number of students in work/study programs decreases by 12,000 people. Head Start is designed to take children who come from poverty-ridden homes to start to learn—Head Start. It is preschool. It is before they get to kindergarten or first grade. We are going to take away services for 100,000 children. For those who need energy assistance, 600,000 low-income families could lose that energy assistance.

The FBI, the cut to the FBI could result in the reduction of 2,700 FBI agents. Mr. President, 73,000 summer jobs lost. And the list goes on: More than 2,200 air traffic controller positions would be cut. I am very active in air transportation matters and very concerned about where we go. Y2K, will we have the right kind of personnel to handle the shift? Here we are, getting a budget in front of us. It is there in print for everybody to see. It is designed by the majority. We are saying that more than 2,200 air traffic controller positions would be cut and $255 million.

The IRS customer service: Today everybody is probably as angry at the IRS as can be, but when they see what it is we are paying for, we are paying for a country designed to give everybody opportunity. We are doing better at it. Jobs are more available, there is low unemployment, our national health is better than it has ever been. That is what you pay your taxes for. You do not pay it for some idle bureaucrat sitting in a chair. We pay for services. Do we get 100 cents on a dollar? Probably not. I ran a big corporation and it was a successful corporation. We didn't get 100 cents' worth of value on every dollar that we spent, but that's life.

Mr. President, we now are preparing ourselves to vote for a budget that I think is shameful, that could be called a sham. Again, there is no accusation here of dishonesty or skullduggery. What it is is a misinterpretation of what things are about. It is playing dice with our national economy. It says if you give tax cuts, it is going to generate something else and it will be good for us. Baloney.

What happened under President Reagan's regime, when we gave tax cuts? I will tell you what we got for it. Some of the biggest debt this country ever had, and it grew by leaps and bounds. When President Clinton took over, there was a $290 billion deficit in front

of us, and this year we are looking at a surplus of about $100 billion. Things have changed materially in the 7 years that have passed.

So I am hoping we will get a vote that reflects what is best for the American people, and that would be to deny acceptance of this budget report that is in front of us. I hope we will perhaps be able to convince some of our Republican friends to come over, take another look at the budget and see what we can do to improve the situation, because right now we are headed for a potential fiscal disaster just when things are really going good.

I want to say something in response to an earlier argument I heard from the other side when it was said there is going to be more money put into Social Security than the Democrats are proposing. It is not true, because hidden in there is some arcane language that says ''retirement security.'' They want to put the money away that can be used for retirement security—not Social Security. They are both two words but they have different significance. One is a Government program established for people who are dependent on the Government for their retirement and their pension. The other could be Heaven knows what.

So I caution everybody, as we prepare to vote, which is imminent, that the American public ought to be looking very closely at what it is we are going to do. I hope they will respond as they see it, to those Senators who are casting a vote at this moment. I hope the vote will wind up with a majority saying no.

Mr. President, 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.

Mr. LAUTENBERG. I yield the floor.

LAND AND WATER CONSERVATION FUND

Mr. CHAFEE. Mr. President, I would like to engage my distinguished colleagues, Senator SMITH of New Hampshire and Senator DOMENICI, in a colloquy, with their indulgence. As my colleagues are aware, the Land and Water Conservation Fund is the primary vehicle through which the Federal Government funds the acquisition of land and water resources throughout the Nation. It does so through two programs, one allowing for Federal land acquisitions and one providing for matching grants by State and local governments. However, funding for the LWCF has been sporadic, and for the State-side program, funding has been non-existent since 1995.

Mr. SMITH of New Hampshire. I would like to emphasize that the State-side program of the LWCF receives widespread support across the Nation, particularly from State and local governments.

Mr. CHAFEE. I would like to bring to my colleagues' attention an amendment I offered, with great assistance by Senator SMITH of New Hampshire, as well as Senators LEAHY and FEINGOLD, that increased Function 300 by $200 million, with a commensurate decrease from Function 370. The amendment included language that this increase was to fund the State-side program of LWCF.

Mr. SMITH of New Hampshire. Accompanying the amendment were floor statements expressing our intent that the offset be derived from within the Department of Commerce, and specifically within Function 370. After negotiations with Senators LEAHY and FEINGOLD and other Democratic colleagues who cosponsored the amendment, we reached a bipartisan agreement that the $200 million would come from within the Commerce Department.

Mr. CHAFEE. I would like to ask the distinguished manager of the budget resolution whether these assumptions still apply, even if they do not appear in the resolution?

Mr. DOMENICI. As far as the Senate is concerned, these assumptions are still valid. Although the conference report is silent with respect to the $200 million being directed to the State-side program, there is nothing to assume that the money is not for the State-side program. Indeed, the best indication of the Senate's intent with respect to the LWCF is the Senate-approved resolution.

Mr. SMITH of New Hampshire. Is the same true with respect to the offset?

Mr. DOMENICI. Yes. In fact, as my friends, the Senators from New Hampshire and Rhode Island may have already noted, the House receded in its disagreement with the Senate numbers for function 370. The Senate numbers were $200 million lower in both budget authority and outlays for this function than the House.

Mr. CHAFEE. Is there a presumption that the Senate, in accepting the House-passed, higher funding level for Function 300, is also adopting the assumptions that may have been used by the House in reaching its Function 300 spending levels?

Mr. DOMENICI. There is no such presumption. The Senate assumptions are as equally valid as the House assumptions. The real challenge lies ahead when the Appropriations Subcommittees begin marking up their separate appropriations bills. Since our budget assumptions are just that—assumptions—and do not bind appropriators to specified funding levels for individual programs, Senators must vigorously continue to make their case for funding favored programs with the relevant Appropriations Subcommittee. I do know that the State-side land acquisition program could not have better advocates than the Senators from Rhode Island and New Hampshire.

Mr. CHAFEE. I thank my colleague from New Hampshire, as well as the distinguished manager of the budget resolution, for engaging in this colloquy. I also wish to wholeheartedly thank the manager for his support on this issue throughout the consideration of the budget resolution.

Mr. DOMENICI. I thank the Senator from Rhode Island for his kind remarks. I would add that the inevitable challenges of moving a budget resolution through the Senate to final passage were made far less difficult by the hard work of Senator CHAFEE and his staff, whose understanding and accommodation allowed us to complete our work in a timely fashion. It is a great pleasure to work with him again on the conference version of the resolution.

TECHNICAL CORRECTION TO SECTION 104 OF THE BUDGET RESOLUTION

Mr. DOMENICI. Mr. President, I rise today to alert my colleagues in the Senate to a technical error which occurred during the drafting of section 104 of the Conference Report to accompany H. Con. Res. 68—the Concurrent Resolution on the Budget for Fiscal Year 2000.

Section 104 of the resolution sets out the reconciliation instructions for the Committee on Finance in the Senate. This instruction calls for a net reduction in revenues over the 10-year period of fiscal years 2000 through 2009. As is always the case with a reconciled revenue reduction, the amounts contained in the instructions to both the Senate Finance and the House Ways and Means committees are intended to be the same. However, due to a technical drafting error with respect to the instruction to the Finance Committee, the amounts are not the same. Three ''zeros'' were omitted from the instruction such that the amount for fiscal years 2000 through 2009 is $777.868 million instead of $777.868 billion.

If my colleagues look to other sections of the budget resolution and the statement of managers which accompanies it they will see that the conferees clearly intended the amount in the instruction to the Finance Committee be $777.868 billion not $777.868 million. In addition to the language found in the statement of managers, this intent is evidenced by the figures set out in section 101(1)(B) of the resolution (which states on a year-by-year basis, the amount by which the aggregate levels of Federal revenues should be changed—the sum of these figures is $777.868 billion) and the figures set out in section 101(5) of the resolution (which displays the appropriate levels of the public debt).

Moreover, I have consulted with the Parliamentarian of the Senate and have been assured that for the purpose of determining whether or not the legislation reported by the Senate Committee on Finance complies with the reconciliation instruction contained in section 104 of the budget resolution the Parliamentarian will honor the intent

of the conferees—that the 10-year figure is $777.868 billion, not $777.868 million. I am gratified that the Parliamentarian will support a rational result.

CORRECTIONS TO FY 2000 BUDGET RESOLUTION SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS AND RECONCILIATION INSTRUCTIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent to submit for the RECORD corrections of typographical errors on tables that originally appeared in the April 13, 1999 CONGRESSIONAL RECORD on pages H1963 and H1964 in the Statement of Managers to accompany the FY 2000 Congressional Budget Resolution, H. Con. Res. 68. I further ask that these corrected tables be considered to be the allocations required by section 302 (a) of the Congressional Budget Act of 1974.

On the table titled ''Senate Committee Budget Authority and Outlay Allocations Pursuant to Section 302 of the Congressional Budget Act, Budget Year Total 2000 (in millions of dollars),'' the figure for Appropriations Outlays, General Purpose Discretionary should be $536,701. Appropriations Outlays, Total should be $875,243.

Direct spending jurisdiction, Budget Authority for the Finance Committee should be $683,102. Direct spending jurisdiction, Outlays for the Finance Committee should be $676,153.

Direct spending jurisdiction, Budget Authority Total should be $1,426,720. Direct spending jurisdiction, Outlays Total should be $1,408,082.

On the table titled ''Senate Committee Budget Authority and Outlay Allocations Pursuant to Section 302 of the Congressional Budget Act, 5–Year Total: 2000–2004 (in millions of dollars),'' the figure for Direct spending jurisdiction, Budget Authority for the Finance Committee should be $3,389,039.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. DOMENICI. Mr. President, I further ask unanimous consent that the corrected tables, which I now send to the desk, be printed in their entirety in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT

[In millions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations act	
	Budget authority	Outlays	Budget authority	Outlays
BUDGET YEAR TOTAL: 2000				
Appropriations			0	0
General Purpose Discretionary	531,771	536,701	0	0
Violent Crime Reduction Trust Fund	4,500	5,554	0	0
Highways	0	24,574		
Mass Transit	0	4,117		
Mandatory	321,502	304,297	0	0
Total	857,773	875,243	0	0
Agriculture, Nutrition, and Forestry	10,843	7,940	26,696	9,419
Armed Services	49,327	49,433	0	0
Banking, Housing, and Urban Affairs	4,676	(1,843)	0	0
Commerce, Science, and Transportation	8,420	5,774	721	717
Energy and Natural Resources	2,336	2,258	40	63
Environment and Public Works	36,532	2,041	0	0
Finance	683,102	676,153	156,910	157,096
Foreign Relations	9,354	11,976	0	0
Governmental Affairs	59,501	57,941	0	0
Judiciary	4,759	4,235	234	234
Labor and Human Resources	9,023	8,363	1,309	1,309
Rule and Administration	114	289	0	0
Veterans' Affairs	1,106	1,381	23,667	23,540
Indian Affairs	151	150	0	0
Small Business	0	(155)	0	0
Unassigned to Committee	(310,297)	(293,097)	0	0
Total	1,426,720	1,408,082	209,577	192,378
5-YEAR TOTAL: 2000–2004				
Agriculture, Nutrition and Forest	40,012	24,704	100,467	52,240
Armed Services	263,769	263,577	0	0
Banking, Housing, and Urban Affairs	31,606	(2,459)	0	0
Commerce, Science,and Transportation	64,653	50,445	3,887	3,868
Energy and Natural Resources	11,023	11,009	200	236
Environment and Public Works	179,132	8,214	0	0
Finance	3,589,039	3,569,977	905,958	909,007
Foreign Relations	42,596	52,913	0	0
Governmental Affairs	317,701	309,374	0	0
Judiciary	23,791	22,792	1,170	1,170
Labor and Human Resources	48,269	45,687	6,784	6,784
Rules and Administration	488	660	0	0
Veterans' Affairs	5,097	7,108	125,438	125,110
Indian Affairs	716	717	0	0
Small Business	0	(625)	0	0

Mr. DOMENICI. Mr. President, I also ask unanimous consent that for the purpose of executing and enforcing the Senate's reconciliation instruction set out in section 104 of the conference report to accompany H. Con. Res. 68—the fiscal year 2000 budget resolution—that the dollar amount of the revenue reduction for the period of fiscal years 2000 through 2009 be considered to be $777,868,000,000 rather than $777,868,000.

This corrects a technical drafting error (three ''zeros'' were omitted) in the resolution and conforms with the instruction for the House of Representatives and the description of section 104 that is contained in the statement of managers which accompanies the budget resolution.

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

Mr. JEFFORDS. Mr. President, first I must congratulate the Chairman of the Budget Committee, Senator DOMENICI, for producing an on-time budget for only the second time in the 24-plus-year history of the Budget Act.

I rise today to support the fiscal year 2000 budget resolution now before the Senate. I am pleased that this budget will pay down the Federal debt, boost education spending, and increase veterans health care spending. I am disappointed that budget conferees could only fund $6 billion of the $10 billion proposed by myself and Senator DODD in child care grants for low-income families and child care tax cuts. However, I appreciate the hard work Senator DOMENICI and others put into getting these funds.

While I realize that our amendment would not have guaranteed an increase in child care spending, Congress needs to face up to the reality that low-income mothers need to work, and to make work pay they need child care assistance. As Chairman of the Health, Education, Labor, and Pensions Committee, I can assure supporters of child care subsidies that this will not be the last word on this issue during the 106th Congress.

On a more positive note, this budget adheres to the historic Balanced Budget Act of 1997, while at the same time, over the next ten years, pays down $1.8 trillion of the $3.6 trillion in publicly held debt and provides for modest tax cuts until larger on-budget surpluses emerge.

Additionally the Republican budget will fence off the portion of the surplus generated through Social Security payroll taxes. I would like to reassure all Vermonters that not a dollar of these funds will be used to fund tax cuts. Instead, Social Security payroll taxes will go towards shoring up the program and possibly go toward providing capital for an overhaul plan. While this alone will not ensure the long-term financial health of the program, it will have the effect of reducing Federal debt and extending the solvency of the program.

Mr. President, the budget before the Senate also protects Medicare for our nation's seniors. Funding for Medicare is increased significantly, but like Social Security, the long-term health of the program is dependent not on providing additional funds, but on enacting needed structural changes. As the resolution indicates, Medicare beneficiaries must have access to high-quality skilled nursing services, home health care services and inpatient and outpatient hospital services in rural areas. The availability of these services is at risk, especially for rural populations, and I will do all I can to ensure that they are addressed as a part of any Medicare legislation. I am particularly pleased that the resolution includes a Medicare drug benefit reserve fund. The availability of a drug benefit for seniors is one of my highest priorities, and I plan to work with other members of the Finance Committee to have it included as a part of any Medicare reform effort.

Mr. President, I am very pleased that section 210 of the budget resolution sets forth a reserve fund ''to foster the

employment and independence of individuals with disabilities.'' The language makes clear that, in the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation that finances disability programs to promote employment. This direction will facilitate the consideration of S. 331, the Work Incentives Improvement Act of 1999, which now has 72 cosponsors.

I am also pleased that the resolution contains Senator COLLINS and my Sense of the Senate in support of increased funding for the Pell grant program, the campus based programs, LEAP and TRIO. These programs have helped make the dream of college a reality for many of our nation's neediest students. Providing an increase in funding for these tested and proven programs will open the doors of higher education to more academically motivated young people, specifically those who have the most financial need.

Lastly, Mr. President, given world events and the ever increasing demands we place on our military, I am pleased that this budget calls for an increase in military pay. We need to do more to alleviate the quality of life concerns of our men and women in uniform. However, I am concerned that some of the military increases in this budget are not going to the things that the military needs most, as evidenced by the current crisis in Kosovo.

This budget, like all budgets passed by Congress, is an expression of political intent and a starting point for bargaining. Much work remains to be done to pass the 13 appropriations bills that actually fund the government. In areas where I disagree with the budget resolution, I plan to work hard with appropriators to adjust spending levels and turn this budget into reality.

Mrs. FEINSTEIN. Mr. President, it is with some degree of regret that I rise to oppose this budget resolution conference report.

Thanks to continued economic growth and the tough choices we made on the budget in 1993, this year, for the first time in a generation, we have been given the opportunity to structure a budget which is balanced, fiscally responsible, and makes important investment in America's domestic priorities.

When I first came to the Senate some 6 years ago, we faced $200 billion annual deficits as far as the eye could see. Now, thanks to the tough choices we made in 1993, then fiscal discipline we imposed on the budget, and a vibrant economy, we are able to reap the benefits of the difficult choices. Now we are running surpluses—projected to be as much as $4.7 trillion over the next 15 years by the Office of Management and Budget.

Thanks to these surpluses we have an unparalleled opportunity to set our budgetary house in order and meet the challenges of the future.

We have the opportunity to save Social Security and Medicare. To invest in education, environment, and health care. To provide for a strong national defense.

And I also believe that we have an important opportunity to provide responsible tax relief for working families—and I intend to introduce legislation to provide just such a tax cut with my colleague from Iowa, Senator GRASSLEY.

But this conference report ignores these opportunities. It fails to meet the test of saving Medicare. It fails to make the important investments in health care, education, and child care. And it endangers other programs vital for law enforcement, environment, and continued economic growth.

This conference report does not do anything to meet Medicare's solvency crisis or extend the life of this vital program beyond the projected 2015 bankruptcy. I agree with those who say that we must reform Medicare, but we also must provide it with the additional funds it needs. The President has proposed allocating 15 percent of the surplus for Medicare to add 12 years to life of program. This budget rejects that initiative, creates some vague ''reserve'' which may or may not help Medicare, but really uses the money that should go to Medicare for tax cuts instead.

This budget does not do enough to extend Social Security. Again, I would agree with those who say we need to adopt Social Security reform to strengthen the Social Security system and assure it is on sound footing. But this budget allows some of the Social Security surpluses to be used for purposes other than Social Security, and, frankly, I do not think that that is wise.

Yesterday, the Senate voted by 98–0 to instruct our conferees to use all Social Security surplus funds for Social Security. This conference report, however, creates a ''lockbox'' for Social Security, but then proceeds to remove the lock by allowing any legislation that ''enhances retirement security'' to raid Social Security surplus funds..

Finally, although this conference report protects some important domestic priorities, such as transportation, it cuts other essential but ''unprotected'' programs, such as the border patrol, the Federal Bureau of Investigation, job training programs, child care assistance, head start, and on and on. The strictures of this budget—driven by an overlarge tax cut—may necessitate cuts of 11 percent in many of these important programs.

Mr. President, I think our current economic strength has presented us with a unique opportunity—we can save Social Security and Medicare, make important investments in domestic priorities, provide for a strong national defense, and also provide the American people with tax relief.

Unfortunately, this conference report, by adopting unrealistic tax cuts, puts at risk all these goals, and may well set us down a path of fiscal irresponsibility that will endanger all our gains of the past few years. I urge my colleague to oppose this conference report.

Ms. SNOWE. Mr. President, I rise to speak in favor of the FY2000 budget conference report we are now considering and to urge for its adoption.

I would first like to thank the Chairman of the Senate Budget Committee, PETE DOMENICI, for his unwavering commitment to a balanced budget and fiscally responsible decision-making over the years. Thanks, in part, to his leadership and efforts, the turbulent waves of annual deficits and mounting debt have been temporarily calmed. And, by maintaining these principles in the House-Senate budget conference report, we may be able to maintain the current budgetary calm for many years in the future.

The conference report not only maintains fiscal discipline, but it also ensures that critical priorities are protected and addressed in fiscal year 2000 and beyond.

Specifically, the conference report contains the following key provisions:

First, it sets-aside every penny of the Social Security surplus, unlike the President's budget proposal.

Second, by retaining an amendment I offered to the Senate budget resolution, it provides monies from the on-budget surplus for a new Medicare prescription drug benefit—something that President Clinton failed to include in his own budget proposal after touting the need for this benefit in his State of the Union address.

Third, it adheres to the spending levels established just two years ago in the Balanced Budget Act of 1997, while increasing funding for critically needed priorities including education and defense.

Fourth, it provides tax relief for Americans at a time when the typical family's tax burden exceeds the cost of food, clothing, and shelter combined. And by retaining language from an amendment I offered to the Senate budget resolution, it highlights marriage penalty relief as being one of the forms of tax relief that could be accommodated in any forthcoming tax cut package. When considering that 42 percent of all married couples incurred a marriage tax penalty averaging $1,400 in 1996, I think of no tax cut that would be more appropriate in any upcoming tax package.

Collectively, I believe these principles and priorities reflect those of most Americans—especially the protection of Social Security's monies. Accordingly, I believe this conference

report deserves broad bipartisan support by the entire Congress.

Mr. President, to appreciate the provisions in this conference report, I believe it is appropriate to compare it to the only other major budget proposal on the table: the budget proposal put forth by President Clinton on February 1. In particular, I believe the manner in which these proposals treat the Social Security surplus should be carefully compared.

As mentioned, the first priority that is protected in the Republican conference report is Social Security and the annual surpluses it is currently accruing.

As my colleagues are aware, the Social Security surplus was responsible for the unified budget surplus of $70 billion we accrued in FY98. In fact, without the Social Security surplus, the federal government actually ran an on-budget deficit of $29 billion last year.

By the same token, Social Security's surpluses will account for the bulk of our unified budget surpluses in coming years as well. Specifically, over the coming 5 years, Social Security surpluses will total $769 billion and account for 82 percent of CBO's projected unified surpluses—and over 10 years, they will total $1.7 trillion and account for 69 percent of unified surpluses.

To protect Social Security's surpluses, the budget resolution sets the stage for ''lock-box'' legislation that will accomplish what many of us have desired for years: a bonafide means of taking Social Security off-budget. Put simply, this resolution ensures that Social Security surpluses are set aside and not raided to pay for other federal programs.

In contrast, President Clinton's budget offers no protection for the Social Security surplus and, in fact, proposes that it be spent on other federal programs in upcoming years.

Specifically, over the coming 5 years, the President proposes we take a $158 billion ''bite'' out of Social Security surpluses and spend these monies on other federal programs. That means that, under the President's budget, fully 21 percent of Social Security's upcoming surpluses would be spent on other programs over the next 5 years.

Although the President has proposed that we spend a portion of the Social Security surplus on other programs, I was pleased that an overwhelming majority of my Democratic colleagues on the Senate Budget Committee voted for an amendment I offered during markup of the Senate resolution that rejected the President's proposed use of Social Security's surpluses.

Specifically, my amendment outlined the fact that the President's budget would spend $40 billion of the Social Security surplus in FY2000; $41 billion in FY01; $24 billion in FY02; $34 billion in FY03; and $20 billion in FY04. Furthermore, the amendment called on Congress to reject any budget proposal that spent Social Security surplus monies on other federal programs. Appropriately, after my amendment was adopted by a vote of 21 to 1, the President's budget proposal—which spends Social Security's surplus monies—was unanimously rejected by the Budget Committee when offered as an amendment later in the markup, and by a vote of 97 to 2 by the full Senate later on the floor.

Mr. President, the manner in which Social Security surpluses are treated is but one of the ways in which these two proposals could be compared, but the bottom line is that the House-Senate conference report is simply superior to the Clinton plan. By maintaining fiscal discipline, protecting Social Security surpluses, providing funds for a Medicare prescription drug benefit, and enhancing funding for shared priorities such as education, I believe this conference report deserves strong support by the full Senate.

Ultimately, while members from either side of the aisle may disagree with specific provisions in the resolution that has been crafted, the simple fact is that this is a budget framework—or ''blueprint''—that establishes parameters and priorities, but is not the final word on these individual decisions. Rather, specific spending and tax decisions will initially be made in the Appropriations and Finance Committees, and ultimately by members on the floor.

Therefore, I urge that my colleagues support this carefully crafted and fiscally responsible FY2000 conference budget report —and work to ensure that the parameters it establishes are used to protect and advance the priorities we share.

Thank you, Mr. President. I yield the floor.

Mr. SARBANES. Mr. President, I rise in opposition to the conference report now before us on the budget resolution.

The Congressional budget process as we know it is 25 years old this year. Silver anniversaries such as this one are important milestones, but this year's budget resolution provides no cause for celebration. For a number of reasons, I am deeply disappointed in the resolution that my Republican colleagues appear determined to adopt today.

First are issues of process. As a member of the Budget Committee, I have been disappointed in the amount of time that we have had available to study the budget proposals before us. Consideration in committee, on the Senate floor, and now in relation to this conference report has been marked by the absence of detailed, written proposals that would provide the basis for sound decisions.

Indeed, I understand that at the conference on this resolution, there was not even a draft resolution to which members could react. After less than 6 hours of consideration, and with no text available, the conference committee hurriedly approved this report early Wednesday morning. The Senate has not had the chance to give the measure a proper review, yet here we are the very next day asked to approve a $1.4 trillion budget. It is troubling that the majority's desire to beat today's statutory April 15 deadline has prevailed over thoughtful consideration and debate. The result of this haste and the deficient policy making process will be quite clear to the American people once they understand this budget's real implications.

Mr. President, I believe that this budget will take the country in the wrong direction. We are now in the 96th month of the longest peacetime economic expansion in U.S. history. We are truly in a virtuous economic cycle, as growth reached 6.1 percent in the last quarter of 1998, and 3.9 percent for the year. 1998 was the sixth year of such steady growth, a pattern of robust increases that many economists once thought unsustainable over such long periods.

I am proud to have been a part of the effort in 1993 that helped to create this positive economic climate. Working together, President Clinton and congressional Democrats crafted a package that finally brought the federal deficit under control. By making difficult but critical decisions to cut federal programs and raise revenues, we tamed the deficits that plagued the Nation throughout the 1980s, placed enormous pressure on important federal initiatives, and hampered our economic growth. Most Republicans argued at the time that this responsible package would ruin the economy and send markets tumbling. They were dead wrong.

Thanks to the strong economy and the fiscal discipline begun in 1993, the country is in a fiscal position no one dreamed possible even two years ago. In 1997, the Congressional Budget Office, the Office of Management and Budget, and nearly everyone else were predicting substantial budget deficits far into the next decade—as high as $159 billion in fiscal year 2000, $153 billion in fiscal year 2002, and continuing for the foreseeable future. Earlier in the decade, OMB estimates for the 2002 deficit ran as high as $576 billion. This year, those forecasts have been turned upside down. CBO's recent projections call for unified budget surpluses rising from $131 billion in fiscal year 2000 to $381 billion if fiscal year 2009.

The budget resolution before us will seriously endanger this hard-won progress, and will short-change national priorities that the American people have clearly indicated they want to see addressed. Depending upon one's point of view, this is either the last budget of the old millennium, or the first of the new. In either case, it is

an opportunity for us to think seriously about our Nation's needs and priorities as we look into the next century, and chart an appropriate course for the future. This budget, however, is less a forward-looking policy blueprint than a political document aimed at short-term gain.

This is unfortunate, because as we look toward the future we face some very real challenges, the most significant of which will come in Medicare and Social Security. Together, these are two of the crowning achievements of American government, and have lifted literally millions of older Americans out of poverty. These programs have worked, and continue to work every day for our senior citizens and their families.

To prepare the country for the future, any budget that we pass must meet several criteria. It must extend the solvency of Social Security and Medicare. It must recognize the magnitude of these obligations in a forthright way, and include a mechanism to boost national savings and economic growth, so that we are in a better position to meet them. It should be designed to reduce, not increase, the growing income disparities that can fray our social fabric. Finally, it should protect other important national priorities. Support for communities, scientific research, veterans benefit, education, environmental protection, and the like should not be sacrificed for tax breaks for the well-to-do.

This proposal fails to meet any of these criteria. Instead, it appears tailor-made to accommodate the majority's priority of huge tax cuts for the wealthy. While the total available for tax cuts starts off at $15 billion in fiscal year 2000, that mushrooms to $142 billion over 5 years and $778 billion over the next 10 years. Who will benefit from these tax cuts? If past is prologue, lower and middle income Americans will not. Capital gains cuts, repeal of estate taxes, and more corporate loopholes all give tax relief where it is least needed—to those already at the top of the income scale. These have been part and parcel of previous Republican tax cut packages, and there is no reason to suspect that this year will be any different.

The Republican budget would require devastating, unsustainable cuts in critical programs that serve millions of Americans. In order to provide massive increases in defense outlays while trying to stay under the discretionary caps passed 2 years ago, this plan makes dramatic cuts in almost every other area of government. According to estimates from the Office of Management and Budget, the combination of defense increases, protection of a select few programs, and retention of the budget caps would force spending reductions in non-defense discretionary programs of $26.9 billion in fiscal year 2000 alone. This would require an unprecedented across-the-board cut of over 11 percent in real terms from fiscal year 1999 levels across a broad array of important government functions.

On top of these huge cuts, this budget will cripple important programs far into the future in order to fund the majority's tax cuts. After the current spending caps expire, any future increases would be held to well under the rate of inflation. This means that every year, important functions will continue to suffer real cutbacks amounting to billions of dollars. Incredibly, discretionary levels in 2009—10 years from now—will be just 2.6 percent over those enacted this fiscal year, 1999. This will not even begin to make up for losses to inflation, to say nothing of increased needs caused by a growing population.

I also must note that the conference report does not specifically call for continuation of the traditional parity in pay increases between military and civilian government employees. I successfully sponsored an amendment to maintain this parity in S. 4, the military pay increase bill passed by the Senate earlier this session, and I urge the Senate to continue its support for this principle as the appropriations process moves forward.

Mr. President, this budget proposal falls far short of the mark in almost every important respect. It would harm important programs ranging from Head Start to the FBI, from air traffic control to food safety inspections, while providing a huge tax cut for the wealthy.

The plan utterly fails to meet the most fundamental tests—it does not extend the solvency of Social Security in any way, and does nothing meaningful to address the more immediate problems in Medicare. When Democrats introduced amendments in the Budget Committee and on the floor that would specifically put saving Social Security and Medicare ahead of the Republican tax cut, the measures were defeated. Republicans opposed Social Security and Medicare at their inception, and this budget resolution shows that they still do not see how important these programs are to millions of individuals. The Republican priorities evident in this resolution simply are not shared by most of the American people.

I strongly oppose this resolution, and I urge my colleagues to reject it.

AVIATION BUDGETING

Mr. HOLLINGS. Mr. President, I wish to draw my colleagues' attention to an opinion piece in today's Washington Post on air safety. The article, titled ''Yes to Air Safety'' by Congressman SHUSTER, Chairman of the House Transportation and Infrastructure Committee, talks about the critical need to fully fund our air traffic control system and to build our nation's airports. It is a simple proposition that is being put to Congress—if you take money from airline passengers, you must use that money to build and sustain the system.

We all leave here every weekend, journeying across the country. Each of us encounters delays at Reagan National. Right now, the FAA operates the safest air transportation system in the world. Maintaining this high standard requires money—plain and simple. We can underfund the agency and we can take the airline passenger money and give people a tax cut. If we do this, then we can not complain about delays—it is our fault for the short-change. If we take the Trust Fund money and use it for a tax cut or other purposes, it is our fault, not Jane Garvey or Rodney Slater's, but ours alone.

We have an opportunity to restore the ''Trust'' in the Airport and Airways Trust Fund, and to give to our constituents what they need and have paid for—a safe, and efficient air transportation system. We should not let it pass us by. Congressman SHUSTER has got it right.

Here are the facts:

From Fiscal Year (FY) 1982 through 1999, Congress appropriated more than $27 billion for the modernization program. FAA estimates that the effort will need an additional $14 billion for FY 2000–2004. The FAA requested $2.3 billion for FY 2000, which represents an increase of 11 percent over the FY 1999 appropriation level of $2.1 billion. But it is not enough to fully modernize the national air system (NAS).

Accident rates for the U.S. air transportation system, compared to other areas of the world or other modes of transportation, all indicate that the U.S. aviation system remains the safest in the world. For example, aircraft hull loss rates for the U.S. and Canada are 0.5 per million departures, compared to 3.8 per million for Asia and the Pacific islands. For 1998, there were no commercial passenger fatalities within the U.S.

As the FAA aviation forecast information, released just a few weeks ago, indicates, there will be almost 1 billion passengers (up from 607 million in 1998) and an increase in the total number of flights from 65 million to about 82 million by 2010. Today, the FAA, in many instances, is using outdated equipment that must be replaced in order to meet the expected demand.

In 1997, the Congressionally created National Civil Aviation Review Commission (NCARC) found that gridlock in the skies is a certainty in the near future unless the ATC system is modernized. According to the report, an increase in delays of just a few minutes per flight would seriously inhibit the ability of carriers to operate hub and spoke systems. I must note that one DOT study suggests that adding 48

more flights at Reagan National would create approximately 3 to 4 minute more delays per aircraft. This report was further supported by an American Airlines study detailing how a four minute increase in delays would seriously impact the ability of carriers to operate hubs. The FAA estimates that if demand increases as expected, no new runways are added to major airports, and no advances are made in air traffic control, then 15 of the U.S.'s major airports will be severely congested by 2006. In January 1997, the White House Commission on Aviation Security and Safety recommended that we expedite the modernization of the ATC system and complete the project by 2005, ten years earlier than originally planned.

If we do manage to fix the air traffic control system to make it more efficient, we still need to have more runways and terminals to accommodate the expected growth. Again, it is simple, if one has too many planes trying to land on one runway, one will have delays. Runways do not come cheap. The runway in Seattle, which we agree is sorely needed, will cost more than $830 million. A new runway in Atlanta, Chicago, or Dallas likewise will cost hundreds of millions of dollars. Without that added capacity, delays will increase. We know this. No one disputes this. It gets back to money—we have a Trust Fund which will have $79 billion by 2008 just sitting there. The General Accounting Office has also told us of the looming funding crises for airports. We simply can not ignore our duty—we can not use that $79 billion for anything other than funding our air transportation system.

I ask unanimous consent that the editorial be printed in the RECORD.

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

YES TO AIR SAFETY

(By Bud Shuster)

Although the safest in the world today, America's aviation system is hurtling toward gridlock and potential catastrophes in the sky. Unfortunately, The Post's April 2 editorial ''A No to Mr. Shuster'' did not accurately describe the efforts of the House Transportation and Infrastructure Committee during the budget debate to unlock the ticket taxes paid by airline passengers into the Aviation Trust Fund so they could be used for their intended purpose of improving America's aviation system.

Contrary to the editorial's assertions, our bipartisan proposal would not cut one penny from other federal programs. Rather, it would provide that the ticket taxes be used for aviation improvements instead of being used to pay for a small part of the $800 billion tax reduction proposed over the next 10 years. In fact, we provide for an open debate and floor vote on whether the money going into the trust fund should be used for aviation improvements (which we support) or for a reduction in the aviation ticket tax. It is grossly unfair to take airline passenger ticket taxes and then give them away as part of a general tax cut.

The Post was absolutely correct, however, in acknowledging that ''no one disputes a need to increase aviation spending.'' Since airline deregulation, passenger travel has increased from 230 million annually to 600 million last year and is projected to be 660 million this year and more than a billion annually in the first decade of the next century. A 30 percent increase in aircraft operations is forecast for our top 100 airports in the next decade, with a 50 percent increase in the number of commercial jets in our skies. Air cargo, which increased 74 percent in the last 10 years, is growing even faster.

Airport congestion is already skyrocketing. The FAA reports that our 27 largest airports each are experiencing more than 20,000 hours of recorded flight delays annually, costing the airlines $2.5 billion and the American people more than $7 billion in lost productivity. But that's only the tip of the iceberg. Airlines are building delays into their schedules. For example, Washington to New York should be only a 45-minute flight, but it's scheduled for an hour. The actual cost of congestion may be approaching $20 billion annually. One study estimates that we need a 60 percent increase in airport infrastructure investment just to maintain the current levels of delay.

The General Accounting Office states that $17 billion will be needed during the next five years just for air traffic control modernization. Last year our air traffic control system experienced more than 100 significant system failures. Dulles went down for more than 10 hours just a few weeks ago. The National Civil Aviation Review Commission states that ''without prompt action, the United States' aviation system is headed toward gridlock . . . [and] a deterioration of aviation safety [which would] harm the efficiencies and growth of our domestic economy, and hurt our position in the global market place.'' Last month, two jet cargo planes came within a hundred feet of a midair collision over Kansas because the Kansas City Air Traffic Control Center lost radio contact with them.

The good news, however, is that the ticket taxes flowing into the Aviation Trust Fund can provide a substantial increase for aviation improvements. Specifically, more than $10 billion is going into the trust fund annually, while spending is around $7 billion. If nothing changes, during the next 10 years more than $90 billion will accumulate in the Aviation Trust Fund.

The speaker has agreed to bring our ''Aviation Investment and Reform Act for the 21st Century''(AIR 21), which passed our committee unanimously; to the floor for a fair and open debate. It will unlock the Aviation Trust Fund so the ticket taxes paid into it can be used for aviation improvements, provide for increased capacity at our airports, modernize our air traffic control system and ensure continued safety for the world's best aviation system. Increased airport capacity will mean more airline competition, which is part of the long-term solution to better customer service.

The Post can't have it both ways, saying we should spend more on aviation while opposing using the money paid into the trust fund for that purpose. But I'm beginning to get it: The Post thinks it's good government to spend $900 million out of the Highway Trust Fund for one Woodrow Wilson Bridge in the Washington area but bad to use the Aviation Trust Fund to improve aviation across America.

Mr. McCAIN. Mr. President, I will vote today, somewhat reluctantly, in support of the Fiscal Year 2000 Budget Resolution. I say reluctantly because I am very concerned about the inadequate level of funding provided in this resolution for national defense.

On the positive side, this budget resolution establishes a road map for this Congress to enact the largest tax cut since the Reagan Administration, lock up the Social Security surplus, shore up Medicare, substantially reduce the public debt, and still keep spending within the limits established in the 1997 bipartisan budget agreement. It also provides the largest increase in history, $1.8 billion above the President's budget, for veterans' health care, which has been consistently underfunded for years.

Most important, the resolution takes an important step toward preserving Social Security for current and future recipients. It reaffirms the 1990 law, now expired, that prohibited using the Social Security Trust Fund surpluses to offset other spending, and it establishes a new point of order against spending any of the Social Security surplus on anything other than payment of Social Security benefits or reforming the system. This resolution walls off the Social Security Trust Fund so that money paid in by taxpayers for their retirement cannot be stolen by spendthrift politicians to pay for their favorite pork-barrel projects or new government programs of dubious merit.

Saving Social Security and providing greater retirement security for our citizens should be our first priority. We must find a viable solution to the impending bankruptcy of Social Security which restructures the system in a manner which provides working Americans with the opportunity, choices, and flexibility necessary to ensure their future retirement needs are fully met. Everyone who has worked and invested in the Social Security system must be guaranteed to receive the benefits they were promised, but reform must not place an unfair burden on today's workers. Until we find that solution, however, it is imperative that we shore up the system to ensure payment of benefits will continue, on time and in full, to everyone who has earned them.

To do this, we must not only protect the existing Social Security surplus, as this resolution does, but ensure that additional funds are available, if needed, to shore up the system in the absence of meaningful reforms. The President's ''smoke and mirrors'' budget promised to save 62 percent of the non-Social Security surplus to shore up Social Security, but that has been shown to be a baseless claim when his budget is carefully analyzed. Unfortunately, this budget resolution did not dedicate additional funds to save Social Security either. I believe we should set aside a significant portion of the additional surplus to extend the

fiscal viability of the system and ease the fears of our senior citizens, and I intend to work to see that happen.

Locking up the Social Security Trust Fund surplus and setting aside a significant portion of the non-Social Security surplus does not mean we cannot also provide significant tax relief to those who need it most—lower- and middle-income Americans and their families. The Budget Resolution provides for $142.3 billion in tax relief over the next five years, amounting to $779.9 billion over ten years. The tax cuts are appropriately targeted toward eliminating the marriage penalty, expanding the lowest 15% tax bracket, estate tax relief, more favorable tax treatment of health insurance cost for the self-employed, and capital gains tax fairness for farmers.

But Americans need and deserve an even bigger tax cut. Federal taxes consume nearly 21% of America's gross domestic product, the highest level since World War II. A recent Congressional Research Service study found that, over the next ten years, an average American family will pay $5,307 in taxes over and above what the government needs to operate. Congress did not balance the budget so Washington spending and government bureaucracy could continue to grow at the taxpayers expense. Letting the American people keep more of their own money to spend on their priorities will continue to fuel the economy and help create more small business jobs and other employment opportunities.

The tax cuts in this Budget Resolution are significant, but I think we should return even more of the surplus back to the taxpayers. I believe we should reserve part of the non-Social Security surplus to shore up the system and give a bigger tax cut to American families, which would be paid for partially by closing tax loopholes and eliminating inequitable corporate subsidies to offset the cost.

Saving Social Security, cutting taxes, providing for our veterans, and many other aspects of this Budget Resolution are sufficient reason to vote for it. However, the shortfall in defense spending in this budget raises very serious concerns.

It is no secret that there are serious readiness, retention and recruiting problems throughout the military. The Service Chiefs testified before the Senate Armed Services Committee in September last year, and again in January, that they require an additional $20 billion over the fiscal year 1999 budget in fiscal year 2000 to stop declining force readiness. The President, after promising an additional $12 billion, only added $4 billion in his budget request. Then, during this year's budget hearings, the Service Secretaries and Chiefs confirmed that readiness unfunded requirements still exist and submitted lists to meet their readiness requirements. Yet the Budget Resolution does not provide sufficient funding to meet the minimum requirements of the Joint Chiefs of Staff to adequately fund critical readiness, personnel and modernization programs.

The Conference Report veils its underfunding of vital defense programs by putting an additional $8.3 billion for Fiscal Year 2000 in the Pentagon's bank in the form of increased budget authority, but because of the arcane scorekeeping rules of the Congressional Budget Office, the Services would not be able to actually spend that money because it would exceed the outlay cap. Fortunately, the conference agreement provides $2 billion more in outlays than the Senate version, but the spending limit is still $6.7 billion less than the President's budget when estimated by the Congressional Budget Office. And the resolution shortchanges defense next year and every year thereafter.

Earlier this year, the Senate passed legislation of which I was a primary architect, along with Senator ROBERTS, Majority Leader LOTT and Senator WARNER. This legislation, the ''Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act of 1999'', would restore military retirement benefits to a full 50 percent of base pay for 20-year retirees, includes a 4.8 percent pay raise effective January 1, 2000, pay table reform, Thrift Savings Plan proposals, and a Special Subsistence Allowance to help the neediest families in the Armed Forces who now require federal food stamp assistance. This Budget Resolution puts all these recruitment and retention tools in jeopardy because it does not provide the dollars needed to fulfill these promises to our service members and their families.

Mr. President, the nuclear carrier U.S.S. *Enterprise* (CVN–65) is currently deployed in the Persian Gulf, undermanned by some 800 sailors. We are losing pilots to the commercial airlines faster than we can train them. The Navy has one-half the F/A–18 pilots, one-third of the S–3 pilots, and only one-quarter of the EA–6B pilots it needs. Only 26 percent of the Air Force pilots have committed to stay beyond their current service agreement. The Army says that five of its ten divisions lack enough majors, captains, senior enlisted personnel, tankers and gunners.

The military's problems do not stop at recruiting and retention issues. For example, the Army's number one modernization program, the Comanche helicopter, is undergoing flight testing with just one asset. If that helicopter has a serious malfunction or is lost, who knows how long the program will be delayed. The Army has another test platform but has testified that they simply cannot afford to fly it.

With the recent deployment in the Balkans, the world watched night after night as the Air Force's main bomber, the B–52, was once again called to duty to deliver air launched cruise missiles in combat. How many times has the Air Force called upon this 40-year old workhorse to deliver devastating firepower? The B–52 bomber was already old when I saw it fly in Vietnam, and yet the Air Force plan will carry the current bomber fleet through the next 40 years, with a replacement to the B–52 tentatively planned in 2037.

The Navy is struggling to maintain a fleet of 300 ships, down from over 500 in the early 1990s. The fiscal year 2000 budget will not support a Navy of even 200 ships. The Marine Corps saves money in spare parts by retreading light trucks and Humvees, so as to afford small arms ammunition for forward deployed Marines.

The list goes on and on, but what we must recognize is that it illustrates very serious readiness problems that continue to grow and must be stopped if we hope to preserve the world's finest military and continue to support the men and women in uniform, many of whom are in harm's way in Operation Allied Force in Kosovo today.

Mr. President, I could go on, but suffice it to say that the military needs more money to redress the serious problems caused by more than a decade of declining defense budgets. Those of us who have been criticized for sounding alarm bells about military readiness now have the empty satisfaction of seeing that there is more to maintaining a strong defense than a politician's history of falsely promising to do so. What is at risk, without exaggeration, are the lives of our military personnel and the national security of the United States.

Mr. President, for many years, the Services have struggled to make do with the funding we provide to them, as Congress persists in draining away resources for low-priority, wasteful, pork-barrel spending projects. After hearing from the Service Chiefs in testimony this year, I hope my colleagues are prepared to halt the long-standing practice of earmarking funds for home-state programs and special interest items. If not, we will exacerbate the dangers of failing to provide the resources necessary to maintain military readiness and our war-fighting capability.

Mr. President, I will vote for this Budget Resolution because it provides a measure of tax relief, additional veterans funding, and, most important, locks up the Social Security Trust Fund for Social Security. But I am gravely concerned about the defense spending levels in this budget, and I intend to do everything I can to ensure that every dollar in the Defense and Military Construction Appropriations bills is used for high-priority defense requirements, like recruiting and retention incentives, operations and

training, and urgent modernization programs. I urge my colleagues to put aside their parochial interests and join me in that effort.

Mr. DASCHLE. Mr. President, it is an unfortunate fact around here that budget resolutions are frequently seen as little more than meaningless manipulations of numbers. They are perceived by some to have no real impact on Congress and even less on the American people. Whether you agree or disagree with this perception of previous budget resolutions, I think we can all agree that the budget resolution before us is different.

What we have been debating and are about to vote on, is our nation's first budget of the 21st century. The FY 2000 budget resolution represents a blueprint for our future. The decisions made on this resolution could determine how we live—not just next year—but for a generation—maybe longer.

Before getting into the specifics of the budget proposals before us, let me say a few words about what a budget resolution should do. In my view, a budget resolution should be visionary. It should look at today's circumstances, assess where improvements are needed and apply the appropriate amount of resources.

A budget resolution must be fiscally responsible. Prior to 1993, previous Presidents and Congresses have frequently failed to live within their means. The result was large annual deficits and a $4 trillion national debt. Since 1993, we have reduced the deficits 7 years in a row. Future budget resolutions must continue this pattern.

A budget resolution must save money to keep promises we've already made. The federal government has legally binding commitments on Medicare, Social Security, child nutrition and student loans to name a few. A budget resolution must live up to the federal government's legal obligations in these areas.

Finally, Mr. President, a budget resolution must invest in the future—in things like education, transportation, technology, and health care—so we can pass the promise of America onto our children.

Unfortunately, the budget resolution before the Senate today does none of these things. This resolution is deceptive and fiscally irresponsible in the extreme. It claims to protect Social Security and Medicare. It claims to live within our means. In reality, this budget fails on both scores. It does not adequately lock away Social Security trust funds and fails to add any resources to Medicare. It also includes hundreds of billions of exploding tax cuts that are paid for with projected surpluses. There is a huge problem with this approach. The tax cuts come and keep on coming whether or not the surpluses ever appear.

This approach adopted by my Republican colleagues represents a radical departure from the policies that lifted America out of recession in the late 1980s and early 1990s and created the strongest economy in a generation. After a decade of massive deficits caused primarily by ballooning tax breaks, President Clinton and a then Democratic Congress embarked on a new path, a path that coupled spending cuts with targeted investments and tax cuts for working families. This budget abandons that successful approach and will return this country to the large deficits of the 1980s.

Even more distressing to me, if we follow this plan, we will squander the best opportunity—perhaps in our lifetimes—to keep our commitments on Medicare and Social Security and effectively deal with some of the most serious social and economic needs facing our country—now, before they become crises.

It is my impression that debate on this year's resolution has been short, indeed, perhaps the shortest in my memory. The reason may well be that there are not a lot of small details to debate. Instead, we face a single major question: What should we do with the $4.6 trillion in surpluses projected over next 15 years? Without a doubt, this is the most important fiscal decision confronted by Congress in generations. With this budget resolution we face real choices with real consequences. Every family, every business, in America will be profoundly affected by how we answer this one question.

Unfortunately, the Republican budget resolution conference agreement makes too many wrong choices. It is wrong on Social Security and Medicare. It is wrong on debt reduction. It is wrong on tax relief with its emphasis on tax breaks that favor the wealthiest over working families. It is wrong on education, health care, and other critical investments. Therefore, I've concluded this resolution is wrong for America. And I will vote against it.

I would like to say a few words about the choices we face in the future. However, first, I think it's important to take a brief look back. When President Clinton took office in 1993, the budget deficit was a whopping $290 billion—the highest level in this nation's history. And, it was projected to grow to more than $500 billion by this year. In that year, 1993, President and Democratic Congress—without a single Republican vote—took action; together we passed the largest deficit reduction package in our nation's history.

Our political opponents condemned our plan; they predicted economic ruin. They said it would destroy our economy and trigger a second Great Depression. Many who made those predictions are still here today. Many who bravely voted for our plan are not. They knew they were risking their careers when they voted for our plan. But they did it anyway, because they believed we could not continue the ruinous economic policies of past.

Today, the results of Democrats' 1993 economic plan should be clear to all. The deficit has declined 7 years in a row—the first time that's happened in our nation's history. Last year, this nation enjoyed the first unified balanced budget in 30 years. This year, we expect a $111 billion unified surplus. In addition, we are experiencing the strongest economy in a generation. Eighteen million new jobs have been created since 1993. We have the lowest unemployment rate in nearly 30 years—4.5 percent. We have the lowest core inflation rate in more than 2 decades—2.5 percent. We have witnessed a 2.5 percent rise in wages—the fastest growth in wages in more than 20 years. We are living during the longest peacetime economic expansion in our history. Largely as a result of this string of economic good news, the Congressional Budget Office is now projecting budget surpluses for as long as the eye can see—a total of $4.6 trillion over the next 15 years.

So Mr. President, we faced the tough questions in 1993. The question facing Congress this year ought to be easy. Then the question was: how do we reduce the deficits? How do we get America working again. Now, the question is: what should we do with the surplus? How do we keep America working?

We've already proved tough decisions don't have to be cruel decisions. We can continue to make economic progress today, without sacrificing our economic future. With the plan we offered this year, Democrats balanced the budget—and cut taxes on working families—without gutting our investments in our children's education. We balanced the budget—and cut taxes on working families—without raiding Social Security and Medicare. We balanced the budget—and cut taxes on working families—without sacrificing our ability to protect our environment. We balanced the budget—and cut taxes on working families—without adding more Americans to the rolls of the uninsured. In fact, we found a way to help parents who work full-time, but don't have insurance, to provide health insurance for their children.

Our budget plan builds on our past success. We make tough decisions. But we also make smart decisions. We honor the commitments our nation made in the past, and we invest in the future. The Democratic vision for our fiscal future is based on 4 principles. First, we protect and preserve Social Security and Medicare. The Democratic plan locks away every penny of the $2.9 trillion Social Security surplus, plus an additional $700 billion for Medicare. We are first to admit: our plan doesn't solve all the issues facing these two important programs. We know we also need to make structural reforms. But, by locking away every

penny of Social Security and saving 15 percent of the unified surplus for Medicare, we can avoid a crisis—which dramatically reduces chance of having to make radical changes.

Second, our plan pays down the national debt. In 10 years, we can reduce our public debt from $3.5 trillion, to $1.6 billion. In 18 years, under our plan, we can eliminate the debt entirely. By 2018, America could be debt-free. Debt reduction keeps interest rates down. This means lower mortgage rates, lower rates on car loans, lower monthly credit card bills, and lower student loan bills. It also means more investments for businesses, more economic growth, more jobs, and more opportunity for the future.

Third, our plan cuts taxes for America's working families. Our plan provides $400 billion in targeted tax relief to help families save for retirement and pay for child care. Our plan also includes a $1,000-a-year tax credit for elderly and disabled Americans who need long-term care—or the family members who provide that care. It cuts the marriage penalty tax. And, it provides tax credits for research and experimentation.

Fourth, our plan invests in America's future—over $400 billion in key priorities. These resources can be used to provide for more teachers for our kids, more pay and better housing for our troops, and more law enforcement agents. It provides more for job training, more for safe drinking water and clean air quality. It will result in better roads and safer airports and rail lines.

The Republicans are offering a very different plan. It makes very different choices. Their plan sets aside nothing for Medicare. As I said earlier, we save 15 percent of the surplus—$700 billion—for Medicare. We put it in a real lockbox; these funds can't be used for anything but Medicare. Their plan does not save one penny specifically for Medicare. Moreover, when Senate Republicans introduced their budget resolution, they said they were setting aside $133 billion for Medicare. Later, they revised that figure down to $100 billion. In the conference agreement before us today, there's nothing to preserve the existing Medicare program. The truth is Republicans are not setting aside any money specifically for Medicare. Their budget resolution recommends we extend the solvency of Medicare through benefit cuts alone.

If we act as this resolution proposes and fail to set aside real money for Medicare now, and fail to enact real reforms soon, the Medicare trust fund will go broke. That would be an emergency of staggering proportions. And the Republican budget does nothing—nothing—to prevent it.

Their plan does not guarantee one additional day of solvency for Social Security. Under the Democratic plan, Social Security's solvency is extended until at least 2055—23 years longer than what's now projected.

Now, Republicans say they will set aside 62 percent of the surplus for Social Security—the same as our plan. But nowhere in their plan do they say what they intend to do with that money. While they say they will put every dime of Social Security taxes in the Social Security trust fund, nowhere in their plan do they promise to keep the funds there. Nowhere do they guarantee that Social Security will continue to provide a monthly benefit. Nowhere do they commit to preserve unemployment benefits workers now get, or death benefits for their survivors. In fact, the conference report before us specifically allows Republicans to divert Social Security resources out of Social Security and use them to pay for private retirement accounts or additional tax cuts.

If the Republican majority believes the federal government should keep the commitments it has made, they should say so, clearly, in writing. Social Security taxes for Social Security benefits is not a difficult concept to grasp, and an even easier one to say. Despite all their rhetoric during the budget debate, the Republican budget resolution chooses not to say it. And even worse, it does not do it. Instead, the Republican resolution treats Social Security as just another piggy bank to pay for their tax breaks or private retirement accounts. That is its second major failing.

The third major problem with Republican budget resolution is the choice it makes about who gets tax relief. Our budget targets tax cuts to the needs of working families. Republicans say their plan is better because it contains tax cuts for everyone. That's not true! Under the 10 percent across-the-board tax cut endorsed by many in their party, nearly two-thirds of benefits would go to the wealthiest 10 percent of Americans. If you earn $800,000 a year, you save $20,000 a year in taxes. But if you earn $38,000 a year or less—like 60 percent of American families—you'll save $99 a year—27 cents a day. That's if you're lucky. According to the Joint Tax Committee, Congress's official tax-estimating body, 48 million middle-class families would get nothing under a 10 percent tax cut. Not a nickel!

What would that 27 cents cost America's families? It means there will be nothing left over to protect and preserve Medicare. It also means crippling cuts in education, health care, environment, agriculture, food safety and countless other critical areas. According to an analysis by the Office of Management and Budget, the Republican budget will cut domestic investments by 11 percent across-the-board this year. By 2004, these cuts will grow to 27 percent. The Republican budget resolution would eventually force the federal government to cut more than one out of every four dollars it now spends on critical domestic priorities. Frankly, it's amazing to me that some of the same people who only weeks ago said Congress would be forced to break budget caps this year can now claim, with a straight face, that they can cut federal spending by 27 percent over next five years.

Their tax cut plan is unfair and unworkable, and we all know it. The last time we tried their tax plan—the last time we tried to grow the economy by cutting trillions of dollars in taxes and giving most of the money to wealthiest Americans—we quadrupled the national debt and ran the economy into the ground.

In conclusion, Mr. President, there are terrible problems with the Republican budget resolution. Democrats tried to correct these problems in the Budget Committee. We tried to make adjustments on the Senate floor. In both places, we were defeated on party-line votes. So, we will pass this conference agreement in a few minutes.

And while we may disagree on its merits, we all know, Democrats and Republicans alike, this plan will never become law. So, we have a lot of work ahead of us in the next several months. Democrats will listen to any reasonable, responsible plan anyone wants to propose. We're willing to negotiate across the aisle, and make compromises, to come up with budget proposals that can be signed by the President. However, we will not compromise on our commitments. We will not repeat mistakes of the past. We cannot squander this opportunity.

THE DISCRETIONARY CAPS

Mr. DOMENICI. Mr. President, I want to add one response to those who criticize this budget resolution as necessary resulting in all manner of dreamed-up, horror-story kind of cuts in federal border agents, food safety inspections, and other programs selected for the maximum scare value.

Here is the truth instead. In 1997, just 2 years ago, the bipartisan budget agreement, and the law that implemented it, set out caps on discretionary spending for 1998 through 2002. And yes those caps were expected even then to be tight as they were encountered each year. In his budget request for 2000, the President appeared to pledge fealty to those caps for 2000, claiming that the caps could be complied with even as CBO demonstrated the President could not deliver on all his spending promises without exceeding the caps by at least $17 billion.

Further, the respective minority leaders of both the House and the Senate castigated the congressional majority for even exploring the idea of increasing the caps in this resolution and instead the minority leaders reiterated their devotion to the caps set 2 years

ago. So this budget resolution does comply with the caps, just as the President and the Democratic congressional leadership insist it should.

But a fair question would be: how do we fund all the discretionary appropriation needs while complying with the discretionary cap discipline? As always, that will be up to the appropriations process. The budget resolution never dictates to the appropriations committee how individual programs or bills should be funded. What the budget resolution does do is suggest in broad categories what some spending priorities ought to be, and in some cases, it suggests, as sort of a menu, some spending reductions or other offsets that the appropriators could consider in constructing the 13 appropriation bills. For example, the Senate-passed resolution indicated that repeal of the Davis-Bacon Act and the Service Contract Act would save significant construction and contract dollars that could be applied to increases in education or defense. Other sources of savings mentioned include food safety inspection fees and spectrum lease fees to encourage more efficient use of spectrum by both private and government users. And in certain specific budget functions, to offset discretionary spending, some functions call for the sale of certain federal assets and other assume specific savings amounts in mandatory programs, which include requiring securities registration for five government-sponsored enterprises and other incentives to encourage competition and rededication to their missions. Other functions call for reducing excessive flood insurance subsidies and imply reactions in certain grants to local governments that are often misdirected to those not the most financial needy. If the appropriations fairly consider these as well as many other savings items contemplated in this budget resolution, they will have opportunities to provide the increases demanded by some and avoid the decreases in vital programs imagined by others, while still complying with the caps.

The PRESIDING OFFICER. The question is on agreeing to the conference report. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arkansas (Mr. HUTCHINSON) is necessarily absent.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote ''no.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 54, nays 44, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—54

Abraham	Fitzgerald	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Roberts
Bond	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee	Helms	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Coverdell	Jeffords	Stevens
Craig	Kyl	Thomas
Crapo	Lott	Thompson
DeWine	Lugar	Thurmond
Domenici	Mack	Voinovich
Enzi	McCain	Warner

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—2

Hutchinson	Moynihan

The conference report was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I believe that completes our work. I want to thank everyone, whether they were with the budget that I prepared or whether they were against it, for their cooperation. And I thank our leadership for getting that budget down here, and the minority leader and the majority leader for helping expedite it.

This is the 15th. We know it is a very ominous day out there in America. It is tax day. But on a smaller scale, the Budget Act of the United States says the budget shall be finished in both Houses on this date. I do not think it had anything to do with tax day, but they occur together every year. Only twice in the 25-year history of the Budget Act have we produced budgets in both Houses, the blueprints.

They are congressional in nature. They are not Presidential budgets, nor does he sign them. It is historic and significant that as we attempt to get our work done this year and make sure that the American people understand that we are on target for the issues they are concerned about—Social Security, Medicare, tax reduction, defense spending, education and the like—we want them to know that the budget is ready to lead us into a new approach for the next millennium.

Everyone doesn't agree, but a very large percentage of the Senators here have voted in favor of this new approach, which I believe will add significantly to the economic future, economic growth and jobs, and at the same time set a pretty good priority for the American Government's expenditures.

This does have a philosophical bent to it; that is, if you have excess revenues, you pay down the debt. We have done that. We have almost paid down one-half of the national debt in the next decade—rather significant, good for the economy. We believe when you have even more excess than that, some of it ought to go back to the American people by way of tax reductions, tax reform measures and the like.

I regret to say that I believe when the American people have understood all of this, and when they understand these surpluses are not Social Security surpluses, they are over and above that, I think they will agree with us that some of that ought to go back to the American taxpayer. I think it is a good balance between the Government's needs and the taxpayers' rights and the taxpayers' needs.

I thank the staff, minority and majority, for the very dedicated service in getting this complicated resolution to the floor.

With that, I yield the floor and thank everyone for helping.

The PRESIDING OFFICER. The Senator from Georgia.

ORDER OF PROCEDURE

Mr. COVERDELL. Mr. President, in just a few minutes, in the order of a previous unanimous consent agreement, we are going to move to S. 767, but the two distinguished Senators from Connecticut have a very important resolution relating to their State. It will take a few minutes. I ask unanimous consent that they be allotted up to 5 minutes, beginning immediately, to present their resolution.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Connecticut.

CONGRATULATING THE 1999 UNIVERSITY OF CONNECTICUT MEN'S BASKETBALL TEAM

Mr. DODD. Mr. President, on behalf of myself and my distinguished colleague from Connecticut, Senator LIEBERMAN, I send to the desk S. Res. 77 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 77) commending and congratulating the University of Connecticut Huskies for winning the 1999 NCAA Men's Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, it is somewhat appropriate, I say to my friend and colleague from Connecticut, that the Presiding Officer is from Ohio. But for Ohio, we would not have made it to the Final Four, the final game.

This is a moment of great joy for my colleague and I and for the people of

Connecticut. We express our condolences to the delegation from North Carolina, the home of Duke University. It is a fine university with a fine basketball team that led the Nation ranked number one for a good part of the season. But, unfortunately, on that night of March 29 in St. Petersburg, FL, the Blue Devils met the Husky team from Connecticut in what many have described as one of the best national championship finals in collegiate basketball history. Ultimately, our team from the University of Connecticut prevailed. To say that there is a great sense of pride in Connecticut and enthusiasm and joy over this victory is to understate the case by a considerable margin. We are a State that, over many years, has had to export our allegiances in athletics. We have had a hockey team and a women's professional basketball team, both of which have left our State. There is a good possibility we will be the home of the New England Patriots in the not-too-distant future. In the meantime, it has been our men and women's basketball teams at UCONN that have captured the attention of everybody in our State, and I might say, as well, beyond our State's borders. I think a good part of the Nation was rooting for this 9½ point underdog on March 29 as they prevailed in this great victory.

I want to mention a couple of people if I can. First of all is Jim Calhoun, the Head Coach of the UCONN men's basketball team. He has been with the team for 13 years and has had a wonderful, wonderful record, including capturing the 1988 NIT title and appearing in six ''Sweet 16's,'' and three ''Elite 8'' rounds. And he has now led the team to victory in the national championship. He is not only a outstanding coach, but also a wonderful human being with great dedication to his team, his players, the university, and our State. As well, his coaching staff is a fine group of people who have also dedicated so much energy and time to making this team the success it has been.

I would also like to mention some of our UCONN players and commend a couple of the fine athletes who made such significant contributions in the championship game.

Our sophomore guard is Khalid El-Amin. We thank the State of Minnesota because he was a native and decided to make the University of Connecticut his home for basketball purposes. He has been a sparkplug for our team and has done a tremendous job. As many will recall, he made two free throws in that final game with only 5.2 seconds left, which absolutely iced the victory for UCONN.

Richard Hamilton has become one of the great players in collegiate history. He was the Most Valuable Player of the NCAA tournament, the Most Valuable Player in the Big East tournament this year, and is truly one of the great, great players not only at the University of Connecticut, but also throughout the Nation.

Other players like Ricky Moore, Kevin Freeman, and Jake Voskuhl did a great job as well, all contributing when it counted most. Moore and Freeman, I think, deserve special recognition for proving that defense is valuable. It is not just who can score the most points, but who can be a great defensive player. Both of them did a terrific job in proving the value of that element of this wonderful, unique game now played worldwide. Basketball is a game that began in Springfield, MA, something that we in America take pride in as it is a sport that is homegrown.

Lastly, Mr. President, the fans, the student body, the administration, Phillip Austin, President of the university, the Board of Trustees, and the faithful alumni were all in that arena to watch the Ohio State game, and then the final game on Monday. They were both great games. I know the former Governor of that State, the occupant of the Chair, takes great pride in Ohio State. The coach of your team was an assistant coach at the University of Connecticut. He was in Florida and rooting for Connecticut, I can tell you, during that final game. I am sure he would have liked to have been coaching that game instead, but despite not being there himself, and given his former relationship with the University of Connecticut, it is understandable how he felt a special affection for the UCONN team.

Again, Mr. President, as I began, let me end. This was a great moment for our State. The people are very proud of the accomplishments of this team and our university. Senator LIEBERMAN and I wanted to take a moment out of the Senate business to recognize the accomplishments of these fine young men of the University of Connecticut and thank the people of our State who have so faithfully supported them throughout these many years.

Mr. President, at this time I would like to recognize all the coaches and players of the 1999 NCAA Men's Basketball Championship team: Head Coach Jim Calhoun, Associate Head Coach Dave Leitao, Assistant Coach Karl Hobbs, Assistant Coach Tom Moore, Beau Archibald, Justin Brown, Khalid El-Amin, Kevin Freeman, Richard Hamilton, E.J. Harrison, Rashamel Jones, Antric Klaiber, Ricky Moore, Albert Mouring, Edmund Saunders, Souleymane Wane, and Jake Voskuhl.

With that, I yield to my colleague, an equally fervent champion and fan of the UCONN team.

Mr. LIEBERMAN. Hear, hear, Mr. President. I thank my friend and colleague from Connecticut. I am proud to join with him in introducing this resolution commemorating what was truly one of the most thrilling and uplifting moments in the modern history of our State—and I do not say that lightly—the national championship won by the University of Connecticut men's basketball team.

I think to understand what this achievement means to our relatively small State, my colleagues have to understand what this UCONN team has meant for the last decade to the people of Connecticut. I don't think there are many teams in the country that have a more rabid following than our Huskies. From their home base in Storrs, clear across the State to Stamford, from Stonington in the east to Salisbury in the northwest, every basketball season, the people of Connecticut are gripped with a delirium known affectionately as ''Huskymania,'' which makes every day of the season seem like March Madness in Connecticut. The interest is so intense that the Huskies, hailing from the third smallest State in America, travel with the largest contingent of reporters in all of college basketball, referred to simply as ''the horde.''

Now, Mr. President, over the last decade, Huskymania has been heightened by the enormous success of our great coach, Jim Calhoun and athletic director, Lew Perkins. UCONN has dominated the storied Big East Conference, winning six regular season championships, distinguishing itself in NCAA tournament play, advancing to the Elite Eight three different times. The one thing missing was a trip to the fabled Final Four and a national championship, and that dream was realized on March 29 with the victory over the Duke Blue Devils in what has to have been, not just for Connecticut fans, but for basketball fans all over the country, one of the great games in recent history of college basketball.

The Huskies' thrilling victory touched off a joyous celebration in our State, which is normally known as ''the land of steady habits,'' an exhilaration which I experienced literally firsthand that night. I could not go to Florida to see the game, but I did the next best thing—I went to Coach's Bar and Grill in Hartford, CT, which is partially owned by Coach Calhoun. Let me just say to my colleagues on the floor, I was, by far, the senior citizen in the bar that night. It seemed like about half of the State's under-30 population was there. The fervor was intense and the joy extreme when the game was over.

Let me say that we are proud of this victory, but we are also really proud of the values that are part of it—the teamwork, the sacrifice, the sportsmanship, the determination and the dignity this team and its coach showed in scrapping and hustling their way to the pinnacle of college basketball. The character of this UCONN team is an apt reflection of their great coach, Jim Calhoun, who is a great coach because he is a great man, a man of indomitable spirit, tremendous values, and a

great pursuit of excellence. I am thrilled that Coach Calhoun is finally getting his due as one of the Nation's great coaches.

For now, I am grateful for the wonderful gift that Jim and his players have given the people of Connecticut, for the way they brought such a diverse State together and reaffirmed our sense of community, for living up to our highest ideals of sport and—if you will allow me a pun in the name of the Huskies—for showing that every dog does indeed have their day.

Now, Mr. President, if I may close somewhat unusually, at Coach's Bar and Grill on the night of the game, one of the young men there, at a critical moment in the first half, turned to me and asked me if I would lead the UCONN cheer, and I did that. I was criticized the first time because they said my N's were not too good. You will see what I mean in a moment. As the game went on, I was called on repeatedly to lead this cheer, and of course, we in Coach's Bar and Grill feel that made the margin of difference in the victory that occurred in Florida that night.

If you will allow me, Mr. President, here is the cheer: U–C–O–N–N, UCONN, UCONN, UCONN.

Thank you. I urge adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 77) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 77), with its preamble, reads as follows:

S. RES. 77

Whereas the University of Connecticut men's basketball team capped a remarkable season by defeating the top-ranked Duke Blue Devils 77–74, on March 29, 1999, in St. Petersburg, Florida, to win its 1st national championship in its 1st ''Final Four'' appearance;

Whereas the Huskies finished with a regular season record of 34–2, the best in the program's proud 96 years of competition;

Whereas the Huskies firmly established themselves as the dominant team of the decade in the storied Big East Conference, winning their 6th regular season title and their 4th tournament championship of the 1990s;

Whereas UConn's Richard ''Rip'' Hamilton distinguished himself in the championship game and throughout the season as one of the premier players in all of college basketball, winning his 2d Big East Player of the Year award, earning 1st team All-America honors, and closing out a spectacular offensive performance in the NCAA tournament by being named the most valuable player of the Final Four.

Whereas UConn's senior co-captain Ricky Moore distinguished himself as one of the Nation's top defensive players, personifying the grit, determination, and fierce will to win that carried the Huskies throughout the year;

Whereas UConn coach Jim Calhoun instilled in his players an unceasing ethic of dedication, sacrifice, and teamwork in the pursuit of excellence, and instilled in the rest of us a renewed appreciation of what it means to win with dignity, integrity, and true sportsmanship;

Whereas the Huskies' thrilling victory in the NCAA championship game enraptured their loyal and loving fans from Storrs to Stamford, taking ''Huskymania'' to new heights and filling the State with an overwhelming sense of pride, honor, and community;

Whereas the UConn basketball team's national championship spotlighted one of the Nation's premier State universities, that is committed to academic as well as athletic excellence: Now, therefore, be it

Resolved, That the Senate commends and congratulates the Huskies of the University of Connecticut for winning the 1999 NCAA Men's Basketball Championship.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the president of the University of Connecticut.

UNIFORMED SERVICES FILING FAIRNESS ACT OF 1999

Mr. COVERDELL. Mr. President, let me explain for a moment where we are here. We have, by unanimous consent, 1 hour equally divided on S. 767.

S. 767 is cosponsored by Senators LEVIN, ROTH, TORRICELLI, ABRAHAM, CLELAND, MCCAIN, ALLARD, HELMS, COLLINS, BROWNBACK, FRIST, JOHNSON, HAGEL, BRYAN, DEWINE and GRAMS. Senate bill 767 is identical to the legislation that passed unanimously in the House Ways and Means Committee, and which will be here later this afternoon at about 4 o'clock. When that gets here, we will vote on the House version rather than the substitute that I just described because there has been an objection on the other side. It is a bit perplexing. But we have had an objection. We don't want internal differences to in any way for one moment delay the intent of this bill. I think everybody will understand that in a moment. So we are just simply setting the objection aside and we will accept the House version. I am sure it will be an overwhelming vote.

Mr. President, I ask the clerk to report the bill by title.

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

The clerk will report.

The legislative assistant read as follows:

A bill (S. 767) to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the date for filing a tax return for any member of a uniformed service on a tour of duty outside of the United States for a period which includes the normal due date for such filing.

There being no objection, the Senate proceeded to consider the bill.

Mr. COVERDELL. Mr. President, I rise today to ask my colleagues to support legislation that will help our men and women serving in Operation Allied Force.

I might point out that part of the reason we are accepting this House version, due to this skirmish on the Senate floor yesterday afternoon, is because we only have some 12 hours left. This is April 15. These families needed to get this message, frankly, yesterday. But today I am confident that this relief, this comfort, that we are offering to the men and women who are on the front line today in Kosovo will be of enormous comfort and assistance to their spouses and to their families.

In short, the legislation does three things.

I might point out that the Senate substitute was identical in language to the House version that will be coming here later this afternoon on which we will vote.

The legislation does three things.

First, it exempts all U.S. troops serving in the Yugoslav theater of operations from being taxed on their hazardous duty pay. That is the additional pay they receive over their regular pay for being a hazardous operation. That will not be taxed when this passes. The danger pay that you receive on the periphery of the combat theater will not be taxed.

Second, it grants our troops a 180-day filing extension for their 1999 income tax return. The 180 days begins when they return from duty in the combat zone.

Third, it exempts our troops from the 3 percent excise tax levied on long-distance telephone calls to reduce somewhat the burden of a long-distance call home whenever they have a chance to do that.

Several days ago, the President signed an Executive order declaring Yugoslavia and certain areas surrounding it a combat zone. This declaration in turn provides troops serving in the zone with certain tax breaks which this legislation will codify and expand. It will expand it, for example, to troops like those in Georgia who are fulfilling the refueling missions in the combat zone. The bill takes the President's order a step further by providing these same level of tax breaks and filing extensions to those personnel who have been relocated to the combat zone area and are receiving imminent danger pay.

Mr. President, I believe this is an important additional provision that the President by law cannot extend through an Executive order. At a time when our men and women are putting their lives on the line in the name of freedom, we should do what we can to relieve some of the worries associated with income tax burdens and filings associated with the timing of the conflict occurring within 2 weeks of income tax day, April 15.

Mr. President, we have several other Senators who are here to speak on the measure. Before they get here, let me briefly say that we are deeply appreciative for the enormous bipartisan support—and I named the coauthors on both sides of the aisle—to get this done. My one regret is that we have

been delayed a day by ''internal process.'' That is the most polite way to describe it. But we are going to get this done.

I hope anybody who is watching or listening to this who is related in any way to the families and spouses of those troops for whom we think of every minute of every day will tell them that their significant income tax relief burden is being lifted so that they ought not have to stand in that long car line sometime tonight trying to get this in. They have been granted an extension, and a significant one. Depending on the pay grades of those involved, there is rather substantial tax relief, because, as I said a moment ago, with the passage of this act, those additional pays that are received by these troops for hazardous duty or imminent danger will not have an income tax applied against them. So it should be very meaningful.

Let me quickly say that this is no windfall. If anybody listening to me has ever been around a serviceperson who was called away for combat, just stop and think about it. All kinds of new costs come into play. You have a breadwinner that is somewhere else. You are trying to communicate. You have many associated costs.

So what we are doing here is not a windfall. It is a move to help those families deal with the inordinate kinds of problems that are associated with taking care of the family when only half the parents are still there. In all practicality, this probably doesn't do enough. But I hope that for anybody listening this will be a reminder that the Congress is trying to do everything it can to be of assistance to those troops.

I see I have been joined by my distinguished colleague from Maine. I yield up to 10 minutes to the Senator from Maine on this measure.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. I thank the Chair.

Mr. President, first, I commend the leadership of my good friend from Georgia in taking the initiative in this area. It is typical of his leadership on so many issues. I am very pleased to join him today on the Senate floor.

I rise today as a cosponsor of the Uniformed Services Filing Fairness Act of 1999 introduced by my good friend, Senator COVERDELL, and as a supporter of H.R. 1376, which we will vote on shortly. These measures are intended to demonstrate concretely and clearly our support for the men and women serving our country in the region of Yugoslavia by providing them with tax relief on their hazardous duty pay, excise tax exemptions on their long-distance telephone calls, and an extension to allow them to file their tax returns after the April 15 deadline.

Today is tax day, a day when millions of Americans rush to their local Post Offices to mail their tax returns. However, today some brave Americans find themselves thousands of miles away from their hometowns engaged in a conflict rather than concerned with a tax filing deadline. Today and every day, our troops put their lives on the line. The sacrifices they make in serving our Nation both here at home and abroad prompt our gratitude. For those forces stationed overseas, the toll is especially great. Our troops now serving in the operations in Kosovo face tremendous burdens in trying to carry out their missions while protecting themselves and their comrades. Our service men and women abroad face the additional hardships and stress of being separated from their loved ones, their families, their homes, and their friends. These troops deserve the opportunity to concentrate on their dangerous mission without having to worry about government paperwork at home.

This legislation is an opportunity to demonstrate our support for our troops by our actions, not just with our words. My thoughts and my prayers are with those brave men and women and their families here at home. I urge my colleagues to support this modest but important measure. Again, I commend the Senator from Georgia for his leadership.

I yield the floor.

Mr. COVERDELL. Mr. President, I thank my good friend and colleague from Maine for her statement and all of her energy, which I appreciate and enjoy so much, on so many subjects. I thank her very much for speaking on the importance of this measure.

We deal with so many varied issues that sometimes a very simple, clean-cut act like this gets overlooked in the thrashing about that goes on in Washington.

I am pleased that the Congress has been able to do this, and do this expeditiously. I just asked my young assistant to make sure that the minute this passes, probably between 4 o'clock and 4:30, the Pentagon makes sure all of our troops get this message quickly. They need to help us make sure the comfort represented by this legislation is understood as quickly as possible.

Mr. LEVIN. Mr. President, we are all keenly aware of the demands that we place on our troops, the circumstances in which they must live and work, and the unique sacrifices that they make to serve our country. Filing tax returns is a duty we all must bear to support our nation, but it is particularly difficult for service members overseas, who face this burden thousands of miles from home and without the resources and assistance available to the rest of us. When those troops are placed in harms' way, the burden becomes immeasurably greater.

Earlier this year, Senator COVERDELL and I introduced S. 767, the Uniformed Services Filing Fairness Act of 1999. This bill would have extended by two months the date by which members of the uniformed services on duty abroad must file their Federal income tax returns. Current Treasury regulations provide for an automatic two month extension for U.S. citizens and residents on military duty outside of the United States. S. 767 would have codified this regulation into law, thereby ensuring that members of the military would not be subject to fines and penalties when they avail themselves of this relief.

This week, the President addressed the same problem by issuing an executive order designating the Kosovo area of operations as a ''combat zone'' for the purpose of tax relief benefits. This designation will provide the following benefits:

The deadline for filing and paying taxes will be extended;

Military pay for months served in the combat zone will be exempt from income taxes; and

Telephone calls out of the combat zone will be exempt from the telephone excise tax.

Today, the Senate will pass and send to the President a House bill that is a companion measure to bill that Senator COVERDELL and I introduced earlier this year. This bill shows Congress' support for the President's decision by codifying this executive order into law. In addition, the bill extends the area covered by the exemption to include not only aircrews flying missions into the combat zone, but also members of the armed forces supporting those operations in the area of the Federal Republic of Yugoslavia (Serbia/Montenegro), Albania, the Adriatic Sea, and the northern Ionian Sea. I think we all know the dangers and hardships that our troops in these areas are facing on a daily basis, and want to support them in any way we can.

I am pleased that Congress, by enacting this bill, will join the President in showing support for our men and women in combat. I urge my colleagues to join me in supporting the enactment of this legislation.

Mr. COVERDELL. Mr. President, I have been joined by the distinguished Senator from Kansas. I yield up to 10 minutes to the Senator from Kansas.

Mr. BROWNBACK. I thank my colleague from Georgia for recognizing me and for bringing this bill forward.

It was 2 weeks ago yesterday that I was at McConnell airbase in Wichita, KS, meeting with troops that afternoon heading out to run refueling missions and other activities in support of the Kosovo operation. They were in their working uniforms with a number of spouses and some children present. They were determined and ready to go. They said, ''This is our job,'' and they were saluting and saying they were off to do it even though they had questions: What is the objective? How will

we get this done? How long will it last? We did not have good answers for them, but I said we would press for those answers.

In speaking with a couple of the spouses afterwards, they noted their husbands had been deployed more than 200 days last year and they were having difficulty with that length of time of deployment. Also, they said: We love being part of the military, we want to do our job, but we feel we are being hamstrung by some of the things required of us.

They don't believe some of the pay is quite enough, and I don't think it is enough for them.

What I see in this bill of Senator COVERDELL is a statement to some of the people at McConnell airbase, and others throughout Kansas who are serving in the military, that we want to help and do what we can in tough situations because you are going into the toughest situation that a nation could possibly send you. You are going in to face a hostile enemy, putting your lives on the line, your blood on the line. We are asking you to do it and you are doing it. The least we can do—God bless you, we want to help any way we can—is to do something to help.

This 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period including the normal due date for such filing is a small statement. It is a small act, but it is a good act. It is an important act and an important statement for us to tell those people in uniform and their families that we do care, we do hear you, and we want to try to respond in any way we possibly can.

We need to do a lot more. We need to up the pay to people in the military. We need to be questioning all the places we are sending our military around the world, how many times we are deploying them. We need to upgrade the military's hardware. I think that is important. One thing we recently did for the Nation's defense was to pass on the national missile defense bill. We need to do that.

I noted to those at McConnell airbase and those attending the nine townhall meetings I had across Kansas last week a chart showing the percentage of the Federal budget going to military defense spending. About 17 percent of our budget is now going to military defense spending. In 1962—not all that long ago—it was nearly 50 percent going into our military budget.

I noted that the amount we invest in the military—which does the very basic thing we are called on to do, which is to provide for the common defense—is going to need to go up if we are going to continue the far-flung operations that the United States is involved in around the world. We cannot maintain this pace in this many places on this budget.

That is all they are asking. They are saying: I will put my life on the line, I will subject my family to this, I believe in the United States, and I believe in our cause, but, gosh, can't you help us out a little bit? Can't you make sure that people aren't on food stamps? Can't you address some of these issues? And we should.

This is a bill to help some of those people. Some Members may have conflicting opinions on our involvement in Kosovo, but we can all agree that our service men and women should not be penalized for their service to our country. We owe them a debt of gratitude for risking their lives to represent our country. Our soldiers defend the liberties we hold dear, and we should not be arbitrarily penalizing them in our Tax Code for their work to protect our country.

With that, I say to my colleague from Georgia I am very appreciative of the bill the Senator has put forward, of the effort to recognize the needs of our people in uniform. I support wholeheartedly this bill and say God bless to our soldiers who are in uniform and in harm's way today.

I yield the floor.

Mr. COVERDELL. Mr. President, I thank the Senator from Kansas for his support and for his observations of his visit with the troops about to depart. That is always an emotional time.

I think it is worthy to note that of every discussion—and there has been considerable debate about this operation—one thing for which there is no debate is the loyalty, the dedication, and the precision with which these troops have exercised what their Government told them to do. That loyalty and that desire to do it, do it well, and do it right, cannot go unnoticed by anybody who is in their presence. I am glad the Senator referred to that particular incident.

How much time remains on our side?

The PRESIDING OFFICER. The Senator has 12½ minutes.

Mr. COVERDELL. I will not need the 12½ minutes. I do want to reiterate that this legislation does three very specific things to bring comfort to our troops in the combat zone. It exempts all U.S. troops serving in the Yugoslavian theater of operations from being taxed on their hazardous duty pay. They will not be taxed on that. Hopefully, that will help them deal with the extra costs related to performing this duty.

No. 2, it will grant a 180-day filing extension for their 1998 income tax return, and the 180 days begins on the day they leave the combat zone.

Third, it exempts our troops from the 3 percent excise tax levied on long-distance telephone calls.

We will notify the Pentagon, as I said, later this afternoon, and hope they will assist us in making sure the troops in the operation theaters are aware of this so it can help bring some comfort. I know all of us in America understand the confusion that surrounds tax day. I have been on the phone about five times. So, I hope mitigating that pressure will be of help and make it a little easier for them as they perform the missions they have been assigned by the United States of America.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL. Mr. President, I ask unanimous consent that all time be yielded back with respect to S. 767.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, how much time is allocated on this side?

The PRESIDING OFFICER. There remains 30 minutes.

Mr. BAUCUS. Is the Senator asking that all time is yielded?

Mr. COVERDELL. It was my understanding all time was to be yielded on the measure. I am sorry. I yield back all of our time.

Mr. President, it is my understanding the House bill will arrive at approximately 4:15. A rollcall vote will occur on passage of this bill as soon as it arrives from the House.

In the meantime, following the statement of the Senator, I ask unanimous consent there be a period of morning business with Members limited to 10 minutes each, with the exception of Senator ROTH for up to 30 minutes and Senator GRAMS for up to an hour.

Mr. BAUCUS. Parliamentary inquiry. When the Senator refers to "this bill," is he referring to the House-passed bill?

Mr. COVERDELL. Yes.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I just wanted to make a brief statement in support of this move to help our service men and women and to point out that I tried to amend the Senate bill with a very straightforward sense of the Senate which just said we should ask the Pentagon to ensure, if there are parents of minor children called up and both are sent to combat, that they do everything in their power to ensure that one of those parents is not actually in combat.

Unfortunately, as the Senator from Georgia said, there was objection for some reason to this approach. I just want to say again, I do not understand that. We passed something very similar during the gulf war. We care about the tax burden of our men and women in uniform, and we should. How about caring about their families, their children?

Many of us have seen "Saving Private Ryan," or know the story. I cannot understand why we could not simply amend the Senate version of this

bill with this very simple sense of the Senate asking the Pentagon to do what they could to ensure a mother and father were not sent into combat leaving behind a small child.

Having said that, I hope I can bring that up in the future as a freestanding measure, and I certainly do support the House bill that is coming over to give our people relief. They deserve it and they also deserve protection for their children, should a husband and wife be called into combat.

Mr. President, I will not object to us yielding back the time.

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

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I am very pleased the House Ways and Means Committee began to act on this issue by passing this bill and the bill passing the full House will come over to the Senate, which we can also then pass. Clearly, our service men and women, particularly those in harm's way, deserve all the support we can possibly give them. The provision we are now discussing which releases them of income tax liability during the time they are serving in a zone of danger, particularly in Kosovo, is the very least we can do.

Similarly, the provisions in the bill coming over from the House which provide for all men and women on active duty wherever they may be serving overseas to get the 60-day extension, and also have penalties potentially against them for late filing waived—that, too, is very important. Mr. President, I think it is the very least we can do at this point.

In addition to our service men and women, there are also other Americans in harm's way in the war zone, performing above and beyond the call of duty. I am talking about employees of the State Department. I am talking about other groups of people over there, serving, doing their utmost, who are in equally dangerous situations. At some future point I believe they also deserve due recognition in the same way as our military. We support our Americans. We deeply support our fellow Americans serving in the Balkans. I am very pleased the House has acted, and the Senate will be acting very soon.

I might say, I am also pleased the House approached this matter in the proper way. That is, they brought it up in the House tax-writing committee, the Ways and Means Committee, where the bill was discussed. It was marked up in the committee and then went to the House floor. That is the preferable way of doing business.

In this case, there was an attempt for a bill to be filed at the desk and then brought up directly on the floor on this issue, not going through the Senate tax-writing committee, the Senate Finance Committee. I hope we go back to the usual course of business as a general rule where tax bills go through the Finance Committee before they are brought to the floor. I say that because the legislation will be much better. It will be thought through. There is a chance to correct mistakes. There is a chance to add on measures that should be added on or subtract out measures that should be subtracted out.

Having said that, obviously time is of the essence in this case, and the House Ways and Means Committee has acted; that is, the authorizing committee in the other body did act so we did have at least that assurance this has been looked at with some considerable examination.

I will be very pleased when the House bill comes over. We will be able to vote on it. That will probably be within the hour. As I said, I hope after we do that we can give also the same kind of thought to other Americans who are also serving in the zone who are also sacrificing to a great degree in serving our country.

I yield the remainder of our time.

(Pursuant to the order of April 14, 1999, the bill (S. 767) was returned to the Calendar.)

MORNING BUSINESS

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Delaware.

Mr. ROTH. I thank the Chair.

(The remarks of Mr. ROTH, Mr. BIDEN and Mr. KENNEDY, pertaining to the introduction of S.J. Res. 19 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

(The remarks of Mr. ROTH and Mr. GRAMS pertaining to the introduction of S. 815 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Georgia.

KOSOVO POLICY

Mr. CLELAND. Mr. President, it is my privilege to speak on the question of Kosovo and our military and political goals there. In working with my staff to put together some background and understand the history of that region, I came across an interesting fact, because I value history. What is it Winston Churchill once said? How do you know where you are going unless you know where you have been?

I find it fascinating, after 146 B.C., the Roman Republic was the world's only superpower—that sounds familiar—following the destruction of its long-time superpower rival, Carthage. This Roman triumph created a tremendous expansion of Roman territory, wealth, and influence and, not coincidentally, an expansion of Roman involvement in local conflicts far removed from Italy.

One such intervention involved the Northern African kingdom of Numidia, where Rome became entangled in a seccession struggle in 112 B.C., with the Roman Senate declaring actually war against Jugurtha, the leading contender for the Numidian throne. What followed is fascinating. It is described in a book called the "Anatomy of Error: Ancient Military Disasters and Their Lessons for Modern Strategists."

I think there are some lessons here for us, particularly as we view Kosovo today.

Viewed from a modern perspective, North Africa in the age of Jugurtha was in many ways Rome's Vietnam. The Jugurthine War is the story of the failure of the Romans to find a strategy that would determine the appropriate level of force needed to maintain sound and stable foreign policy.

The Romans should have learned to operate according to the rules that Clausewitz later laid out in his book "On War": that war is always to be regarded as the pursuit of policy by other means and that strategy is the art of using exactly the appropriate amount of force to accomplish the ends of the policy. The Romans never had a clear policy in Numidia.

This is something we have to avoid in Kosovo. We need a clear policy.

Thus the Romans never had a rational strategy for winning the war.

Another mistake we have to avoid.

As a result, they poured a massive amount of military force into the region and accomplished worse than nothing.

Mr. President, we can't accomplish worse than nothing in Kosovo. We have to accomplish something of which we can be proud. The horrifying scenes unfolding in and around Kosovo today are indeed a sad recap of many of the worst images of our 20th century: Massive refugee flight to uncertain futures, civilian casualties, large numbers of destroyed homes and shops and communities, ethnic intolerance, and hostilities fanned by demagogic political leaders.

The hearts of Americans and people around the world have been truly touched by the incredible tragic plight of the Kosovar Albanians who have been the primary victims of the incredible, reprehensible, so-called ethnic cleansing policies of Milosevic.

This is also a difficult situation. There are no easy answers, and any choice the President makes and, indeed, any choice the Congress makes is fraught with danger. Part of this, I think, is the world in which we live, not a new world order but a new world disorder.

The post-cold-war order is one of disorder. The two administrations which have confronted the post-Soviet Union world, the Bush and Clinton administrations, have grappled mightily with the complexities of this new age in foreign places, much like the Roman Empire, foreign places like Iraq, Croatia,

Bosnia-Herzegovina, Somalia, Haiti, and now Kosovo. Almost every step in these areas has been subjected to questioning and controversy before, during, and even after the operation in question.

The decision to authorize the use of airstrikes against Serbia was one of the most difficult decisions I have ever had to make. I have felt in the weeks since much like President Kennedy described himself. He said he was an optimist with no illusions. I am an optimist. I am an idealist. I want to take the high ground. I thought that NATO and America needed to act, and act then, and airstrikes was our best option. Maximum impact on Milosevic, minimum impact on us. But it was a tough decision to make, and I am under no illusion that this is going to automatically get us to where we want to go in terms of our policies in the Balkans.

May I say that we have a major humanitarian interest in providing effective relief for the refugees and preventing further atrocities against civilians by the Milosevic regime. We certainly have a strong interest in stopping the spread of this conflict to the surrounding countries in this historically unstable region.

I find it interesting that the century opened in 1914 with a Serb nationalist assassinating Archduke Ferdinand and that led to the guns of August in 1914. We have to make sure that the current Milosevic-misled nationalism does not lead to the guns of 1999.

Unfortunately, I think that no real military, or so far diplomatic, approach we have come up with can really fully guarantee our goals in the Balkans. Despite my concern about our long-term policy in Kosovo and the Balkans, the Senate was asked to vote at a point when NATO had already united in favor of airstrikes. American troops were poised to embark on their mission and the credibility of American commitments was on the line.

Under these circumstances, I felt that we must not send a signal of disunity to Milosevic, to our NATO allies, to the President, to our own people.

While these circumstances dictated my vote for airstrikes, by no means—and I have made this clear—by no means does this indicate my giving a green light for an open-ended, ill-defined, deeper commitment of American military force in Kosovo, especially the introduction of American ground troops.

Mr. President, I was on the ground in Vietnam 31 years ago. I don't want this generation to repeat that experience. We do not need an open-ended, ill-defined commitment of American ground forces in the Balkans. I hope and pray that we can avoid that.

I hope and expect that any such future expansion of military might there would be thoroughly discussed and debated in our country and within NATO before it is undertaken, not after the decision has been already made. I oppose American ground troops in Kosovo. I think this would represent further intervention in that civil war within internationally recognized borders, Yugoslavia. I think it would be in pursuit of objectives which are not vital to the United States or NATO and would do little, frankly, to secure the long-term interests that we do have in the Balkans—stability and economic prosperity.

The distinguished Senator from Kansas, Mr. ROBERTS, has often cited the following quotation from one of my personal heroes, Senator Richard Russell. It is an honor I cherish that I hold his seat in the Senate and his seat on the Senate Armed Services Committee. Senator Russell 30 years ago in this Chamber, while I was in Vietnam, said this:

> While it is a sound policy to have limited objectives, we should not expose our men to unnecessary hazards of life and limb in pursuing them. As for me, my fellow Americans, I shall never knowingly support a policy of sending even a single American boy overseas to risk his life in combat unless the entire civilian population and wealth of our country—all that we have and all that we are—is to bear a commensurate responsibility in giving him the fullest support and protection of which we are capable.

Mr. President, it has been my honor to visit some of the troops and facilities in Georgia that are supporting our efforts in Kosovo and the Balkans and in western Europe, some of the troops in Fort Stewart, troops at Robins Air Force Base. I know what it means to be a troop out there committed on behalf of this country and to have this country divided. It is not fun. It is not what we want to repeat. And with air operations now ongoing, with Americans soldiers, sailors, airmen, and marines in harm's way, our thoughts must turn to them as they tackle a very complicated and very risky mission. Our prayers are with them, and we pray for their safe return in every way.

As with every American military deployment, there are risks. That is why I have chosen to visit some of the places in Georgia that have sent young men and women into harm's way, including the 93rd Air Control Wing of JSTARS Aircraft out of Robins Air Force Base; the 19th Air Refueling Group of KC135R Aircraft—which participated, by the way, in the rescue of our downed stealth fighter pilot—also out of Robins; and the 94th Airlift Wing of the C–130 transports out of Dobbins Air Reserve Base, not to mention the numerous other Georgia citizens serving in our deployed forces in the Balkans.

My primary purpose today is to look beyond the military phase at our Balkans policy and ahead to the elements which I believe we must consider if we are to have a truly successful exit strategy. I said today in our hearings that there is one thing a Vietnam veteran does not like to hear and that is ''no win.'' There is another thing and that is ''no exit.'' Put those together and that becomes a tragedy: ''no win, no exit.'' We can't have that situation in the Balkans. We need a successful exit strategy which produces a long-term, stable, and humane outcome, one which also will allow our service men and women to come home safely from the Balkans without having to return again. I believe we ought to have a full debate on our exit strategies now, and not just on exit strategies, but on what constitutes victory. I think we still have to nail that down. But certainly we ought to talk about not just how we get in and what we do there, but how do we get out.

Even while military operations are still underway, we must not repeat the mistakes the Romans made in the Jugurthine war, or the mistakes we made in the Vietnam war—pursuing both ''no win″ and ''no exit'' at the same time.

In spite of substantial disagreements about the appropriate ways to go about our goals in the Balkans, I think there is some consensus in this country and in NATO regarding our ultimate goals:

1. An end to atrocities in Kosovo.
2. Effective relief for refugees.
3. A negotiated political settlement, in terms of the status of Kosovo.
4. Stability throughout the Balkans, including Kosovo, Bosnia, Macedonia, Albania and Montenegro.

Another important goal, it seems to me, is an end to the U.S. and other NATO country force deployments in the Balkans, in other than a legitimate peacekeeping rather than warmaking role.

Any effective exit strategy must indicate how we can achieve these ends, including the costs for doing so and also the costs for not doing so. Our involvement in Bosnia has cost us $10 billion already. I understand that the price tag, through October, for our involvement now in Kosovo will cost some $8 billion. We owe it to both the people in the region, as well as to our own service men and women, to determine what price we are prepared to pay in order to make their sacrifices in the military operations they are involved in worthwhile in the long run. Otherwise, we may actually ''win the war,'' but ''lose a peace'' by failure to pursue the nonmilitary policies necessary to attain our key objectives.

I think it is important for me to quote one of my heroes, Walter Whitman, who said about the Vietnam experience that the battles we fight we may win, but the battles we fight can't win the war. One of the things I fear most about Kosovo and further military action in the Balkans is that we win those battles, but those battles can't help us bring about the ultimate goals

we seek. I am afraid there is a massive disconnect there between the two, and I am afraid that is going to pull us into a deeper and more prolonged war.

In that spirit, I want to offer some preliminary ideas, some key elements that I believe must be part of an exit strategy.

First of all, we must develop a comprehensive, long-term plan for refugee relief and resettlement. I am not sure if I were a Kosovar Albanian that I would ever want to go back to that part of the world. I would certainly probably not want to go back as long as Milosevic was in power. It is one thing to announce the appropriate goal of the return of all the Kosovar refugees to their homes, but how many will really want to go back? Is it really possible to put Humpty-Dumpty back together again? Is it possible to put together Kosovo as it was before the war? It may not be possible. It is another thing to realize reality and put together a set of policies necessary to deal with the real life situation in which many—perhaps most—of the Kosovar Albanians exist today:

1. They don't have homes.
2. In many ways, they are dispossessed and don't have a country.
3. They don't have jobs.
4. They don't have functioning communities to return to.

While the European members of NATO and other nearby nations have a great stake in the refugee population resettlement, it is the greatest obligation we have here in the United States, too. We have a significant responsibility. I believe the administration and Congress must develop a substantial aid package now to demonstrate clearly that we are fully committed to successfully working on the refugee crisis. It may be years before that crisis is resolved. The sooner we get to work on it, the better.

Secondly, in terms of a successful exit strategy out of the Balkans, we must be prepared to address, as part of any lasting solution to the problems in Kosovo and the Balkans, the economic devastation which exists in much of the entire Balkan region, much of which has been brought about by Milosevic himself in making war on the Slovenians, the Croats, the Muslims, and now on the Kosovars. Much of this devastation has been at his hands and under the barrel of his guns. This devastation is not something that can be overcome overnight. It is my view that there is little prospect for lasting reconciliation between the peoples and nations of the Balkans until there is some degree of economic recovery. People aren't going to return to homes that exist in communities that don't function. They are not going to return to places where there are no jobs, no schools, no education, and no hope. So much of the Balkans now is in that condition.

Given the depth of the problem, we are looking at a project which is almost certainly to be far more lengthy than the financially costly refugee problem. Again, Europe must take the lead, but the United States has to play a part as the international community leader, which it is. We have a stake in the stability of the Balkans, and this is one of the areas that we need to address. We need to begin now considering under which conditions we will offer economic reconstruction aid to the Balkans.

Third, in terms of a successful exit strategy, we have to begin laying the groundwork for an international conference to determine a mechanism for a final settlement not just of the Kosovo problem and allowing the will of the people in the Balkans to determine their fate, but we have to do that for Bosnia as well. I think the only way out of our dilemma in the Balkans is negotiating a settlement acceptable to as many parties as possible. It is the only outcome I can see that would help us achieve some lasting peace in the region.

Fourth, in terms of a successful exit strategy, all of these efforts that, as I mentioned, revolve around Kosovo have to be applied to Bosnia as well. American forces have been enforcing an uneasy peace in Bosnia since 1996. Many of those refugees displaced in the Bosnia war have not returned to their homes. The costs continue to mount to this country and NATO, and no clear end is in sight.

I find it fascinating that the great powers of Europe, after World War I, in 1918, help set up the Balkans, help structure it as it is today. As a matter of fact, in terms of Kosovo, the Russians helped prevail upon the great powers of Europe to take Kosovo away from Albania and give it to Serbia. It is now part of Serbia. I think we need an international conference to resolve some of these dilemmas that have resulted from a century-old set of solutions that may not any longer apply.

Fifth, for any successful exit strategy, and for any settlement or resettlement to stick, Serbia must be reconciled to its neighbors and to the NATO countries. Clearly, the chief source of the most immediate problems in the Balkans, the massive human rights violation in Kosovo, is the Serbian regime led by Milosevic. He stands condemned before history and humanity.

I am confident that he will ultimately be held accountable for his actions—not just by an international tribunal but by the civilized world. However, we must be very careful that, in painting Milosevic as the enemy, we not demonize the Serbian people. After all, Serbia is the only part of the former Yugoslavia which fought as our allies in both of the world wars of this century. We must make a concerted effort to reach out to the Serbians to make it clear that our quarrel is not with them; it is with Milosevic and his actions.

Sixth, as a vital part, a key part of an exit strategy, we must thank those who fought the war. We must redeem our pledges to the men and women in our Armed Forces who are, once again, being asked to put their lives on the line to implement American foreign policy. Our service men and women, and their families, are, once again, the ones paying the price for the policies we make here in Washington. They are on the point of the sphere. If we policymakers are going to continue to put them in harm's way, surely we can appropriately provide for the men and women and their families who depend on them.

This body passed overwhelmingly S. 4, a marvelous measure to increase pay and improve pension benefits under the G.I. bill. I was proud to be part of that effort, and we need to make sure that the effort passes the House and is signed into law.

It is interesting, as we find ourselves exiting the 20th century and going into the 21st with another situation in the Balkans. Hopefully, we can a avoid the guns of 1999 and move towards a more peaceful resolution of our problems. Hopefully, we have learned some things through the years. But, interestingly enough, we have a new role going into the 21st century and will face very few self-imposed restraints on our actions. Therefore, perhaps more than at any time in our Nation's history, it is imperative that both Congress and the executive branch focus clearly on defining our national interest and developing policies to effectively and appropriately protect and promote those interests. Even with our current unparalleled power and influence, I think it would be wise to heed the words of President Kennedy in 1961. He said about us in this country:

> And we must face the fact that the United States is neither omnipotent or omniscient, that we are only 6 percent of the world's population, that we cannot impose our will upon the other 94 percent of mankind, that we cannot right every wrong or reverse every adversity, and that therefore there cannot be an American solution to every world problem.

Mr. President, I was laying on a beach in Miami getting ready to go to basic training at Fort Benning in the summer of 1963 and heard a marvelous speech on my little transistor radio. I can remember the technology in those days. That was high tech in those days.

I remember that President Kennedy spoke at American University on June 10, 1963, in a marvelous address. And he said, ''We don't want a Pax Americana.'' That is not what we want to look for as we enter the 21st century. We don't want a Pax Americana. We don't want America to keep the peace all over the world. It is not our role. It

is not our job. And we have to realize that it is not necessarily an American solution to every problem in the world.

But the challenge for the post-cold war world for us is to learn from the Jugurthine War that, consistent with our national interests and our values, we ''find a strategy that would determine the appropriate level of force needed to maintain sound and stable foreign policy.''

The post-cold-war world of disorder makes the development of a bipartisan national security consensus especially relevant. We have often said, and really meant, I think, that politics must stop at the water's edge. But we need more now. I believe we need to redouble our efforts to open real dialog here within the Congress and with the administration and with the American people to discuss the fundamental role of America's power in the world as we begin the 21st century. Kosovo challenges us to define that policy now. For the dialog to be meaningful, we must be sure that policymakers, including Members of Congress, have timely and sufficient information to actually allow us to make informed decisions before we get so deeply committed in a military excursion that challenges American credibility.

I had a hand last year in working with the wonderful Senator OLYMPIA SNOWE and PAT ROBERTS in some efforts to enact in the last Congress and to seek to require the administration, the President whenever the President committed some 500 troops abroad, or asked for money for a contingency force to be sent somewhere in the world, this requirement that Senator SNOWE and I put together and Senator ROBERTS put together in the appropriations bill and in the authorization bill, requires the administration, when they do those kinds of things, when they make those kinds of commitments, to come before the Congress up front and early and explain why we are committing our forces abroad, what the military application is, and what the exit strategy is.

Unfortunately, I am afraid these amendments went by the wayside and we don't have the kind of information up front and early that we need. I will be working with Senator SNOWE and Senator ROBERTS to strengthen our legislation so that the Congress can get in, in terms of military commitment, on the take off as well as a potential crash landing.

Let me just say that we need to adhere to the basic dictum of Clausewitz that we must know in terms of military commitment, the last step we are going to take before we take the first step. If I had any one red-letter piece of advice to give our policymakers here in Washington, that will be it. Let's make sure we fully understand the last step we are going to take before we take the first step. It is so easy to get into war; it is so difficult to get out.

There is, obviously, much more to be done in formulating an effective approach to defining the proper guidelines, objectives, and policies for American foreign policy in today's world. We must successfully resolve the debate about NATO's mission statement: Is it going to participate in more offensive operations, or is it going to continue to be a defensive alliance primarily? Are we going to admit more members? Is this a good idea, or a bad idea?

The members of NATO are coming to Washington in a few days. I think we ought to engage in that discussion with NATO, because we have to figure in the relationship with our friends and our allies, because those relationships affect our relationship with other countries.

Our relationship with Russia, for instance—Russia, for all of its troubles, is still the only nation possessing the means to really threaten our physical security. And China? What about China? China, I think, might pose perhaps the greatest policy challenge to us as we enter the 21st century.

Clearly, there is much work to do. But it all starts with the correct articulation of national interests—what is vital to our national interest and what is not, and particularly in terms of the commitment of American young men and women abroad.

For all the challenges and difficulties facing us today, I would like for us to consider the other words spoken by President Kennedy in that 1963 address, on June 10, at American University. He spoke during the height of the cold war. President Kennedy put it this way:

> World peace, like community peace, does not require that each man love his neighbor; it requires only that they live together in mutual tolerance, submitting their disputes to a just and peaceful settlement. And history teaches us that enmities between nations, as between individuals, do not last forever. However fixed our likes and dislikes may seem, the tide of time and events will often bring surprising changes in the relations between nations and neighbors. So let us persevere. Peace need not be impracticable and war need not be inevitable. By defining our goal more clearly, by making it seem more manageable and less remote, we can help all peoples to see it, to draw hope from it, and to move irresistibly toward it.

I yield the floor.

Mrs. LINCOLN addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Arkansas is recognized.

Mrs. LINCOLN. I thank the Chair.

MORTGAGE DEDUCTIONS

Mrs. LINCOLN. Mr. President, on tax-filing day, it is customary for Senators to note the many difficulties that taxpayers have complying with a complex and unwieldy tax system. I plan to highlight some problems with the system later today. But I do think it is important, however, to note that some aspects of our system have worked very well.

Since the Internal Revenue Code was enacted in 1913, the tax system has provided a deduction for mortgage interest. The mortgage interest deduction is one of the simplest, most widely available, and most widely understood of all the provisions in the Code.

What is important about the deduction is the support it provides for a goal that is of paramount importance to all Americans—Homeownership. Just five years ago, the rate of homeownership was declining in our country. Beginning in late 1997, however, the rate of homeownership began to climb, so that now, a record number of American families own their own homes. For the first time in our history, two-thirds of all households own their own homes. Where has the growth in homeownership been most evident? Every age group has expanded its ownership, and, even more importantly for the future of our country, the two categories of homeowners that have seen the greatest rates of growth are first-time homeowners and minorities. It is also notable that within 6 years of naturalization, foreign-born individuals achieve the same rate of homeownership as the nation at large. This is a great achievement that shows that the American Dream is alive and well.

When asked why they want to own their own homes, Americans in all parts of the country note that ''Owning my own home is the American dream. That is what it all boils down to, that I own my own home.'' They do not buy a home to get tax breaks. They buy a home to attain a sense of community. Neighborhoods that have a high rate of homeownership have high rates of voting, participation in schools, and lower crime rates.

It seems that we all complain a great deal about the complexity of the tax system. I think that a great deal of this tax code ridicule is justified. The U.S. Tax Code now consumes more pages than eight Bibles. It is generally too complicated and unfair for most taxpayers. I too believe that the tax code must be streamlined but only while preserving important taxpayer deductions such as the home mortgage deduction. It is important to note that, as far as the tax code goes, one of the easiest steps in the computation process is the mortgage interest deduction. Unlike many more recently created tax breaks, the mortgage interest deduction presents no difficult formulas, calculations, or income limits for taxpayers who utilize the deduction. The lender simply provides the interest and property tax amounts to the homeowner on a Form 1098. The taxpayer then simply transfers these two numbers from the form on to their tax return.

Among the taxpayers who itemize their deductions, 28 million used the

mortgage interest deduction in 1995, the most recent year for which statistics were available. In that group, 71% had incomes below $75,000, and 42% had incomes below $50,000. Clearly, the mortgage interest deduction is a significant benefit for middle class taxpayers.

Homeownership is a cornerstone of American life. The tax code has always supported that goal and facilitated the great achievements we have made. The stability and simplicity of the tax policies supporting homeownership have played a crucial role in the progress we have made in keeping the American Dream alive.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

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

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

EXTENSION OF CERTAIN TAX BENEFITS

The PRESIDING OFFICER. Under the previous order, the clerk will report.

The legislative assistant read as follows:

A bill (H.R. 1376) to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

The Senate proceeded to consider the bill.

Mrs. BOXER. Mr. President, I rise in support of the military tax-filing fairness bill that passed the Senate earlier today. This is an important signal of support to send to our troops in the Balkans as they fight against the forces of ethnic cleansing, mass murder, and genocide. All Americans should be proud of the dedication and professionalism shown by our military personnel in the ongoing NATO operation.

While I am very pleased that we were able to pass this legislation, I am disappointed that I was unable to offer an amendment that would call on Secretary Cohen to do everything in his power to ensure that both parents in dual military couples are not deployed into a combat area.

As the number of United States personnel slated for the Balkans increases—and as there is an increased possibility of a Reserve call-up—I am concerned that situations may arise where children will have to watch both of their parents deployed in combat. It is difficult enough for children to watch one parent go off to war. It is unacceptable that they should have to see both of their parents put in harm's way.

I hope that we will have the opportunity to discuss this matter further and to come up with a solution that protects our children while maintaining our military effectiveness.

Mr. McCAIN. Mr. President, I ask for the yeas and nays on the pending legislation.

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 question is on the third reading of the bill.

The bill was read a third time.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Colorado (Mr. CAMPBELL) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. LEAHY) are necessarily absent.

I also announce that the Senator from New York (Mr. MOYNIHAN) is absent due to surgery.

I further announce that, if present and voting, the Senator from Vermont (Mr. LEAHY) and the Senator from New York (Mr. MOYNIHAN) would each vote ''aye.''

The PRESIDING OFFICER (Mr. SANTORUM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—95

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Murkowski
Bayh	Graham	Murray
Bennett	Gramm	Nickles
Biden	Grams	Reed
Bingaman	Grassley	Reid
Bond	Gregg	Robb
Breaux	Hagel	Roberts
Brownback	Harkin	Rockefeller
Bryan	Hatch	Roth
Bunning	Helms	Santorum
Burns	Hollings	Sarbanes
Byrd	Hutchison	Schumer
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lieberman	Warner
Durbin	Lincoln	Wellstone
Edwards	Lott	Wyden
Enzi	Lugar	

NOT VOTING—5

Boxer	Hutchinson	Moynihan
Campbell	Leahy	

The bill (H.R. 1376) was passed.

• Mr. HUTCHINSON. Mr. President, if today I were not in my home state of Arkansas, I would surely be on the floor of the Senate casting an affirmative vote for H.R. 1376. I believe this Congress should pass this important legislation unanimously, so that it can be quickly sent to the President for enrollment into public law.

Any time the men and women of our great country choose to wear our nation's uniform, they are making a statement. They are saying that principles like duty, honor and freedom are more important than personal gain and personal comfort. Any reasonable action the Congress can undertake to ease the Federal burden weighing on our soldiers, sailors, airmen and marines is one that should be considered and acted upon quickly.

Recognizing the area around Kosovo, where our military is deployed under orders from the President, as a hazardous duty area for Internal Revenue code purposes will grant service members a small degree of relief. Allowing service members an additional 180 days to file their federal income tax return, and exempting a portion of their income from taxation may be only a small gesture of support, but it is one that has already been earned.

I will continue to keep the men and women participating in Operation Allied Force in my thoughts and prayers, and I look forward to their safe and speedy return.•

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Minnesota is recognized.

Mr. GRAMS. Mr. President, may I ask the order of business on the floor?

The PRESIDING OFFICER. The Senator has 60 minutes.

Mr. GRAMS. Thank you, very much.

TAX DAY, APRIL 15

Mr. GRAMS. Mr. President, I just want to take a little time to talk today, because today is, of course, the infamous April 15 tax day. I know a lot of Americans are out there still working at the kitchen table at this time, working the pencils, trying to wade through thousands of pages, or at least dozens of pages, or all of the forms that they have trying to figure out their income tax by tonight. There are going to be long lines as people use every last minute to try to get this tax that they owe to the Federal Government in order. So that is the day that I think most Americans dread. That is April 15.

For many American taxpayers, it is this usual routine. By this time there are only a few hours left to complete their tax form before midnight. They are going to be rushing to the Post Office. They are going to find themselves on the late night news as their local TV stations are showing footage of all

these last-minute filers dropping the envelope into the mail slot to at least meet the filing deadline and finally be done with this.

But even for those who file early, those who aren't going through all of this turmoil tonight, tax season, of course, is full of stress. Not only do we wade through endless paperwork but we also come face to face with the reality of just how big a bite Uncle Sam takes from us every year.

Mr. President, have we ever really stopped to wonder why it needs to be this way? Do we stop to consider better alternatives to the current tax system? It sure doesn't make a lot of sense to me, because our current Tax Code is outdated. It makes our tax system among the least efficient. It makes our tax system among the most oppressive in the world. Everyone knows this. And, yet, it seems to get worse every year, and we don't do anything about it.

When we have tried to give a little tax relief, or reform some of the Tax Code, what we have done is made it more complicated and added hundreds of pages. So we have made the tax system even worse in an effort to try to reform it and make it better.

Congress, of course, is the first in line to blame because of this. Thanks to a Government that does not know when to stop spending, tax collections have grown faster than our economy has grown in the past 5 years. And tax collections have grown twice as fast as the income of working Americans. So the Government is growing faster than Americans' working income. Hikes in the personal income tax—and particularly the increase in the effective tax rates—have propelled this increase in revenue.

As Americans are working harder to try to earn a little bit more money, our tax system is taking more away from them in doing so because our tax system pushes more of them into the higher tax brackets.

Since 1993, just 6 years ago, Federal taxes have increased for average workers 54 percent, which for the average taxpayer translates into about a $2,000 per year tax increase. So, if you look back at what you were paying on average in 1993 compared to what you are paying in taxes to the Federal Government today, the Federal Government is taking $2,000 a year more in taxes. As a result, Americans today have the largest tax burden, even more than in World War II, and it is still growing.

Federal taxes now consume nearly 21 percent of the national income. Twenty-one percent of everything produced in this country goes to Federal taxes. That is compared to just over 18 percent in 1992. So, again, over the last 6 years, Government has taken 3 percent more of national income than in 1992.

A typical American family today, when we say they are at the highest tax rate in history—even more than paying off and fighting in World War II—the typical American family today is paying 40 percent of its total income in taxes, more than the family spends on food, clothing, transportation, and housing combined. So they are spending more to support Uncle Sam than they are supporting their families with the necessities. And compare that to the average tax rate of only 2.75 percent in 1916 when Congress first got the authority to level income taxes from 2.75 percent in 1916 to over 40 percent for the average family today taken by Government.

Another comparison worth noting is that Tax Freedom Day, the day that Americans can stop working for the Government and begin working for the families: If you start working on January 1, how long into the year do you have to work to make enough money to pay the taxes that you will be responsible for for that year? For families, it was May 13 last year. Americans that started working January 1, worked until May 13 to pay their taxes, the latest date ever in history. In 1915, in comparison, Tax Freedom Day was April 3. It will probably set another record this year.

Despite a huge budget surplus over the next 10 years, the President, in the White House budget, has failed to offer even a single significant tax cut for working Americans. Instead, this administration's most recent budget proposes to increase taxes by at least $50 billion over the next 5 years. Even during a time of prosperity and surpluses, that is not enough for the appetite of this administration when it comes to spending. They are going to increase taxes by at least a net $50 billion over the next 5 years, $90 billion over the next decade.

The good news is that the budget blueprint that we passed today on the Senate floor is reserving nearly $800 billion of the nonSocial Security surplus. That is important. We are not taking any money out of Social Security dollars to use for any kind of tax relief but $800 billion of nonSocial Security surplus over the next 10 years for tax relief.

There are basically two streams of surplus coming into Washington: One is from payroll taxes, the Social Security money; the other is from overcharging on income taxes. We are setting aside in our lockbox the $1.8 trillion in overpayment on payroll taxes or Social Security and locking that away so it can't be spent or used for anything but Social Security.

The big debate is over what we will do with the other $800 billion, about 38 percent of this budget surplus. Again, the President wants to spend it, and more, over the next 10 years. We are saying it is an overcharge that should go back to the taxpayers. For Washington, this is a surplus. This is not money that Washington is entitled to. It is like finding a wallet on the sidewalk. If it has $100 in it, you can do one of two things: You can keep the money, and that would be stealing; or you could find the rightful owner and give it back. That is what Washington has done. It found the surplus and it can do one of two things: It can keep it and spend it, which would be stealing it from the taxpayers; or it can send it back to the rightful people, the taxpayers.

Our $800 billion of nonSocial Security surplus over the next 10 years for tax relief would be the largest tax relief since the Reagan tax cuts of the 1980s. The Reagan tax cuts in the 1980s were about $1.4 trillion over 5 years in today's dollars. This is about half and it is over twice as long. This is about 25 percent of what the Reagan tax cuts were in the 1980s, but it is something that we need to make an investment in in our society. It is like investing in research and development. We need to invest money into the economy in order for the economy to continue to grow and to produce the better jobs and the better wages that we need. We have had this unprecedented expansion in our economy over the last 18 years and most of the credit goes to the seeds that were planted with the Reagan tax cuts in the early 1980s that spurred this economic growth.

I think that our commitment to set aside another $800 billion over 10 years to go back into the form of tax relief, investment in consumers, investment in the economy proves that this Congress is committed to providing meaningful tax relief in 1999 and, again, providing tax relief while protecting Social Security, protecting Medicare, reducing the national debt, and also funding important national priorities as well.

Whatever form the tax relief eventually takes, whether it is my 10-percent, across-the-board income tax cut which I have proposed in Senate bill 3, a 10-percent, across-the-board reduction in all the rates—in other words, if you owe the $4,000 in taxes this year to the Federal Government, take 10 percent off from that, keep $400 and send in $3,600. If it was $5,000, you get a $500 tax break. If it was $1,000, you get a $100 tax break. It is even, across the board 10 percent.

Other tax-cut provisions on the table being debated include the elimination of the marriage penalty. Again, the average couple in this country spends about $1,400 or more in taxes just because they are married. We think that is unfair. Another option is the death tax or the dreaded estate tax—cut or eliminate that. Also, a cut in the capital gains tax. Or it could be a combination of all of these or some of these. It is a fact that Washington is finally focused on tax relief. I think that is good news for Americans.

In our budget, we provided meaningful tax relief, earmarking $800 billion in surplus over the next 10 years to go to tax relief. Again, the $800 billion in nonSocial Security surplus represents a tax overpayment. We have to stress that. This is a tax overpayment by hard-working Americans, a tax overpayment that should be returned to them. Another way to say that, in a restaurant if your bill is $17 and you go to the counter and give $20, you expect to get the change back; if you have overpaid, you expect to get the change back. But Washington is saying, you overpaid but, jeez, like the President said in Buffalo, NY, in January, we could give the surplus back, but what if you don't spend it right? In other words, you are smart enough to earn the money, but you are too dumb to know how to spend it. The Government knows how to spend it better than you do. The Government will spend it on better things than what you could spend it on for your family—maybe braces for your children, dance lessons, to begin a college education fund, maybe repairing the furnace. Somehow, that priority does not fit into Washington's scheme, because Washington thinks maybe you won't spend it right; Washington can spend it better.

I believe that Americans know what is best for their families and their lives. If it is their money, they should be given the right to spend it the way they see fit to support their families.

A new study by the Congressional Research Service reports if we don't provide tax relief, the average household will pay $5,307 more in taxes than is needed to fund the Government. Think of what the average household can do if they could keep $5,300 more of their money, rather than sending it to Washington. Of course, maybe some believe Washington can spend it better, but the people I talk to in my home State of Minnesota believe that they would have a better place to put that money than Washington.

Tax relief may temporarily relieve our pain, but the Tax Code, as I said, I believe is the root of all our tax evils. It is not the employees at the IRS, it is not the agents. They are trying to labor under some very, very complicated rules and regulations of the IRS Tax Code. Again, that is Congress over the last 50 years, with one layer on top of another, on top of another, on top of another, of Tax Codes, regulations, tax breaks, incentives, special interests or whatever it might be. The IRS is trying to dig out from underneath this or at least provide the information for us to file the taxes. It is Congress that needs to get its act in gear and do something to change it.

We held hearings last year in the Finance Committee. Senator ROTH did a great job on showing some of the abuses in the IRS and how the code really is oppressive. It is antifamily, antigrowth, antieconomy. We did make some changes. But a few changes is like putting lipstick on a pig. The IRS still is not pretty. We need to do something more than make a few changes.

The Federal Tax Code stretches on for more than 7 million words. It is made up of four huge volumes, each thicker than the Bible, with another 20 volumes of regulation and thousands and thousands of pages of regulations. The Declaration of Independence took only 1,337 words to set the entire American Revolution in motion.

Today, we have 7 million words in our Tax Code that state how the Federal Government will collect taxes. The Government publishes 480 separate tax forms. The IRS mails out over 8 billion pages of forms and instructions every year. Congress has revised the tax law a total of 5,400 times just since the 1986 Tax Reform Act. In 13 years, 5,400 times the Tax Code has been revised. Who could possibly keep track of all those changes? Not even the best tax lawyers and CPAs in the country understand the Tax Code completely. Not even the experts at the IRS itself can understand the Tax Code completely. Taxpayers today spend billions of dollars a year trying to comply with its dizzying rules and regulations.

The IRS today employs over 102,000 agents to collect taxes. Now, 102,000 agents to collect taxes, that is more agents than the FBI and the CIA have combined. So I think that is just proof that tax collection has become the primary function and goal of the Federal Government. That is the largest agency in Government, the IRS—102,000 agents to collect taxes. I guess you put the people where your priorities are. So we can see the Federal Government's priority is to collect as much in taxes from you as it can.

Our current tax system is antifamily, anti-economic growth; by any standards, it encourages abuse, it encourages waste, it encourages corruption. To solve this problem forever, we have to do one thing and that is uproot the current tax system. We need to replace it with one that promotes freedom, that promotes economic opportunity. We must repeal the income tax and other taxes, and we have to abolish the IRS—again, not because of the people there, but because of the system that is so complex we cannot understand it anymore. We must create a new tax system, one that is fair, a system that is simple and a system that is friendly to the taxpayers—not an adversary. There is an increasing national consensus that the current system is unfair, a system that we must end, and that the Tax Code as we know it has to be eliminated.

But the unresolved question is: How should we replace the Tax Code? I am a cosponsor of a bill in the Senate called the Tax Code Elimination Act, which would sunset the current Tax Code by January 1 of the year 2003—in other words, get rid of it, pull it out by the roots, say it is all done, repeal the 16th amendment, and we will start all over from scratch.

The White House said: That is irresponsible. How could you eliminate a Tax Code before you have something to replace it? I think we all know that Congress would never let one day go by that it did not have the ability to collect taxes. So if we had the ability to pass this bill today, Congress would work overtime, or on weekends, if it had to, in order to put a new system in place to collect that first dollar of new taxes in the year 2003. So I do not have any worries about that.

The biggest job is going to be finding the political will to get rid of the Tax Code we have today. There is an increasing national consensus that the current system is unfair. Ask your neighbor if he thinks this is a fair code. We must end the Tax Code as we know it today. But, again, the unresolved question is: What to do to replace the code?

I have been exploring alternative tax systems for quite awhile and, after considerable study of the issue, I believe the national sales tax plan is the best solution to our problems. I used to support a flat tax. I think most Americans would say a flat tax would be a good alternative. That is the one that has gotten probably the most publicity. But it needs to have a lot of examination. In fact, a couple of Congressmen in the House, Congressmen DICK ARMEY and BILLY TAUZIN, went on the road last year to about 30 different cities, doing what they called townhall meetings on tax issues and what to do to replace the current Tax Code with something else. Representative DICK ARMEY of Texas supported the flat tax, Congressman TAUZIN of Louisiana supported a national sales tax. They played to crowds of about 5,000 people or more at some of their stops.

So Americans are interested in this. They want to have some information, they want to know what some of the alternatives would be and how they would work. But when you talk about flat tax versus national sales tax—which are probably the two leading alternatives—going into the meetings, about 75 percent said they would prefer a flat tax—again, because they have heard it most, it sounds like the most simple plan—but after an hour and a half or 2 hours of this townhall meeting, as they came out, 75 percent favored a national sales tax.

What we need to do is begin the debate. We need to do more than just 30 town meetings around the country. We need to do this here in the Senate. We need to be part of the campaign, to start talking about Tax Code relief or reform, so the American public at least gets some information on what the Tax

Code is today, how oppressive it is, and what we can do to replace it, what are some of the alternatives. I think that is the way we need to lead in order to get some tax relief.

Any new tax system, I think, has to do a couple of things. First, it must restore the fundamental principles of taxation upon which this whole country was founded, and they are low taxes and limiting the taxing power of Government. It must fairly and efficiently distribute the burden of funding our Government. It must promote economic growth, not be anti-economic growth. It must present less of a compliance burden, and that is, again, not having to spend billions of dollars a year, every year, just to be able to fill out the tax forms and meet that requirement. And it has to offer every American better economic opportunity. The national sales tax would do that.

The national sales tax system, which I intend to introduce soon, with other Senators, I think meets these very important criteria. It is fairer, more simple, it is friendlier, it will increase economic growth, it will increase investment, it will help with capital formation, and it will create new jobs and savings.

Under the national sales tax system, working Americans will be able to keep 100 percent of their pay, their pension, or Social Security check. They no longer need to file a tax return with the IRS. Their family's finances are not revealed to Government bureaucrats. They will not be penalized for getting or staying married, and they will not be penalized, by the way, for dying either. Everyone will pay the same tax rate without loopholes, without any special interest groups. There will not be any hidden taxes, and everybody will easily understand the tax. They will be able to understand exactly how much they are paying in taxes. And, finally, it will abolish the IRS completely.

Does this sound too good to be true? It may sound that way, but believe me, it is real. Let me briefly highlight how the national sales tax legislation would be able to achieve this.

First, the legislation will call for the repeal of the constitutional amendment that created the tax nightmare that we find ourselves in today. Mr. President, the 16th amendment is the root of the tax evil. It abandoned our Founding Fathers' original principle of taxation by giving the Government unlimited power to tax the private income of American people. Without the repeal of this amendment, any tax system will eventually become abusive and intrusive. First and foremost, get rid of the 16th amendment.

Second, the legislation will repeal the income tax. It will get rid of the payroll tax, the estate tax, the gift tax, the capital gains tax, the self-employment tax, the corporate tax, and all the other taxes out there.

Third, the legislation will impose a single rate on all new goods and services at the point of final purchase, the final point of purchase for consumption, and it will provide a universal rebate in the amount equal to the sales tax paid on essential goods and services such as food and medicines.

So, in other words, for low-income or whatever the income is, if you are saying you cannot do this because you are going to be charging more on foods and medicines and necessities, that is not true. There will be a rebate for that. But it is a single rate on all new goods and services at the point of final purchase for consumption. Every American will be better off under the national sales tax system. I believe it will create expanded economic opportunities for our Nation and for our people.

The process of implementing the national sales tax system is going to be a long one. There is going to be a lot of debate. So in the interim we must reduce the tax burden on overtaxed Americans. I think a lot of us would like to go to eliminating the IRS tomorrow if we could, and cement in place a new tax system. But what do we do in the interim, until that debate is completed, before we can make that happen, before we can begin putting in a fair, simple, friendly tax system? I think that is why our budget includes the $800 billion of tax relief now. This is interim tax relief, but we have to make sure our residents, our workers, at least have some relief from the burden they are paying—again, the highest in the history of taxes.

For those taxpayers who are satisfied with the current system, I wish them the best of luck in preparing their taxes this year. For others, like the hundreds of Minnesotans who tell me they are tired of filling out the complex and endless tax forms, who tell me they do not think it is fair that the Government takes so much of their hard-earned dollars, I invite you to join me in rethinking our tax system. I think we can work together now to create a new and more fair way to fund the Federal Government, one that ultimately makes April 15 just another day, just another day of the year, and not this day that everybody dreads and hates and is now spending many hours, tonight, trying to figure out exactly what they owe in taxes.

Again, I do not know if 40 percent is a fair amount of income to pay to the Federal Government. I do a lot of town meetings, or talk with students. I always like to ask a question to start with: What do you think is a fair percentage of your income that should go to support government? We all need a good government. This is not about getting rid of the government. This is not getting rid of the Federal, State, or local governments. But what is an adequate amount of money to fund the Government, and what kind of services should we demand the Government provide with those tax dollars, not the waste and abuse that is in the system today. Today, if the system runs out of money, they just add more money to it, not look at where the abuse is, whether the money is being spent right. Are we overpaying for services we do not get?

This Government has never had to do what business has to do, and that is, look at how we can provide a service at the least possible cost. If they run out of money, they just want to raise taxes again, raise taxes again, raise taxes again.

When I ask this question at townhall meetings or at town meetings in high schools, of course some will say zero percent. That is not rational. But then we get into the basics, and it usually comes out, people say around 15, 20, maybe 25 percent of their income should go to support all levels of government—Federal, State, and local. But then you tell them they are spending, today, 40 percent of their income to support government.

So, for all of those who are filling out their taxes tonight or have time to take a look at your pay stubs, take a look at exactly how much you are spending on taxes, and then you can figure in the sales tax, your property tax, all the other taxes that you pay, and just find out how much of your income is going to support government.

Again, for the average family in this country, they are spending more to support Uncle Sam than they are spending on the necessities; That is, food, clothing, shelter, and transportation, and even, in most cases, recreation combined. So the Government is taking a bigger bite out of their paycheck than their family is getting. I think it is time we look at this and find how we can reduce this and allow hard-working Americans to keep a little bit more of their money in their pockets rather than sending it to Washington.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SPECTER. 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. SPECTER. I thank the Chair.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 822 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SPECTER. I thank the Chair and yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. First, before the Senator from Pennsylvania gets away, I wish I had been able to hear all of his remarks. But it will be in the RECORD. It was very intriguing. I could not agree more with any concept that envisions simplicity, equity. I think a lot of taxpayers today think somebody else is getting a better deal, and there is a lot of cynicism as a result.

But with a proposal such as you are talking about, everybody knows what the rules of the road are. I think in addition to the many accomplishments that you are suggesting your proposal would achieve would be a confidence among the American people and a reduction in cynicism about somebody getting a benefit that somebody else does not, and that sort of thing. So I commend the Senator for his work.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Georgia for those very complimentary remarks. I wonder if it would be too presumptuous to list him as a cosponsor.

Mr. COVERDELL. It is not presumptuous to let me think about it.

Mr. SPECTER. Let the Record show the request has been made. I thank the Senator.

Mr. COVERDELL. Thank you very much, I say to the Senator.

COMMENDING SENATOR GRAMS

Mr. COVERDELL. Mr. President, I also commend Senator GRAMS, who was here earlier leading a conversation on the effects and burdens of taxes on the American people and acknowledging that, indeed, Americans are paying the highest taxes they have ever paid in their lives. It is time that the relief occur for workers and families and businesses. He is not here, but I do commend him for his effort.

As we come to the end of the day, I am going to deal with several unanimous consents that have been previously agreed to.

TAX DAY

Mr. BURNS. Mr. President. Today is April 15, Tax Day, and I would like to remind my colleagues how many Americans define this day.

On May 10, 1773, the British parliament authorized the East India Tea Company to export a half a million pounds of tea to the American colonies for the purpose of selling it without imposing upon the company the usual duties and tariffs. It was their intention to try to save the corrupt and mismanaged company from bankruptcy. The effect was that the company could undersell any other tea available in the colonies, including smuggled tea. The disruption to American commerce was unacceptable to many, including Sam Adams of Boston.

On November 27, 1773, three ships loaded with such tea landed at Boston and were prevented from unloading their cargo. Fearing that the tea would be seized for failure to pay customs duties, and eventually become available for sale, Adams and the Boston Whigs arranged a solution. On the night of December 16, 1773, a group of colonists, disguised as Mohawk Indians, snuck aboard the ships and dumped 342 chests of tea into Boston Harbor.

The King's response was the passing of the Intolerable Acts which precipitated the forming of the First Continental Congress to consider united resistance. As we all know, this was the beginning of what is today the longest standing Democracy in the history of civilization.

It is important to reflect on the actions taken on that day in that harbor. It is also important to recognize today is not very different from that historic day. Generally speaking, governments are short-lived and short-sighted. It is the responsibility of Congress to represent the wishes of the people. It is the responsibility of Congress to ensure the people are not abused by the federal government. Acts of arrogance will not be tolerated. Acts of aggression will be punished.

It has long been instilled in our land to criticize the Internal Revenue Service. Last year, Congress had the opportunity to address many of these criticisms. But I need to ask the question—Is the IRS listening?

Over 123 million families will file 1040 returns this year. I have heard from many of these families. I have spoken with Montana families about their trials with the IRS. I have spoken with Montana families about the difficulty of scratching out a living on modest wages and then being forced to pay a significant amount of that on taxes.

Where does the blame lie? Federal spending is the gorilla on the taxpayer's back. The problem also lies with our Nation's Tax Code. How complicated is the Tax Code? Complicated enough to require significant revision—in fact, I think we should scrap the code for a simpler version providing equitable treatment. Here are the facts on the confusing nature of our Nation's Tax Code:

The IRS employs 96,000 workers to collect Federal taxes amounting to $1.8 trillion and to administer the 1.5 million word income tax code.

The IRS expects to receive 120 million phone calls for assistance this year.

A new Associated Press poll finds that the percentage of Americans who say that Federal taxes have gotten too complicated is up to 60 percent.

The Federal Tax Code is so complex that about half of American families now require the services of tax professionals to file their tax returns.

The IRS estimates that taxpayers will spend an average of 11 hours preparing their 1040's this year.

At a minimum, the cost of collecting the federal income tax, including the value of the billions of hours that taxpayers spend filling forms, is at least 10 cents for every dollar of tax revenue collected.

After the hearings we held last year, I admit I continue to be dismayed over what I consider to be a continuation of the arrogant attitude conveyed by the actions of the Internal Revenue Service.

While the IRS expects taxpayers to fill out their tax forms accurately, the General Accounting Office has just released a report criticizing the agency for poor bookkeeping and failing the same sort of audit that the agency imposes of American taxpayers.

IRS management must recognize that they have a difficult job—promoting quality customer service. Not an easy task considering the historic attitude toward the IRS.

The founding of this great Nation's history begins with the Boston Tea Party—a revolt against tyrannical rule and unfair taxation. Taxes are a necessary evil but, if kept in check, important to all levels of government.

Taxes have created the world's greatest highway infrastructure, contributed to the protection of our nation's borders, and supported the most successful democratic government in history.

But waste and abuse of tax dollars have burdened the American taxpayer with one of the highest levels of taxation in recent years.

Tax collection needs to reflect it's controversial history—the IRS does not have the right to use harassment and extortion as tax collection methods. In blunder after blunder, the IRS is flailing in a dismal fall from effectiveness—wasting those same taxpayer dollars they are collecting.

The IRS hearings during the 105th Congress were a very solemn wake-up call. Customer service will never be considered as an IRS attribute, but that's what the IRS needs to pound into their employees—the people who need to learn to work with American taxpayers—not against them.

Perhaps part of the blame lies with Congress. We should not be fooled by IRS reports telling us ''we're working out the problems.'' As the representative body of our Nation, Congress must hold the IRS to a zero tolerance standard.

I have been contacted earlier this tax season, by numerous Montana constituents bearing complaints about the IRS. Most of the constituents are very disgruntled with the length of time it takes to have a resolution processed. They send me folders and files of correspondence. During the lengthy bureaucratic process, debts grow fantastically high with interest and penalties.

One of those cases involves the IRS's denial of due process of legal challenge

for past tax years'. But it is not just one—it is many—too many. A fairer less complicated tax system may help to clear up some of the IRS abuses. By simplifying the tax system, one can only think we would simplify our revenue collection system.

Mr. President, tax collectors have a long history of public persecution. Today, my colleagues and I stand here not to tar and feather the tax collector, but to put an end to the abusive culture that has spread like a bacteria throughout the IRS.

TAX FREEDOM DAY

Mr. ALLARD. Mr. President, today is April 15. It is Tax Day. This is the deadline by which we must file our 1040 Form and pay any additional taxes we might owe on top of what was withheld during the year.

Unfortunately, typical Americans will work well beyond April 15, to pay their taxes. This is because Tax Freedom Day does not come until May 11.

Tax Freedom Day is the day in the year to which the typical American family must work just to pay the combined state, federal, and local tax burden. For many Americans the total tax burden now exceeds one-third of family income.

The Tax Foundation just announced today that Tax Freedom Day will move one day further into the year in 1999.

Last year it was May 10, this year it will be May 11. This is the latest day ever, and it marks the sixth straight year that Tax Freedom Day has advanced a day or more further into the year.

As the Tax Foundation has reported year after year, in a typical household the tax bill now exceeds the cost of housing, food, transportation and clothing combined.

In fact, in 1999 the federal tax burden will reach a peacetime high. Nearly 21 percent of the Gross Domestic Product—that is the wealth created in the country this year—will go to the federal government.

As we approach the end of the 20th century it is useful to look back on the history of the tax burden.

The Joint Economic Committee of the Congress estimates that in 1900, the average federal tax burden on a family was 3 percent, and the average state and local burden was 5 percent, for a combined total of 8 percent.

As the century closes the JEC estimates the average federal tax burden on a family is 24 percent, and the average state and local burden is 11 percent, for a total of 35 percent. Mr. President, we have come a very long way.

The IRS estimates that 123 million families will file their tax returns this year. The tax code is so complex that nearly half of these families require the service of some type of tax professional in order to file their tax returns.

This means that on top of the actual tax owed to the government, there is a hidden tax for millions of Americans in the form of tax-compliance and professional services fees. Even for simple tax returns, this can add another $100 to the tax bill each year.

For small businesses the tax compliance costs run into the thousands of dollars.

Mr. President, it is time for fundamental tax reform. We should begin this process by reducing income tax rates across the board.

We should also eliminate complex and punitive taxes such as the estate and gift tax, and we should continue to build on our successful reform of the IRS by making it possible for most Americans to comply with the tax system with minimal expense and effort.

The federal government is too big, and it costs too much. We should use the budget surplus for two things, reduction of the federal debt, and tax relief.

The surplus belongs to the American people, it does not belong to the government. For decades the cost of government has risen, Tax Freedom Day has moved later and later into the year.

Mr. President, it is time for us to begin rolling back Tax Freedom Day. Let's give the American family a well earned break.

TRIBUTE TO MR. LYNN W. HENINGER, NASA DEPUTY ASSISTANT ADMINISTRATOR FOR LEGISLATIVE AFFAIRS

Mr. LOTT. Mr. President, I would like to take this opportunity to recognize the outstanding work of Mr. Lynn W. Heninger as NASA Deputy Assistant Administrator for Legislative Affairs. Having served in this position since December 1987, Mr. Heninger is leaving to pursue other opportunities in the private sector. He definitely will be missed by many of my colleagues on both sides of the aisle.

I have enjoyed working with Mr. Heninger on a wide range of matters affecting NASA. I always found him to be extremely knowledgeable and very effective in representing NASA's views. He has always maintained a friendly and constructive approach to his work which has served NASA very well.

Mr. Heninger had the difficult task of coordinating the NASA legislative agenda. He deftly balanced a wide range of NASA issues including the International Space Station, Rocket Propulsion Programs, Earth Science and Remote Sensing initiatives. Because Mr. Heninger earned the trust and confidence of those with whom he worked, he was able to promote NASA's views very effectively in Congress.

After graduation from Utah State University with a Bachelor of Science, he served in the U.S. Army for three years as an artillery officer and helicopter pilot, including duty in Vietnam with the 1st Infantry Division. He returned to Utah State University, after briefly working with NASA Johnson Space Center as a Program Analyst, to earn a Masters in Business Administration. In 1970, he joined the Department of Transportation to work as a Budget Analyst. Mr. Heninger returned, yet again to his alma mater, where he served as a Project Director with the Economic Department at Utah State University. Before rejoining NASA in 1977 as the Chief of Program Support in NASA's Office of Space Science, he worked briefly as an Organizational Specialist with the United Nations in Bogota, Columbia. Lynn is married to the former Colleen Johnson and has five children, Jeffrey, Camille, Diana, Patricia, and Natalie.

Mr. Heninger has earned the respect of many Members of Congress and their staffs through hard work and his straightforward nature. As he now departs to share his experience and expertise in the civilian sector, I call upon my colleagues on both sides of the aisle to recognize his outstanding and dedicated public service and wish him all the very best in his new challenges.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 14, 1999, the federal debt stood at $5,666,830,242,609.56 (Five trillion, six hundred sixty-six billion, eight hundred thirty million, two hundred forty-two thousand, six hundred nine dollars and fifty-six cents).

One year ago, April 14, 1998, the federal debt stood at $5,547,606,000,000 (Five trillion, five hundred forty-seven billion, six hundred six million).

Five years ago, April 14, 1994, the federal debt stood at $4,567,340,000,000 (Four trillion, five hundred sixty-seven billion, three hundred forty million).

Ten years ago, April 14, 1989, the federal debt stood at $2,771,629,000,000 (Two trillion, seven hundred seventy-one billion, six hundred twenty-nine million) which reflects a doubling of the debt—an increase of almost $3 trillion—$2,895,201,242,609.56 (Two trillion, eight hundred ninety-five billion, two hundred one million, two hundred forty-two thousand, six hundred nine dollars and fifty-six cents) during the past 10 years.

NORTHAMPTON, MA—A REVITALIZED CITY

Mr. KENNEDY. Mr. President, today's New York Times contains an excellent article by William L. Hamilton on the city of Northampton in Massachusetts and the remarkable revitalization that has taken place in the city in recent years. Northampton is also the

subject of a soon-to-be published book, Home Town, by Tracy Kidder, in which the author captures the spirit and essence of community that has turned this former small mill town into the cultural, historic and economically revitalized city it is today.

I also commend the woman responsible for much of this successful revitalization, Mayor Mary Ford. For the past 8 years, Mayor Ford has brought a new spirit to the city with her many successful initiatives. Northampton's schools are renovated, its streets are safer, its water is cleaner, its housing is more affordable, and its roads are more accessible.

Mayor Ford has also demonstrated impressive leadership in making Northampton a leading cultural center of Western Massachusetts. The city is home to the Massachusetts International Festival of the Arts, Paradise City Arts Festival, the Northampton Film Festival, and the newly restored historic Calvin Threatre.

Mayor Ford is on the front lines every day, making an important difference in the lives of families in Northampton, and she's done a remarkable job. The people of Northampton and all of us in Massachusetts are proud of her outstanding leadership, and we commend her for making Northampton the vital city that it is today. Well done, Mayor Ford, and keep up the great work!

Mr. President. I ask unanimous consent that the article by William L. Hamilton in today's New York Times be printed in the RECORD.

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

[From the New York Times, Apr. 15, 1999]

NORTHAMPTON, MA—A REVITALIZED CITY

(By William L. Hamilton)

Northampton, a city of 30,000 in western Massachusetts, has been raising issues of community for more than 300 years—charity, self-interest, tolerance and division. They are issues as fresh today as they were in the 19th century, when Northampton was painted as a heavenly view by Thomas Cole and described with affection by Henry James in his first novel, ''Roderick Hudson.'' They were raised when it hanged two innocent immigrant Irishmen in 1806 for suspected murder and when it tried a police officer, a native son, for the rape of his own child, during the four years that Tracy Kidder spent reporting his new book, ''Home Town'' (Random House), to be published in May.

Mr. Kidder, 53, lives in nearby Williamsburg with his wife, Frances, a painter, but considers Northampton his home, too. As he proudly showed it to a visitor recently, the city give him a parking ticket. No place is prefect.

Like ''The Soul of a New Machine,'' his Pulitzer Prize-winning account of the development of a new computer and the advent of the computer age, ''Home Town'' is the portrait of a cultural phenomenon, seen through the lies of the people creating it. It is also the story of a particular town, and how it has made itself a home. The citizens whose experiences are observed in literary detail, from a local judge to a cocaine addict, could be members of a family, sheltered by a civic roof.

In this decade, in a successful reverse of the demographic direction of the century, more Americans are now moving from big cities to small towns than from small towns to big cities. A 30-year migration by young professionals, baby boomers and retirees from cities and suburbs to rural, exurban areas has produced a new generation of what are being called ''boomtowns.'' Two hour by car from Boston and three hours from New York, Northampton, an ex-industrial mill town, pretty and preserved, is now the product of settlement like this.

Despite an annual decrease in the city's birth rate, the population has remained steady, which city planners attribute to ''income migration.'' said Wayne Feiden, the director of planning and development. ''Who's coming? A lot of well-educated professionals, attracted by a town that's amenity-rich and very comfortable to live it.''

Mr. Kidder, who moved to the area in 1976, is part of the trend. Now, he has filed his report: a firsthand look at life in the type of peaceful place that many find themselves sorely tempted to try. Not everyone stays—native or new arrival. In portraying Northampton, Mr. Kidder has attempted to assemble a set of natural laws, and sides of human nature, that explain what makes any town work, or how it can fail those who love it the most.

To those making the move, cities like Northampton are dots on a map chosen on a Sunday visit for their size, their safety, their qualities of life and their nostalgia. They are the garden cities of childhood—the kind of hometown they don't build anymore, the kind they may never have.

''I was born in New York City and grew up on Long Island,'' Mr. Kidder said recently, ''in a place, Oyster Bay, that kind of vanished as I was growing up. Whole towns disappeared, it would seem, under cloverleafs.''

He was walking down the gentle slope of Northampton's Main Street, away from the tiny, turreted city hall, past the Academy of Music, a Moorish 106-year-old municipally operated theater, now showing ''Shakespeare in Love.'' A woman in a floral skirt that brushed the tops of her cowboy boots was offering strollers copies of her book on tape. A squat signboard for the Fire and Water Vegetarian Cafe and Performance Space sat like a toad by the curb. There was a branch office of Dean Witter Reynolds across the street.

Northampton is blessed by confluence and circumstance. Bounded by the Mount Tom and Holyoke hills and threaded by the Connecticut and Mill rivers, it is also circled by institution: Amherst College, Hampshire College, Mount Holyoke College, the University of Massachusetts and, sitting at the head of Main Street, the Smith College campus, designed in 1875 by Frederick Law Olmstead. The 19th-century state mental hospital is now abandoned. The poet Sylvia Plath, an undergraduate at Smith in the 1950's, wrote to her mother of walking in the evening to a professor's house for a cocktail party, ''listening to the people screaming.''

Main Street bends slowly through the town, side streets flowing into it, like a third river. ''There are some magical things about this that couldn't have been planned,'' Mr. Kidder said, speaking of the setting's majestic gait. ''This broad sweep that Main Street makes, it makes simply because of the topography, before you had earth-moving equipment.''

Northampton's recent history has a familiar plot—a downtown rescued in the 1970's by creative real estate developers and resident pioneers who discovered and reinvented its historic infrastructure. It is an architectural routine: with restoration and new, entertainment-oriented businesses, the low brick buildings, Victorian clapboard houses, Art Deco theater and a Gothic chess set of city hall and courthouse become an animated Main Street. In Northampton, there are apartments above the shops, stimulating street life at night. The crosswalks at the intersection of Main and King streets, where the town converges, are wired with speakers that signal sonically for the blind and stop traffic in four directions, letting strollers spill momentarily into the square.

To the casual eye, it can look more like a marketing concept than a place to live—a factory town retooled by the wish list of the latte generation. A bookshop's magazine display offers an informal census of Northampton's new citizens and visitors: Raygun, Natural History, Birdwatcher's Digest, American Craft, Bike, Fine Homebuilding, Interview, The Writer, Outside, Macworld and Out. The town has been the subject of a ''20/20'' segment because of a large gay and lesbian population.

''It's tempting to parody, but it's too easy,'' Mr. Kidder said, crossing the intersection of Main and King as the crosswalks beep-beeped like Saturday cartoon characters. To the citizenry, it appeared to produce genuine wonderment—rainbow-haired teen-agers, mothers in Polartec, men in linen sweaters and loafers without socks crowded the open intersection, as cars on four sides sat muzzled like dogs, waiting for the lights. ''What you see is pretty motley, but there is a solid mainstream, an almost invisible background to it,'' he said.

Like any town, Northampton is many town, including a town with a native population. As Mr. Kidder writes, the ''Gentrification Is War'' graffito, written prominently on a building downtown, is now softly faded. But two particular towns live together like a couple in a brokered marriage that may or may never grow into love. ''Hamp,'' or native Northampton, shops on the strip of King Street as it leaves town at Main Street, not in ''NoHo,'' or the revitalized downtown, for which Main Street provides the artery.

''In all of downtown, I don't think you can buy a socket wrench,'' Mr. Kidder said. ''When you look at old pictures, there were nothing but hardware stores.''

Because of its newcomers, Northampton is a big, little place, pressured by the demands of the present on the past. ''Without argument, a place begins to go dead,'' Mr. Kidder said, walking on Pleasant Street, where many single-room occupancy houses remain—a short block from Main Street's consumer circus. Local government has kept them there to enforce the town's economic heterogeneity. ''You've got to have this tension. You've got to find a way to let lots of different kinds of people in, and keep them there.''

Mr. Kidder is not ambivalent about Northampton, but he is not foolish, either, ''It's got problems, of course,'' he said, reciting the national roster of gang crime and homelessness and a drug problem in the local schools that is conspicuous for the state. He was at the bar of the Bay State Hotel, a favorite spot opposite the restored train station, now Spaghetti Freddy's, drinking a Diet Coke. Sitting in the dimly lighted, yellow-wood-paneled tavern, with its etched Budweiser mirror, painting of Emmett Kelly and silent blinking jukebox was like being

inside a Christmas tree at night. ''And what limits the size of the town is jobs,'' said Mr. Kidder, who is self-employed. ''The largest employer, which was the state mental hospital, closed its doors years ago.''

Wayne Feiden, the planning director, concurred. ''Whenever you see polls in Money magazine and the rest, about the best towns, we never make it,'' he said. ''The jobs aren't there.'' Mr. Feiden added that the danger of being a boomtown was that well-paid professionals like doctors and lawyers, of whom there are many in Northampton, who moved there for its charms, would move on, frustrated from feeling underpaid. ''It's why they don't stay.''

If Northampton does not, despite restored facades, present an unblemished picture, Mr. Kidder makes a strong case that the beauty of a place is not in its skin—it is in its people. They are the simple and dramatic acts and the descriptive faces of his book. They are, he contends, the genius of a place.

Mr. Kidder's ''Home Town'' hero is a native, who, as the book concludes, leaves Northampton for the wider world, freed of his ''nick-names,'' as Mr. Kidder characterized the linked chain of time spent growing up in the same small town.

''It seemed to make too much wholesome sense, from a distance,'' Mr. Kidder said, speaking of Northampton. ''And then I ran into this cop,'' he said. ''Tommy O'Connor, at the gym that I go to.''

Mr. Kidder was back at his house, not the home built for a professional couple in Amherst and chronicled in his 1985 book, ''House,'' but a converted creamery on a mill river that runs beneath the dining room windows. He greeted his daughter, Alice, 20, who walked into the kitchen with a bag of groceries from Bread and Circus, a natural-foods supermarket. She pulled mixing bowls from the cupboards to make dessert for dinner—profiteroles, for guests.

''Tommy's a very gregarious guy,'' Mr. Kidder recalled. ''He said, 'You don't remember me, do you?' I said no, He said, 'Well, I arrested you for speeding five years ago.' '' An electric mixer began clattering in a bowl. ''This guy with a shiny dome had been a curly-haired cop then.'' Mr. Kidder said. ''I remember that after he gave me the ticket, he said, 'Have a nice day.' ''

Mr. Kidder smiled at the recollection; Mr. O'Connor, who now lives in Washington and works for the Federal Bureau of Investigation, remains a friend.

''Anyway, he said, 'Why don't you come out and ride with me some night?' He said he'd show me a town I never imagined existed.'' It was, of course, Northampton.

Mr. Kidder said, ''And he was right.''

THE HUMAN FACE OF NORTHAMPTON

They're natives and new arrivals, friends and foes, civic-minded or uncommitted, but they're not strangers. The subjects of Tracy Kidder's new book, ''Home Town,'' whose stories are excerpted below, make Northampton, Mass., work by living together in it.

Michael Trotman

Often when he passed other black people downtown, ones he didn't know, he smiled at them and they smiled back, little smiles that seemed to say, ''Isn't this place weird?'' and, ''What are you doing here?''

Every year for the past eight, Michael had decided to leave. He'd taken scouting trips to New York City, Phoenix, Los Angeles. Near the end of every one, he began missing Northampton. He couldn't fully account for the pull it had on him. He had a short answer for friends who asked? ''No one's called me a nigger in eight years.''

Alan Scheinman

The world outside Alan's apartment had turned into a giant obstacle course. His greatest freedom was a car. But to drive one, he had to have it registered. Inside the registry, on King Street, the lines were always long. He couldn't expect to stand in one without someone brushing up against him. The transaction with the documents would be impossible. The clerk wouldn't understand. In a panic, Alan called ahead. ''Look, my name is Alan Scheinman. I'm a lawyer here in town.'' (Saying he was a lawyer sometimes helped.) ''I suffer from an illness which makes my behavior seem bizarre. I have to register a car, but I can't stand in line, and I can't touch papers that anyone else has handled.''

The clerk's voice said, ''Just a minute, please.''

Then another voice came on the line. He explained again. He heard that second voice say, ''Just a minute, please.'' He thought this wasn't going to work, but the third voice offered hope. ''Come on down, and we'll see what we can do.''

Alan stood a little distance from the crowd at the counter, in his usual defensive mode—forearms pressed together, both hands in plastic bags, one hand cupping his chin. From the other, also near his chin, dangled a plastic bag full of documents. ''I was a sight,'' he remembered. He waited there for a few minutes, feeling desperate and helpless, and then a clerk appeared from behind the counter. She looked at him and didn't even seem surprised. She led him to an empty office, took the bag of documents and returned 10 minutes later with all the paperwork completed. She even escorted him out to the parking lot, opening all the doors for him.

Judge Michael Ryan

Judge Ryan was beloved by courthouse workers, and generally disliked by police. He'd made some intemperate remarks in the past. Speaking disapprovingly of the state police uniforms, he'd once told a reporter, ''If you dress 'em like Nazis, they'll behave like Nazis.'' Mainly, though, the police objected to the judge's leniency and his out-of-court behavior. ''The drinking judge,'' one waggish lawyer called him. Both slanders contained some truth. He stopped being a judge when he left court. If a stranger on a nearby bar stool asked him what he did for a living, Ryan would say: ''Oh, I have a Government job, cleaning up small messes at the courthouse.''

As for his leniency, a friend once accused him of harboring great compassion for many defendants, and the judge replied, ''I think it's something stronger. I think it's more like identification.''

Mayor Mary Ford

She likes to say she was elected mayor of every resident, including those who won't vote for her no matter what she does. As she also likes to say, she usually leaves the front door to her office open. A building contractor once complained that he knew he didn't get a good hearing from her because she didn't close that door while they talked. Her office has another door, a back door with a chair in front of it, usually closed, rarely used. But by late afternoon on a long day, she feels as though her face is about to slide off the weary muscles underneath. The mask of a face would lie at her feet, still smiling. Corrinne pokes her head in the doorway. The boy on the front steps outside, the one keeping a 48-hour vigil for worldwide liberation, waits in the outer office. He wants an audience.

A moment later, Mayor Ford opens her back door, and a moment after that, clerks looking up from their desks see Northampton's chief executive hurrying down the hall, casting backward glances, heading for the stairs.

THE PROTECT ACT

Mr. McCAIN. Mr. President, yesterday I introduced a bill to ''Promote Reliable On-Line Transactions to Encourage Commerce and Trade,'' the PROTECT Act. This legislation seeks to promote electronic commerce by encouraging and facilitating the use of encryption in interstate commerce consistent with the protection of United States law enforcement and national security goals and missions.

During the last Congress, there was a very intense debate surrounding the encryption issue. That debate, as with any discussion regarding encryption technology, centered around the challenge of balancing free trade objectives with national security and law enforcement interests. There were various proposals put forward. None, however, emerged as a viable solution. In the end, the debate became polarized, as many became entrenched upon basic approaches, losing sight of the overall policy objectives upon which everyone generally agreed.

It was my objective to get outside the box of last year's debate. In the past, balancing commercial and national security interests has been treated as a zero sum game, as if the only way to forward commercial interest was at the expense of national security, or vice versa. This is simply not the case. Certainly, advanced encryption technologies present a unique set of challenges for the national security and law enforcement community. However, these challenges are not insurmountable.

What the PROTECT Act does, is to lay out a forward-looking approach to encryption exportation, a course that puts into place a rational, fact-based procedure for making export decisions, that places high priority on bringing the national security and law enforcement community up to speed in a digital age, and that ultimately provides a national security backstop to make certain that advanced encryption products do not fall into the hands of those who would threaten the national security interests of the United States.

Title I of the legislation deals with domestic encryption. The bill establishes that private sector use, development, manufacture, sale, distribution and import of encryption products, standards and services shall be voluntary and market driven. Further, the government is prevented from tying encryption used for confidentiality to encryption used for authentification. It is established that it is lawful for any person in the United States, and for any U.S. person

in a foreign country, to develop, manufacture, sell, distribute, import, or use any encryption product.

The PROTECT Act prohibits mandatory government access to plaintext. The bill prohibits the government from standards setting or creating approvals or incentives for providing government access to plaintext, while preserving existing authority for law enforcement and national security agencies to obtain access to information under existing law.

Title II of the legislation deals with government procurement procedures. The bill makes clear that it shall be the policy of the Federal government to permit the public to interact with the government through commercial networks and infrastructure and protect the privacy and security of any electronic communications and stored information obtained by the public.

The Federal government is encouraged to purchase encryption products for its own use, but is required to ensure that such products will interoperate with other commercial encryption products, and the government is prohibited from requiring citizens to use a specific encryption product to interact with the government.

Title II of the PROTECT Act authorizes and directs NIST to complete establishment of the Advanced Encrytion Standard by January 1, 2002. Further, the bill ensures the process is led by the private sector and open to comment. Beyond the NIST role in establishing the AES, the Commerce Department is expressly prohibited from setting encryption standards—including U.S. export controls—for private computers.

A critical component of the PROTECT Act is improving the government's technological capabilities. Much of the concern from law enforcement and national security agencies is rooted in the unfortunate reality that the government lags desperately behind in their understanding of advanced technologies, and their ability to achieve goals and missions in the digital age.

This legislation expands NIST's Information Technology Laboratory duties to include: (a) obtaining information regarding the most current hardware, software, telecommunications and other capabilities to understand how to access information transmitted across networks; (b) researching and developing new and emerging techniques and technologies to facilitate access to communications and electronic information; (c) researching and developing methods to detect and prevent unwanted intrusions into commercial computer networks; (d) providing assistance in responding to information security threats at the request of other Federal agencies and law enforcement; (e) facilitating the development and adoption of ''best information security practices'' between the agencies and the private sector.

The duties of the Computer System Security and Privacy Board are expanded to include providing a forum for communication and coordination between industry and the Federal government regarding information security issues, and fostering dissemination of general, nonproprietary and nonconfidential developments in important information security technologies to appropriate federal agencies.

Title V of the legislation deals with the export of encryption products. The Secretary of Commerce is granted sole jurisdiction over commercial encryption products, except those specifically designed or modified for military use, including command and control and intelligence applications. The legislation clarifies that the U.S. government may continue to impose export controls on all encryption products to terrorist countries, and embargoed countries; that the U.S. government may continue to prohibit exports of particular encryption products to specific individuals, organizations, country, or countries; and that encryption products remain subject to all export controls imposed for any reason other than the existence of encryption in the product.

Encryption products utilizing a key length of 64 bits or less are decontrolled. Further, certain additional products may be exported or reexported under license exception. These include: recoverable products; encryption products to legitimate and responsible entities or organizations and their strategic partners, including on-line merchants; encryption products sold or licensed to foreign governments that are members of NATO, ASEAN, and OECD; computer hardware or computer software that does not itself provide encryption capabilities, but that incorporates APIs of interaction with encryption products; and technical assistance or technical data associated with the installation and maintenance of encryption products.

The Commerce Department is required to make encryption products and related computer services eligible for a license exception after a 15-day, one-time technical review. Exporters may export encryption products if no action is taken within the 15-day period.

A formal process is established whereby encryption products employing a key length greater than 64 bits may be granted an exemption from export controls. Under the procedures established by this legislation, encryption products may be exported under license exception if: the Secretary of Commerce determines that the product or service is exportable under the Export Administration Act, or if the Encryption Export Advisory Board created under this Act determines, and the Secretary agrees, that the product or services is, generally available, publicly available, or a comparable encryption product is available, or will be available in 12 months, from a foreign supplier.

As referenced, the PROTECT Act creates an Encryption Export Advisory Board to make recommendations regarding general, public and foreign availability of encryption products to the Secretary of Commerce who must make such decisions to allow an exemption. The Secretary's decision is subject to judicial review. The President may override any decision of the Board or Secretary for purposes of national security without judicial review. This process is critical. It ensures that the manufacturer or exporter of an encryption product may rely upon the Board's determination that the product is generally or publicly available or that a comparable foreign product is available, and may thus export the product without consequences. However, a critical national security backstop is provided. Regardless of the recommendation of the board, or the decision of the Secretary, the President is granted the absolute authority to deny the export of encryption technology in order to protect U.S. national security interest. However, a process of review is established whereby market-availability, and other relevant information may be gathered and presented in order to ensue that such determinations are informed and rational.

Any products with greater than a 64 bit key length that has been granted previous exemptions by the administration are grandfathered, and decontrolled for export. Upon adoption of the AES, but not later than January 1, 2002, the Secretary must decontrol encryption products if the encryption employed is the AES or its equivalent.

Finally, the PROTECT Act prohibits the Secretary from imposing any reporting requirements on any encryption product not subject to U.S. export controls or exported under a license exception.

Mr. President, as I have stated, my purpose in putting this legislation together was to get outside the zero sum game thinking that has become so indicative of the debate surrounding the encryption export controls. I would like to commend the outstanding and creative leadership of Senator BURNS on this issue. He is a leader on technology issues in the Senate, and has played an invaluable role in developing this approach. I look forward to working with him, and our other original cosponsor in building the support necessary to see the PROTECT Act signed into law during this Congress.

SENATE SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. BENNETT. Mr. President, on March 25, 1999, the Senate Special Committee on the Year 2000 Technology Problem published its rules of procedure. Also published was an overview of the Committee's jurisdiction and authority. We publish today the corrected and complete statement of jurisdiction and authority of the Committee which is provided by S. Res. 208, 105th Congress, as amended by S. Res. 231, 105th Congress, and S. Res. 7, 106th Congress.

Mr. President, I ask unanimous consent that the corrected and completed statement of jurisdiction and authority be printed in the RECORD.

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

S. RES. 208, APRIL 2, 1998, AS AMENDED

Resolved,

SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.

(a) ESTABLISHMENT.—There is established a special committee of the Senate to be known as the Special Committee on the Year 2000 Technology Problem (hereafter in this resolution referred to as the ''special committee'').

(b) PURPOSE.—The purpose of the special committee is—

(1) to study the impact of the year 2000 technology problem on the Executive and Judicial Branches of the Federal Government, State governments, and private sector operations in the United States and abroad;

(2) to make such findings of fact as are warranted and appropriate; and

(3) to make such recommendations, including recommendations for new legislation and amendments to existing laws and any administrative or other actions, as the special committee may determine to be necessary or desirable.

No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(c) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a)(1)–(2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The special committee shall consist of 7 members of the Senate—

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

The Chairman and Ranking Minority Member of the Appropriations Committee shall be appointed ex-officio members.

(2) VACANCIES.—Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.

(3) SERVICE.—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.

(b) CHAIRMAN.—The chairman of the special committee shall be selected by the Majority Leader of the Senate and the vice chairman of the special committee shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the special committee or the chairman may assign.

SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the special committee is authorized, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel;

(3) to hold hearings;

(4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) to take depositions and other testimony;

(7) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or[1] nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS FOR WITNESSES.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman after consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the vice chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(d) OTHER COMMITTEE STAFF.—The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimbursable basis, the facilities or services of any members of the staff of such other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.

(e) USE OF OFFICE SPACE.—The staff of the special committee may be located in the personal office of a Member of the special committee.

SEC. 4. REPORT AND TERMINATION.

The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date.

SEC. 5. FUNDING.[2]

(a) IN GENERAL.—There shall be made available from the contingent fund of the Senate out of the Account for Expenses for Inquiries and Investigations, for use by the special committee to carry out this resolution—

(1) not to exceed $875,000 for the period beginning on April 2, 1998, through February 28, 1999, and $875,000 for the period beginning on March 1, 1999 through February 29, 2000, of which not to exceed $500,000 shall be available for each period for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946; and

(2) such additional sums as may be necessary for agency contributions related to the compensation of employees of the special committee.

(b) EXPENSES.—Payment of expenses of the special committee shall be disbursed upon vouchers approved by the chairman, except that vouchers shall not be required for the disbursement of salaries paid at an annual rate.

[1] As amended by S. Res. 231, 105th Cong., 2d Sess. (1998).

[2] As amended by S. Res. 231, 105th Cong., 2d Sess. (1998), and by S. Res. 7, 106th Cong., 1st Sess. (1999).

IMF GOLD

Mr. REID. Mr. President, I rise today to insert into the CONGRESSIONAL RECORD an analysis by the noted economist, Michael Evans. This information regards the poorly considered effort by the International Monetary Fund to sell all or part of their gold reserves to ostensibly help poor countries. Dr. Evans is a professor of economics at the Kellogg School at Northwestern University of Illinois. In this detailed analysis, Dr. Evan's reviews the history of recent gold sales and cautions that selling gold often degrades economic performance. Based on this empirical research, Dr. Evans states that countries that have resorted to gold sales have found their currency depreciated, their real growth rate down and their unemployment up relative to countries that did not sell gold.

The IMF has established a policy to ''avoid causing disruptions that would have an adverse impact on all gold holders and gold producers, as well as on the functioning of the gold market.'' The proposal that the IMF is now contemplating would directly conflict with this well-founded rule. In fact, the suggestion of gold sales has already adversely impacted gold holders and gold producers by causing an alarming drop in the price of gold.

Currently, the price of gold is at its lowest point in twenty years. This is significant because the low price of gold is now nearing the break-even point for even the larger mines. Therefore, these mines will be forced to either operate at loss or shut down entirely. With mining and related industries accounting for 3 million jobs and 5 percent of the gross domestic product, this would have a serious impact on our nations economy.

The IMF should abandon this initiative and pursue alternatives to assist these poor nations.

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

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

[From the Washington Times, Apr. 6, 1999]

(By Michael Evans)

In the rarefied atmosphere of Davos, Switzerland, Vice President Al Gore fired his opening salvo in the 2000 Election Year campaign, in an attempt to demonstrate his expertise in international finance.

Specifically, Mr. Gore suggested the International Monetary Fund should sell some of its gold reserves and use the funds to reduce foreign debt of impoverished Third World nations, following through with one of his favorite plans discussed in his 1992 magnum opus, ''Earth in the Balance.'' Such a plan, he claimed, would help alleviate ''the insanity of our current bizarre financial arrangements with the Third World.'' (''Earth in the Balance,'' p. 345).

Forgiveness of foreign debt would certainly not be a unique step. The United States forgave most foreign debts after both world war for Allies and foes alike. The Brady plan in the 1980s reduced Latin American debt. The United States also forgave much of the foreign debt of Eastern European countries after the demise of the Berlin Wall. Forgiveness of debt is not necessarily a bad idea; in many cases it has worked quite well.

Yet the Gore plan is questionable on two major counts. First, before these debts are forgiven, these countries need to provide some evidence they have started to improve their own economic programs. Second, selling gold, far from being the best way to proceed, is close to the worst.

With the IMF throwing $23 billion down the Russian drain because that country failed to institute necessary economic reforms, the case for requiring some moves toward economic stability seems strong enough that an extended analysis is not necessary. On the other hand, the negative impact of gold sales on economic performance is not well understood, and deserves further discussion.

Suppose the countries targeted to receive aid from the Gore program do indeed get their economic policies in order. Then it does make sense to reduce their foreign debt, allowing them to improve their economic lot instead of being permanently saddled with debts that, for practical purposes, can never be repaid. But why raise this money through IMF gold sales?

The cheap, cynical answer is this method doesn't require an actual outlay of U.S. funds, so it doesn't appear in the budget. However, cheap tricks like that are precisely the reason so many voters have come to distrust their elected officials. If reducing Third World debt is worth doing, let's debate the issue, vote on it, and pay for it, not disguise it in some underhanded way that the average voter won't notice.

Yet there is a deeper, more important reason. Selling gold often degrades economic performance. Most countries that have resorted to gold sales have found their currency has depreciated, their real growth rate has declined and their unemployment rate has risen relative to countries that did not sell gold.

Now that the inflation rate has remained low in the United States, even with the economy at full employment, and the dollar has strengthened, it has become fashionable to proclaim that gold reserves are no longer needed to stabilize the price level and the value of the currency. In fact, there are many reasons why the inflation rate has remained so low, including a credible monetary policy, the budget surplus, and the beneficial impact of rapid growth in technology. However, the most important factor is the widespread realization that the U.S. government is committed to keeping the rate of inflation low and stable. Massive gold sales would undermine that commitment.

In this regard, it is instructive to look back and see how the U.S. economy fared during the last major round of gold sales. The IMF held several gold auctions from 1976 through 1980. In the five 1976 auctions, the average price of gold was $122 per ounce. By the five 1980 auctions, the average price had risen to $581 ounce.

Of course, one of the reasons gold prices skyrocketed was that the rate of inflation in the United States surged, rising from 4.9 percent in 1976 to a peak of 13.3 percent in 1979. While one can argue that higher oil prices boosted inflation, the fact of the matter remains that the inflation rate rose to 6.7 percent in 1977 and 9.0 percent in 1978 before oil prices started to increase. Furthermore, the CPI for all items, excluding energy, also moved up from 4.8 percent to 11.1 percent in 1979, and the continued rising to 11.7 percent in 1980.

How could a relatively modest amount of gold sales have boosted inflation so much? Most economists now agree that inflation is driven largely by expectations. If labor and business believe fiscal and monetary policy will continue to fight inflation vigorously, the inflation rate will remain low, as is indeed the case today. Conversely, when the government sends the unmistakable signal by selling gold that higher inflation is OK, labor and business quickly raise wages and prices, and inflation is off to the races.

Of course, the Carter administration did not come right out and say ''we favor high inflation,'' but their actions convinced private sector economic agents that is what they meant. When the signaled their disdain for a stable price level by selling gold, the U.S. government encouraged prices to rise more rapidly in the late 1970s.

Other countries have also had negative experiences following gold sales. On July 3, 1997, the Reserve Bank of Australia announced it had sold 69 percent of its gold reserves of the previous month, resulting in a net gain of $150 million per year in interest. However, it is more than coincidental that the month before this announcement, the Australian dollar was worth 75.4 cents, but it then started to fall steadily to a level of 58.9 cents a year later.

Thus in the year following the announcement of goal sales, the Australian dollar lost 20 percent of its value. As a result, Australian consumers had to pay an additional $10 billion per year for imported goods, almost 70 times the $150 million in interest earned from interest-bearing securities purchased with the money generated from the sale of gold reserves.

The Canadian economy was also damaged by the decision of the central bank to sell 85 percent of its gold reserves since the early 1980s. The sharp decline in the value of the Canadian dollar relative to the U.S. dollar also led to a lack of investment opportunities by local firms and a substantial rise in the unemployment rate. Indeed, before the gold sales, the Canadian unemployment rate tracked the U.S. unemployment rate closely; in recent years, it has been about 5 percent higher. Canada paid a very high price for this decision to sell gold and reduce the value of its currency.

It is also worth mentioning that Russia sold most of its gold reserves shortly before the collapse of the ruble last summer. It is likely that if Russia had not sold its gold, it would not have been forced to devalue the ruble. Seldom has a decision to sell gold reserves been more ill-founded and untimely.

Thus the weight of the evidence clearly suggests that when central banks decide to sell gold, the currencies of those countries often depreciate and their economies suffer slower growth and rising unemployment, far outweighing any small gain that might occur from the return on interest-bearing securities.

Given this track record, it seems remarkable that anyone, let alone the vice president, would suggest weakening the current stability in the U.S. economy by selling gold and raising the expectations that inflation was about to return—which would also result in a degradation of current economic performance.

If impoverished Third World nations can demonstrate they have taken steps to put their economic houses in order, fine. Let's reduce their foreign debt, just as the United States has done for so many other foreign countries over the past 80 years. But having made that commitment, there is absolutely no reason to risk boosting the rate of inflation and weakening economic performance by funding debt reduction with ill-advised gold sales.

TRIBUTE TO CARDINAL SILVA

Mr. KENNEDY. Mr. President, last week the hemisphere lost one of its greatest leaders on human rights with the death of Raul Cardinal Silva Henriquez of Chile.

The Cardinal was a great man, and one of the great voices for freedom and justice of our time and of all time. He was a brave and holy man whom many of us were proud to call a friend. The poet Yeats said:

Think where man's glory most begins and ends,
And say my glory was I had such friends.

Most of all, the Cardinal was a friend to all those who needed friends the most—the oppressed, the frightened, the lost, the ''disappeared.'' He sheltered the homeless, but he also sheltered those who had homes but dared not go to them. During the dark days of Chile's recent history, when the flame of democracy was nearly extinguished, and the noble concepts of freedom and human rights considered subversive ideas by those in power, this courageous man of God would not be silent.

Now, God has called home his good and faithful servant, and we understand that. Only God could still that strong and powerful voice. His enemies may have hoped to silence him through all those years, but they dared not.

I first meet the Cardinal in the 1970's, shortly after the coup that stifled democracy in Chile. He had come to Washington, and I had been holding

hearings here in the Senate, year after year, to try to shine some sunlight into the darkness of the human rights abuses in his land. He asked if we could meet privately, away from the glare of publicity, and we did so, at a friend's home. As we sat and drank tea, he spoke directly and intensely about human rights in his country, without anger, and with insight and determination.

In those years, he had created the Committee for Peace, an ecumenical movement of Catholics, Protestants, and Jews dedicated to providing relief to the victims of human rights abuses.

Later, defying the Pinochet regime, he formed the Vicarage of Solidarity, to provide legal assistance for the victims of the abuses, and to protect the lawyers who championed their cause. Without the protective mantle of the Cardinal and the Church, these organizations would almost surely have been snuffed out. Because of him, many people found the courage to speak out and to continue the long battle for democracy.

We met several more times over the years. When I visited Chile in 1986, the government refused to meet me. But the people, led by the Cardinal, welcomed me, and I will never forget that inspiring and deeply moving reception.

At another time and place, the poet Gabriela Mistral wrote about the wife of a prisoner:

> From the house I grieve, to the fiery thimble of his dungeon, I fly back and forth like a living shuttle, like one who knows no other path, until at last the walls open, and let me pass through iron, pitch and mortar.

The Cardinal heard the cry of women like that, and their men. Chile's Ambassador to the U.S., Genaro Arriagada, was one of those who, because of the Cardinal, found the courage to resist. His ''No'' campaign the 1980's led finally to the shining moment in the National Stadium in Santiago in 1990. None of us who were in the stadium that day will ever forget it.

President Aylwin had already accepted the sash of office, a symbol of the restoration of freedom and democracy that so many, including the Cardinal, had worked for so long and so well to achieve.

In the stadium, which had been the darkest symbol of fear, imprisonment and despair, a beautiful tribute occurred. A young girl walked across the infield, while the great stadium scoreboard scrolled the names of the disappeared. Their families danced to a song about freedom in Chile. When President Aylwin spoke at sunset, thousands of candles burned, and fireworks lighted up the sky above the jubilant crowd. The celebration lasted for hours—and it continues to this day.

Many profiles in courage made that glorious day possible. But no one did more to make it possible than that strong, brave man of God, our friend, Raul Cardinal Silva Henriquez. May he rest in eternal peace.

THE ALTERNATIVE MINIMUM TAX

Mrs. LINCOLN. Mr. President, today I rise to reiterate to my colleagues the need for immediate reform in the Alternative Minimum Tax. This tax, which was created to stop the very wealthy from ducking taxes through exemptions and tax shelters, looms in the future of millions of unwitting American taxpayers. Economists from the Treasury Department and elsewhere state that perhaps 12 million American taxpayers will be subject to the Alternative Minimum Tax and its higher rates over the next 10 years. Now these people, these 12 million, these are not millionaires, they are mainstream people. According to the Treasury Department if we do nothing to change the AMT there will be a 638% increase in the number of taxpayers earning between $15,000 and $30,000 who will pay the AMT's higher rates. By 2008, 12% of the taxpayers paying the AMT will be earning between $30,000 and $50,000, 29% will be earners of $50,000 to $75,000. By 2008, 45% of people paying the AMT, a tax created for the very wealthy, will have Adjusted Gross Incomes of less than $75,000. If this alone is not enough to alarm this body perhaps we should consider the fact that an estimated 2000 families making over $200,000 will not pay one red cent in taxes this year. This is an unfair, unjustified, and inaction by this body is unreasonable. The AMT is out of sync with its purpose and it must be changed.

There are two major factors that have brought the AMT into the lives of middle-income taxpayers—first, tax credits created to help families and aimed at promoting education and community are considered to be preferences in terms of AMT determination. This means that many taxpayers must choose between applying middle-income tax credits and paying the AMT or forgoing the benefits of the credits and paying regular income tax. The AMT is threatening to prevent millions of middle-income families from receiving these valuable family tax credits such as the dependant care credit, the credit for the elderly and disabled, the adoption credit, the child tax credit, and the HOPE scholarship. No one, rich or poor, should be forced to pay the AMT, and higher rates, because they use these credits.

Second, Mr. President, the AMT has not been adjusted for inflation since 1993. This problem simply speaks for itself. While the cost of living has increased by approximately 43% since the tax code was last overhauled in 1986, the AMT has been adjusted only once by 12.5% in 1993. It is an inevitability that middle-income families will be drawn into the AMT if nothing is done to adjust a tax provision that is structured like the AMT. It is very important that this problem be addressed and I am happy that Senator LUGAR has brought this issue to the forefront of debate with his bill which would index the AMT beginning in 1993.

We can do a great favor to ourselves and our constituents this legislative session by fixing the AMT. Many families are not aware of the AMT. Most, I'm sure don't realize that soon they may be subject to the AMT and its higher rates. I promise, however, that if we do not fix the AMT now there are 12 million people out there that will let you know in the coming years. 12 million people, 45% of which earning less than $75,000 in adjusted gross income. One-million-four-hundred-and-forty-thousand Americans earning between $30,000 and $50,000 will be contacting their representatives in Washington in the coming years to ask, ''how can you people possibly consider me wealthy enough to pay a special tax for the wealthy?'' They will ask, ''why am I being punished for applying these tax credits that you gave me.''

While the bulk of the bulk of the middle-income AMT damage can be abated by Congressional action now, the AMT is already starting to take its toll on a handful of middle-income voters. I received a letter from an accountant in the northwest Arkansas town of Harrison. Jeff Hearn, who has impeccable professional credentials and who I understand to be a very well-respected practitioner among his peers, wrote me about the AMT plight of one of his clients. He wrote, ''Please find enclosed the description of one of my clients who is a young aspiring farmer with chicken houses in northwest Arkansas . . . He and his wife have two beautiful children who both qualify for the new child tax credit this year . . . However, when their return was completed they were subject to alternative minimum tax.'' Apparently this family was forced into paying AMT due to a combination of the new child tax credit and excess depreciation arising from their budding farm operation. I believe Mr. Hearn said it best when he wrote, ''It seems quite unfair to me that a couple under the age of thirty, who are trying to build an agricultural business in addition to working for a living would have to pay alternative minimum tax when individuals who make hundreds of thousands of dollars are still not paying alternative minimum tax.''

MESSAGES FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:57 a.m., a message from the House of Representatives, delivered by Mr. Hays, 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. 472. An act to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 440. An act to make technical corrections to the Microloan Program.

S. 338. An act to authorize the establishment of a disaster mitigation pilot program in the Small Business Administration.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 4:28 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1376. An act to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 472. An act to amend title 13, United States Code, to require the use of postcensus local review as part of each decennial census; to the Committee on Governmental Affairs.

The following bill was by unanimous consent referred to the Committee on Environment and Public Works:

S. 754. A bill to designate the Federal building at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building.''

The Committee on Health, Education, Labor, and Pensions was discharged from the further consideration of the following measure which was referred to the Committee on the Judiciary:

S. 302. A bill for the relief of Kerantha Poole-Christian.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 15, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 388. An act to authorize the establishment of a disaster mitigation pilot program in the Small Business Administration.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DURBIN (for himself, Mr. DEWINE, Mr. KENNEDY, and Mr. SCHUMER):

S. 805. A bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes; to the Committee on Finance.

By Mr. ASHCROFT (for himself, Mrs. HUTCHISON, Mr. INHOFE, and Mr. KYL):

S. 806. A bill to amend the Internal Revenue Code of 1986 to reduce the 15 percent individual income tax rate to 10 percent over 5 years, to provide that married couples may file a combined return under which each spouse is taxed using the rates applicable to unmarried individuals, and for other purposes; to the Committee on Finance.

By Mr. ASHCROFT:

S. 807. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the old-age, survivors, and disability insurance taxes paid by employees and self-employed individuals, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself and Mr. CHAFEE):

S. 808. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for land sales for conservation purposes; to the Committee on Finance.

By Mr. BURNS (for himself and Mr. WYDEN):

S. 809. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about private individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JEFFORDS (for himself, Mr. DODD, Ms. LANDRIEU, Mr. KENNEDY, and Mr. KOHL):

S. 810. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, to increase the availability and affordability of professional development for child care providers, to expand youth development opportunities, to ensure the safety of children placed in child care centers in Federal facilities, to ensure adequate child care subsidies for low-income working families, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Ms. LANDRIEU, Mr. DODD, and Mr. KOHL):

S. 811. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. DODD, and Ms. LANDRIEU):

S. 812. A bill to provide for the construction and renovation of child care facilities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JEFFORDS (for himself, Ms. LANDRIEU, Mr. DODD, Mr. SARBANES, and Mr. KENNEDY):

S. 813. A bill to ensure the safety of children placed in child care centers in Federal facilities, and for other purposes; to the Committee on Governmental Affairs.

By Mr. JEFFORDS (for himself, Mr. DODD, Ms. LANDRIEU, and Mr. KENNEDY):

S. 814. A bill to establish incentives to improve the quality and supply of child care providers, to expand youth development opportunities, to ensure adequate child care subsidies for low-income working families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROTH (for himself, Mr. JEFFORDS, Mr. COVERDELL, Mr. HELMS, Mr. ROBB, Ms. MIKULSKI, Mr. BIDEN, Mr. SESSIONS, Mr. HUTCHINSON, Mr. SARBANES, Mr. LEAHY, Mr. GRAMS, Mr. SHELBY, Mr. MCCONNELL, and Mr. HARKIN):

S. 815. A bill to amend the Internal Revenue Code of 1986 to extend the credit for producing electricity from certain renewable resources; to the Committee on Finance.

By Mr. DORGAN:

S. 816. A bill to amend section 3681 of title 18, United States Code, relating to the special forfeiture of collateral profits of a crime; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 817. A bill to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself and Mr. REID):

S. 818. A bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of medicare patients related to the provision of anesthesia services; to the Committee on Finance.

By Mr. GRAHAM (for himself and Mr. REID):

S. 819. A bill to provide funding for the National Park System from outer Continental Shelf revenues; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE (for himself, Mr. BREAUX, and Mr. JEFFORDS):

S. 820. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. FEINGOLD, Mr. KENNEDY, and Mr. TORRICELLI):

S. 821. A bill to provide for the collection of data on traffick stops; to the Committee on the Judiciary.

By Mr. SPECTER:

S. 822. A bill to amend the Internal Revenue Code of 1986 to impose a flat tax only on individual taxable earned income and business taxable income, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. DURBIN):

S. 823. A bill to establish a program to assure the safety of processed produce intended for human consumption, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KERRY (for himself, Mr. SMITH of Oregon, Mr. CHAFEE, Mr. CLELAND, Ms. SNOWE, Mr. BAYH, Ms. COLLINS, Mr. KENNEDY, Mr. LEVIN, Mr. EDWARDS, Mrs. MURRAY, and Mr. BRYAN):

S. 824. A bill to improve educational systems and facilities to better educate students throughout the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. SCHUMER):

S. 825. A bill to amend the Internal Revenue Code of 1986 to allow small business employers a credit against income tax for employee health insurance expenses paid or incurred by the employer; to the Committee on Finance.

By Mr. ROTH (for himself, Mr. BIDEN, Mr. HELMS, Mr. STEVENS, Mr. SPECTER, Mr. THURMOND, Mr. ENZI, Mr. COCHRAN, Mr. MURKOWSKI, Mr. ABRAHAM, Mr. CRAIG, Mr. DOMENICI, Mr. DURBIN, Mr. KENNEDY, Mr. KERRY, Mr. KYL, Mr. HOLLINGS, Mr. SMITH of New Hampshire, Ms. COLLINS, Ms. LANDRIEU, Mr. VOINOVICH, and Mr. DEWINE):

S.J. Res. 19. A joint resolution requesting the President to advance the late Rear Admiral Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Res. 77. A resolution commending and congratulating the University of Connecticut Huskies for winning the 1999 NCAA Men's Basketball Championship; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 78. A resolution to authorize representation of members and officers of the Senate in the case of *Jim Russell* v. *Albert Gore, et al.*

By Mr. LOTT:

S. Res. 79. A resolution designating the Chairman of the Joint Economic Committee for the 106th Congress; considered and agreed to.

By Mr. COVERDELL (for himself and Mr. CLELAND):

S. Res. 80. A resolution congratulating Boyd Clines, Larry Rogers, and Matt Moseley for their bravery and courage in the April 12, 1999, rescue mission of Mr. Ivers Sims; considered and agreed to.

By Mr. ASHCROFT:

S. Con. Res. 26. A concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. DEWINE, Mr. KENNEDY, and Mr. SCHUMER):

S. 805. A bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes; to the Committee on Finance.

THE CHILDREN'S ASTHMA RELIEF ACT OF 1999

Mr. DURBIN. Mr. President, I rise today to make a few remarks concerning a bill that Senator DEWINE and I are introducing today that we hope will improve the lives of many of the nation's asthmatic children.

Asthma is one of the most common chronic conditions in the U.S., affecting an estimated 14.9 million people, causing over 1.5 million emergency department visits and over 5,500 deaths in 1995, and estimated to cost over $14.5 billion by the year 2000. Asthma deaths have tripled over the past two decades despite improvements in clinical treatment.

Asthma is considered the worst chronic health problem affecting children. Childhood asthma has dramatically increased by over 160 percent since 1980. Currently, 7 percent of the nation's children suffer from asthma. It is particularly prevalent among the urban poor because of the lack of accessible health care and the high number of allergens in the environment. Research supported by the National Institutes of Health demonstrated that the combination of cockroach allergen, house dust mites, molds, tobacco smoke, and feathers are important causes of asthma-related illness and hospitalization among the children in inner-city areas of the United States.

To combat asthma, innovative community-based programs have been developed in some areas to fight this growing public health problem. For example, in Los Angeles the Asthma and Allergy Foundation has set up two ''breathmobiles.'' The converted motor homes, staffed by doctors and nurses, visit schools to test, treat, and educate at-risk children. Since the program began two years ago, there has been a 17 percent decline in the number of children visiting emergency rooms for asthma.

Today, I am introducing with Senator DEWINE ''The Childhood Asthma Initiative'' to help more communities create childhood asthma programs tailored to meet their local needs. This bill funds grants for state and community-based organizations to support a variety of treatment, educational, or preventive programs. The funds are targeted to areas where childhood asthma and asthma-associated mortality rates are high. This will enable those areas with the most need to provide services that reduce emergency room visits, create healthier environments, reduce mortality rates from asthma, and provide overall improved quality of life. The bill also helps enroll eligible asthmatic children in Medicaid or State Children's Health Insurance Programs (S–CHIP). Furthermore, the bill provides additional funding for S–CHIP to incorporate asthma screening, treatment, and education in to their programs.

The bill coordinates Federal asthma activities through the National Asthma Education Prevention Program Coordinating Committee, and increases data collection by the CDC on prevalence and mortality associated with asthma. These efforts will help link patients to effective treatments and disseminate new breakthroughs in asthma treatment.

This bill has been endorsed by the National Association of Children's Hospitals and Research Institutions, the American Lung Association, the American Academy of Pediatrics, and the Association of Maternal and Child Health Programs.

I hope that many of my colleagues will join me in supporting this bill. Nobody should die from asthma. Treatments are available. Let us make sure that every child in America that suffers from asthma has access to those treatments.

I ask unanimous consent that a copy of the bill be inserted in the RECORD.

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

S. 805

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 ''Children's Asthma Relief Act of 1999''.

SEC. 2. FINDINGS.

(a) FINDINGS.—Congress makes the following findings:

(1) Asthma is one of the Nation's most common and costly diseases. It affects an estimated 14,000,000 to 15,000,000 individuals in the United States, including almost 5,000,000 children.

(2) Asthma is often a chronic illness that is treatable with ambulatory care, but over 43 percent of its economic impact comes from use of emergency rooms, hospitalization, and death.

(3) In Illinois, the mortality rate for blacks from asthma is the highest in the nation with 60.8 deaths per every 1,000,000 population. In Ohio, the mortality rate for blacks from asthma is 32.2 per 1,000,000 population and the mortality rate for whites from asthma is 11.7 per 1,000,000.

(4) In 1995, there were more than 1,800,000 emergency room visits made for asthma-related attacks and among these, the rate for emergency room visits was 48.8 per 10,000 visits among whites and 228.9 per 10,000 visits among blacks.

(5) Hospitalization rates were highest for individuals 4 years old and younger, and were 10.9 per 10,000 visits for whites and 35.5 per 10,000 visits for blacks.

(6) From 1979 to 1992, the hospitalization rates among children due to asthma increased 74 percent.

(7) It is estimated that more than 7 percent of children now have asthma.

(8) Although asthma can occur at any age, about 80 percent of the children who will develop asthma do so before starting school.

(9) From 1980 to 1994, the most substantial prevalence rate increase for asthma occurred among children aged 0-4 years (160 percent) and persons aged 5-14 years (74 percent).

(10) Asthma is the most common chronic illness in childhood, afflicting nearly 5,000,000 children under age 18, and costing an estimated $1,900,000,000 to treat those children. The death rate for children age 19 and younger increased by 78 percent between 1980 and 1993.

(11) Children aged 0 to 5 years who are exposed to maternal smoking are 201 times more likely to develop asthma compared with those free from exposure.

(12) Morbidity and mortality related to childhood asthma are disproportionately high in urban areas.

(13) Minority children living in urban areas are especially vulnerable to asthma. In 1988, national prevalence rates were 26 percent higher for black children than for white children.

(14) Certain pests known to create public health problems occur and proliferate at higher rates in urban areas. These pests may spread infectious disease and contribute to the worsening of chronic respiratory illnesses, including asthma.

(15) Research supported by the National Institutes of Health demonstrated that the combination of cockroach allergen, house dust mites, molds, tobacco smoke, and feathers are important causes of asthma-related illness and hospitalization among children in inner-city areas of the United States.

(16) Cities outside the United States have developed and implemented effective systems of cockroach management.

(17) Integrated pest management is a cost-effective approach to pest control that emphasizes prevention and uses a range of techniques, including property maintenance and cleaning, and pesticides as a means of last resort.

(18) Reducing exposure to cockroach allergen, as part of an integrated approach to asthma management, may be a cost-effective way of reducing the social and economic costs of the disease.

(19) No current Federal funding exists specifically to assist cities in developing and implementing integrated strategies to reduce cockroach infestation.

(20) Asthma is the most common cause of school absenteeism due to chronic illness with 10,100,000 days missed from school per year in the United States.

(21) According to a 1995 National Institute of Health workshop report, missed school days accounted for an estimated cost of lost productivity for parents of children with asthma of almost $1,000,000,000 per year.

(22) According to data from the 1988 National Health Interview Survey (NHIS), which surveyed children for their health experiences over a 12-month period, 25 percent of those children reported experiencing a great deal of pain or discomfort due to asthma either often or all the time during the previous 12 months.

(23) Managing asthma requires a long-term, multifaceted approach, including patient education, behavior changes, avoidance of asthma triggers, pharmacologic therapy, and frequent medical follow-up.

(24) Enhancing the available prevention, educational, research, and treatment resources with respect to asthma in the United States will allow our Nation to address more effectively the problems associated with this increasing threat to the health and well-being of our citizens.

SEC. 3. CHILDREN'S ASTHMA RELIEF.

Title V of the Social Security Act (42 U.S.C. 701 et seq.) is amended by adding at the end the following:

"SEC. 511. ASTHMA TREATMENT GRANTS PROGRAM.

''(a) PURPOSES.—The purposes of this section are as follows:

''(1) To provide access to quality medical care for children who live in areas that have a high prevalence of asthma and who lack access to medical care.

''(2) To provide on-site education to parents, children, health care providers, and medical teams to recognize the signs and symptoms of asthma, and to train them in the use of medications to prevent and treat asthma.

''(3) To decrease preventable trips to the emergency room by making medication available to individuals who have not previously had access to treatment or education in the prevention of asthma.

''(4) To provide other services, such as smoking cessation programs, home modification, and other direct and support services that ameliorate conditions that exacerbate or induce asthma.

''(b) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—In addition to any other payments made under this title, the Secretary shall award grants to eligible entities to carry out the purposes of this section, including grants that are designed to develop and expand projects to—

''(A) provide comprehensive asthma services to children, including access to care and treatment for asthma in a community-based setting;

''(B) fully equip mobile health care clinics that provide preventive asthma care including diagnosis, physical examinations, pharmacological therapy, skin testing, peak flow meter testing, and other asthma-related health care services;

''(C) conduct study validated asthma management education programs for patients with asthma and their families, including patient education regarding asthma management, family education on asthma management, and the distribution of materials, including displays and videos, to reinforce concepts presented by medical teams; and

''(D) identify eligible children for the medicaid program under title XIX, the State Children's Health Insurance Program under title XXI, or other children's health programs.

''(2) AWARD OF GRANTS.—

''(A) APPLICATION.—

''(i) IN GENERAL.—An eligible entity shall submit an application to the Secretary for a grant under this section in such form and manner as the Secretary may require.

''(ii) REQUIRED INFORMATION.—An application submitted under this subparagraph shall include a plan for the use of funds awarded under the grant and such other information as the Secretary may require.

''(B) REQUIREMENT.—In awarding grants under this section, the Secretary shall give preference to eligible entities that demonstrate that the activities to be carried out under this section shall be in localities within areas of known high prevalence of childhood asthma or high asthma-related mortality (relative to the average asthma incidence rates and associated mortality rates in the United States). Acceptable data sets to demonstrate a high prevalence of childhood asthma or high asthma-related mortality may include data from Federal, State, or local vital statistics, title XIX or XXI claims data, other public health statistics or surveys, or other data that the Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, deems appropriate.

''(3) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a State agency or other entity receiving funds under this title, a local community, a nonprofit children's hospital or foundation, or a nonprofit community-based organization.

''(c) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—An eligible entity shall identify in the plan submitted as part of an application for a grant under this section how the entity will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with asthma, including any such programs operated under this title, title XIX, and title XXI; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(d) EVALUATION.—An eligible entity that receives a grant under this section shall submit to the Secretary an evaluation of the operations and activities carried out under the grant that includes—

''(1) a description of the health status outcomes of children assisted under the grant;

''(2) an assessment of the utilization of asthma-related health care services as a result of activities carried out under the grant;

''(3) the collection, analysis, and reporting of asthma data according to guidelines prescribed by the Director of the Centers for Disease Control and Prevention; and

''(4) such other information as the Secretary may require.

''(e) APPLICATION OF OTHER PROVISIONS OF TITLE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the other provisions of this title shall not apply to a grant made under this section.

''(2) EXCEPTIONS.—The following provisions of this title shall apply to a grant made under this section to the same extent and in the same manner as such provisions apply to allotments made under section 502(c):

''(A) Section 504(b)(4) (relating to expenditures of funds as a condition of receipt of Federal funds).

''(B) Section 504(b)(6) (relating to prohibition on payments to excluded individuals and entities).

''(C) Section 506 (relating to reports and audits, but only to the extent determined by the Secretary to be appropriate for grants made under this section).

''(D) Section 508 (relating to nondiscrimination).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of the fiscal years 2000 through 2004.''.

SEC. 4. INCORPORATION OF ASTHMA PREVENTION TREATMENT AND SERVICES INTO STATE CHILDREN'S HEALTH INSURANCE PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall, in accordance with subsection (b), carry out a program to encourage States to implement plans to carry out activities to assist children with respect to asthma in accordance with guidelines of the National Asthma Education and Prevention Program (NAEPP) and the National Heart, Lung and Blood Institute.

(b) RELATION TO CHILDREN'S HEALTH INSURANCE PROGRAM.—

(1) IN GENERAL.—Subject to paragraph (2), if a State child health plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) provides for activities described in subsection (a) to an extent satisfactory to the Secretary, the Secretary shall, with amounts appropriated under subsection (c), make a grant to the State involved to assist the State in carrying out such activities.

(2) CRITERIA REGARDING ELIGIBILITY FOR GRANT.—The Secretary shall publish in the Federal Register criteria describing the circumstances in which the Secretary will consider a State plan to be satisfactory for purposes of paragraph (1).

(3) REQUIREMENT OF MATCHING FUNDS.—

(A) IN GENERAL.—With respect to the costs of the activities to be carried out by a State pursuant to paragraph (1), the Secretary may make a grant under such paragraph only if the State agrees to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 15 percent of the costs.

(B) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in subparagraph (A) may be in cash or in kind, fairly evaluated, including equipment or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(4) TECHNICAL ASSISTANCE.—With respect to State child health plans under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, in consultation with the heads of other Federal agencies involved in asthma treatment and prevention, shall make available to the States technical assistance in developing the provision of such plans that will provide for activities pursuant to paragraph (1).

(c) FUNDING.—For the purpose of carrying out this section, there is authorized to be appropriated $5,000,000 for each of the fiscal years 2000 through 2004.

SEC. 5. PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT; SYSTEMS FOR REDUCING ASTHMA AND ASTHMA-RELATED ILLNESSES THROUGH URBAN COCKROACH MANAGEMENT.

Section 1904(a)(1) of the Public Health Service Act (42 U.S.C. 300w–3(a)(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) by adding a period at the end of subparagraph (G) (as so redesignated);

(3) by inserting after subparagraph (D), the following:

''(E) The establishment, operation, and coordination of effective and cost-efficient systems to reduce the prevalence of asthma and asthma-related illnesses among urban populations, especially children, by reducing the level of exposure to cockroach allergen through the use of integrated pest management, as applied to cockroaches. Amounts expended for such systems may include the costs of structural rehabilitation of housing, public schools, and other public facilities to reduce cockroach infestation, the costs of building maintenance, and the costs of programs to promote community participation in the carrying out at such sites integrated pest management, as applied to cockroaches. For purposes of this subparagraph, the term 'integrated pest management' means an approach to the management of pests in public facilities that minimizes or avoids the use of pesticide chemicals through a combination of appropriate practices regarding the maintenance, cleaning, and monitoring of such sites.'';

(4) in subparagraph (F) (as so redesignated), by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''; and

(5) in subparagraph (G) (as so redesignated), by striking ''subparagraphs (A) through (E)'' and inserting ''subparagraphs (A) through (F)''.

SEC. 6. COORDINATION OF FEDERAL ACTIVITIES TO ADDRESS ASTHMA-RELATED HEALTH CARE NEEDS.

(a) IN GENERAL.—The Director of the National Heart, Lung, and Blood Institute shall, through the National Asthma Education Prevention Program Coordinating Committee—

(1) identify all Federal programs that carry out asthma-related activities;

(2) develop, in consultation with appropriate Federal agencies and professional and voluntary health organizations, a Federal plan for responding to asthma; and

(3) not later than 12 months after the date of enactment of this Act, submit recommendations to Congress on ways to strengthen and improve the coordination of asthma-related activities of the Federal Government.

(b) REPRESENTATION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—A representative of the Department of Housing and Urban Development shall be included on the National Asthma Education Prevention Program Coordinating Committee for the purpose of performing the tasks described in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—Out of any funds otherwise appropriated for the National Institutes of Health, $5,000,000 shall be made available to the National Asthma Education Prevention Program for the period of fiscal years 2000 through 2004 for the purpose of carrying out this section. Funds made available under this subsection shall be in addition to any other funds appropriated to the National Asthma Education Prevention Program for any fiscal year during such period.

SEC. 7. COMPILATION OF DATA BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—The Director of the Centers for Disease Control and Prevention, in consultation with the National Asthma Education Prevention Program Coordinating Committee, shall—

(1) conduct local asthma surveillance activities to collect data on the prevalence and severity of asthma and the quality of asthma management, including—

(A) telephone surveys to collect sample household data on the local burden of asthma; and

(B) health care facility specific surveillance to collect asthma data on the prevalence and severity of asthma, and on the quality of asthma care; and

(2) compile and annually publish data on—

(A) the prevalence of children suffering from asthma in each State; and

(B) the childhood mortality rate associated with asthma nationally and in each State.

(b) COLLABORATIVE EFFORTS.—The activities described in subsection (a)(1) may be conducted in collaboration with eligible entities awarded a grant under section 511 of the Social Security Act (as added by section 3).

Mr. DEWINE. Mr. President, today I join with my colleague, Senator DURBIN, in introducing the ''Children's Asthma Relief Act of 1999.'' This bill would authorize $50 million for each of 5 years for the Secretary of Health and Human Services to award grants to eligible entities to develop and expand projects to provide asthma services to children. These grants may also be used to equip mobile health care clinics that provide asthma diagnosis and asthma-related health care services, educate families on asthma management, and identify and enroll uninsured children who are eligible for but not receiving health coverage under Medicaid or the State Children's Health Insurance Program (SCHIP). The ability to identify and enroll children in these programs will ensure that children with asthma receive the care they need.

Research supported by the NIH has shown that the combination of cockroach waste, house dust mites, molds, tobacco smoke, and feathers (among other allergens) contribute to asthma-related illness and hospitalization. Children living in urban areas are especially susceptible.

Asthma is the most common chronic illness that forces children to miss school. From 1979 to 1992, the hospitalization rates among children due to asthma increased 74 percent. Estimates show that more than 7% of children now suffer from asthma. Hospitalization rates were highest for individuals 4 years old and younger. According to 1998 data from the Center for Disease Control (CDC) my home state of Ohio ranks about 17th in the estimated prevalence rates for asthma. Nationwide, the most substantial prevalence rate increase for asthma occurred among children aged 4 years old and younger.

I believe that an important component of this bill is that it requires those receiving grants to coordinate with current children's health programs such as the Maternal and Child Health Program, Medicaid, the State Children's Health Insurance Program, supplemental nutrition programs, and child welfare, foster care and adoption assistance programs. This type of coordination with other children's programs will help to ensure not just a better targeting of funding, but also will help to identify children in these programs who are asthmatic and may

otherwise remain undetected and untreated.

This bill would authorize $5 million for each of 5 years for the Secretary of HHS to award matching grants to states that develop plans to carry out asthma-related programs for children according to NIH guidelines through the state children's health insurance programs.

Since research shows that children living in urban areas suffer from asthma at such alarming rates and that allergens such as cockroach waste contribute to the onset of asthma, this bill adds urban cockroach management to the current preventive health services block grant which can currently be used for rodent control. To reduce roach allergens, this block grant could be used to cover the costs of structural rehabilitation of public housing, schools, and other public facilities to control roach infestation, while minimizing or avoiding the use of pesticides.

This bill would require that NIH give the National Asthma Education Prevention Program (within NIH) an additional $5 million for each of 5 years to develop a federal plan for responding to asthma and to submit recommendations to Congress on ways to strengthen and better coordinate federal asthma-related activities.

To better monitor the prevalence and determine which areas have the greatest incidences of children with asthma, this bill would require CDC to conduct local asthma surveillance activities to collect data on the prevalence and severity of asthma and to annually publish data on the prevalence rates of asthma among children and on the childhood mortality rate. This surveillance data will help us better detect asthmatic conditions so that more children can be treated and we can ensure that we are targeting our resources in an effective and efficient way to reverse the disturbing trend in the hospitalization and death rates of children who suffer from asthma.

Mr. President, I urge my colleagues to support this very important initiative to help the nearly 5 million children who have been diagnosed with asthma and to help those who suffer from asthma but who remain untreated.

By Mr. ASHCROFT (for himself, Mrs. HUTCHISON, Mr. INHOFE, and Mr. KYL):

S. 806. A bill to amend the Internal Revenue Code of 1986 to reduce the 15 percent individual income tax rate to 10 percent over 5 years, to provide that married couples may file a combined return under which each spouse is taxed using the rates applicable to unmarried individuals, and for other purposes; to the Committee on Finance.

Mr. ASHCROFT. Mr. President, on this April 15, I would like to raise the issue of tax freedom and fairness. The American people are paying over one-fifth of Gross Domestic Product in taxes—the highest share of taxation since World War II and the highest peacetime levels in history. Too much of this burden falls on middle-income earners, who are struggling to juggle the high tax burden with the more important demands of their own families.

It is for these hard-working Americans that I am introducing the Taxpayer Freedom and Fairness Act—legislation that is designed to reduce the tax burdens on lower and middle-income taxpayers. This goal can be accomplished in two ways, through marginal rate reductions for low and middle income earners, or by making the payroll tax deductible for individuals. Those individuals and families on the lower half of our income ladder need and deserve tax relief and I am committed to providing them that relief.

Tax relief is necessary because many middle-income earners are paying levels of taxes that severely diminish their ability to care for and support their families. Under current law, single taxpayers will pay 15% on the first $25,750 of taxable income they earn. Combining this with the 15% payroll tax, those earning under $26,000 are paying 30% of taxable income to the federal government. Those earning a taxable income of $26,000 are by no means rich—and should not be taxed as if they were.

Given the burden on workers, it is incumbent upon us to provide them with tax relief. The Taxpayer Freedom and Fairness Act provides two ways to deal with these unconscionably high tax levels. The first is to provide these lower and middle income earners with real rate relief. I have proposed reducing the 15% tax rate to 10%. According to Congress' Joint Committee on Taxation, reducing the 15% income tax rate to 10% over five years would provide taxpayers with $980 billion in tax relief over the next decade. That means the average two-income family of four would save $2,200 annually. An individual with a taxable income of $25,000 would save $1,250 annually once the rate reduction was fully in place.

This is a tax cut designed primarily to benefit hard-working low- and middle-income Americans. Reducing the rate from 15% to 10% would save the average Missouri households $1,170. This kind of tax relief is especially welcome in Missouri, where, according to the Tax Foundation, the burden of state and local taxes has grown dramatically in recent years. In recent years, the tax burden in Missouri has risen from the low rank of 47th in the nation to the 16th highest.

Across the country, nearly two-thirds of the relief would flow to households earning less than $75,000. Less than 4% of the tax relief would flow to households earning more than $200,000. This is real tax relief directed at middle class earners.

A second way to accomplish this important goal is through marriage penalty relief. It should be our goal as a society to encourage young couples to get married. Marriage is a sacred institution that promotes family and community stability. More marriage is an unmitigated good for this country.

Unfortunately our tax system does not see it as such. The current federal income tax system forces many married couples to pay a ''marriage penalty.'' That is, they are required to pay more federal income tax than they would have paid had they been single and filed their taxes separately.

This is fundamentally unfair. The tax code should not punish marriage, our society's most basic and essential institution.

Under current law, two single taxpayers, each earning $35,000 and claiming standard deductions, will each pay $4,558.50 in federal income tax.

If those taxpayers marry each other, the tax code would boost their combined tax bill by $1,478 to $10,595. This almost $1,500 penalty is a serious disincentive to middle-income couples looking to get married. This disincentive represents an unacceptable attack on the institution of marriage. This issue resonates particularly strongly in Missouri. 1,052,518 out of 2,416,434 Missouri tax filers file joint returns.

The marriage penalty has been part of the tax code since 1969. Since then, the burden of the penalty has grown enormously. In fact, the Joint Economic Committee estimates married couples now pay $29 billion in taxes every year that they otherwise would not have paid had they been single. It is time to abolish the marriage penalty and create a new day of freedom for American families to keep more of the money they work so hard to earn.

I have long advocated elimination of the marriage penalty. In addition to the Taxpayer Freedom and Fairness Act, I am also a co-sponsor of Senator HUTCHISON's bill to eliminate the marriage penalty. I also included the elimination of the marriage penalty as a provision in my Fair Flat tax proposal. Eliminating the marriage penalty should be one of the Senate's top tax priority for 1999.

It is time to provide real tax relief to those who need it most. The middle class should no longer have to pay 43% of incomes to the federal government. Married couples should no longer pay a penalty just for being married. The best ways to solve these problems are to reduce marginal tax rates and to eliminate this penalty on married couples. I urge my colleagues to vote for the Taxpayer Freedom and Fairness bill, and bring freedom and fairness to taxpayers this April 15th.

By Mr. ASHCROFT:

S. 807. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the old-age, survivors, and disability insurance taxes paid by employees and self-employed individuals, and for other purposes; to the Committee on Finance.

WORKING AMERICANS WAGE RESTORATION ACT

Mr. ASCHROFT. Mr. President, on today's tax filing deadline, Americans feel the burden of our tax system most acutely. According to the Tax Foundation, an American family spends more of their family budget on taxes than on health care, food, clothing, and shelter combined. The economic anxiety so many of our Americans feel can be directly attributed to the federal government's excessive taxation

One of the main culprits in this dramatic increase in taxes has been the sharp rise in federal payroll taxes. Payroll taxes have increased 13.3 percent since 1949, and the maximum taxable income for payroll taxes have risen from $3,000 to $72,600.00 in the same period. As a result, almost three-quarters of all families paying taxes pay more in Social Security taxes than they do in income taxes.

In addition to their high rates, the payroll tax is also an unjust tax-on-a-tax. When working Americans receive their paychecks—their gross income—they pay a variety of payroll taxes, such as Social Security and Medicare, on that gross income. When they pay their income taxes, they pay on the full amount of their paychecks, including the payroll taxes previously withheld—money that they never saw and that went straight to the government's coffers. And to add insult to this injury, taxpayers' employers are allowed to deduct their share of payroll taxes, but the taxpayers themselves cannot.

This constitutes double taxation on the wages of the American people. First they pay the payroll taxes off their gross income, and then they are taxed on the amount of the gross income, as if the payroll taxes had never been taken away.

It is because of these high rates and this double-taxation that I am introducing legislation to eliminate the unfair tax-on-a-tax, giving the American people the same tax benefits as their employers. Under my proposal, workers will be able to deduct the 6.2 percent of their paychecks taken by the government for Social Security taxes. This would provide much overdue tax relief to middle class workers across the country who get hit hardest by both Social Security and income taxes. My proposal would save the average two-income American family $1,770 a year in taxes.

This relief is necessary because many middle-income earners are paying levels of taxes that severely diminish their ability to care for and support their families. Under current law, single taxpayers will pay 15% on the first $25,750 of taxable income they earn. After that point, their tax levels jump to 28% on federal tax alone. Combined with the 15% payroll tax burden, our system is structured so that individuals earning between $25,750 and $62,450 are paying 43% of their incomes in federal taxes.

It is a scandal that Missourians making $25,750 are forced to sacrifice to the federal government 43% of each additional dollar they earn. Those earning a taxable income of $25,750 are by no means rich—and should not be taxed as if they were.

In fact, the payroll tax is aimed right at the heart of the middle class. The payroll tax is a direct levy of 15% on incomes up to $72,600. After that point, the payroll tax is not in effect. This means that the payroll tax constitutes a much greater burden on the poor and the middle class. According to the Congressional Budget Office, 74% of all families pay more in total Social Security payroll taxes than they pay in income taxes.

In addition to costing the poor and middle class more, the payroll tax also burdens individuals more than businesses. Although employers and employees both have to pay 7.65% of a worker's income in payroll taxes, this burden strikes individuals disproportionately. Employers currently have the ability to deduct payroll taxes as a business expense. Employees do not have this same option. In the interest of fairness, employees and self-employed individuals—even those who do not itemize—should have the same opportunity.

It is for these reasons—the high rates, the double taxation, the overall tax burden, the disproportionate impact on lower and middle-income wage earners—that taxpayers need to have a payroll tax deduction. Americans should no longer be forced to pay federal income tax on their Social Security payroll taxes.

Providing payroll tax relief would not be a tax cut for the rich, but a tax cut for the poor and the middle class, who are paying payroll taxes from their first dollar of earnings. If taxpayers were no longer forced to pay income tax on their Social Security taxes, the average two-income family would see its annual tax bill slashed $1,400.

This change would be extremely helpful to taxpayers in my home state of Missouri. 85% of Missouri tax filers, over two million Missourians, pay payroll taxes and would benefit from this deduction.

Employers, who are already able to deduct payroll taxes, overwhelmingly support making this change to help their workers. According to a National Federation of Independent Business survey of small business owners, 73% support making the employee share of the payroll tax fully deductible. These employers know what a burden the double-tax imposes on workers, and these employers understand better than anyone the importance of making the payroll tax deductible.

Preliminary estimates suggest that this proposal would increase the gross domestic product of 0.5% and produce 500,000 new jobs. Making the payroll tax deductible is good for workers, good for businesses, good for Missouri, and good for the American economy.

Mr. President, the case is clear: it is time to make the payroll tax deductible. On this April 15, let us dedicate ourselves to providing payroll tax relief to American workers. I urge my colleagues to join me in support of this legislation.

By Mr. JEFFORDS (for himself and Mr. CHAFEE):

S. 808. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for land sales for conservation purposes; to the Committee on Finance.

THE CONSERVATION TAX INCENTIVES ACT OF 1999

Mr. JEFFORDS. Mr. President, on this day when Americans must file their tax returns, I am introducing the Conservation Tax Incentives Act of 1999, a bill that will result in a reduction in the capital gains tax for landowners who sell property for conservation purposes. This bill creates a new incentive for private, voluntary land protection. This legislation is a cost-effective non-regulatory, market-based approach to conservation, and I urge my colleagues to join me in support of it.

Our tax code already has a tax incentive to encourage people to donate land for conservation purposes or to donate conservation easements. The charitable contribution deduction provides this incentive, and this deduction has been instrumental in the conservation of environmentally significant land across the country.

Not all land worth preserving, however, is owned by people who are able to give it away. For many landowners, their land is their primary financial asset, and they simply cannot afford to donate it for conservation purposes. While they might like to see their land preserved in its undeveloped state, the tax code's incentive for donations is of no help to them.

The Conservation Tax Incentives Act will provide a new tax incentive for sales of land for conservation by reducing the amount of income that landowners would ordinarily have to report—and pay tax on—when they sell their land. The bill provides that when land is sold for conservation purposes, only one half of any gain will be included in income. The other half can be excluded from income; the effect of this exclusion is to cut in half the capital gains tax the seller would otherwise have to pay. The bill will enable

landowners to permanently protect their property's environmental value without forgoing the financial security it provides. The bill's benefits are available to landowners who sell land either to a government agency or to a qualified nonprofit conservation organization. They are also available when landowners sell partial interests in land for conservation. Thus owners of farms and forests may be able to take advantage of the bill's benefits, yet still continue to harvest crops or timber from their land, if they sell a conservation easement on the property. The purchaser must provide the seller with a letter of intent manifesting the purchaser's intent that the land acquisition will serve such conservation purposes as protection of fish, wildlife or plant habitat, or provision of open space for agriculture, forestry, outdoor recreation or scenic beauty.

Land is being lost to development and commercial use at an alarming rate. By Department of Agriculture estimates, more than four square miles of farmland are lost to development every day, often with devastating effects on the habitat wildlife need to thrive. Without additional incentives for conservation, we will continue to lose ecologically valuable land.

This bill provides an incentive-based means for accomplishing conservation in the public interest. It helps tax dollars accomplish more, allowing public and charitable conservation funds to go to higher-priority conservation projects. Preliminary estimates indicate that with the benefits of this bill, nine percent more land could be acquired, with no increase in the amount governments currently spend for conservation land acquisition. At a time when little money is available for conservation, it is important that we stretch as far as possible the dollars that are available.

State and local governments will be important beneficiaries of this bill. Many local communities have voted in favor of raising taxes to finance bond initiatives to acquire land for conservation. My bill will help stretch these bond proceeds so that they can go further in improving the conservation results for local communities. In addition, because the bill applies to sales to publicly-supported national, regional, State and local citizen conservation groups, its provisions will strengthen private, voluntary work to save places important to the quality of life in communities across the country. Private fundraising efforts for land conservation will be enhanced by this bill, as funds will be able to conserve more, or more valuable, land.

Let me provide an example to show how I intend the bill to work. Let's suppose that in 1952 a young couple purchased a house and a tract of adjoining land, which they have maintained as open land. Recently, the county where they live passed a bond initiative to buy land for open space, as county residents wanted to protect the quality of their life from rampant development and uncontrolled sprawl. Let's further assume that the couple, now contemplating retirement, is considering competing offers for their land. One offer comes from the county, which will preserve the land in furtherance of its open-space goals. The other offer has been made by an individual who does not plan to conserve the land. Originally purchased for $25,000, the land is now worth $250,000 on the open market. If they sell the land at its fair market value to the individual, the couple would realize a gain of $225,000 ($250,000 sales price minus $25,000 cost), owe tax of $45,000 (at a rate of 20% on the $225,000 gain), and thus net $205,000 after tax.

Under my bill, if the couple sold the land to the county for conservation purposes, they would be able to exclude from income one half of the gain realized upon the sale. This means they would pay a lower capital gains tax; consequently, they would be in a position to accept a lower offer from a local government or a conservation organization, yet still end up with more money in their pockets than they would have had if they had accepted the developer's offer. Continuing with the example from the preceding paragraph, let's assume the couple sold the property to the county, for the purpose of conservation, at a price of $240,000. They would realize a gain of $215,000 ($240,000 sales price minus $25,000 cost). Under my bill, only half of this gain $107,500, would be includible in income. The couple would pay $21,500 in capital gains tax (at a rate of 20% on the $107,500 gain includible in income) and thus net $218,500 ($240,000 sales price minus $21,500 tax). Despite having accepted a sales price $10,000 below the individual's offer, the couple will keep $13,000 more than they would have kept if they had accepted his offer.

The end result is a win both for the landowners, who end up with more money in their pocket than they would have had after a sale to an outsider, and for the local community, which is able to preserve the land at a lower price. This example illustrates how the exclusion from income will be especially beneficial to middle-income, ''land rich/cash poor'' landowners who can't avail themselves of the tax benefits available to those who can afford to donate land.

A real-life example from my home state illustrates the need for this bill. A few years ago, in an area of Vermont known as the Northeast Kingdom, a large well-managed forested property came on the market. The land had appreciated greatly over the years and was very valuable commercially. With more than 3,000 acres of mountains, forests, and ponds, with hiking trails, towering cliffs, scenic views and habitat for many wildlife species, the property was also very valuable environmentally. Indeed, the State of Vermont was anxious to acquire it and preserve it for traditional agricultural uses and habitat conservation.

After the property had been on the market for a few weeks, the seller was contacted by an out-of-state buyer who planned to sell the timber on the land and to dispose of the rest of the property for development. Upon learning of this, the State moved to obtain appraisals and a quick legislative appropriation in preparation for a possible State purchase. Indeed, the State and The Nature Conservancy subsequently made a series of purchase offers to the landowner. The out-of-state buyer, however, prevailed upon the landowner to accept his offer. Local newspaper headlines read, ''State of Vermont Loses Out On Northeast Kingdom Land Deal.'' The price accepted by the landowner was only slightly higher than the amount offered by the State. Had the bill I'm introducing today been on the books, the lower State offer may well have been as attractive—perhaps more so—than the amount offered by the individual.

In drafting the bill's language, I was careful to ensure that the tax incentive applies to lands that truly serve conservation purposes. First, only publicly-supported conservation charities and governmental entities qualify as purchasers for transactions that make use of this tax incentive. Conservation organizations and governmental natural resource and environmental agencies have a long and respected record of serving the public interest in acquiring and managing land for conservation purposes. This bill builds on that record of trust and responsible stewardship, without imposing new and administratively cumbersome requirements to ensure that the public purpose is served. The tax code already provides for adequate oversight to guard against a potential breach of the public trust by a conservation organization.

Second, the bill requires a statement of intent from the purchaser reflecting the purchaser's intent that the acquisition will serve one of the specified conservation purposes. This language was crafted to protect the public's conservation investment by establishing the purchaser's intent, but not creating a tax-driven land use restriction. In essence, I wanted to make sure that the purchaser's intent to conserve the land does not rob the land of commercial value, for which the landowner must be justly compensated if this conservation incentive is to work effectively. The purchaser's letter of intent should not be construed to impose new restrictions on the property or covenants running with the land; to do so would create an appraisal problem that

would defeat the very purpose that this bill is designed to address. Thus, the property being acquired should be appraised at its unencumbered, full fair market value. Furthermore, the value of the property in the hands of the purchasing conservation entity should be its full fair market value, notwithstanding both the purchaser's intended conservation use of the property and the required statement of intent. This principle would apply even when the original conservation purchaser, like a land trust, subsequently conveys the property to another cooperating conservation purchaser (e.g., a governmental agency) on behalf of which the land trust may have pre-acquired the property.

As this bill also applies to partial interests in land, the exclusion from income—and the resulting reduction in capital gains tax—will, in certain instances, also be available to landowners selling partial interests in their land for conservation purposes. A farmer could, for example, sell a conservation easement, continuing to remain on and farm his land, yet still be able take advantage of the provisions in this bill. The conservation easement must meet the tax code's requirements i.e., it must serve a conservation purpose, such as the protection of fish or wildlife habitat or the preservation of open space (including farmland and forest land).

There are some things this bill does not do. It does not impose new regulations or controls on people who own environmentally-sensitive land. It does not compel anyone to do anything; it is entirely voluntary. Nor will it increase government spending for land conservation. In fact, the effect of this bill will be to allow better investment of tax and charitable dollars used for land conservation.

I urge all my colleagues to join me in support of the Conservation Tax Incentives Act of 1999.

By Mr. BURNS (for himself and Mr. WYDEN):

S. 809. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about private individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ONLINE PRIVACY PROTECTION ACT OF 1999

Mr. BURNS. Mr. President, I am pleased to be joined by the distinguished Senator from Oregon, Mr. WYDEN, in introducing a very important piece of legislation, the Online Privacy Protection Act of 1999. Last year, Congress worked together to protect our most vulnerable citizens from unprincipled information gathering online by passing the Children's Online Privacy Protection Act of 1998. That law provided online privacy protection for children up through age 13. Although teens and adults have a greater ability to identify the risks associated with online shopping and browsing, some guidance and protection is needed to ensure that web sites treat information in a fair and uniform way.

Before I tell you what this bill does, let me first tell you what this bill does not do. It does not bury online companies with regulatory paperwork. It does not impose a congressional mandate on privacy policies. It does not force compliance with arcane rules. It does not regulate the internet.

I want to be clear. We are trying to pilot the ship of internet commerce with a very light hand while trying to encourage the efforts currently underway within the online industry.

This bill sets very general guidelines for how an online company treats information it gathers from people interacting with their web sites. First of all, there must be a clear and conspicuous posting of the companies information collection policy. They must note what information is collected, and what they do with it. There must be a clear means for people to opt out of providing this information, if the data collected is not relevant to the web transaction. In fairness, we do allow the web site host to cancel the online transaction if the site visitor doesn't provide all of the needed information. For example, if a person buys a product, but won't give a mailing address, the company can terminate the sale.

A key provision of this bill allows people access to information that was collected and shared with outside companies. We recognize that there are many web sites that collect information to better serve their visitors. Amazon.com keeps track of book requests to help identify other potential books of interest to the customer. We appreciate the prosperity of that data and its use and want to protect and encourage that creativity. As long as the company discloses up front what information it is collecting and keeps that data internal, it won't be forced into disclosure and lose its competitive edge. However, all companies are required to establish and maintain procedures to protect the information that it collects.

To the uninformed listener, this may sound like a lot of regulation and paperwork for online companies to follow. The good news is that this bill recognizes the continuing progress being made in the commercial sector in providing secure and private transactions for customers. Concerns about misuse of information can drive many customers away, and many companies are recognizing the need for establishing some type of privacy rules. It's telling that 60 percent of Fortune 500 Chief Information Officers in a recent poll stated that they wouldn't divulge personal information online.

Fortunately, we finally got the right balance in crafting privacy policy on the internet. It isn't through congressional or FTC mandates. It's by encouraging private industry to band together to establish minimum requirements for a safe haven for consumer information. Companies can meet the intent of this bill by showing that their privacy policy complies with the Safe Haven requirements established in industry. Congress and the FTC are only there to give the Safe Haven some teeth by providing incentives and ensuring compliance with these self-established regulations. We also allow states to use existing law to challenge and remove irresponsible online privacy behavior. A strong team of business, Congress, States, and regulators will bring a balanced and fair approach to the needs of consumers.

The Online Privacy Protection Act of 1999 is an important effort to shape the future of online commerce. By getting out front and then staying out of the way, we can create an electronic medium free from big-brother mentality that allows people to move freely through commercial sites without fearing for the data trail they leave behind. This bill is good for industry and good for consumers. I strongly encourage my colleagues to support the passage of this bill.

By Mr. JEFFORDS (for himself, Mr. DODD, Ms. LANDRIEU, Mr. KENNEDY, and Mr. KOHL):

S. 810. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, to increase the availability and affordability of professional development for child care providers, to expand youth development opportunities, to ensure the safety of children placed in child care centers in Federal facilities, to ensure adequate child care subsidies for low-income working families, and for other purposes; to the Committee on Finance.

CARING FOR AMERICA'S CHILDREN ACT

By Mr. JEFFORDS (for himself, Ms. LANDRIEU, Mr. DODD, and Mr. KOHL):

S. 811. A bill to amend the Internal Revenue Code of 1986 to expand alternatives for families with children, to establish incentives to improve the quality and supply of child care, and for other purposes; to the Committee on Finance.

TAX RELIEF FOR FAMILIES WITH CHILDREN ACT

By Mr. JEFFORDS (for himself, Mr. DODD, and Ms. LANDRIEU):

S. 812. A bill to provide for the construction and renovation of child care

facilities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

CHILD CARE CONSTRUCTION AND RENOVATION ACT

By Mr. JEFFORDS (for himself, Ms. LANDRIEU, Mr. Dodd, Mr. SARBANES, and Mr. KENNEDY):

S. 813. A bill to ensure the safety of children placed in child care centers in Federal facilities, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEES CHILD CARE ACT

By Mr. JEFFORDS (for himself, Mr. DODD, Ms. LANDRIEU, and Mr. KENNEDY):

S. 814. A bill to establish incentives to improve the quality and supply of child care providers, to expand youth development opportunities, to ensure adequate child care subsidies for low-income working families, and for other purposes; to the Committee on Health, Education, Labor, and Pension.

CREATING HEALTHY OPPORTUNITIES AND IMPROVING CHILD EDUCATION AND SUPPORT (CHOICES) ACT

Mr. JEFFORDS. Mr. President, I rise today to introduce a comprehensive child care bill, the ''Caring for America's Children Act''. This legislation recognizes that quality child care is a shared responsibility that ultimately benefits government, communities, and, most importantly, families and their children.

Parents know best how to care for their children, and will choose the best if it is affordable and accessible. This legislation increases the opportunities for American children and their parents to choose the best care for their children, including the choice to forgo a second income to stay home with their children.

But for many families, staying home is simply not an option. Today, more than 12 million children under the age of five—including half of all infants under one year of age—spend at least part of their day being cared for by someone other than their parents. In Vermont alone, there are approximately 22,000 children, under the age of 6, in state-regulated child care.

There are millions of school-aged children who are in some form of child care at the beginning and end of the school day as well as during school holidays and vacations. And just as many six to twelve year olds are latchkey kids—returning home from school with no supervision until their parents get home from work. Far too many of these children spend that time in front of the television with a soda and a bag of chips.

Child care is a necessity for most working parents and high quality child care is a critical investment in our country's future. In the first three years of life, the brain either makes the connections it needs for learning or it atrophies, making later efforts at remediation in learning, behavior, and thinking difficult, at best. The experiences and stimulation that a caretaker provides to a child are the foundations upon which all future learning is built.

The brain's greatest and most critical growth spurt is between birth and ten years of age—precisely the time when non-parental child care is most frequently utilized. A Time magazine special report on ''How a Child's Brain Develops'' (February 3, 1997) said it best, ''. . . Good, affordable day care is not a luxury or a fringe benefit for welfare mothers and working parents but essential brain food for the next generation.''

The ''Caring for Children Act'' embodies two important goals. First, to expand the choices available to parents—including the most basic choice—to stay at home and care for their children. And second, to move child care from babysitting to early childhood education and positive youth development.

How does the ''Caring for Children Act'' accomplish this? By increasing the tax benefits for all families with children we provide more opportunities for families, whether they stay at home or place their children in the care of others. We provide families with additional income to spend on child care or to manage the household budget without a second income.

Through state incentives to improve the quality and remove barriers to higher quality care the legislation provides the opportunity to improve child care for everyone. By creating more after school activities that promote positive youth development and making them more affordable for low-income families, the bill increases gives parents and their children the opportunity to choose activities that will be fun and help in the acquisition of the skills necessary to become a productive, happy adult.

The ''Caring for Children Act'' is good for families. The legislation creates more equity between the tax benefits received by working parents who pay others to care for their children, and parents who stay home to care for their children. It increases the Dependent Care Tax Credit (DCTC) for low- and middle-income families who use child care while they work. It increases current $500 Child Tax Credit to $900 per child. It increases the Dependent Care Assistance Plan (DCAP) for two or more dependents and permits DCAP funds to be used to reimburse a parent or grandparent who provides full-time care for a child under the age of mandatory school attendance. Taxpayers are given the opportunity to select the best tax benefit option for each of their children, based on the individual family's economic and child care circumstances.

The ''Caring for Children Act'' expands current consumer education services so that parents have better access to information on high-quality child care and can feel more confident as they make decisions about who will care for their children. It creates new opportunities to meet the needs of school-aged children and their parents during the non-school hours.

The ''Caring for America's Children Act'' is good for child care providers. Almost every child care provider that I have talked with over the past few years wants the opportunity to expand their services, increase their skills, and improve their facilities. But the child care business is a financially unstable endeavor.

Child care centers and home-based providers are finding it increasingly difficult to recruit and retain staff, to buy the supplies and equipment that will promote healthy child development, and even to keep their doors open.

The Shelburne Children's Center in Vermont closed earlier this year because it could not afford to stay open. Nearly forty percent of all family-based child care and ten percent of the center-based care close each year. Parents can only pay what they can afford, and far too often that is barely enough to keep the child care provider in business.

The ''Caring for America's Children Act'' creates the opportunities that will help keep current providers afloat and encourage more people to enter the business. It creates a high-tech infrastructure for the training of child care providers —and makes that training more accessible for providers in every community. It establishes a block grant to help states improve the quality of child care.

Funds can be used to provide salary subsidies and more training for providers, to improve the enforcement of state regulations, to help providers better care for children with special needs, or to increase the supply of infant care. States will have the opportunity to try innovative approaches designed to improve the quality of child care.

The legislation also creates financing mechanisms to support the renovation and construction of child care facilities.

The ''Caring for America's Children Act'' is good for business. Child care is a growing concern for businesses, large and small. In my home state of Vermont, companies have learned that being ''family friendly'' is good for business. It increases employee retention, improves job satisfaction, and lowers absenteeism. The legislation encourages businesses to take an active role in the child care needs of their employees and in the community-at-large. It provides a tax credit to employers who contribute to child care arrangements for their employees.

The legislation expands the charitable deduction to encourage businesses to donate equipment, materials, transportation services, facilities, and staff time to public schools and child care providers. In short, it creates the opportunity for companies to make an investment in their future, by becoming involved in child care.

I have divided the ''Caring for America's Children Act'' into four smaller, more narrowly focused bills, which I also am introducing today. The ''Tax Relief for Families with Children Act'' combines all of the tax provisions (Title I and Subtitle A of Title II) of the ''Caring for America's Children Act.''

The ''Child Care Construction and Renovation Act'' focuses exclusively on the financing of child care facilities contained in Title VII of the larger bill. ''The ''Federal Employees Child Care Act'' deals exclusively with ensuring the safety and quality of child care facilities operated for employees of the federal government.

The ''Creating Healthy Opportunities and Improving Child Education'' or ''CHOICE'' Act combines the remainder of the ''Caring for America's Children Act.'' It focuses on improving the quality of child care, expanding non-school hours care for older children, increasing professional development for child care providers, and helping low-income families who will not benefit from the tax provisions.

As we all know, quality child care costs money. It costs money to parents who bear the biggest burden for the expense of child care. It costs businesses both through the direct assistance that they provide to employees to help with the expense of child care, and through their ability to hire and retain a skilled workforce. It costs government through existing tax provisions, direct spending, and discretionary spending targeted at child care.

But we must remember that the costs of not making this investment are even higher. Those costs can be measured in the expense of remedial education, the cost of having an unskilled labor force, the increase in prison populations, and most importantly, the blunted potential of millions of children.

Not only must we engage in a public debate on ''who cares for our children,'' but we also must take action to better support families in doing their most important work——raising our nation's children. Last year, child care legislation held a prominent place on the Congressional agenda. This year, little has been said, although the needs have not diminished. I hope that these bills can put child care back on the Congressional agenda where it belongs—-because our children and families cannot wait much longer.

As I said on Tuesday night during the debate on the Budget Resolution, I am not going to let the issue of child care go away. All of us here today, and all of the co-sponsors of this legislation are committed to whatever it takes to help our children maximize their opportunities. That is what this legislation is about—Opportunities.

I urge my colleagues to join with me and Senators DODD, LANDRIEU, KENNEDY, and KOHL, as well as with Congressman GILMAN and his House colleagues, in co-sponsoring and supporting this important legislation. To do nothing to improve the quality of child care and provide parents with more opportunities to choose the best care for their children is grossly unfair to the children and far too costly for our nation.

I ask unanimous consent that a section by section description of the ''Caring for America's Children Act'' be placed in the CONGRESSIONAL RECORD.

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

THE ''CARING FOR AMERICA'S CHILDREN'' ACT

Title I: Tax Benefits for Families with Children

Section 101: Increases the Dependent Care Tax Credit (DCTC) by (a) increasing the amount of allowable expenses to $3,600 for one dependent; $6,000 for two or more; (b) increasing the maximum percentage of the allowable expenses to 40 percent; (c) increases the adjusted gross income level receiving the maximum percentage to $50,000; (d) reduces the allowable percentage by 1 percent for each $2,000 over $50,000, not reduced below 10 percent; (d) permiting educational programs and third party transportation costs to be counted as allowable expenses.

Section 102: Increases the Child Tax Credit from $500 per year to $900 per year.

Section 103: Makes changes in the Dependent Care Assistance Program (DCAP) by (a) Increasing the dollar contribution limit to $7,000 a year for two or more dependents; (b) Permiting contributions to DCAP accounts during pregnancy, usable for one year after the birth of a child; (c) permiting DCAP funds to be used to pay a spouse or grandparent to care for a pre-school aged child at home; and (d) establishing a DCAP for federal employees.

Section 104: Permits parents to choose between the Dependent Care Tax Credit, Child Tax Credit, and the Dependent Care Assistance Program for each dependent child (each tax benefit mutually exclusive for each child).

Section 105: Expands the Home Office tax deduction to permit parents to care for a dependent child within the home office space and maintain the ''exclusive use'' designation for the home office tax deduction.

Section 106: Requires states to include the cost of child care in the calculation of child support orders.

Estimated cost of Title I is $35.1 billion over 5 years.

Title II: Activities to Improve the Quality of Child Care

Subtitle A—Encouraging Business Involvement in Child Care

Section 201: Creates a child care tax credit for employers up to $150,000 a year ($250,000 a year with respect to three or more company child care facilities in different locations) in allowable employee-related child care expenses such as the construction or renovation of facilities and employee subsidies. CBO estimate $500 million over 5 years.

Section 202: Expands the business charitable tax deduction to include the contribution of scientific and computer equipment, transportation services, qualified employee volunteer time, and the use of facilities and equipment to public schools and child care providers.

Subtitle B—Child Care Quality Improvement Incentive Program

Section 211: Definition Section

Section 212: Establishes a state grant program to fund activities designed to improve the quality of child care.

Section 213: Allocates funds to the states based on the Child Care and Development formula, with a small state minimum.

Section 214: To receive grant funds, (a) states must certify that the state has not reduced the scope of state child care requirements since 1995, must be in compliance with the provisions of the Child Care and Development Block Grant, and has expended at least 80 percent of the funds allocated to the state for TANF child care matching funds; (b) there is a 10 percent state match requirement for the use of the funds, such match funds can be state or local public or private funds.

Section 215: Grant funds may be used for a variety of activities designed to improve the quality of child care within the state. This section identifies some of the allowable activities including supplementing child care provider salaries, assistance to small businesses desiring to provide child care assistance to employees, expansion of resource and referral services, educational and training scholarship for child care providers, increasing subsidies for recipients of Child Care and Development Block Grant recipients, subsidizing child care for special needs children, conducting background checks and increasing the monitoring of child care providers; State grant program authorized for $200 million a year.

Subtitle C—Increased Enforcement of State Health and Safety Standards

Section 221: Amends the Child Care and Development Block Grant (CCDBG) to encourage states to improve the enforcement of existing state laws and regulations regarding the inspection of child care facilities; provides a bonus for states which effectively enforce existing state law and a decrease in CCDBG administrative funds for states which do not adequately enforce state child care inspection requirements.

Subtitle D—Distribution of Information About Quality Child Care

Section 231: Authorizes $15 million to the Department of Health and Human Services to (a) provide technical assistance and the disseminate information on high quality child care to parents, local governments, child care organizations, and child care providers; (b) conduct a public awareness campaign promoting quality child care; (c) develop a mechanism for the collection and dissemination of information on the supply and demand for child care services; and (d) assist existing child care credentialing and accreditation entities in improving their procedures and methods.

Title III: Expanding Professional Development Opportunities

Section 301: Creates a child care training infrastructure utilizing the Internet and existing distance learning resources to provide

high quality, interactive skills training for child care providers.

Section 302: Sets aside at least 10 percent of the authorized funds, within the child care training infrastructure, to establish and operate a revolving loan funds to enable child care providers to purchase computers and other equipment to access the child care training infrastructure through no-interest loans. Authorization for Title III—$50 million a year.

Title IV: Expanding Youth Development Opportunities During the Non-School Hours

Section 401: Establishes youth development focused programs that provide care for school-aged children during the non-school hours.

Section 402: Definition Section.

Section 403: Establishes a state grant program to expand and create quality non-school hours programs for school-aged children and youth which meet the child care needs of the parents as well and the goals of positive youth development; the federal share of this program is 80 percent, state and local matching funds may be in cash or in-kind.

Section 404: Allocates funds to states based on the number of youth aged 5 through 17 who reside in the state and the number of children in the state qualifying for free or reduced-price school lunches. There is a small state minimum allocation of .5 percent of the total appropriated amount for the program.

Section 405: States submit an application to the Secretary of HHS in order to receive funds and designate the administrative regions or political subdivisions which will be used in the distribution of the funds in the state.

Section 406: The state will allocate funds to administrative regions or political subdivisions within the state based on the number of 5 to 17 year olds and the number of children qualifying for free or reduced-price school lunches in the region or subdivision; the state will award grants on a competitive basis to entities within each region or subdivision up to the amount of the regional allocation; preference for grants will be given to activities which remove barriers to the availability of non-school hours child care and coordinate public and private resources.

Section 407: Entities desiring to receive grant funds will submit an application to the state.

Section 408: Grant funds will be used for activities that meet the child care needs of working parents during the non-school hours including before- and after-school, weekends, school holidays, vacation periods and other non-school hours; activities will promote at least two youth development competencies (social, physical, emotional, moral or cognitive) and be designed to increase youth protective factors and reduce risk factors; a broad range of activities can be funded including leadership development, delinquency prevention, sports and recreation, arts and cultural activities, character development, tutoring and academic enrichment, mentoring, and other locally determined programs; and at least 50 percent of the funds made available to an entity must be used to subsidize the cost of participation in the non-school hours program for low-income youth.

Section 409: The Assistant Secretary for HHS establishes mechanisms for monitoring and evaluating the effectiveness of funded activities; coordinates the grant program with similar activities in other federal agencies; provides appropriate training and technical assistance to states and local entities; and can terminate funding for States or entities which fail to comply with the requirements of the Act.

Section 410: The Governor of each State designates an entity to administer the grant activities, including monitoring compliance with rules and regulations, providing technical assistance, and providing information on grant activities to HHS.

Section 411: Ensures that activities funded under this Title will be coordinated, at the local level, with activities receiving funds from the Safe and Drug-Free Schools and Communities Act and the 21st Century Community Learning Centers Act.

Section 412: Authorizes the grant program for: $500 million for FY 00, $600 million for FY 01, $700 million for FY 02, $800 million for FY 03, and $1 billion for FY 04.

Title V: Child Care in Federal Facilities

Section 501: Short title, ''Federal Employees Child Care Act''.

Section 502: Definition section.

Section 503: Child care centers located in federal executive and judicial facilities have to meet a standard no less stringent than those required of other child care facilities in the same geographical area within six months and within three years meet the standards established by a child care accreditation entity; establishes procedures to be followed if the child care center is not in compliance with these rules including plans to correct deficiencies, closing the affected portion of a child care center if a situation is life threatening or poses a risk of serious bodily harm and is not corrected within two business days, and the disclosure of violations to parents and facility employees; legislative facilities have to obtain and maintain accreditation from a child care accreditation entity within one year or the appropriate congressional administrative entity will issue regulations to ensure the safety and quality of care for children in the legislative facility; the Administrator of GAO may provide technical assistance to other agencies and conduct studies and reviews at the request of federal agencies; and an interagency council is established to facilitate cooperation and coordinate policies; authorizes $900,000 for General Services Administration to carry out this Title.

Section 504: Authorizes an evaluation of federal child care services.

Section 506: Authorizes federal agencies to utilize appropriated funds to subsidize or otherwise assist lower income federal employees meet the costs of child care provided through contract or on-site.

Section 507: Re-authorizes the Trible Amendment which permits federal facilities to provide on-site child care services; authorizes federal agencies to conduct pilot projects on innovative approaches to providing employee child care services; and requires criminal background checks for employees of child care facilities located in federal facilities.

Title VI: Expanding Child Care Subsidy for Low-Income Families

Section 601: Changes the authorization for the Child Care and Development Block Grant Act (CCDBG) from $1 billion to $2 billion.

Section 602: Changes the CCDBG Act a) assuring that the use of automated payment systems will not limit parental choice and will facilitate the prompt, accurate payment of child care providers; changing to 70 percent (from ''a substantial portion'') the use of CCDBG funds for low-income families who are not TANF qualified recipients of child care subsidies; requiring states to better support parental choice of child care providers by establishing separate subsidy rates dependent upon the age of the child, the setting of the child care services (home, center, group), special needs, and geographic location; and applying any required parental copayment to be reduced by the amount of the difference between the child care subsidy provided and 85 percent of the state established market rate for that child.

Title VII: Construction and Renovation of Child Care Facilities

Subtitle A—Community Development Block Grants

Section 701: Permits use of Community Development Block Grant funds to renovate or construct child care facilities. (No cost)

Subtitle B—Mortgage Insurance For Child Care Facilities

Section 711: Amends Title II of the National Housing Act to provide insurance for mortgages on new and rehabilitated child care facilities.

Section 712: Amends the National Housing Act to provide mortgage insurance for the purchase or refinancing of existing child care facilities; Authorized for $30 million for FY 01, to remain available until expended.

Section 713: Authorizes the Secretary of the Treasury to conduct a study of the secondary mortgage markets to determine whether markets exist for purchase of mortgages eligible for insurance under the National Housing Act, whether the market will affect the availability of credit for development of child care facilities and the extent to which the market will provide credit enhancement for loans for child care facilities.

Section 714: Establishes a competitive grant program to provide technical and financial assistance to child care providers for the renovation, construction, and purchase of child care facilities; Authorized for $10 million a year for FY00–04.

Mr. KENNEDY. Mr. President, today Senator JEFFORDS, Senator DODD, Senator LANDRIEU, and I are proposing legislation to expand and improve quality child care across the country. The provisions are intended to support the full range of child care choices that parents make, including the decision to provide stay-at-home care.

Child care is one of the most pressing challenges facing the nation. The need to improve the affordability, accessibility, and quality of child care is indisputable. Across the country, 13 million children under age 6 spend all or part of their day in child care.

Every child deserves high quality care. We know that child development, especially in the early years, is dependent on safe, reliable care that offers stable relationships and intellectually stimulating activities. Child care that fulfills these goals can make all the difference in enabling children to learn, grow, and reach their full potential. This bill will help improve the quality and safety of care by establishing a competitive grant program to help states improve the quality of their care.

The bill also gives new incentives to businesses to assist in the care of their employees' children and to strengthen the quality of care. Businesses will be

permitted a tax deduction for donations of equipment, materials, transportation services, facilities, and staff time to public schools and care providers. Employers who contribute to the child care arrangements of their employees will receive a tax credit of 50 percent of their expenses up to $150,000 a year ($250,000 a year with respect to three or more facilities in different locations) in allowable employee-related child care expenses such as the construction or renovation of facilities and employee subsidies.

The quality of care can also be improved by giving the public more information about the caliber of the programs in their community. Working parents deserve to know that their children are not just safe, but well cared for. Our bill will provide that reassurance by improving parents' access to the information they need to make informed decisions about the selection of child care. Establishing a more effective system for distributing public information will make it easier for parents to select care with confidence, and will also encourage care providers to improve their services.

Raising children is expensive, in and of itself, and families who place their children in out-of-home care face the additional burden of obtaining quality child care. Millions of families cannot afford the child care they need in order to raise, protect, and teach their children. Full-day care can easily cost up to $10,000 per year—often as much as college tuition for an older child. Too often, the high cost of quality care puts it out of reach for many working families, particularly those earning low wages. These parents—working parents—constantly must choose between paying the rent or mortgage, buying food, and providing the quality care their child needs.

Our bill provides support to all families with children, whether they rely on out-of-home care or not. It increases the Dependent Care Tax Credit (DCTC) by raising the amount of allowable expenses to $3,600 for one dependent and $6,000 for two or more, and by permitting educational programs and third party transportation to count as allowable expenses.

Affordable child care is in particularly short supply for young children and for children who need care during nontraditional hours, such as during the late afternoon and evening. As more and more parents leave welfare for work, the demand for this type of care will continue to increase. The General Accounting Office estimates that under the welfare reform rules requiring more parents to work, the supply of child care will meet only 25 percent of the demand in many urban areas. We must ensure that the necessary support systems, such as child care and health care, are in place so that low-income parents can successfully move from welfare to self-sufficiency.

Our bill addresses these concerns by increasing the authorization of the Child Care and Development Block Grant (CCDBG) Act from $1 billion to $2 billion a year. It requires states to improve the way in which subsidy rates are determined. Parents will have a choice of child care providers, not just the least expensive care. Seventy percent of the CCDBG funds are set aside for non-welfare-related low-income working parents. The bill also contains a new state grant program to encourage the development of quality child care programs during non-school hours.

It is long past time for Congress to give child care the high priority it deserves. This bipartisan bill addresses the serious challenges confronting millions of families with children, and I urge my colleagues to join us in supporting this significant initiative.

Mr. President, an excellent column in yesterday's Washington Post by Judy Mann eloquently analyzed the hardships facing families seeking adequate child care. I believe her analysis will be of interest to all of us concerned about the issue, and I ask unanimous consent that it be printed in the RECORD.

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

[From The Washington Post, April 14, 1999]

THE SLOW EVOLUTION OF CHILD CARE

(By Judy Mann)

I first started worrying about child care more than 30 years ago when I became a single working parent with a 1-year old child. We didn't call it child care back then, because it didn't really exist.

We called it baby-sitting.

Some women took children into their homes and baby-sat them all day. They were a godsend to that first cohort of women who—out of choice or necessity—went into the paid workforce. But out of these homes also came some horror stories of crowding, of children stuck in front of TV sets all day, of germs being passed around with such alacrity that mothers lost jobs because they missed so many workdays having to care for sick children.

So how far have we come in 30 years? It's not overly harsh to say; not that far. We have licensed family day-care centers, school-based child care, child care centers in office parks and churches, and we have corporations that run child care centers across the country. The federal government subsidizes child care with vouchers for some low-income families and by allowing people to shelter some money spent on child care from income tax.

But for most working parents, child care remains an enormous source of financial stress and emotional anxiety. Even people who can afford live-in nannies aren't spared that bad apple who abuses children or disappears without warning.

At best, we have a patchwork of child care that is woven together by a common thread: The people who take care of our children are woefully underpaid and under-trained. Turnover ranges from 25 percent to 50 percent as they succumb to the lure of better-paying jobs. The median income for child care providers is $6.12 an hour; for parking lot attendants, it is $6.38. We pay $6.90 an hour to people who walk our dogs. What do we value most—our kids, our cars, our pets?

We are the most prosperous nation on earth, with an economy that is booming like the end of the ''1812 Overture.'' We are also the only modern industrial nation that does not have an organized, affordable, reliable system of child care for the people creating those economic success.

Child care advocates have been working for more than 20 years to try to get this country to understand that child care isn't just about baby-sitting. It's about giving youngsters a good start in life and reducing stress on working parents. We have lacked the national will to make good child care one of our central responses to the changes in family life for one simple reason: Working parents are so busy trying to survive day-to-day that they have no time or energy for political action.

This may be changing, thanks in part to a ''Caring for Kids'' public affairs campaign that Lifetime Television has undertaken with the National Council of Women's Organizations. Begun in March of last year, the campaign now involves about 150 nonprofit organizations. The coalition is targeting April as ''Childcare Month,'' and about 1,500 community campaigns are going to be held to support its central message: Make child care a priority in the 2000 election.

Putting technology to good use, the campaign has collected more than 2,000 personal child care stories from families across the country who have faxed, phoned or visited the campaign's Web site at www.lifetimetv.com. These stories have been delivered to Congress, and some have been used in a documentary produced by Lee Grant that will premiere on Lifetime on April 20. ''Confronting the Crisis: Childcare in America'' is the most powerful hour of film on the nation's child care problem that I have ever seen.

One of its great sources of strength is in showing that child care is no longer a woman's problem: It now involves fathers as well, and fathers play a starring role in the documentary. We meet Jeff, a widower, and one of 2 million single fathers, who quit a well-paid night job because there was no night-time child care available. He now works days, and he and his sister share child care responsibilities. ''Everything's rushed,'' he said—as apt a description of the working parent culture as you could find.

We meet women in the welfare-to-work programs that 10,000 companies are participating in, Chicora is up at 4 a.m. to get her child to day care so she can go to work. Her mother died, so she is raising her 15-year-old sister as well. She earns $9.50 an hour and is able to make it because she gets a child care voucher. When that runs out, she will face child care costs of about $6,000 a year. ''Education's first,'' she says, and she holds all the hope in the world for her child. She doesn't need a miracle to make it: That she is still in the game is the miracle. What she needs is for that voucher to continue until she can get on her feet financially.

We go to France, where child care is ''part of the culture,'' in Grant's words. And we meet Sheriff Pat Sullivan, of Arapahoe County, Colo., a leader of ''Fight Crime: Invest in Kids,'' an organization of law enforcement officials who believe before-school and after-school programs are critical to preventing youth violence. Sullivan is a conservative Republican. The question, he says, is where to put tax dollars. The answer is not

in more jails, he says, but in child care, and that includes programs that keep adolescents busy. Idle minds are the devil's playground.

Voices from across the political spectrum, from law enforcement to social workers, from brain researchers to pediatricians, are calling for a vastly improved system of child care. Neglect, whether in infancy or adolescence, is the breeding ground of despair, and that, in turn, is the breeding ground for antisocial behavior. The hope here is that the ''Caring for Kids'' campaign and Lifetime's documentary can help galvanize the nation into action.

Ms. LANDRIEU. Mr. President, I rise today with my distinguished colleague from Vermont and other members of this body in strong support of legislation that takes a much needed step on behalf of our Nation's children. I am very sad to say, however, that Louisiana ranks among the worst when it comes to providing for its children. By providing access to quality child care that is both safe and affordable the Caring for America's Children Act will improve the lives of children in Louisiana and across the Nation.

As a professional with two young children, I am well aware of the challenges that face working parents as they balance their children's needs with the demands of their careers. I also know first hand how expensive quality child care is, costing anywhere from over $3,000 per year to over $10,000 per year, depending upon where a family resides. For the parents of some 800,000 children in Louisiana who spend most of their day outside their parent's care, these costs are prohibitive. It is especially difficult for over 50 percent of Louisiana families who need child care, but whose incomes fall below the Federal poverty level.

To address this dilemma, this legislation would increase the child care and development block grant (CCDBG) from $1 billion to $2 billion. By doubling the funding level for CCDBG, twice as many poor children will receive quality child care. Presently, however, only eight percent of Louisiana's poor children are being assisted through this program. With this increase another 40,000 children will receive needed help. Nevertheless, the demand for assistance will far outweigh funding, so thousands of parents and their children will continue to go unserved.

In addition to the shortage of funding for low-income children, Louisiana, like many other states, must confront two other critical issues dealing with child care. First, facilities must be improved and expanded. Secondly, minimum quality standards must be set at the state and local levels for child care providers. This like other educational improvements will only occur when we expect more, provide more, and pay more for quality care. If we do not, the status quo will remain the same. For example, the average wage of a child care worker in Louisiana in 1997 was only $10,760, barely above what a minimum wage job would pay annually. Worse yet, the ratio of children to care givers in Louisiana far exceeded the recommended ratios.

On a national level, safety in child care facilities is another critical issue. Earlier this week the Consumer Product Safety Commission announced that it had examined 220 licensed child care settings. They found that most contained at least one safety violation, such as crib bedding that could suffocate babies or loops on window blind cords that could cause strangulation. Moreover, the agency found that 31,000 children, age 4 and younger, were treated in 1997 in hospital emergency rooms for injuries they received in child care and school settings. Additionally, at least 56 children have died in child care facilities since 1990.

To provide states with additional resources for the purpose of improving the quality of their day care facilities, this bill establishes a quality improvement incentive program. States would receive funds based on the CCDBG formula, which could be used for a variety of activities designed to improve the quality of child care within each state. Additionally, the bill also provides greater professional development opportunities for child care workers through a new distance learning program and interactive computer applications. The legislation will also provide states with greater flexibility, so that they can use their community development block grant funds for the construction and/or renovation of child care facilities.

Finally, important tax provisions are included in this legislation for both parents who work or stay home. Toward this end, the bill would increase:

the child tax credit from $500 to $900 per year;

the dependent care tax credit (DCTC) to $3,600 for one dependent and $6,000 for two or more dependents; and

expand the home office tax deduction so that parents who work out of their home will not be penalized.

By providing parents with these additional benefits, families will have greater options in ensuring their children receive the most appropriate care depending on individual family circumstances.

I am also very pleased that appropriate modifications to our Federal child care system are included in this legislation. Most importantly, this bill would allow Federal agencies to use appropriated funds for the purpose of making child care more affordable to low-income Federal workers. Additionally, within six months of the passage of this legislation every Federal child care facility will have to be licensed. Within three years, they must also meet standards established by a child care accreditation entity. The Federal facilities title also reauthorizes the Trible amendment that allows Federal facilities to provide on-site care and innovative approaches to expand child care services on a contractual basis.

Before the Congress enacts legislation to enhance child care at the state level, it is essential that the Federal Government first address the deficiencies and inadequacies within its own system. While the Federal Government has made significant improvements, we must ensure that Federal Government leads by example.

Mr. President, improving the availability of quality and affordable child care should not be a partisan issue. A recent Carnegie study found that children in poor quality child care are delayed in language and reading skills, and display more aggression toward other children and adults. We should not delay one more year while thousands of children are held back because of our inaction in the Congress.

I thank Senator JEFFORDS for his leadership on this issue.

Mr. ROTH (for himself, Mr. JEFFORDS, Mr. COVERDELL, Mr. HELMS, Mr. ROBB, Ms. MIKULSKI, Mr. BIDEN, Mr. SESSIONS, Mr. HUTCHINSON, Mr. SARBANES, Mr. LEAHY, Mr. GRAMS, Mr. SHELBY, Mr. MCCONNELL, and Mr. HARKIN):

S. 815. A bill to amend the Internal Revenue Code of 1986 to extend the credit for producing electricity from certain renewable resources; to the Committee on Finance.

POULTRY ELECTRIC ENERGY POWER (PEEP) ACT

Mr. ROTH. Mr. President, I rise today to reintroduce legislation that would amend section 45 of the Internal Revenue Code to provide a tax credit to biomass energy facilities that use poultry litter as a fuel for generating electricity.

I am pleased to report that my bill has received even more cosponsors than when it was introduced in the 105th Congress. Fourteen of my colleagues are joining me as original cosponsors. They include Senators JEFFORDS, COVERDELL, HELMS, ROBB, MIKULSKI, BIDEN, SESSIONS, HUTCHINSON, SARBANES, LEAHY, GRAMS, SHELBY, MCCONNELL, and HARKIN.

Mr. President, I am bullish on poultry's future in America. It is hard not to be with worldwide poultry consumption growing at double-digit rates.

In the United States, poultry production has tripled since 1975. We now produce almost 8 billion chickens a year to feed the growing worldwide demand.

In particular, Delaware, Maryland, and Virginia produce some of the world's finest poultry. Just last year Delmarva poultry farmers produced over 600 million chickens. Our poultry farmers are among the most productive and efficient in the world.

As the amount of chickens we produce as a nation has grown, so too

has the need to find creative means for disposing of poultry manure.

Due to environmental pressures, spreading manure on land is no longer an option in some areas for our rapidly growing poultry industry. In those areas, the nutrient runoff from the manure has been identified as a contributing factor in surface and groundwater pollution.

Addressing these water quality problems will require a range of innovative approaches. One part of the solution may be to use poultry manure to generate electricity.

The United Kingdom has two utility plants that use poultry manure to generate electricity. These two poultry power plants will, when combined with a third scheduled to open soon, burn 50 percent of the UK's total volume of chicken manure.

The electricity generated by these plants will supply enough power for 37,000 homes. These plants have the support of both the poultry industry and the international environmental community.

The way this system works is simple.

Power stations buy poultry manure from surrounding poultry farmers and transport it to the power station. At the station the manure is burned in a furnace at high temperatures, heating water in a boiler to produce steam which drives a turbine linked to a generator. The electricity is then transferred to the local electricity grid for use by commercial and residential customers.

There are no waste products created through this process. Instead, a valuable by-product emerges in the form of a nitrogen-free ash, which is marketed as an environmentally friendly fertilizer.

The legislation I am introducing today will provide a tax credit to energy facilities that use poultry manure as a fuel to generate electricity.

It will build on concepts in the Tax Code that provide incentives for innovative alternative energy production.

This legislation will provide incentives for electricity generation that will not only help dispose of poultry manure, but will also supply our Nation's farmers with a clean fertilizer free of nitrates.

I urge my colleagues to join me in cosponsoring my bill, the Poultry Electric Energy Power Act. It is important for future generations that we continue to explore innovative alternative technologies that will help protect our environment.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 815

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 ''Poultry Electric Energy Power (PEEP) Act''.

SEC. 2. EXTENSION OF CREDIT FOR PRODUCING ELECTRICITY FROM CERTAIN RENEWABLE RESOURCES.

(a) CREDIT FOR PRODUCING ELECTRICITY FROM POULTRY WASTE.—Section 45(c)(1) of the Internal Revenue Code of 1986 (defining qualified energy resources) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by adding at the end the following:

''(C) poultry waste.''

(b) EXTENSION OF PLACED IN SERVICE DATE.—Section 45(c)(3) of the Internal Revenue Code of 1986 (defining qualified facility) is amended by striking ''1999'' and inserting ''2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to facilities placed in service after the date of the enactment of this Act.

Mr. GRAMS. Mr. President, I am proud to join Senator ROTH as an original co-sponsor of legislation to amend Section 45 of the tax code for the production of electricity from environmentally-friendly methods, including poultry litter, the Poultry Electric Power Act.

Mr. President, our nation's poultry consumption continues to grow in rapid numbers. We now produce almost 8 billion chickens a year in the United States. My home State of Minnesota is now the nation's largest producer of turkeys, with an estimated 44 million produced last year alone. According to the Minnesota Turkey Growers Association, Minnesota turkey producers and processors earned 1997 incomes of $180 million and spinoff industries earned $374 million in 1996. In Minnesota, the turkey industry includes 2,810 jobs in production and 4,552 jobs in processing. So, Mr. President, you can see that the poultry industry is extremely important to rural Minnesota.

I continue to believe that we must explore a wide variety of alternative energy sources that provide a number of benefits for our nation. First, this bill will provide another market and revenue source for our farmers who so badly need diversified sources of income. Second, the bill will assist our nation in increasing our energy security. Third, this bill will help to improve the environment not only by providing a clean energy source, but by assisting in the disposal of poultry manure in an environmentally friendly way. Fourth, this bill will help create spin-off jobs for our nation's rural communities—jobs many rural communities badly need.

I hope my colleagues will support this legislation and I want to thank Senator ROTH for leading this important effort in the Senate.

By Mr. DORGAN:

S. 816. A bill to amend section 3681 of title 18, United States Code, relating to the special forfeiture of collateral profits of a crime; to the Committee on the Judiciary.

FEDERAL SON OF SAM LEGISLATION

Mr. DORGAN. Mr. President, last year, I introduced a bill to correct problems with the Federal ''Son of Sam'' law, as those problems were perceived by the U.S. Supreme Court. Today, I am reintroducing this legislation, which deals with a continuing problem. The New York statute analyzed by the Supreme Court, as well as the Federal statute which I seek to amend, forfeited the proceeds from any expressive work of a criminal, and dedicated those proceeds to the victims of the perpetrator's crime. Because of constitutional deficiencies cited by the Court, the Federal statute has never been applied, and without changes, it is highly unlikely that it ever will be. Without this bill, criminals can become wealthy from the fruits of their crimes, while victims and families are exploited.

The bill I now introduce attempts to correct constitutional deficiencies cited by the Supreme Court in striking down New York's Son of Sam law. In its decision striking down New York's law, the Court found the state to be both over inclusive and under inclusive: Over inclusive because the statute included all expressive works, no matter how tangentially related to the crime; under inclusive because the statute included only expressive works, not other forms of property.

To correct the deficiencies perceived by the Court, this bill changes significantly the concepts of the Federal statute. Because the Court criticized the statute for singling out speech, this bill is all-encompassing: It includes various types of property related to the crime from which a criminal might profit. Because the Court criticized the statute for being over inclusive, including the proceeds from all works, no matter how remotely connected to the crime, this bill limits the property to be forfeited to the enhanced value of property attributable to the offense. Because the Court found fault with the statute for not requiring a conviction, this bill requires a conviction.

The bill also attempts to take advantage of the long legal history of forfeiture. Pirate ships and their contents were once forfeited to the government. More recent case law addresses the concept of forfeiting any property used in the commission of drug related crimes, or proceeds from those crimes. I hope that courts interpreting this statute will look to this legal history and find it binding or persuasive.

The bill utilizes the Commerce Clause authority of Congress to forfeit property associated with State crimes. This means that if funds are transferred through banking channels, if UPS or FedEx are used, if the airwaves are utilized, or if the telephone is used to transfer the property, to transfer funds, or to make a profit, the property can be forfeited. In State cases, this

bill allows the State Attorney General to proceed first. We do not seek to preempt State law, only to see that there is a law in place which will ensure that criminals do not profit at the expense of their victims and the families of victims.

One last improvement which this bill makes over the former statutes: The old statute included only crime which resulted in physical harm to another; this bill includes other crimes. Examples of crimes probably not included under the old statute, but included here are terrorizing, kidnaping, bank robbery, and embezzlement.

Mr. President, our Federal statute, enacted to ensure that criminals not profit at the expense of their victims and victim's families, is not used today because it is perceived to be unconstitutional. I believe victims of crime deserve quick action on this bill, drafted to ensure that they are not the source of profits to those who committed crimes against them. I asked for your support.

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. 816

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

SECTION 1. SPECIAL FORFEITURE OF COLLATERAL PROFITS OF CRIME.

Section 3681 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) FORFEITURE OF PROCEEDS.—Upon the motion of the United States attorney made at any time after conviction of a defendant for an offense described in paragraph (2), and after notice to any interested party, the court shall order the defendant to forfeit all or any part of proceeds received or to be received by the defendant, or a transferee of the defendant, from a contract relating to the transfer of a right or interest of the defendant in any property described in paragraph (3), if the court determines that—

''(A) the interests of justice or an order of restitution under this title so require;

''(B) the proceeds (or part thereof) to be forfeited reflect the enhanced value of the property attributable to the offense; and

''(C) with respect to a defendant convicted of an offense against a State—

''(i) the property at issue, or the proceeds to be forfeited, have travelled in interstate or foreign commerce or were derived through the use of an instrumentality of interstate or foreign commerce; and

''(ii) the attorney general of the State has declined to initiate a forfeiture action with respect to the proceeds to be forfeited.

''(2) OFFENSES DESCRIBED.—An offense is described in this paragraph if it is—

''(A) an offense under section 794 of this title;

''(B) a felony offense against the United States or any State; or

''(C) a misdemeanor offense against the United States or any State resulting in physical harm to any individual.

''(3) PROPERTY DESCRIBED.—Property is described in this paragraph if it is any property, tangible or intangible, including any—

''(A) evidence of the offense;

''(B) instrument of the offense, including any vehicle used in the commission of the offense;

''(C) real estate where the offense was committed;

''(D) document relating to the offense;

''(E) photograph or audio or video recording relating to the offense;

''(F) clothing, jewelry, furniture, or other personal property relating to the offense;

''(G) movie, book, newspaper, magazine, radio or television production, or live entertainment of any kind depicting the offense or otherwise relating to the offense;

''(H) expression of the thoughts, opinions, or emotions of the defendant regarding the offense; or

''(I) other property relating to the offense.''.

By Mrs. BOXER:

S. 817. A bill to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours; to the Committee on Health, Education, Labor, and Pensions.

AFTER SCHOOL AND ANTI-CRIME ACT OF 1999

Mrs. BOXER. Mr. President, every day, millions of working parents are faced with the dilemma of finding constructive activities for their school-aged children to become involved in during the after school hours. These parents know that, when unsupervised, the likelihood of their child becoming involved with drugs, alcohol or criminal activity is increased. In fact, juvenile crime peaks during the hours of 3 p.m. and 6 p.m.—after school.

That is why I am introducing a bill to help assuage the concerns of parents, law enforcement and communities to help develop edifying activities for youth during the after school hours. The After School Education and Anti-Crime Act of 1999 will help give our children safe, productive places to go after the school bell rings, which is what ninety-two percent of all Americans have indicated they strongly support.

Not only do after school programs provide children with activities and parents with relief, they also help law enforcement officials connect with their communities and help them reduce incidences of juvenile crime. Several law enforcement organizations have expressed their support of my proposal and for after school programs, including the National Association of Police Athletic and Activity Leagues (PALS), Fight Crime Invest in Kids, National Sheriffs Association, Major Cities' Police Chiefs and other law enforcement representing California, Illinois, Texas, Arizona, Maine and Rhode Island.

This legislation would authorize $600 million in funding for after-school programs. These programs, as developed by communities, will offer positive alternatives in the after school hours, such as mentoring, academic assistance, recreation, technology and job skills training, and drug, alcohol, and gang prevention programs.

If passed, the funding in this bill would enable an estimated 1.1 million children each year to participate in after school programs. The demand for after school programs is very high. Last year alone, nearly 2,000 school districts applied for after school federal assistance—of that, only 287 grants were awarded.

We have the opportunity in the 106th Congress to answer the call of communities all across America that understand the importance of—and need for—after school programs for kindergarten, elementary and secondary school students. After school programs are anti-crime, pro-education, pro-community, and make common sense.

I urge my colleagues to support this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 817

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 ''After School Education and Anti-Crime Act of 1999''.

SEC. 2. PURPOSE.

The purpose of this Act is to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) Today's youth face far greater social risks than did their parents and grandparents.

(2) Students spend more of their waking hours alone, without supervision, companionship, or activity, than the students spend in school.

(3) Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3 p.m. and 6 p.m.

(4) The consequences of academic failure are more dire in 1999 than ever before.

(5) After school programs have been shown in many States to help address social problems facing our Nation's youth, such as drugs, alcohol, tobacco, and gang involvement.

(6) Many of our Nation's governors endorse increasing the number of after school programs through a Federal/State partnership.

(7) Over 450 of the Nation's leading police chiefs, sheriffs, and prosecutors, along with presidents of the Fraternal Order of Police and the International Union of Police Associations, which together represent 360,000 police officers, have called upon public officials to provide after school programs that offer recreation, academic support, and community service experience, for school-age children and teens in the United States.

(8) One of the most important investments that we can make in our children is to ensure that they have safe and positive learning environments in the after school hours.

SEC. 4. GOALS.

The goals of this Act are as follows:

(1) To increase the academic success of students.

(2) To promote safe and productive environments for students in the after school hours.

(3) To provide alternatives to drug, alcohol, tobacco, and gang activity.

(4) To reduce juvenile crime and the risk that youth will become victims of crime during after school hours.

SEC. 5. PROGRAM AUTHORIZATION.

Section 10903 of the 21st Century Community Learning Centers Act (20 U.S.C. 8243) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting ''TO LOCAL EDUCATIONAL AGENCIES FOR SCHOOLS'' after ''SECRETARY''; and

(B) by striking ''rural and inner-city public'' and all that follows through ''or to'' and inserting ''local educational agencies for the support of public elementary schools or secondary schools, including middle schools, that serve communities with substantial needs for expanded learning opportunities for children and youth in the communities, to enable the schools to establish or''; and

(C) by striking ''a rural or inner-city community'' and inserting ''the communities'';

(2) in subsection (b)—

(A) by striking ''States, among'' and inserting ''States and among''; and

(B) by striking ''United States,'' and all that follows through ''a State'' and inserting ''United States''; and

(3) in subsection (c), by striking ''3'' and inserting ''5''.

SEC. 6. APPLICATIONS.

Section 10904 of the 21st Century Community Learning Centers Act (20 U.S.C. 8244) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) in the first sentence, by striking ''an elementary or secondary school or consortium'' and inserting ''a local educational agency''; and

(ii) in the second sentence, by striking ''Each such'' and inserting the following:

''(b) CONTENTS.—Each such''; and

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1), by striking ''or consortium'';

(B) in paragraph (2), by striking ''and'' after the semicolon; and

(C) in paragraph (3)—

(i) in subparagraph (B), by inserting '', including programs under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.)'' after ''maximized'';

(ii) in subparagraph (C), by inserting ''students, parents, teachers, school administrators, local government, including law enforcement organizations such as Police Athletic and Activity Leagues,'' after ''agencies,'';

(iii) in subparagraph (D), by striking ''or consortium''; and

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking ''or consortium''; and

(II) in clause (ii), by striking the period and inserting a semicolon; and

(E) by adding at the end the following:

''(4) information demonstrating that the local educational agency will—

''(A) provide not less than 35 percent of the annual cost of the activities assisted under the project from sources other than funds provided under this part, which contribution may be provided in cash or in kind, fairly evaluated; and

''(B) provide not more than 25 percent of the annual cost of the activities assisted under the project from funds provided by the Secretary under other Federal programs that permit the use of those other funds for activities assisted under the project; and

''(5) an assurance that the local educational agency, in each year of the project, will maintain the agency's fiscal effort, from non-Federal sources, from the preceding fiscal year for the activities the local educational agency provides with funds provided under this part.''.

SEC. 7. USES OF FUNDS.

Section 10905 of the 21st Century Community Learning Centers Act (20 U.S.C. 8245) is amended—

(1) by striking the matter preceding paragraph (1) and inserting:

''(a) IN GENERAL.—Grants awarded under this part may be used to establish or expand community learning centers. The centers may provide 1 or more of the following activities:'';

(2) in subsection (a)(11) (as redesignated by paragraph (1)), by inserting '', and job skills preparation'' after ''placement''; and

(3) by adding at the end the following:

''(14) After school programs, that—

''(A) shall include at least 2 of the following—

''(i) mentoring programs;

''(ii) academic assistance;

''(iii) recreational activities; or

''(iv) technology training; and

''(B) may include—

''(i) drug, alcohol, and gang prevention activities;

''(ii) health and nutrition counseling; and

''(iii) job skills preparation activities.

''(b) LIMITATION.—Not less than ⅔ of the amount appropriated under section 10907 for each fiscal year shall be used for after school programs, as described in paragraph (14). Such programs may also include activities described in paragraphs (1) through (13) that offer expanded opportunities for children or youth.''.

SEC. 8. ADMINISTRATION.

Section 10905 of the 21st Century Community Learning Centers Act (20 U.S.C. 8245) is amended by adding at the end the following:

''(c) ADMINISTRATION.—In carrying out the activities described in subsection (a), a local educational agency or school shall, to the greatest extent practicable—

''(1) request volunteers from business and academic communities, and law enforcement organizations, such as Police Athletic and Activity Leagues, to serve as mentors or to assist in other ways;

''(2) ensure that youth in the local community participate in designing the after school activities;

''(3) develop creative methods of conducting outreach to youth in the community;

''(4) request donations of computer equipment and other materials and equipment; and

''(5) work with State and local park and recreation agencies so that activities carried out by the agencies prior to the date of enactment of this subsection are not duplicated by activities assisted under this part.''.

SEC. 9. COMMUNITY LEARNING CENTER DEFINED.

Section 10906 of the 21st Century Community Learning Centers Act (20 U.S.C. 8246) is amended in paragraph (2) by inserting '', including law enforcement organizations such as the Police Athletic and Activity League'' after ''governmental agencies''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 10907 of the 21st Century Community Learning Centers Act (20 U.S.C. 8247) is amended by striking ''$20,000,000 for fiscal year 1995'' and all that follows and inserting ''$600,000,000 for each of fiscal years 2000 through 2004, to carry out this part.''.

SEC. 11. EFFECTIVE DATE.

This Act, and the amendments made by this Act, take effect on October 1, 1999.

By Mr. DEWINE (for himself and Mr. REID):

S. 818. A bill to require the Secretary of Health and Human Services to conduct a study of the mortality and adverse outcome rates of Medicare patients related to the provision of anesthesia services; to the Committee on Finance.

THE SAFE SENIORS ASSURANCE STUDY ACT OF 1999

Mr. DEWINE. Mr. President, today I rise to introduce the ''Safe Seniors Assurance Study Act of 1999.'' I am joined in this effort by my colleague, Senator REID from Nevada. This bill would require that the Secretary of Health and Human Services conduct a study and analyze the impact of physician supervision, or lack of physician supervision, on death rates of Medicare patients associated with the administration of anesthesia services. Since the Medicare program began, the Health Care Financing Adminstration's (HCFA) standards for hospitals and ambulatory surgical centers have required that a physician either provide the anesthesia care or supervise the anesthesia care provided by nurse anesthetists. This requirement has also applied to the Medicaid program.

The very old and the very young, both covered by these two federal insurance programs, represent the segments of our population that, on average, face the highest anesthesia risks. The two programs cover over 40 million Americans.

In December 1997, HCFA proposed changes to its standards for hospitals and surgical centers. Included in these proposed changes was the elimination of the physician supervision requirement, leaving to state governments the decision whether physician supervision of nurse anesthetists was necessary. In issuing its proposed changes, HCFA offered no scientific data indicating that anesthesia safety would not be impaired as a result of the changed rule, and has offered no such data to this day.

In 1992, HCFA considered a similar change, but rejected it. After reviewing the studies available at the time showing anesthesia outcomes, HCFA concluded: ''In consideration of the risks associated with anesthesia procedures,

we believe it would not be appropriate to allow anesthesia administration by a non-physician anesthetist unless under supervision by an anesthesiologist or the operating practitioner.'' HCFA also declined to adopt as a ''national minimum standard of care, a practice that is allowed in only some states.''

In the only comparative anesthesia outcome study published since 1992, researchers found that outcomes were better in hospitals having Board-certified anesthesiologists on staff. In the Fall of last year, an abstract of a University of Pennsylvania study of 65,000 Medicare surgical cases indicated that mortality and 'failure to rescue' rates significantly improved when a nurse anesthetist was supervised by an anesthesiologist rather than the operating surgeon. This latter study is expected to be published in final form later this year.

The Conference Report on the Fiscal Year 1999 Omnibus Appropriations measure recommended that HCFA ''base retaining or changing the current requirement of physician supervision. . .on scientifically valid outcomes data.'' The Report suggested ''an outcome approach that would examine, using existing operating room anesthesia data, mortality and adverse outcomes rates by different anesthesia providers, adjusted to reflect relevant scientific variables.''

A bill was introduced in the House in early February by Representatives DAVE WELDON and GENE GREEN that would require HCFA to undertake the congressionally-recommended outcome study of Medicare patients, and complete it by June 30, 2000. That bill currently has about 37 cosponsors—Republicans and Democrats. This is not a partisan issue, but an issue about safety. The bill that I am introducing with my colleague, Senator HARRY REID today, is very similar to the Weldon/Green bill in the House. Our Senate version would only require that the Secretary of HHS consider the results of the June 2000 study in deciding whether or not to implement its 1997 proposal.

Physician anesthesiologists personally provide, or supervise anesthesia administration by a qualified non-physician, 90% of the anesthesia care in this country. In the rest of the cases, supervision is provided by the operating practitioner. Under the Medicare program, there is no additional cost for having an anesthesiologist provide or supervise the anesthesia care versus having a non-physician provide the anesthesia under the supervision of the operating practitioner. The proposed HCFA rule change does not, therefore, generate any cost savings.

Anesthesiologists are physicians who, after four years of pre-medical training in college, have completed eight years of medical education and specialized residency training. This is in contrast to the 24 to 30 months of training received by nurse anesthetists after nursing school—in fact, about 37% of nurse anesthetists have not graduated from college.

The American Medical Association's House of Delegates last December approved a resolution supporting legislation requiring that an appropriately licensed and credentialed physician administer or supervise anesthesia care. National surveys of Medicare beneficiaries performed by the Tarrance Group in January 1998 and 1999 show that 4 out of 5 seniors oppose the elimination of the current physician supervision requirement.

Let's err on the side of safety and caution by requiring that the Secretary of HHS conduct a study on the mortality and death rates of Medicare patients associated with the administration of anesthesia care by different providers. Analyzing the impact of physician supervision on anesthesia care and requiring the Secretary to simply consider the results of that study in determining whether or not to change current regulations to allow unsupervised nurse anesthetists to administer anesthesia services, is the very least we can do to ensure that we are making safe changes to existing regulations—changes that HCFA rejected in 1992 when studies of anesthesia outcomes were up-to-date and available.

If HCFA is going to now change its policy in 1999, we should ask HCFA to show us the scientific and clinical data behind its decision to ensure that the safety of our most vulnerable populations—our children and our elderly—are adequately protected. None of us—including HCFA—is in a position to judge the merits of this proposed rule change without first gathering and then analyzing up-to-date scientific evidence. Only then can patients be confident in the safety and quality of their anesthesia care. I urge my colleagues to support this important legislation.

By Mr. GRAHAM (for himself and Mr. REID):

S. 819. A bill to provide funding for the National Park System from outer Continental Shelf revenues; to the Committee on Energy and Natural Resources.

NATIONAL PARK PRESERVATION ACT

Mr. GRAHAM. Mr. President, Member of the Senate, I am today introducing the National Park Preservation Act with my colleague Senator REID of Nevada. This legislation will preserve and protect threatened or impaired ecosystems, critical habitats, and cultural and other core park resources within our National Park System.

As you are all aware, the National Park Service has a presence in virtually every state in the nation. There are a total of 345 units in the national park system spread throughout the nation. My home state of Florida is home to three National Parks—Everglades, Biscayne, and Dry Tortugas; two National Preserves—Big Cypress and Timucuan Ecological and Historical Preserve; two National Seashores—Canaveral and Gulf Islands; two National Monuments—Castillo de San Marcos and Fort Matanzas; and two National Memorials—DeSoto and Fort Caroline.

Although these National Parks are treasured throughout the nation, everyday activities often threaten the resources of our park system. For example, in Yellowstone National Park an inadequate sewage system frequently discharges materials into precious resources such as Yellowstone Lake. Development surrounding Mojave National Park threatens the park's desert wilderness. Ground-level ozone accumulating at Great Smoky Mountains National Park threatens the park's core resource—visibility. Manipulation of the natural hydrologic system impacts water quality and water availability in Everglades National Park.

The Graham-Reid National Park Preservation Act will preserve and protect threatened or impaired ecosystems, critical habitat, cultural resources and other core resources within our National Park System. The bill will establish a permanent account using Outer Continental Shelf revenues to provide $500 million annually to the Department of Interior to protect and preserve these resources. These funds will be made available for projects such as land acquisition, construction, grants to state or local governments, or partnerships with other federal agencies that seek to combat identified threats to ecosystems, critical habitats, cultural resources, and other core park resources. In this legislation, I also continue my longstanding efforts to protect Florida's coastal resources by making revenues from any new oil and gas leases or from development of any existing leases in a moratorium area ineligible for expenditure in this account.

Thirty percent of the $500 million will be available for park units threatened or impaired by activities occurring within the unit such as sewage treatment at Yellowstone Park. Seventy percent of the $500 million will be available for park units threatened or impaired by activities occurring outside of the unit, such as degradation of water resources at Everglades National Park.

Of these funds, the legislation specifically provides $75 million to the Everglades restoration effort as the keynote project of the legislation.

The Everglades National Park is one component of the Everglades ecosystem which stretches from the Kissimmee River basin near Orlando and all the way to Florida Bay and Keys. It

is the only ecosystem of its kind in the world. It is the largest wetland and subtropical wilderness in the United States. It is home to a unique population of plant and wildlife. The water in this system is the lifeblood of the freshwater aquifer that provides most of Florida's drinking water.

For more than a century, this ecosystem has been altered to facilitate development and protect against hurricanes and droughts. Today, almost 50% of the original Everglades has been drained or otherwise altered. The remaining Everglades, and in particular, the regions located within Everglades National Park, are severely threatened by nutrient-rich water, interrupted hydrology, decreased water supply, exotic plants, and mercury contamination.

On July 1 the Army Corps of Engineers will submit to Congress an Everglades restoration plan, termed the ''Restudy'' by the Water Resources Development Act of 1996. This plan reviews the original Central and South Florida Flood Control project which was initiated in the 1940s by the Army Corps and has been the source of the ecosystem manipulation that occurred in Florida since that time. The Restudy outlines the basic elements of a plan to restore the Everglades as closely to their natural state as possible. This is a difficult and complex task since the original area of the Everglades was reduced by 50% with the development of both coasts as large metropolitan areas. Costs of execution of this plan will be shared on a 50-50 basis with the state of Florida.

There has never been a restoration project of this size in the history of the United States or the world. This is an opportunity to preserve a national treasure that was destroyed by our own actions in the past. The bill we will introduce today will provide dedicated funds for the federal share of the land acquisition portions of this project which is so critical to the nation.

I look forward to working with each of you as we seek to protect and preserve the ecosystems, critical habitat, cultural resources and other core resources within our National Park System.

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. 819

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Act to Sustain the National Parks''.

SEC. 2. DEDICATION OF A PORTION OF OUTER CONTINENTAL SHELF REVENUES TO THE NATIONAL PARK SERVICE.

(a) DEFINITIONS.—In this Act:

(1) LEASED TRACT.—The term ''leased tract'' means a tract leased under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) for the purpose of drilling for, developing, and producing oil and natural gas resources, consisting of a block, a portion of a block, or a combination of blocks or portions of blocks, as specified in the lease and as depicted on an Outer Continental Shelf Official Protraction Diagram.

(2) OUTER CONTINENTAL SHELF.—The term ''outer Continental Shelf'' has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(3) OUTER CONTINENTAL SHELF REVENUES.—

(A) IN GENERAL.—The term ''outer Continental Shelf revenues'' means all amounts received by the United States from leased tracts, less—

(i) such amounts as are credited to States under section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)); and

(ii) such amounts as are needed for adjustments or refunds of overpayments for rents, royalties, or other purposes.

(B) INCLUSIONS.—The term ''outer Continental Shelf revenues'' includes royalties (including payments for royalty taken in kind and sold), net profit share payments, and related late-payment interest from natural gas and oil leases issued under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for a leased tract.

(C) EXCLUSIONS.—The term ''outer Continental Shelf revenues'' does not include amounts received by the United States under—

(i) any lease issued on or after the date of enactment of this Act;

(ii) any lease under which no oil or gas production occurred before January 1, 1999; or

(iii) any lease in an area for which there is in effect a moratorium on leasing or drilling on the outer Continental Shelf.

(b) SEPARATE ACCOUNT.—Of the amount of outer Continental Shelf revenues received by the Secretary of the Interior during each fiscal year, $500,000,000 shall be deposited in a separate account in the Treasury of the United States and shall, without further Act of appropriation, be available to the Secretary of the Interior in subsequent fiscal years until expended.

(c) THREATENED PARK RESOURCES.—

(1) IN GENERAL.—The amounts made available under subsection (b) shall be available for expenditure in units of the National Park System that have ecosystems, critical habitat, cultural resources, or other core park resources that are threatened or impaired.

(2) IDENTIFIED THREATS.—The amounts made available under subsection (b)—

(A) shall be used only to address identified threats and impairments described in paragraph (1), including use for land acquisition, construction, grants to State, local, or municipal governments, or partnerships with other Federal agencies or nonprofit organizations; and

(B) shall not be directed to other operational or maintenance needs of units of the National Park System.

(3) ALLOCATION.—Of the amounts made available under subsection (b)—

(A) 30 percent shall be available for expenditure in units of the National Park System with ecosystems, critical habitat, cultural resources, or other core park resources threatened or impaired by activities occurring inside the unit; and

(B) 70 percent shall be available for expenditure in units of the National Park System with ecosystems, critical habitat, cultural resources, or other core park resources threatened or impaired by activities occurring outside the unit (including $150,000,000 for each of fiscal years 2000 through 2015 for the Federal share of the Everglades and South Florida ecosystem restoration project under the comprehensive plan developed under section 528 of the Water Resources Development Act of 1996 (110 Stat. 3767)).

(d) CONFORMING AMENDMENT.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended by striking ''All rentals'' and inserting ''Except as provided in section 2 of the National Park Preservation Act, all rentals''.

By Mr. CHAFEE (for himself, Mr. BREAUX, and Mr. JEFFORDS);

S. 820. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury; to the Committee on Finance.

THE TRANSPORTATION TAX EQUITY AND FAIRNESS ACT

Mr. CHAFEE. Mr. President, today I am introducing legislation, along with Senators BREAUX and JEFFORDS, to correct an inequity that currently exists with the taxes imposed on transportation fuels.

In 1990 Congress extended fuel taxes beyond their traditional role as transportation user fees by introducing a 2.5 cents-per-gallon federal deficit reduction tax on railroad and highway fuels. These taxes were enacted as part of legislation that was designed to reduce the federal budget that existed at that time.

In 1993, Congress increased these ''deficit reduction fuel taxes'' and extended them to inland waterway users and commercial airlines. The taxes imposed on barges went into effect immediately, while those affecting the airlines were delayed for 2 years. As a result of these two pieces of legislation a deficit reduction fuel tax of 6.8 cents per gallon was imposed on railroads and trucks, 4.3 cents per gallon on barges, and a suspended 4.3 cents per gallon tax on airlines.

Beginning in 1995, however, Congress began to redirect these taxes for other uses. The first step was taking 2.5 cents of the amount paid by highway users and transferring it to the Highway Trust Fund. The Highway Trust Fund, as many of my colleagues know, is the principal source of money used for highway infrastructure. Taxes paid into this trust fund by highway users results in a direct benefit to them by being recycled back into improvements to our nation's roads and bridges.

Recognizing that this transfer would place the railroad industry—a direct competitor of the trucking industry—at a competitive disadvantage, Congress reduced the deficit reduction tax paid by railroads by 1.25 cents. As a result of these changes, then, highway users, commerical airlines and inland waterway users paid a deficit reduction tax of 4.3 cents while railroads paid a tax of 5.55 cents.

The 1997 Taxpayer Relief Act further disadvantaged the railroad and inland

waterway sectors by relieving highway users and commercial airlines from the remaining 4.3 cent deficit reduction fuel tax. Instead of these funds going into the General Fund of the Treasury, the taxes paid by these sectors were redirected to their respective trust funds.

I have a chart that I will ask be included with my statement that shows the evolution of deficit reduction fuel excise taxes over the past decade.

Today, two sectors of the transportation industry—railroads and inland waterway users—pay ''deficit reduction'' taxes even though we no longer have a deficit. Furthermore, these sectors are required to continue paying these taxes even though their competitors do not.

There is absolutely no policy rationale for railroads and barge operators to pay deficit reduction fuel taxes while motor carriers and commerical airlines are required to pay nothing.

We believe the time has come to correct this unfairness. This bill levels the playing field by repealing the remaining 4.3 cent tax paid by the railroads and inland waterway users.

I urge all of my colleagues to our legislation. Mr. President, I ask that the chart be included in the RECORD.

The chart follows:

DEFICIT REDUCTION FUEL EXCISE TAXES PAID BY THE VARIOUS TRANSPORTATION SECTORS BY YEAR

	1990	1993	1995	1997	1999
Highway Users	2.5	6.8	4.3	0	0
Railroads	2.5	6.8	5.55	5.55	4.3
Barges	0	4.3	4.3	4.3	4.3
Commercial Airlines	0	0	4.3	0	0

By Mr. LAUTENBERG (for himself, Mr. FEINGOLD, Mr. KENNEDY, and Mr. TORRICELLI):

S. 821. A bill to provide for the collection of data on traffic stops; to the Committee on the Judiciary.

TRAFFIC STOPS STATISTICS STUDY ACT OF 1999

Mr. LAUTENBERG. Mr. President, I rise to introduce legislation that will help our nation deal with the problem of racial profiling during traffic stops. I am pleased to be joined in this effort by Senators FEINGOLD, KENNEDY, and TORRICELLI.

Across the country, too many motorists fear that they will be stopped by law enforcement for nothing more than the color of their skin. The offense of ''D.W.B.'' or ''Driving While Black'' is well known to minorities, and the fact that this term has entered the common vocabulary demonstrates the pervasiveness of the problem.

In my home state and other states along the Interstate–95 corridor, there have been many serious and credible allegations of racial profiling. For example, statistics recently released by the state of New Jersey, reveal that 73 percent of motorists arrested on the New Jersey turnpike in early 1997 were minorities. Similarly, a court-ordered study in Maryland found that more than 70 percent of drivers stopped on Interstate–95 were African American though they made up only 17.5 percent of drivers.

Not surprisingly, the practice of racial profiling has led to litigation. In the case of State versus Soto, a state court judge ruled that troopers were engaging in racial profiling on the southernmost segment of the New Jersey Turnpike. That decision spurred the United States Department of Justice to begin a ''pattern and practice'' investigation, in December 1996, to determine whether the New Jersey State Police had violated the constitutional rights of minority motorists. The Department of Justice is also investigating police agencies in Eastpointe, Michigan, and Orange County, Florida. Additionally, a number of individuals and organizations have filed private lawsuits seeking to end the inappropriate use of racial profiling.

While litigation may bring about limited reforms, it is clear that Congress must develop a nationwide approach. The legislation I am introducing today will help define the scope of the problem, increase police awareness, and suggest whether additional steps are necessary. It would require that the Attorney General collect data on traffic stops and report the results to Congress. Because better relations between police and citizens will help ease racial tensions, the measure will also authorize grants to law enforcement agencies for the development of better training programs and policing strategies.

In recent decades, we have made great progress in strengthening the civil rights of all Americans. Many dedicated law enforcement officials have contributed greatly to this effort by applying the law fairly and working to strengthen the bonds of trust in the communities they serve. To their credit, some police agencies have spoken out against the practice of racial profiling. In New Jersey, the State Troopers Fraternal Association, the State Troopers Non-Commissioned Officers Association, and the State Troopers Superior Officers Association have stated that ''anyone out there using racial profiling or in any way misusing or abusing their position, must be identified and properly dealt with.'' But we cannot allow the actions of some police officials to undermine these achievements, and we should work to ensure that minority motorists are no longer subjected to unwarranted traffic stops.

I urge my colleagues to support this measure, and help protect the civil rights of all Americans. 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. 821

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 ''Traffic Stops Statistics Study Act of 1999''.

SEC. 2. ATTORNEY GENERAL TO CONDUCT STUDY.

(a) STUDY.—

(1) IN GENERAL.—The Attorney General shall conduct a nationwide study of stops for traffic violations by law enforcement officers.

(2) INITIAL ANALYSIS.—The Attorney General shall perform an initial analysis of existing data, including complaints alleging and other information concerning traffic stops motivated by race and other bias.

(3) DATA COLLECTION.—After completion of the initial analysis under paragraph (2), the Attorney General shall then gather the following data on traffic stops from a nationwide sample of jurisdictions, including jurisdictions identified in the initial analysis:

(A) The traffic infraction alleged to have been committed that led to the stop.

(B) Identifying characteristics of the driver stopped, including the race, gender, ethnicity, and approximate age of the driver.

(C) Whether immigration status was questioned, immigration documents were requested, or an inquiry was made to the Immigration and Naturalization Service with regard to any person in the vehicle.

(D) The number of individuals in the stopped vehicle.

(E) Whether a search was instituted as a result of the stop and whether consent was requested for the search.

(F) Any alleged criminal behavior by the driver that justified the search.

(G) Any items seized, including contraband or money.

(H) Whether any warning or citation was issued as a result of the stop.

(I) Whether an arrest was made as a result of either the stop or the search and the justification for the arrest.

(J) The duration of the stop.

(b) REPORTING.—Not later than 120 days after the date of enactment of this Act, the Attorney General shall report the results of its initial analysis to Congress, and make such report available to the public, and identify the jurisdictions for which the study is to be conducted. Not later than 2 years after the date of the enactment of this Act, the Attorney General shall report the results of the data collected under this Act to Congress, a copy of which shall also be published in the Federal Register.

SEC. 3. GRANT PROGRAM.

In order to complete the study described in section 2, the Attorney General may provide grants to law enforcement agencies to collect and submit the data described in section 2 to the appropriate agency as designated by the Attorney General.

SEC. 4. LIMITATION ON USE OF DATA.

Information released pursuant to section 2 shall not reveal the identity of any individual who is stopped or any law enforcement officer involved in a traffic stop.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) LAW ENFORCEMENT AGENCY.—The term ''law enforcement agency'' means an agency of a State or political subdivision of a State, authorized by law or by a Federal, State, or local government agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws, or a federally recognized Indian tribe.

(2) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Mr. FEINGOLD. Mr. President, I am pleased to join my friend the senior Senator from New Jersey (Mr. LAUTENBERG) in introducing the Traffic Stops Statistics Act of 1999. This legislation represents a substantial step toward ending an insidious form of discrimination that is plaguing African-American and Hispanic drivers on our roadways—racial profiling. Most law enforcement officers do their best to respect and protect the rights of their fellow citizens, but it has become undeniable that racial profiling has become a disturbingly common practice.

Racial profiling is the practice of pulling over African American, Hispanic, and other minority drivers for routine traffic stops as a premise for conducting a search for drugs. They might be driving just like any ordinary driver, and so they might be surprised to be pulled over. ''Was I speeding?'' they ask. Often, they are told that they have committed some minor traffic infraction that most people are not even aware of—sometimes, the infraction is just a pretext—they might be told that their tire tread is not of the correct depth, or that they have a bumper sticker affixed incorrectly. Any such infraction can be alleged in order to pull over a target of racial profiling, and as a premise to ask for a search. Many people are not aware that they have the right to refuse a search, and many innocent people are afraid that saying no will make them look guilty.

The reality is, if they do refuse a search, victims can sometimes look forward to being detained anyway while a canine unit comes out to sniff for drugs. That is what happened to attorney Robert Wilkins and his family as they returned to Maryland by car from his grandfather's funeral in Chicago. Mr. Wilkins was fortunate enough to be an attorney who knew his rights, and proceeded to join with the ACLU and other groups to sue the Maryland State Police. As a result of that lawsuit, Maryland has conducted its own study of traffic stops, and the results indicate that over 75 percent of those people stopped and search on I–95 are African-American, even though African-Americans make up only 17 percent of the state's population. The innocent people who are inevitably caught in these racially motivated stops feel like they are being punished for what is now called ''DWB''—''Driving While Black,'' or ''Driving While Brown.''

Mr. President, by and large when minorities are stopped by law enforcement officers, they are not attorneys, and they may not know or assert all of their rights—they are scared and they are resentful. And rightly so, when they have been the victim of racial profiling. Is this the way we want to stop the flow of drugs in America? By randomly targeting racial and ethnic minorities who are doing nothing more suspicious than driving their cars? Do we want law-abiding American citizens to feel as though they are living in a police state, scared and reluctant to travel in their cars for fear of being stopped and searched for no reason?

While African-Americans make up under 20% of the American population, several local studies like the Maryland one I mentioned earlier indicate that they make up a much greater percentage of all routine traffic stops, and are far more likely to be searched and subsequently arrested. In my own home state of Wisconsin, a 1996 study by the Madison Capital Times revealed that African-Americans receive 13% of Madison's traffic tickets, despite the fact that they make up only 4% of the city's population, In Florida, the Orlando Sentinel newspaper obtained more than 140 hours of videotapes from police patrol cars showing drivers being stopped on Interstate 95. About 70% of the drivers stopped were black or Hispanic, even though they made up only 5% of all drivers on the road. And in New Jersey, a recent study suggests that African Americans are almost five times as likely to be stopped for speeding as drivers of other races.

Dr. Martin Luther King, Jr., said that ''injustice anywhere is a threat to justice everywhere.'' As Americans, we should all feel threatened when any one of us is denied our personal liberty. Just last week, the United States Supreme Court took yet another step toward eradicating our Fourth Amendment rights against the invasion of our privacy. It held in Wyoming versus Houghton that police can search the personal belongings of all passengers inside a car when looking for criminal evidence against the driver. I fear that this will send a message to some law enforcement officers that they can now expand racial profiling to include not only the driver of a passing car, but also the passengers. And if you happen to be a passenger in a car that was pulled over because of the color of the driver's skin, you can now look forward to having your personal belongings searched through and pored over.

The Traffic Stops Statistics Study Act of 1999 will begin to shed light on the practice of racial profiling. By analyzing the data that the Justice Department obtains over the next two years, we will get a clear picture of the prevalence of the practice of pulling people over because of their skin color or apparent ethnicity. A version of this bill passed the House last year, but died in the Senate. The simultaneous introduction of this bill in the Senate and the House shows that we are serious about sending this to the President's desk. I urge my colleagues in the Senate to join with us to enact this legislation.

It is high time to put a stop to this blatant and offensive practice, which is taking some law enforcement officers, and the rest of us, down a dangerous and discriminatory road.

By Mr. SPECTER:

S. 822. A bill to amend the Internal Revenue Code of 1986 to impose a flat tax only on individual taxable earned income and business taxable income, and for other purposes; to the Committee on Finance.

FLAT TAX ACT OF 1999

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation on a flat tax. This, of course, is a famous day, April 15, the day when Federal income tax returns are due. Across this land for many days, many weeks, some months, Americans have been struggling with their tax returns. As we speak, some may have on C–SPAN2 quietly while they are working on their returns at this very moment.

I recall seeing long lines at the Philadelphia post office near midnight on income tax day when cars were lined up and people were dropping off their tax returns at the post office to beat the filing deadline.

This is a good occasion to talk about the flat tax which permits taxpayers to report their income on a postcard. It can actually be done in the course of some 15 minutes. I filed my tax return and sent it off yesterday. It is very complicated. They say it takes a Philadelphia lawyer to fill out a tax return. I think it takes more than a Philadelphia lawyer to fill out a Federal income tax return, and we have labored under the complexities of the Internal Revenue Code for far too long.

I first introduced this legislation in March of 1995. I was the second one in the Congress of the United States to introduce flat-tax legislation. The majority leader, DICK ARMEY, had introduced the flat tax in the House of Representatives the preceding fall. I studied it. I studied the model of Professor Hall and Professor Rabushka, two distinguished professors of economics and tax law at Stanford University, and concluded that America ought to have a flat tax and that we could, in fact, have a flat tax if the American people really understood what a flat tax was all about.

The Hall-Rabushka model was revenue neutral at 19 percent. I have added 1 percent in order to allow for two deductions: one on charitable contributions up to $2,500 a year and a second on interest on home mortgages of borrowings up to $100,000 to take care of middle-class Americans, because I think without those two deductions, it would be a political impossibility to have a flat tax enacted.

The advantage of the flat tax is that it does have the flatness with only those two deductions, so it is a very simple matter to return the tax return.

Here is a sample tax return. You fill in your name and your address. You list your total wage, salary, or pension. There is a personal allowance, for a family of four. Up to $27,500 pays no tax at all. That constitutes about 53 percent of Americans. It has the two deductions for mortgage interest on debt up to $100,000 for an owner-occupied home and charitable contributions up to $2,500; total compensation multiplied by 20 percent, and that is that.

The tax burden costs Americans about $224 billion a year of our gross national product, which is mired in complexity and unnecessary regulation.

The flat tax seeks to bring equity into the tax payment by taxing only once so that the flat tax eliminates tax on net dividends, capital gains or estates because all of those items have already been taxed.

It would enable Americans to accumulate a great deal more in capital which would help business expansion which would help the economy. And it is projected that the gross national product would be increased by some $2 trillion over 7 years by virtue of this flat tax proposal.

The flat tax is a win-win situation all up and down the line because, by eliminating the loopholes, it eliminates the opportunities of very wealthy Americans to avoid paying taxes at all. When you take a look at the returns of the very, very rich, with the practices of deductions and tax shelters, all of which is legal, the very, very wealthy avoid paying any tax at all.

But this flat tax would have the advantages of capital accumulation, would have the advantage of increasing the gross national product, but most of all would have the simplicity of being able to file a tax return on a postcard.

I think that as I speak—it is always problematic as to how many people are watching C-SPAN2—but I think as I speak there are many Americans across the land tonight who would like to be able to fill out a tax return in 15 minutes. And my view is that if it were better understood, that there would be a great public clamor to have a flat tax enacted.

Mr. President, to reiterate, I have sought recognition to introduce legislation to provide for a flat 20% tax on individuals and businesses. In the 104th Congress, I was the first Senator to introduce flat tax legislation and the first Member of Congress to set forth a deficit-neutral plan for dramatically reforming our nation's tax code and replacing it with a flatter, fairer plan designed to stimulate economic growth. My flat tax legislation was also the first plan to retain limited deductions for home mortgage interest and charitable contributions.

As I traveled around the country and held town hall meetings across Pennsylvania and other states, the public support for fundamental tax reform was overwhelming. I would point out in those speeches that I never leave home without two key documents: (1) my copy of the Constitution; and (2) a copy of my 10-line flat tax postcard. I soon realized that I needed more than just one copy of my flat tax postcard—many people wanted their own postcard so that they could see what life in a flat tax world would be like, where tax returns only take 15 minutes to fill out and individual taxpayers are no longer burdened with double taxation on their dividends, interest, capital gains and estates.

Support for the flat tax is growing as more and more Americans embrace the simplicity, fairness and growth potential of flat tax reform. An April 17, 1995, edition of Newsweek cited a poll showing that 61 percent of Americans favor a flat tax over the current tax code. Significantly, a majority of the respondents who favor the flat tax preferred my flat tax plan with limited deductions for home mortgage interest and charitable contributions. Well before he entered the 1996 Republican presidential primary, publisher Steve Forbes opined in a March 27, 1995, Forbes editorial about the tremendous appeal and potency of my flat tax plan.

Congress was not immune to public demand for reform. Jack Kemp was appointed to head up the National Commission on Economic Growth and Tax Reform and the Commission soon came out with its report recognizing the value of a fairer, flatter tax code. Mr. Forbes soon introduced a flat tax plan of his own, and my fellow candidates in the 1996 Republican presidential primary began to embrace similar versions of either a flat tax or a consumption-based tax system.

Unfortunately, the politics of that Presidential campaign denied the flat tax a fair hearing and momentum stalled. On October 27, 1995, I introduced a Sense of the Senate Resolution calling on my colleagues to expedite Congressional adoption of a flat tax. The Resolution, which was introduced as an amendment to pending legislation, was not adopted.

I reintroduced this legislation in the 105th Congress with slight modifications to reflect inflation-adjusted increases in the personal allowances and dependent allowances. While my flat tax proposal was favorably received at town hall meetings in Pennsylvania, Congress failed to move forward on any tax reform during the 105th Congress. I tried repeatedly to raise the issue with leadership and the Finance Committee to no avail. I think the American people want this debate to move forward and I think the issue of tax reform is ripe for consideration.

In this period of opportunity as we commence the 106th Session of Congress, I am optimistic that public support for tax reform will enable us to move forward and adopt this critically important and necessary legislation. That is why today I am again introducing my Flat Tax Act of 1999.

My flat tax legislation will fundamentally revise the present tax code, with its myriad rates, deductions, and instructions. This legislation would institute a simple, flat 20% tax rate for all individuals and businesses. It will allow all taxpayers to file their April 15 tax returns on a simple 10-line postcard. This proposal is not cast in stone, but is intended to move the debate forward by focusing attention on three key principles which are critical to an effective and equitable taxation system: simplicity, fairness and economic growth.

Over the years and prior to my legislative efforts on behalf of flat tax reform, I have devoted considerable time and attention to analyzing our nation's tax code and the policies which underlie it. I began the study of the complexities of the tax code 40 years ago as a law student at Yale University. I included some tax law as part of my practice in my early years as an attorney in Philadelphia. In the spring of 1962, I published a law review article in the Villanova Law Review, ''Pension and Profit Sharing Plans: Coverage and Operation for Closely Held Corporations and Professional Associations,'' 7 Villanova L. Rev. 335, which in part focused on the inequity in making tax-exempt retirement benefits available to some kinds of businesses but not others. It was apparent then, as it is now, that the very complexities of the Internal Revenue Code could be used to give unfair advantage to some.

Before I introduced my flat tax bill early in the 104th Congress, I had discussions with Congressman RICHARD ARMEY, the House Majority Leader, about his flat tax proposal. In fact, I testified with House Majority Leader RICHARD ARMEY before the Senate Finance and House Ways & Means Committees, as well as the Joint Economic Committee and the House Small Business Committee on the tremendous benefits of flat tax reform. Since then, and both before and after introducing my original flat tax bill, my staff and I have studied the flat tax at some length, and have engaged in a host of discussions with economists and tax experts, including the staff of the Joint Committee on Taxation, to evaluate the economic impact and viability of a flat tax. Based on those discussions, and on the revenue estimates supplied to us, I have concluded that a simple flat tax at a rate of 20% on all business and personal income can be enacted without reducing federal revenues.

A flat tax will help reduce the size of government and allow ordinary citizens to have more influence over how their money is spent because they will

spend it—not the government. By creating strong incentives for savings and investment, the flat tax will have the beneficial result of making available larger pools of capital for expansion of the private sector of the economy—rather than more tax money for big government. This will mean more jobs and, just as important, more higher-paying jobs.

As a matter of federal tax policy, there has been considerable controversy over whether tax breaks should be used to stimulate particular kinds of economic activity, or whether tax policy should be neutral, leaving people to do what they consider best from a purely economic point of view. Our current tax code attempts to use tax policy to direct economic activity. Yet actions under that code have demonstrated that so-called tax breaks are inevitably used as the basis for tax shelters which have no real relation to solid economic purposes, or to the activities which the tax laws were meant to promote. Even when the government responds to particular tax shelters with new and often complex revisions of the regulations, clever tax experts are able to stay one or two steps ahead of the IRS bureaucrats by changing the structure of their business transactions and then claiming some legal distinctions between the taxpayer's new approach and the revised IRS regulations and precedents.

Under the massive complexity of the current IRS Code, the battle between $500-an-hour tax lawyers and IRS bureaucrats to open and close loopholes is a battle the government can never win. Under the flat tax bill I offer today, there are no loopholes, and tax avoidance through clever manipulations will become a thing of the past.

The basic model for this legislation comes from a plan created by Professors Robert Hall and Alvin Rabushka of the Hoover Institute at Stanford University. Their plan envisioned a flat tax with no deductions whatever. After considerable reflection, I decided to include in the legislation limited deductions for home mortgage interest for up to $100,000 in borrowing and charitable contributions up to $2,500. While these modifications undercut the pure principle of the flat tax by continuing the use of tax policy to promote home buying and charitable contributions, I believe that those two deductions are so deeply ingrained in the financial planning of American families that they should be retained as a matter of fairness and public policy—and also political practicality. With those two deductions maintained, passage of a modified flat tax will be difficult, but without them, probably impossible.

In my judgment, an indispensable prerequisite to enactment of a modified flat tax is revenue neutrality. Professor Hall advised that the revenue neutrality of the Hall-Rabushka proposal, which uses a 19% rate, is based on a well documented model founded on reliable governmental statistics. My legislation raises that rate from 19% to 20% to accommodate retaining limited home mortgage interest and charitable deductions. A preliminary estimate in the 104th Congress by the Committee on Joint Taxation places the annual cost of the home interest deduction at $35 billion, and the cost of the charitable deduction at $13 billion. While the revenue calculation is complicated because the Hall-Rabushka proposal encompasses significant revisions to business taxes as well as personal income taxes, there is a sound basis for concluding that the 1% increase in rate would pay for the two deductions. Revenue estimates for tax code revisions are difficult to obtain and are, at best, judgment calls based on projections from fact situations with myriad assumed variables. It is possible that some modification may be needed at a later date to guarantee revenue neutrality.

This legislation offered today is quite similar to the bill introduced in the House by Congressman ARMEY and in the Senate late in 1995 by Senator RICHARD SHELBY, which were both in turn modeled after the Hall-Rabushka proposal. The flat tax offers great potential for enormous economic growth, in keeping with principles articulated so well by Jack Kemp. This proposal taxes business revenues fully at their source, so that there is no personal taxation on interest, dividends, capital gains, gifts or estates. Restructured in this way, the tax code can become a powerful incentive for savings and investment—which translates into economic growth and expansion, more and better jobs, and raising the standard of living for all Americans.

In the 104th Congress, we took some important steps toward reducing the size and cost of government, and this work is ongoing and vitally important. But the work of downsizing government is only one side of the coin; what we must do at the same time, and with as much energy and care, is to grow the private sector. As we reform the welfare programs and government bureaucracies of past administrations, we must replace those programs with a prosperity that extends to all segments of American society through private investment and job creation—which can have the additional benefit of producing even lower taxes for Americans as economic expansion adds to federal revenues. Just as Americans need a tax code that is fair and simple, they also are entitled to tax laws designed to foster rather than retard economic growth. The bill I offer today embodies those principles.

My plan, like the Armey-Shelby proposal, is based on the Hall-Rabushka analysis. But my flat tax differs from the Armey-Shelby plan in four key respects: First, my bill contains a 20% flat tax rate. Second, this bill would retain modified deductions for mortgage interest and charitable contributions (which will require a 1% higher tax rate than otherwise). Third, my bill would maintain the automatic withholding of taxes from an individual's paycheck. Lastly, my bill is designed to be revenue neutral, and thus will not undermine our vital efforts to balance the nation's budget.

The key advantages of this flat tax plan are three-fold: First, it will dramatically simplify the payment of taxes. Second, it will remove much of the IRS regulatory morass now imposed on individual and corporate taxpayers, and allow those taxpayers to devote more of their energies to productive pursuits. Third, since it is a plan which rewards savings and investment, the flat tax will spur economic growth in all sectors of the economy as more money flows into investments and savings accounts, and as interest rates drop.

Under this tax plan, individuals would be taxed at a flat rate of 20% on all income they earn from wages, pensions and salaries. Individuals would not be taxed on any capital gains, interest on savings, or dividends—since those items will have already been taxed as part of the flat tax on business revenue. The flat tax will also eliminate all but two of the deductions and exemptions currently contained within the tax code. Instead, taxpayers will be entitled to ''personal allowances'' for themselves and their children. The personal allowances are: $10,000 for a single taxpayer; $15,000 for a single head of household; $17,500 for a married couple filing jointly; and $5,000 per child or dependent. These personal allowances would be adjusted annually for inflation after 1999.

In order to ensure that this flat tax does not unfairly impact low income families, the personal allowances contained in my proposal are much higher than the standard deduction and personal exemptions allowed under the current tax code. For example in the 1998 tax year, the standard deduction is $4,250 for a single taxpayer, $6,250 for a head of household and $7,100 for a married couple filing jointly, while the personal exemption for individuals and dependents is $2,700. Thus, under the current tax code, a family of four which does not itemize deductions would pay tax on all income over $17,900 (personal exemptions of $10,800 and a standard deduction of $7,100). By contrast, under my flat tax bill, that same family would receive a personal exemption of $27,500, and would pay tax only on income over that amount.

My legislation retains the provisions for the deductibility of charitable contributions up to a limit of $2,500 and home mortgage interest on up to $100,000 of borrowing. Retention of

these key deductions will, I believe, enhance the political salability of this legislation and allow the debate on the flat tax to move forward. If a decision is made to eliminate these deductions, the revenue saved could be used to reduce the overall flat tax rate below 20%.

With respect to businesses, the flat tax would also be a flat rate of 20%. My legislation would eliminate the intricate scheme of complicated depreciation schedules, deductions, credits, and other complexities that go into business taxation in favor of a much-simplified system that taxes all business revenue less only wages, direct expenses and purchases—a system with much less potential for fraud, ''creative accounting'' and tax avoidance.

Businesses would be allowed to expense 100% of the cost of capital formation, including purchases of capital equipment, structures and land, and to do so in the year in which the investments are made. The business tax would apply to all money not reinvested in the company in the form of employment or capital formation—thus fully taxing revenue at the business level and making it inappropriate to re-tax the same monies when passed on to investors as dividends or capital gains.

Let me now turn to a more specific discussion of the advantages of the flat tax legislation I am introducing today.

The first major advantage to this flat tax is simplicity. According to the Tax Foundation, Americans spend approximately 5.3 billion hours each year filling out tax forms. Much of this time is spent burrowing through IRS laws and regulations which fill 17,000 pages and have grown from 744,000 words in 1955 to 5.6 million words in 1995.

Whenever the government gets involved in any aspect of our lives, it can convert the most simple goal or task into a tangled array of complexity, frustration and inefficiency. By way of example, most Americans have become familiar with the absurdities of the government's military procurement programs. If these programs have taught us anything, it is how a simple purchase order for a hammer or a toilet seat can mushroom into thousands of words of regulations and restrictions when the government gets involved. The Internal Revenue Service is certainly no exception. Indeed, it has become a distressingly common experience for taxpayers to receive computerized print-outs claiming that additional taxes are due, which require repeated exchanges of correspondence or personal visits before it is determined, as it so often is, that the taxpayer was right in the first place.

The plan offered today would eliminate these kinds of frustrations for millions of taxpayers. This flat tax would enable us to scrap the great majority of the IRS rules, regulations and instructions and delete most of the five million words in the Internal Revenue Code. Instead of tens of millions of hours of non-productive time spent in compliance with, or avoidance of, the tax code, taxpayers would spend only the small amount of time necessary to fill out a postcard-sized form. Both business and individual taxpayers would thus find valuable hours freed up to engage in productive business activity, or for more time with their families, instead of poring over tax tables, schedules and regulations.

The flat tax I have proposed can be calculated just by filling out a small postcard which would require a taxpayer only to answer a few easy questions. Filing a tax return would become a manageable chore, not a seemingly endless nightmare, for most taxpayers.

Along with the advantage of simplicity, enactment of this flat tax bill will help to remove the burden of costly and unnecessary government regulation, bureaucracy and red tape from our everyday lives. The heavy hand of government bureaucracy is particularly onerous in the case of the Internal Revenue Service, which has been able to extend its influence into so many aspects of our lives.

In 1995, the IRS employed 117,000 people, spread out over countless offices across the United States. Its budget was in excess of $7 billion, with over $4 billion spent merely on enforcement. By simplifying the tax code and eliminating most of the IRS' vast array of rules and regulations, the flat tax would enable us to cut a significant portion of the IRS budget, including the bulk of the funding now needed for enforcement and administration.

In addition, a flat tax would allow taxpayers to redirect their time, energies and money away from the yearly morass of tax compliance. According to the Tax Foundation, in 1996, the private sector spent over $150 billion complying with federal tax laws. According to a Tax Foundation study, adoption of flat tax reform would cut pre-filing compliance costs by over 90 percent.

Monies spent by businesses and investors in creating tax shelters and finding loopholes could be instead directed to productive and job-creating economic activity. With the adoption of a flat tax, the opportunities for fraud and cheating would also be vastly reduced, allowing the government to collect, according to some estimates, over $120 billion annually.

The third major advantage to a flat tax is that it will be a tremendous spur to economic growth. Harvard economist Dale Jorgenson estimates adoption of a flat tax like the one offered today would increase future national wealth by over $2 trillion, in present value terms, over a seven year period. This translates into over $7,500 in increased wealth for every man, woman and child in America. This growth also means that there will be more jobs—it is estimated that the $2 trillion increase in wealth would lead to the creation of 6 million new jobs.

The economic principles are fairly straightforward. Our current tax system is inefficient; it is biased toward too little savings and too much consumption. The flat tax creates substantial incentives for savings and investment by eliminating taxation on interest, dividends and capital gains—and tax policies which promote capital formation and investment are the best vehicle for creation of new and high paying jobs, and for a greater prosperity for all Americans.

It is well recognized that to promote future economic growth, we need not only to eliminate the federal government's reliance on deficits and borrowed money, but to restore and expand the base of private savings and investment that has been the real engine driving American prosperity throughout our history. These concepts are related—the federal budget deficit soaks up much of what we have saved, leaving less for businesses to borrow for investments.

It is the sum total of savings by all aspects of the U.S. economy that represents the pool of all capital available for investment—in training, education, research, machinery, physical plant, etc.—and that constitutes the real seed of future prosperity. The statistics here are daunting. In the 1960s, the net U.S. national savings rate was 8.2 percent, but it has fallen to a dismal 1.5 percent. Americans save at only one-tenth the rate of the Japanese, and only one-fifth the rate of the Germans. This is unacceptable and we must do something to reverse the trend.

An analysis of the components of U.S. savings patterns shows that although the federal budget deficit is the largest cause of ''dissavings,'' both personal and business savings rates have declined significantly over the past three decades. Thus, to recreate the pool of capital stock that is critical to future U.S. growth and prosperity, we have to do more than just get rid of the deficit. We have to very materially raise our levels of private savings and investment. And we have to do so in a way that will not cause additional deficits.

The less money people save, the less money is available for business investment and growth. The current tax system discourages savings and investment, because it taxes the interest we earn from our savings accounts, the dividends we make from investing in the stock market, and the capital gains we make from successful investments in our homes and the financial markets. Indeed, under the current law these rewards for saving and investment are not only taxed, they are overtaxed—since gains due solely to inflation, which represent no real increase

in value, are taxed as if they were profits to the taxpayer.

With the limited exceptions of retirement plans and tax free municipal bonds, our current tax code does virtually nothing to encourage personal savings and investment, or to reward it over consumption. This bill will change this system, and address this problem. The proposed legislation reverses the current skewed incentives by promoting savings and investment by individuals and by businesses. Individuals would be able to invest and save their money tax-free and reap the benefits of the accumulated value of those investments without paying a capital gains tax upon the sale of these investments. Businesses would also invest more as the flat tax allowed them to expense fully all sums invested in new equipment and technology in the year the expense was incurred, rather than dragging out the tax benefits for these investments through complicated depreciation schedules. With greater investment and a larger pool of savings available, interest rates and the costs of investment would also drop, spurring even greater economic growth.

Critics of the flat tax have argued that we cannot afford the revenue losses associated with the tremendous savings and investment incentives the bill affords to businesses and individuals. Those critics are wrong. Not only is this bill carefully crafted to be revenue neutral, but historically we have seen that when taxes are cut, revenues actually increase, as more taxpayers work harder for a larger share of their take-home pay, and investors are more willing to take risks in pursuit of rewards that will not get eaten up in taxes.

As one example, under President Kennedy when individual tax rates were lowered, investment incentives including the investment tax credit were created and then expanded and depreciation rates were accelerated. Yet, between 1962 and 1967, gross annual federal tax receipts grew from $99.7 billion to $148 billion—an increase of nearly 50%. More recently after President Reagan's tax cuts in the early 1980's, government tax revenues rose from just under $600 billion in 1981 to nearly $1 trillion in 1989. In fact, the Reagan tax cut program helped to bring about one of the longest peacetime expansion of the U.S. economy in history. There is every reason to believe that the flat tax proposed here can do the same—and by maintaining revenue neutrality in this flat tax proposal, as we have, we can avoid any increases in annual deficits and the national debt.

In addition to increasing federal revenues by fostering economic growth, the flat tax can also add to federal revenues without increasing taxes by closing tax loopholes. The Congressional Research Service estimates that for fiscal year 1995, individuals sheltered more than $393 billion in tax revenue in legal loopholes, and corporations sheltered an additional $60 billion. There may well be additional monies hidden in quasi-legal or even illegal ''tax shelters.'' Under a flat tax system, all tax shelters will disappear and all income will be subject to taxation.

The growth case for a flat tax is compelling. It is even more compelling in the case of a tax revision that is simple and demonstrably fair.

By substantially increasing the personal allowances for taxpayers and their dependents, this flat tax proposal ensures that poorer taxpayers will pay no tax and that taxes will not be regressive for lower and middle income taxpayers. At the same time, by closing the hundreds of tax loopholes which are currently used by wealthier taxpayers to shelter their income and avoid taxes, this flat tax bill will also ensure that all Americans pay their fair share.

The flat tax legislation that I am offering will retain the element of progressivity that Americans view as essential to fairness in an income tax system. Because of the lower end income exclusions, and the capped deductions for home mortgage interest and charitable contributions, the effective tax rates under my bill will range from 0% for families with incomes under about $30,000 to roughly 20% for the highest income groups.

My proposed legislation demonstrably retains the fairness that must be an essential component of the American tax system.

The proposal that I make today is dramatic, but so are its advantages: a taxation system that is simple, fair and designed to maximize prosperity for all Americans. A summary of the key advantages are:

Simplicity: A 10-line postcard filing would replace the myriad forms and attachments currently required, thus saving Americans up to 5.3 billion hours they currently spend every year in tax compliance.

Cuts Government: The flat tax would eliminate the lion's share of IRS rules, regulations and requirements, which have grown from 744,000 words in 1955 to 5.6 million words and 12,000 pages currently. It would also allow us to slash the mammoth IRS bureaucracy of 117,000 employees.

Promotes Economic Growth: Economists estimate a growth of over $2 trillion in national wealth over seven years, representing an increase of approximately $7,500 in personal wealth for every man, woman and child in America. This growth would also lead to the creation of 6 million new jobs.

Increases Efficiency: Investment decisions would be made on the basis of productivity rather than simply for tax avoidance, thus leading to even greater economic expansion.

Reduces Interest Rates: Economic forecasts indicate that interest rates would fall substantially, by as much as two points, as the flat tax removes many of the current disincentives to savings.

Lowers Compliance Costs: Americans would be able to save up to $224 billion they currently spend every year in tax compliance.

Decreases Fraud: As tax loopholes are eliminated and the tax code is simplified, there will be far less opportunity for tax avoidance and fraud, which now amounts to over $120 billion in uncollected revenue annually.

Reduces IRS Costs: Simplification of the tax code will allow us to save significantly on the $7 billion annual budget currently allocated to the Internal Revenue Service.

Professors Hall and Rabushka have projected that within seven years of enactment, this type of a flat tax would produce a 6 percent increase in output from increased total work in the U.S. economy and increased capital formation. The economic growth would mean a $7,500 increase in the personal income of all Americans.

No one likes to pay taxes. But Americans will be much more willing to pay their taxes under a system that they believe is fair, a system that they can understand, and a system that they recognize promotes rather than prevents growth and prosperity. The legislation I introduce today will afford Americans such a tax system.

By Mr. HARKIN (for himself and Mr. DURBIN):

S. 823. A bill to establish a program to assure the safety of processed produce intended for human consumption, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE FRUIT AND VEGETABLE SAFETY ACT

Mr. HARKIN. Mr. President, today I am introducing legislation to bridge obvious gaps in the safety of fresh fruits and vegetables. This legislation will establish basic standards of sanitation for processed fruits and vegetables, simple standards that will help assure that Americans can enjoy these foods safely.

American families are on the front lines of this food safety battle three times a day—breakfast, lunch and dinner. Health experts advise us to eat at least five servings a day of fresh fruits and vegetables as part of a healthy lifestyle. Studies show these foods can cut our risks of cancer and heart disease. Americans have listened, and our consumption of fresh fruits and vegetables has grown every year. We can now find a variety of out-of-season produce, imported and exotic foods. We also enjoy convenience foods, ready-to-eat mixed salads, sprouts, mixed juices, a variety of frozen berries, dried spices, and other treats unavailable a few decades ago.

Americans can buy produce that is the safest in the world, and food safety

problems from produce are rare. But these problems can be devastating for victims, and consumers are demanding stronger laws to protect themselves from food borne illness. Since 1990, more than 40 outbreaks of foodborne illness have been linked to fresh fruit, vegetable and juice products consumed in the United States. More than 6300 illnesses were reported, with victims in almost all 50 states. Domestic melons, imported strawberries, lettuce, sprouts and orange juice each took their toll.

Processed or ready-to-eat produce may be more easily contaminated because it is handled extensively, cut up and rinsed, and then is eaten by the consumer without further preparation. It is essential that the processor handle these foods safely, because there is nothing the consumer can do once these products are contaminated.

This bill will improve the safety of these products by requiring that they are always processed under sanitary conditions. These are the same conditions you would use in your own kitchen, and should expect from a processor. The guidelines are simple; that rinse water be clean and sewage be kept away from the food, that workers can and do wash their hands, that flies, birds and rodents be kept out of the processing plant.

Under the bill provisions, FDA will inspect processors, domestic and importing, annually, to be sure they are following sanitary guidelines. FDA will also coordinate with other food safety agencies to develop research programs aimed at setting standards for safe agricultural practices for produce, and for testing methods that can verify that fruit or vegetable products has been processed safely.

Last August, the National Academy of Sciences, in evaluating the federal food safety system, advised that food safety agencies be able to ''mandate minimum sanitation standards for food.'' Food safety should be a requirement—not a suggestion. We have had basic sanitation standards in place for meat and poultry for 93 years. FDA needs strong mandatory sanitation guidelines for produce. My bill would establish basic sanitation standards for processed fruits and vegetables. Most processors in the US are already following these reasonable standards, and are keeping their products safe. This bill will bring everyone up to par domestically, and allow FDA to address produce sanitation problems in importing countries.

Agriculture is clearly our nation's largest employer, providing jobs for millions from the farm to the corner markets. Agricultural communities cannot afford to have the American public question the safety of the food in their grocery stores. This is not just a public health issue, it is also an economic issue.

I believe these simple standards of cleanliness are reasonable, are long overdue, and will help assure that Americans can safely make these foods a part of every meal.

By Mr. KERRY (for himself, Mr. SMITH of Oregon, Mr. CHAFEE, Mr. CLELAND, Ms. SNOWE, Mr. BAYH, Ms. COLLINS, Mr. KENNEDY, Mr. LEVIN, Mr. EDWARDS, Mrs. MURRAY, and Mr. BRYAN):

S. 284. A bill to improve educational systems and facilities to better educate students throughout the United States; to the Committee on Health, Education, Labor, and Pensions.

COMPREHENSIVE SCHOOL IMPROVEMENT AND ACCOUNTABILITY ACT OF 1999

Mr. KERRY. Mr. President, I think every American knows what today is—Tax Day, 1999. It's a day that I think no doubt leaves most Americans, certainly, tired from the all too hurried rush to file those forms—but I hope also reminded that as we pay our taxes we're really making choices about our priorities—investing in a strong national defense, making a difference in research and development, protecting Social Security and Medicare—and the truth is that while no one likes to pay taxes, this is why we do it—so we can invest in certain priorities that make our nation strong.

Well, Mr. President, today I want to join with my colleague GORDON SMITH to talk about one of those investments, about the commitment Americans want us to make to our public schools, and about the biggest tax cut we can ever deliver for our children and grandchildren—the tax cut you give to future generations when you insist—today—that you're going to have a committed and qualified teacher in every classroom, that you're going to make every public school work, and that you're going to put every child on the road to a life in which they can make the most of their own talents and capacities for success.

Let's be honest—as a society, there is no decision of greater importance to the long term health, stability, and competitiveness of this nation, than the way we decide to educate our children.

We look to public schools today to educate our children to lead in an information age where the term ''wired worker'' will soon be redundant because of an information revolution that has literally put more power in the computer chip of a digital watch than in every computer combined in the United States just fifty years ago; massive technological change and demands to improve our productivity, putting more Americans to work for longer hours and putting them in front of computer screens for hours more when they're not at work; a global economy where borders have vanished—and the wealth of nations will be determined by the wisdom of their workers—by their level of training, the depth of their knowledge, and their ability to compete with workers around the world.

Mr. President, two hundred years ago Thomas Jefferson told us that our public schools would be ''the pillars of the republic''—he was right then, he is right now—but today there is a caveat: those public schools must also be—more than ever—the pillars of our economy and the pillars of our communities.

And I would respectfully suggest to you that there has not been a more urgent time than the present to reevaluate—honestly—the way America's greatest democratic experiment is working—the experiment of our nation's public schools.

Those pillars of the republic have never before had to support so heavy a burden as they do today. In our world of telecommuting, the Internet, hundreds and soon thousands of television channels, sixty, seventy and eighty hour work weeks—there are fewer and fewer places where Americans come together in person to share in that common civic culture, fewer ways in which we unite as citizens—and caught up in that whirlwind are more students living in poverty, more students dealing with disabilities, more students with limited command of the English language.

More reasons, I believe, why this nation must have a great public school system.

And what can we say of the system before us today? I think we must say that—although there are thousands of public schools in this country doing a magnificent job of educating our children to a world class level—too many of our schools are struggling and too many kids are being left behind.

Mr. President, I believe we have a responsibility to be the true friends of public education—and the best friends are critical friends, and it is time that we seek the truth and offer our help to a system that is not doing enough for a large proportion of the 50 million children in our public schools today—children whose reading scores show that of 2.6 million graduating high school students, one-third are below basic reading level, one-third are at basic, only one-third are proficient and only 100,000 are at a world class reading level; children who edge out only South Africa and Cyprus on international tests in science and math, with 29 percent of all college freshmen requiring remedial classes in basic skills.

Mr. President, this year we have already passed the Ed-Flex Bill, a step forward in giving our schools the flexibility and the accountability they need to enact reform, making it a matter of law that we won't tie their hands with red tape when Governors and Mayors and local school districts are doing all they can to educate our kids, but also emphasizing that with added flexibility

comes a responsibility to raise student achievement.

But Mr. President, EdFlex was just one step in a forward moving direction—balancing accountability and flexibility—to continue the process of real education reform—and that is why I am joining with my colleague from Oregon, GORDON SMITH, to introduce bipartisan legislation today—the Kerry-Smith Bill—with our colleagues the distinguished Senator from Massachusetts, my colleague TED KENNEDY and with MAX CLELAND, EVAN BAYH, JOHN EDWARDS, CARL LEVIN, PATTY MURRAY, RICHARD BRYAN, as well as JOHN CHAFEE, SUSAN COLLINS and OLYMPIA SNOWE from Maine—legislation which together we believe will make a difference in our schools, legislation which can bring together leaders from across the political spectrum around good ideas which unite us rather than dividing us.

Mr. President, for too long in this country the education debate has been stuck both nationally and locally—leaders unable or unwilling to answer the challenge, trapped in a debate that is little more than an echo of old and irrelevant positions with promising solutions stymied by ideology and interest groups—both on the right and on the left.

Nowhere more than in the venerable United States Senate, where we pride ourselves on our ability to work together across partisan lines, have we—in so many debates—been stuck in a place where Democrats and Republicans seem to talk past each other. Democrats are perceived to be always ready to throw money at the problem but never for sufficient accountability or creativity; Republicans are perceived as always ready to give a voucher to go somewhere else but rarely supportive of investing sufficient resources to make the public schools work.

Well, I think it is in this Congress, this year, that we can finally disengage ourselves from the political combat, and acknowledge that with so much on the line, such high stakes in our schools, you can't just talk past each other and call it reform.

We all need to do our part to find a new answer, and Mr. President I would respectfully suggest that in the bipartisan support you see for this legislation, there is a different road we can meet on to make it happen.

Together we are introducing the kind of comprehensive education reform legislation that I believe will provide us a chance to come together not as Democrats and Republicans, but as the true friends of parents, children, teachers, and principals—to come together as citizens—and help our schools reclaim the promise of public education in this country. We need to ask one question: ''What provides our children with the best education?'' And whether the answer is conservative, liberal or simply practical, we need to commit ourselves to that course.

Our bill is built on the notion of giving grants for schools—with real accountability—to pursue comprehensive reform and adopt the proven best practices of any other school—Voluntary State Reform Incentive Grants so school districts that choose to finance and implement comprehensive reform based on proven high-performance models can bring forth change. We will target investments at school districts with high numbers of at-risk students and leverage local dollars through matching grants. This component of the legislation will give schools the chance to quickly and easily put in place the best of what works in any other school—private, parochial or public—with decentralized control, site-based management, parental engagement, and high levels of volunteerism—while at the same time meeting high standards of student achievement and public accountability. I believe public schools need to have the chance to make changes not tomorrow, not five years from now, not after another study—but now—today.

So if schools will embrace this new framework—every school adopting the best practices of high achieving schools, building accountability into the system—what then are the key ingredients of excellence that every school needs to succeed?

Well, Mr. President, I think we can start by guaranteeing that every one of our nation's 80,000 principals have the capacity to lead—the talents and the know-how to do the job; effective leadership skills; the vision to create an effective team—to recruit, hire, and transfer teachers and engage parents. Without those abilities, the title of principal and the freedom to lead means little. We are proposing an ''Excellent Principals Challenge Grant'' which would provide funds to local school districts to train principals in sound management skills and effective classroom practices. This bill helps our schools make being a principal the great calling of our time.

But as we set our sights on recruiting a new generation of effective principals, we must acknowledge what today's best principals know: principals can only produce results as good as the teachers with whom they must work. To get the best results, we need the best teachers. And we must act immediately to guarantee that we get the best as the United States hires 2 million new teachers in the next ten years, 60% of them in the next five years. In the Kerry-Smith Bill we will empower our states and school districts to find new ways to hire and train outstanding teachers: through a focus on teacher quality and training—in Title V of this bill—we can use financial incentives to attract a larger group of qualified people into the teaching profession and we can provide real ongoing education and continued training for our nation's teachers.

This legislation will allow states to reconfigure their certification policies and their teaching standards to address the reality that our standards for teachers are not high enough—and at the same time, they are too rigid in setting out irrelevant requirements that don't make teaching better; they make it harder for some who choose to teach. We know we need to streamline teacher certification rules in this country to recruit the best college graduates to teach in the United States. Today we hire almost exclusively education majors to teach, and liberal arts graduates are only welcomed in our country's top private schools. Our legislation will allow states to rewrite the rules so principals have a far greater flexibility to hire liberal arts graduates as teachers, graduates who can meet high standards; while at the same time allowing hundreds of thousands more teachers to achieve a more broad based meaningful certification—the National Board for Professional Teaching Standards certification with its rigorous test of subject matter knowledge and teaching ability.

This legislation will build a new teacher recruitment system for our public schools—providing college scholarships for our highest achieving high school graduates if they agree to come back and teach in our public schools.

We will demand a great deal from our principals and our teachers—holding them accountable for student achievement—but Mr. President we also hope to build a new consensus in America that recognizes that you can't hold someone accountable if they don't have the tools to succeed.

Our bill helps to close the resource gap in public education: helping to eliminate the crime that turns too many hallways and classrooms into arenas of violence by giving school districts incentives to write discipline codes and create ''Second Chance'' schools with a range of alternatives for chronically disruptive and violent students—everything from short-term in-school crisis centers, to medium duration in-school suspension rooms, to high quality off-campus alternatives; helping every child come to school ready to learn by funding successful, local early childhood development efforts; and making schools the hubs of our communities once more by providing support for after school programs where students receive tutoring, mentoring, and values-based education—the kind of programs that are open to entire communities, making public schools truly public.

And our legislation will help us bring a new kind accountability to public education by injecting choice and competition into a public school system

badly in need of both. We are not a country that believes in monopolies. We are a country that believes competition raises quality. And we ought to merge the best of those ideas by ending a system that restricts each child to an administrator's choice and not a parent's choice where possible. It is time we adopt a competitive system of public school choice with grants awarded to schools that meet parents' test of quality and assistance to schools that must catch up rapidly. That is why our bill creates an incentive for schools all across the nation to adopt public school choice to the extent logistically feasible.

Mr. President, we are not just asking Democrats and Republicans to meet in a compromise, a grand bargain to reform public education. We are offering legislation that helps us do it, that forces not just a debate, but a vote—yes or no, up or down, change or more of the same. Together we can embrace new rights and responsibilities on both sides of the ideological divide and admit that the answer to the crisis of public education is not found in one concept alone—in private school vouchers or bricks and mortar alone. We can find answers for our children by breaking with the instinct for the symbolic, and especially the notion that a speech here and there will make education better in this country. It can't and it won't. But our hard work together in the coming year—Democrats and Republicans together—can make a difference. Education reform can work in a bi-partisan way. There is no shortage of good ideas or leadership here in the Senate—the experience of GORDON SMITH who spent years in the Oregon legislature working to balance resources and accountability to raise the quality of public education; with tireless leadership from former Governors like EVAN BAYH and JOHN CHAFEE; bipartisan creativity from PATTY MURRAY and OLYMPIA SNOWE; and the leadership and passion, of course, of the senior Senator from my state, Senator KENNEDY, who has led the fight on education in this Senate, and who has provided this body with over 30 years of unrivaled leadership and support for education.

We look forward to working with all of our colleagues this year to pass this legislation, in this important year as we undergo the process of reauthorizing the Elementary and Secondary Education Act, to find common ground in ideas that we can all support—bold legislation that sends the message—finally—to parents and children struggling to find schools that work, and to teachers and principals struggling in schools simultaneously bloated with bureaucracy and starved for resources—to prove to them not just that we hear their cries for help, but that we will respond not with sound bites and salvos, but with real answers.

I thank my colleagues and I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

S. 824

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive School Improvement and Accountability Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. General requirements.

TITLE I—VOLUNTARY STATE REFORM INCENTIVE GRANTS

Sec. 101. Demonstrations of innovative practices.
Sec. 102. Fully funding title I of ESEA.

TITLE II—ENSURING THAT CHILDREN BEGIN SCHOOL READY TO LEARN

Sec. 201. Definitions.
Sec. 202. Allotments to States.
Sec. 203. Grants to local collaboratives.
Sec. 204. Appropriations.

TITLE III—EXCELLENT PRINCIPALS CHALLENGE GRANT

Sec. 301. Grants to States for the training of principals.

TITLE IV—SECOND CHANCE PROGRAMS FOR DISRUPTIVE OR VIOLENT STUDENTS

Sec. 401. Establishment of second chance grant program.

TITLE V—TEACHER QUALITY AND TRAINING

Sec. 501. Grants for low-income areas.
Sec. 502. Scholarships for future teachers.
Sec. 503. Teacher quality.
Sec. 504. Loan forgiveness and cancellation for teachers.
Sec. 505. Teacher quality enhancement grants.
Sec. 506. Improving teacher technology training.

TITLE VI—INVESTMENT IN COMMUNITY-BASED SCHOOLS AND COMMUNITY SERVICE

Sec. 601. 21st century community learning centers.
Sec. 602. Grants for programs requiring community service.

TITLE VII—EXPANDING NATIONAL BOARD CERTIFICATION PROGRAM FOR TEACHERS

Sec. 701. Purpose.
Sec. 702. Grants to expand participation in the National Board Certification Program.

TITLE VIII—ENCOURAGING PUBLIC SCHOOL CHOICE

Sec. 801. Grants to encourage public school choice.

SEC. 2. DEFINITIONS.

The definitions in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801) shall apply to this Act.

SEC. 3. GENERAL REQUIREMENTS.

(a) ELIGIBILITY.—

(1) STATE ELIGIBILITY.—To be eligible to receive assistance under title I, III, or VIII of this Act, or part E of title XIII of the Elementary and Secondary Education Act of 1965, a State educational agency, consortium of State educational agencies, or State shall reserve not more than 5 percent of the funds the State educational agency, consortium, or State, as appropriate, receives under title I, III, or VIII, or such part E, respectively, for a fiscal year to enable the State educational agency, consortium, or State, as appropriate—

(A) to specify to the Secretary how the receipt of the Federal funds will lead to school improvements, such as increasing student academic achievement, reducing out-of-field teacher placements, increasing teacher retention, and reducing the number of emergency teaching certificates;

(B) to conduct an annual evaluation to determine whether or not such improvements have occurred;

(C) if the improvements have not occurred, to specify to the Secretary what steps will be taken in the future to ensure the improvements; and

(D) for general administrative expenses of the activities assisted under title I, III, or VIII, or such part E, respectively.

(2) LOCAL EDUCATIONAL AGENCY.—To be eligible to receive assistance under title I or III of this Act, or parts E or F of title XIII of the Elementary and Secondary Education Act of 1965, a local educational agency shall—

(A) serve low achieving students as measured by low graduation rates or low scores on assessment exams;

(B) have a low teacher retention rate in the schools served by the local educational agency;

(C) have a high rate of out-of-field placement of teachers in the schools served by the local educational agency; and

(D) have a shortage of teachers of mathematics or physical science in the schools served by the local educational agency.

(b) GEOGRAPHIC REQUIREMENTS.—The Secretary shall promulgate regulations to ensure that a balanced amount of funding under titles III, VII, and VIII of this Act, section 602 of this Act, part I of title X, and parts E and F of title XIII, of the Elementary and Secondary Education Act of 1965, and subpart 9 of part A of title IV, and section 428K, of the Higher Education Act of 1965, is made available to rural and urban areas.

(c) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this Act shall be used to supplement and not supplant other Federal, State, and local public funds expended to carry out activities assisted under this Act.

TITLE I—VOLUNTARY STATE REFORM INCENTIVE GRANTS

SEC. 101. DEMONSTRATIONS OF INNOVATIVE PRACTICES.

(a) PROVISION OF FUNDS.—From amounts appropriated under subsection (f), the Secretary, acting through the authority provided under section 1502 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6492), shall award grants to State educational agencies to enable the States to provide for comprehensive school reforms.

(b) STATE APPLICATION.—To be eligible to receive a grant under subsection (a), a State educational agency shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

(1) a description of the process and selection criteria that the State educational agency will utilize to award competitive grants to local educational agencies;

(2) a description of the manner in which the State educational agency will ensure

that only high quality comprehensive school reform proposals will be funded by the State under this section;

(3) a description of the manner in which the State educational agency will distribute information concerning the comprehensive reform program to local educational agencies and individual schools;

(4) a description of the methods to be used by the State educational agency to evaluate the results of the activities carried out by local educational agencies under the grant; and

(5) assurances that the State educational agency will use funds received under the grant to supplement, not supplant, other Federal, State and local resources provided for educational reforms.

(c) USE OF FUNDS.—

(1) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

(A) IN GENERAL.—Subject to section 3(a)(1), a State educational agency shall use amounts received under a grant under this section to award competitive grants to local educational agencies to enable such local educational agencies to provide funds to schools to carry out activities relating to comprehensive school reform. Such activities may include—

(i) activities relating to the professional development and training of teachers, administrators, staff and parents;

(ii) the acquisition of expert technical assistance in carrying out school reform;

(iii) developing or acquiring instructional materials; and

(iv) implementing parent and community outreach programs.

(B) DISTRIBUTION.—In awarding grants to local educational agencies under this subsection, the State educational agency shall ensure that grants are awarded to agencies where reforms will be implemented at schools with different grade levels.

(2) APPLICATION.—To be eligible to receive a grant under paragraph (1), a local educational agency shall prepare and submit to the State educational agency an application at such time, in such manner, and containing such information as the State educational agency may require, including—

(A) a description of the schools to which the local educational agency will provide funds under the grant;

(B) a description of the comprehensive school reform program that will be implemented by the local educational agency, including the manner in which the local educational agency will provide technical assistance and support for school implementation efforts; and

(C) a description of the manner in which the local educational agency will evaluate and measure the results achieved by schools implementing comprehensive school reforms.

(3) REQUIREMENTS.—A comprehensive school reform program shall—

(A) utilize innovative strategies and proven methods for student learning, teaching, and school management that are based on reliable and effective practices and that have been replicated successfully in schools with diverse characteristics;

(B) be based on a comprehensive design to achieve effective school functioning, including instruction, assessment, classroom management, professional development, parental involvement, and school management, that aligns the curriculum, technology, and professional development of the school into a schoolwide reform plan that is designed to enable all students to meet challenging State content and student performance standards and address needs identified through school needs assessments;

(C) provide a high-quality and continuous teacher and staff professional development and training program;

(D) have measurable goals for student performance and benchmarks for meeting such goals;

(E) be supported by school faculty, administrators and staff;

(F) provide for the meaningful involvement of parents and the local community in planning and implementing school improvement activities;

(G) utilize high-quality external technical support and assistance from a comprehensive school reform entity (which may be an institution of higher education) with experience or expertise in schoolwide reform and improvement;

(H) include a plan for the evaluation of the implementation of school reforms and the student results achieved; and

(I) identify how other resources that are available to the school will be utilized to coordinate services to support and sustain the school reform effort.

(d) MATCHING REQUIREMENT.—

(1) IN GENERAL.—To be eligible to receive funds under this section, a State educational agency shall provide assurances satisfactory to the Secretary that non-Federal funds will be made available to carry out activities under this section in an amount equal to 20 percent of the amount that is provided to the State under this section.

(2) NON-FEDERAL CONTRIBUTIONS.—Non-Federal funds required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, and any portion of any service subsidized by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(3) REDUCTION OF NON-FEDERAL CONTRIBUTIONS.—The Secretary shall promulgate regulations to reduce the non-Federal funds required under paragraph (1) for State educational agencies that serve the highest percentages of low-income children.

(e) APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, to carry out this section, $250,000,000 for fiscal year 2000, $500,000,000 for fiscal year 2001, $750,000,000 for fiscal year 2002, $1,000,000,000 for fiscal year 2003, and $4,000,000,000 for fiscal year 2004.

(2) RESERVATION OF FUNDS.—From the amounts appropriated under paragraph (1) for each fiscal year, the Secretary shall reserve 1 percent of such amounts to provide funds to schools that receive funding from the Bureau of Indian Affairs.

SEC. 102. FULLY FUNDING TITLE I OF ESEA.

Section 1002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(a)) is amended by striking ''$7,400,000,000 for fiscal year 1995'' and all that follows through the period and inserting ''$7,400,000,000 for fiscal year 2000, $7,600,000,000 for fiscal year 2001, $8,000,000,000 for fiscal year 2002, $8,400,000,000 for fiscal year 2003, and $11,400,000,000 for fiscal year 2004''.

TITLE II—ENSURING THAT CHILDREN BEGIN SCHOOL READY TO LEARN

SEC. 201. DEFINITIONS.

In this title:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) 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.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(4) STATE BOARD.—The term ''State board'' means a State Early Learning Coordinating Board established under section 202(c).

(5) YOUNG CHILD.—The term ''young child'' means an individual from birth through age 5.

(6) YOUNG CHILD ASSISTANCE ACTIVITIES.—The term ''young child assistance activities'' means the activities described in paragraphs (1) and (2)(A) of section 203(b).

SEC. 202. ALLOTMENTS TO STATES.

(a) IN GENERAL.—The Secretary shall make allotments under subsection (b) to eligible States to pay for the Federal share of the cost of enabling the States to make grants to local collaboratives under section 203 for young child assistance activities.

(b) ALLOTMENT.—

(1) IN GENERAL.—From the funds appropriated under section 204 for each fiscal year and not reserved under subsection (i), the Secretary shall allot to each eligible State an amount that bears the same relationship to such funds as the total number of young children in poverty in the State bears to the total number of young children in poverty in all eligible States.

(2) YOUNG CHILD IN POVERTY.—In this subsection, the term ''young child in poverty'' means an individual who—

(A) is a young child; and

(B) is a member of a family with an income below the poverty line.

(c) STATE BOARDS.—

(1) IN GENERAL.—In order for a State to be eligible to obtain an allotment under this title, the Governor of the State shall establish, or designate an entity to serve as, a State Early Learning Coordinating Board, which shall receive the allotment and make the grants described in section 203.

(2) ESTABLISHED BOARD.—A State board established under paragraph (1) shall consist of the Governor and members appointed by the Governor, including—

(A) representatives of all State agencies primarily providing services to young children in the State;

(B) representatives of business in the State;

(C) chief executive officers of political subdivisions in the State;

(D) parents of young children in the State;

(E) officers of community organizations serving low-income individuals, as defined by the Secretary, in the State;

(F) representatives of State nonprofit organizations that represent the interests of young children in poverty, as defined in subsection (b), in the State;

(G) representatives of organizations providing services to young children and the parents of young children, such as organizations providing child care, carrying out Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.), providing services through a family resource center, providing home visits, or providing health care services, in the State; and

(H) representatives of local educational agencies.

(3) DESIGNATED BOARD.—The Governor may designate an entity to serve as the State

board under paragraph (1) if the entity includes the Governor and the members described in subparagraphs (A) through (G) of paragraph (2).

(4) DESIGNATED STATE AGENCY.—The Governor shall designate a State agency that has a representative on the State board to provide administrative oversight concerning the use of funds made available under this title and to ensure accountability for the funds.

(d) APPLICATION.—To be eligible to receive an allotment under this title, a State board shall annually submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the application shall contain—

(1) sufficient information about the entity established or designated under subsection (c) to serve as the State board to enable the Secretary to determine whether the entity complies with the requirements of such subsection;

(2) a comprehensive State plan for carrying out young child assistance activities;

(3) an assurance that the State board will provide such information as the Secretary shall by regulation require on the amount of State and local public funds expended in the State to provide services for young children; and

(4) an assurance that the State board shall annually compile and submit to the Secretary information from the reports referred to in section 203(e)(2)(F)(iii) that describes the results referred to in section 203(e)(2)(F)(i).

(e) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost described in subsection (a) shall be—

(A) 85 percent, in the case of a State for which the Federal medical assistance percentage (as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b))) is not less than 50 percent but is less than 60 percent;

(B) 87.5 percent, in the case of a State for which such percentage is not less than 60 percent but is less than 70 percent; and

(C) 90 percent, in the case of any State not described in subparagraph (A) or (B).

(2) STATE SHARE.—

(A) IN GENERAL.—The State shall contribute the remaining share (referred to in this paragraph as the ''State share'') of the cost described in subsection (a).

(B) FORM.—The State share of the cost shall be in cash.

(C) SOURCES.—The State may provide for the State share of the cost from State or local sources, or through donations from private entities.

(f) STATE ADMINISTRATIVE COSTS.—

(1) IN GENERAL.—A State may use not more than 5 percent of the funds made available through an allotment made under this title to pay for a portion, not to exceed 50 percent, of State administrative costs related to carrying out this title.

(2) WAIVER.—A State may apply to the Secretary for a waiver of paragraph (1). The Secretary may grant the waiver if the Secretary finds that unusual circumstances prevent the State from complying with paragraph (1). A State that receives such a waiver may use not more than 7.5 percent of the funds made available through the allotment to pay for the State administrative costs.

(g) MONITORING.—The Secretary shall monitor the activities of States that receive allotments under this title to ensure compliance with the requirements of this title, including compliance with the State plans.

(h) ENFORCEMENT.—If the Secretary determines that a State that has received an allotment under this title is not complying with a requirement of this title, the Secretary may—

(1) provide technical assistance to the State to improve the ability of the State to comply with the requirement;

(2) reduce, by not less than 5 percent, an allotment made to the State under this section, for the second determination of noncompliance;

(3) reduce, by not less than 25 percent, an allotment made to the State under this section, for the third determination of noncompliance; or

(4) revoke the eligibility of the State to receive allotments under this section, for the fourth or subsequent determination of noncompliance.

(i) TECHNICAL ASSISTANCE.—From the funds appropriated under section 204 for each fiscal year, the Secretary shall reserve not more than 1 percent of the funds to pay for the costs of providing technical assistance. The Secretary shall use the reserved funds to enter into contracts with eligible entities to provide technical assistance, to local collaboratives that receive grants under section 203, relating to the functions of the local collaboratives under this title.

SEC. 203. GRANTS TO LOCAL COLLABORATIVES.

(a) IN GENERAL.—A State board that receives an allotment under section 202 shall use the funds made available through the allotment, and the State contribution made under section 202(e)(2), to pay for the Federal and State shares of the cost of making grants, on a competitive basis, to local collaboratives to carry out young child assistance activities.

(b) USE OF FUNDS.—A local collaborative that receives a grant made under subsection (a)—

(1) shall use funds made available through the grant to provide, in a community, activities that consist of education and supportive services, such as—

(A) home visits for parents of young children;

(B) services provided through community-based family resource centers for such parents; and

(C) collaborative pre-school efforts that link parenting education for such parents to early childhood learning services for young children; and

(2) may use funds made available through the grant—

(A) to provide, in the community, activities that consist of—

(i) activities designed to strengthen the quality of child care for young children and expand the supply of high quality child care services for young children;

(ii) health care services for young children, including increasing the level of immunization for young children in the community, providing preventive health care screening and education, and expanding health care services in schools, child care facilities, clinics in public housing projects (as defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))), and mobile dental and vision clinics;

(iii) services for children with disabilities who are young children; and

(iv) activities designed to assist schools in providing educational and other support services to young children, and parents of young children, in the community, to be carried out during extended hours when appropriate; and

(B) to pay for the salary and expenses of the administrator described in subsection (e)(4), in accordance with such regulations as the Secretary shall prescribe.

(c) MULTIYEAR FUNDING.—In making grants under this section, a State board may make grants for grant periods of more than 1 year to local collaboratives with demonstrated success in carrying out young child assistance activities.

(d) LOCAL COLLABORATIVES.—To be eligible to receive a grant under this section for a community, a local collaborative shall demonstrate that the collaborative—

(1) is able to provide, through a coordinated effort, young child assistance activities to young children, and parents of young children, in the community; and

(2) includes—

(A) all public agencies primarily providing services to young children in the community;

(B) businesses in the community;

(C) representatives of the local government for the county or other political subdivision in which the community is located;

(D) parents of young children in the community;

(E) officers of community organizations serving low-income individuals, as defined by the Secretary, in the community;

(F) community-based organizations providing services to young children and the parents of young children, such as organizations providing child care, carrying out Head Start programs, or providing pre-kindergarten education, mental health, or family support services; and

(G) nonprofit organizations that serve the community and that are described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(e) APPLICATION.—To be eligible to receive a grant under this section, a local collaborative shall submit an application to the State board at such time, in such manner, and containing such information as the State board may require. At a minimum, the application shall contain—

(1) sufficient information about the entity described in subsection (d)(2) to enable the State board to determine whether the entity complies with the requirements of such subsection;

(2) a comprehensive plan for carrying out young child assistance activities in the community, including information indicating—

(A) the young child assistance activities available in the community, as of the date of submission of the plan, including information on efforts to coordinate the activities;

(B) the unmet needs of young children, and parents of young children, in the community for young child assistance activities;

(C) the manner in which funds made available through the grant will be used—

(i) to meet the needs, including expanding and strengthening the activities described in subparagraph (A) and establishing additional young child assistance activities; and

(ii) to improve results for young children in the community;

(D) how the local cooperative will use at least 60 percent of the funds made available through the grant to provide young child assistance activities to young children and parents described in subsection (f);

(E) the comprehensive methods that the collaborative will use to ensure that—

(i) each entity carrying out young child assistance activities through the collaborative will coordinate the activities with such activities carried out by other entities through the collaborative; and

(ii) the local collaborative will coordinate the activities of the local collaborative with—

(I) other services provided to young children, and the parents of young children, in the community; and

(II) the activities of other local collaboratives serving young children and families in the community, if any; and

(F) the manner in which the collaborative will, at such intervals as the State board may require, submit information to the State board to enable the State board to carry out monitoring under section 202(f), including the manner in which the collaborative will—

(i) evaluate the results achieved by the collaborative for young children and parents of young children through activities carried out through the grant;

(ii) evaluate how services can be more effectively delivered to young children and the parents of young children; and

(iii) prepare and submit to the State board annual reports describing the results;

(3) an assurance that the local collaborative will comply with the requirements of subparagraphs (D), (E), and (F) of paragraph (2), and subsection (g); and

(4) an assurance that the local collaborative will hire an administrator to oversee the provision of the activities described in paragraphs (1) and (2)(A) of subsection (b).

(f) DISTRIBUTION.—In making grants under this section, the State board shall ensure that not less than 60 percent of the funds made available through each grant are used to provide the young child assistance activities to young children (and parents of young children) who reside in school districts in which half or more of the students receive free or reduced price lunches under the National School Lunch Act (42 U.S.C. 1751 et seq.).

(g) LOCAL SHARE.—

(1) IN GENERAL.—The local collaborative shall contribute a percentage (referred to in this subsection as the ''local share'') of the cost of carrying out the young child assistance activities.

(2) PERCENTAGE.—The Secretary shall by regulation specify the percentage referred to in paragraph (1).

(3) FORM.—The local share of the cost shall be in cash.

(4) SOURCE.—The local collaborative shall provide for the local share of the cost through donations from private entities.

(5) WAIVER.—The State board shall waive the requirement of paragraph (1) for poor rural and urban areas, as defined by the Secretary.

(h) MONITORING.—The State board shall monitor the activities of local collaboratives that receive grants under this title to ensure compliance with the requirements of this title.

SEC. 204. APPROPRIATIONS.

There are authorized to be appropriated, and there are appropriated, to carry out this title $100,000,000 for fiscal year 2000, $200,000,000 for fiscal year 2001, $300,000,000 for fiscal year 2002, $400,000,000 for fiscal year 2003, and $1,000,000,000 for fiscal year 2004.

TITLE III—EXCELLENT PRINCIPALS CHALLENGE GRANT

SEC. 301. GRANTS TO STATES FOR THE TRAINING OF PRINCIPALS.

(a) GRANTS.—

(1) IN GENERAL.—From the sums appropriated under subsection (g) and not reserved under subsection (f) for any fiscal year, the Secretary shall award grants to eligible State educational agencies or consortia of State educational agencies to enable such State educational agencies or consortia to award grants to local educational agencies for the provision of professional development services for public elementary school and secondary school principals to enhance the leadership skills of such principals.

(2) AWARD BASIS.—The Secretary shall award grants under this section to eligible State educational agencies or consortia on the basis of criteria that includes—

(A) the quality of the proposed use of the grant funds; and

(B) the educational need of the State or States.

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State educational agency or consortium shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including an assurance that—

(1) matching funds will be provided in accordance with subsection (e); and

(2) principals were involved in developing the application and the proposed use of the grant funds.

(c) USE OF FUNDS.—Subject to section 3(a)(1), a State educational agency or consortium that receives a grant under this section shall use amounts received under the grant to provide assistance to local educational agencies to enable such local educational agencies to provide training and other activities to increase the leadership and other skills of principals in public elementary schools and secondary schools. Such activities may include activities—

(1) to enhance and develop school management and business skills;

(2) to provide principals with knowledge of—

(A) effective instructional skills and practices; and

(B) comprehensive whole-school approaches and programs;

(3) to improve understanding of the effective uses of educational technology;

(4) to provide training in effective, fair evaluation of school staff; and

(5) to improve knowledge of State content and performance standards.

(d) AMOUNT OF GRANT.—The amount of a grant awarded to a State educational agency or consortium under this section shall be determined by the Secretary.

(e) MATCHING REQUIREMENT.—

(1) IN GENERAL.—To be eligible to receive funds under this section, a State educational agency or consortium shall provide assurances satisfactory to the Secretary that non-Federal funds will be made available to carry out activities under this title in an amount equal to 25 percent of the amount that is provided to the State educational agency or consortium under this section.

(2) WAIVER.—The Secretary shall promulgate regulations to waive the matching requirement of paragraph (1) with respect to State educational agencies or consortia that the Secretary determines serve low-income areas.

(3) NON-FEDERAL CONTRIBUTIONS.—Non-Federal funds required under paragraph (1) may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, and any portion of any service subsidized by the Federal Government, may not be included in determining the amount of such non-Federal funds.

(f) RESERVATION.—The Secretary may reserve not more than 2 percent of the amount appropriated under subsection (g) for each fiscal year to develop model national programs to provide the activities described in subsection (c) to principals. In carrying out the preceding sentence the Secretary shall appoint a commission, consisting of representatives of local educational agencies, State educational agencies, departments of education within institutions of higher education, principals, education organizations, community groups, business, and labor, to examine existing professional development programs and to produce a report on the best practices to help principals in multiple education environments across our Nation. The report shall be produced not later than 1 year after the date of enactment of this Act.

(g) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, $100,000,000 for each of the fiscal years 2000 through 2004 to carry out this section.

TITLE IV—SECOND CHANCE PROGRAMS FOR DISRUPTIVE OR VIOLENT STUDENTS

SEC. 401. ESTABLISHMENT OF SECOND CHANCE GRANT PROGRAM.

Title XIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8601 et seq.) is amended by adding at the end the following:

''PART E—SECOND CHANCE PROGRAMS FOR DISRUPTIVE OR VIOLENT STUDENTS

''SEC. 13501. STATEMENT OF PURPOSE.

''It is the purpose of this part to provide financial assistance to State educational agencies and local educational agencies to initiate a program of demonstration projects, personnel training, and similar activities designed to build a nationwide capability in public elementary schools and secondary schools to meet the educational needs of violent or disruptive students.

''SEC. 13502. AUTHORIZED PROGRAMS.

''(a) ESTABLISHMENT OF PROGRAM.—From the sums appropriated under section 13505 for any fiscal year, the Secretary (after consultation with experts in the field of the education of disruptive or violent students) shall make grants to State educational agencies to enable such State educational agencies to provide financial assistance to local educational agencies to assist such local educational agencies in carrying out programs or projects that are designed to meet the educational needs of violent or disruptive students, including the training of school personnel in the education of violent or disruptive students.

''(b) APPLICATION.—Each State educational agency desiring assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) USES OF FUNDS.—Subject to section 3(a)(1) of the Comprehensive School Improvement and Accountability Act of 1999, amounts provided under a grant under this section shall be used by the State educational agency to provide financial assistance to local educational agencies. Such local educational agencies shall use such assistance to—

''(1) promote effective classroom management;

''(2) provide training for school staff and administrators in enforcement of the discipline code described in subsection (d)(2), which may include training on violence prevention;

''(3) implement programs to modify student behavior, including hiring pupil services personnel (including school counselors, school psychologists, school social workers, and other professionals);

''(4) establish high quality alternative placements for chronically disruptive or violent students that include a continuum of alternatives such as—

''(A) meeting with behavior management specialists;

''(B) establishing short term in-school crisis centers;

''(C) providing medium duration in-school suspension rooms; and

''(D) facilitating off-campus alternatives for such students; or

''(5) carry out other activities determined appropriate by the Secretary.

''(d) ELIGIBILITY.—To be eligible to receive financial assistance from a State educational agency under this part a local educational agency shall—

''(1) prepare and submit to the State educational agency an application that contains an assurance that the local educational agency will use the assistance to carry out activities described in subsection (c);

''(2) have enacted and implemented a discipline code that—

''(A) is applied on a school district-wide basis;

''(B) makes use of clear, understandable language, including specific examples of behaviors that will result in disciplinary actions; and

''(C) is subject to signature by all students and their parents or guardians; and

''(3) comply with any other requirements determined appropriate by the State.

''SEC. 13503. FUNDING.

''Each State educational agency having an application approved under this part shall receive a grant for a fiscal year in an amount that bears the same relation to the total amount appropriated under section 13505 for the fiscal year as the amount the State educational agency is eligible to receive under part A of title I for the fiscal year bears to the amount received by all State educational agencies under part A of title I for the fiscal year.

''SEC. 13504. RULES OF CONSTRUCTION.

''(a) SERVICE OF STUDENTS.—Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving disruptive or violent students simultaneously with students with similar educational needs, in the same educational settings where appropriate.

''(b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Nothing in this part shall be construed to restrict or eliminate any protection provided for in the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) with respect to students with disabilities.

''SEC. 13505. APPROPRIATIONS.

''There are authorized to be appropriated, and there are appropriated, $100,000,000 for each of the fiscal years 2000 through 2004 to carry out this part.''.

TITLE V—TEACHER QUALITY AND TRAINING

SEC. 501. GRANTS FOR LOW-INCOME AREAS.

Title XIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8601 et seq.), as amended by section 401, is further amended by adding at the end the following:

''PART F—INCREASING SALARIES FOR TEACHERS

''SEC. 13601. GRANTS FOR STATE EDUCATIONAL AGENCIES.

''(a) IN GENERAL.—The Secretary shall make grants to eligible State educational agencies to enable such agencies to increase the salaries of teachers in elementary schools and secondary schools.

''(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State educational agency shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) USE OF FUNDS.—A State educational agency that receives a grant under this section shall use amounts received under the grant to increase the salaries of teachers in elementary schools and secondary schools.

''SEC. 13602. GRANTS TO STATES FOR SIGNING BONUSES TO TEACHERS.

''(a) IN GENERAL.—The Secretary shall make grants to eligible States to enable the States to provide incentives to encourage individuals to accept employment as teachers in certain elementary schools and secondary schools in the States.

''(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) USE OF FUNDS.—A State that receives a grant under this section shall use amounts received under the grant to provide incentives to encourage individuals to accept employment in an elementary school or secondary school that is served by a local educational agency that meets the eligibility requirements described in section 3(a)(2) of the Comprehensive School Improvement and Accountability Act of 1999.

''(d) AMOUNT OF GRANT.—The amount of a grant to be awarded to a State under this section shall be determined by the Secretary.

''(e) LIMITATION.—The Secretary shall use not more than $10,000,000 of the amount appropriated under section 13603 for each fiscal year to carry out this section.

''SEC. 13603. APPROPRIATIONS.

''There are authorized to be appropriated, and there are appropriated, $500,000,000 for each of the fiscal years 2000 and 2001, $1,000,000,000 for each of the fiscal years 2002 and 2003, and $2,000,000,000 for fiscal year 2004 to carry out this part.''.

SEC. 502. SCHOLARSHIPS FOR FUTURE TEACHERS.

Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is amended by adding at the end the following:

''SUBPART 9—SCHOLARSHIPS FOR FUTURE TEACHERS

''SEC. 420L. STATEMENT OF PURPOSE.

''It is the purpose of this subpart to establish a scholarship program to promote student excellence and achievement and to encourage students to make a commitment to teaching.

''SEC. 420M. SCHOLARSHIPS AUTHORIZED.

''(a) PROGRAM AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to States to enable the States to award scholarships to individuals who have demonstrated outstanding academic achievement and who make a commitment to become State certified teachers in elementary schools or secondary schools that are served by local educational agencies that meet the eligibility requirements described in section 3(a)(2) of the Comprehensive School Improvement and Accountability Act of 1999.

''(b) PERIOD OF AWARD.—Scholarships under this section shall be awarded for a period of not less than 1 and not more than 4 years during the first 4 years of study at any institution of higher education eligible to participate in any program assisted under this title. The State educational agency administering the scholarship program in a State shall have discretion to determine the period of the award (within the limits specified in the preceding sentence).

''(c) USE AT ANY INSTITUTION PERMITTED.—A student awarded a scholarship under this subpart may attend any institution of higher education.

''SEC. 420N. ALLOCATION AMONG STATES.

''(a) ALLOCATION FORMULA.—From the sums appropriated under section 420U for any fiscal year, the Secretary shall allocate to each State that has an agreement under section 420O an amount that bears the same relation to the sums as the amount the State received under part A of title I of the Elementary and Secondary Education Act of 1965 bears to the amount received under such part A by all States.

''(b) AMOUNT OF SCHOLARSHIPS.—The Secretary shall promulgate regulations setting forth the amount of scholarships awarded under this subpart.

''SEC. 420O. AGREEMENTS.

''The Secretary shall enter into an agreement with each State desiring to participate in the scholarship program authorized by this subpart. Each such agreement shall include provisions designed to ensure that—

''(1) the State educational agency will administer the scholarship program authorized by this subpart in the State;

''(2) the State educational agency will comply with the eligibility and selection provisions of this subpart;

''(3) the State educational agency will conduct outreach activities to publicize the availability of scholarships under this subpart to all eligible students in the State, with particular emphasis on activities designed to assure that students from low-income and moderate-income families have access to the information on the opportunity for full participation in the scholarship program authorized by this subpart; and

''(4) the State educational agency will pay to each individual in the State who is awarded a scholarship under this subpart an amount determined in accordance with regulations promulgated under section 420N(b).

''SEC. 420P. ELIGIBILITY OF SCHOLARS.

''(a) SECONDARY SCHOOL GRADUATION OR EQUIVALENT AND ADMISSION TO INSTITUTION REQUIRED.—Each student awarded a scholarship under this subpart shall—

''(1) have a secondary school diploma or its recognized equivalent;

''(2) have a score on a nationally recognized college entrance exam, such as the Scholastic Aptitude Test (SAT) or the American College Testing Program (ACT), that is in the top 20 percent of all scores achieved by individuals in the secondary school graduating class of the student, or have a grade point average that is in the top 20 percent of all students in the secondary school graduating class of the student;.s

''(3) have been admitted for enrollment at an institution of higher education; and

''(4) make a commitment to become a State certified elementary school or secondary school teacher for a period of 5 years.

''(b) SELECTION BASED ON COMMITMENT TO TEACHING.—Each student awarded a scholarship under this subpart shall demonstrate outstanding academic achievement and show promise of continued academic achievement.

''SEC. 420Q. SELECTION OF SCHOLARS.

''(a) ESTABLISHMENT OF CRITERIA.—The State educational agency is authorized to establish the criteria for the selection of scholars under this subpart.

''(b) ADOPTION OF PROCEDURES.—The State educational agency shall adopt selection procedures designed to ensure an equitable geographic distribution of scholarship awards within the State.

''(c) CONSULTATION REQUIREMENT.—In carrying out its responsibilities under subsections (a) and (b), the State educational agency shall consult with school administrators, local educational agencies, teachers, counselors, and parents.

''(d) TIMING OF SELECTION.—The selection process shall be completed, and the awards made, prior to the end of each secondary school academic year.

''SEC. 420R. SCHOLARSHIP CONDITION.

''The State educational agency shall establish procedures to assure that a scholar awarded a scholarship under this subpart pursues a course of study at an institution of higher education that is related to a career in teaching.

''SEC. 420S. RECRUITMENT.

''In carrying out a scholarship program under this section, a State may use not less than 5 percent of the amount awarded to the State under this subpart to carry out recruitment programs through local educational agencies. Such programs shall target liberal arts, education and technical institutions of higher education in the State.

''SEC. 420T. INFORMATION.

''The Secretary shall develop additional programs or strengthen existing programs to publicize information regarding the programs assisted under this title and teaching careers in general.

''SEC. 420U. APPROPRIATIONS.

''There are authorized to be appropriated, and there are appropriated, to carry out this subpart $10,000,000 for each of the fiscal years 2000 through 2004, of which not more than 0.5 percent shall be used by the Secretary in any fiscal year to carry out section 420T.''.

SEC. 503. TEACHER QUALITY.

Section 210 of the Higher Education Act of 1965 (20 U.S.C. 1030) is amended to read as follows:

''SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $435,000,000 for each of the fiscal years 2000 through 2004, of which—

''(1) 62 percent shall be available for each fiscal year to award grants under section 202;

''(2) 31 percent shall be available for each fiscal year to award grants under section 203; and

''(3) 7 percent shall be available for each fiscal year to award grants under section 204.''.

SEC. 504. LOAN FORGIVENESS AND CANCELLATION FOR TEACHERS.

(a) FEDERAL STAFFORD LOANS.—Section 428J of Higher Education Act of 1965 (20 U.S.C. 1078–10) is amended—

(1) in the matter preceding subparagraph (A) of subsection (b)(1), by striking ''for 5 consecutive complete school years'';

(2) by amending paragraph (1) of subsection (c) to read as follows:

''(1) AMOUNT.—

''(A) IN GENERAL.—The Secretary shall repay—

''(i) not more than $5,000 in the aggregate of the loan obligation on a loan made under section 428 or 428H that is outstanding after the completion of the second complete school year of teaching described in subsection (b)(1); and

''(ii) not more than $5,000 in the aggregate of such loan obligation that is outstanding after the fifth complete school year of teaching described in subsection (b)(1).

''(B) SPECIAL RULE.—No borrower may receive a reduction of loan obligations under both this section and section 460.''; and

(3) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section $50,000,000 for each of the fiscal years 2000 through 2004.''.

(b) DIRECT LOANS.—Section 460 of the Higher Education Act of 1965 (20 U.S.C. 1087j) is amended—

(1) in the matter preceding clause (i) of subsection (b)(1)(A), by striking ''for 5 consecutive complete school years'';

(2) by amending paragraph (1) of subsection (c) to read as follows:

''(1) IN GENERAL.—The Secretary shall repay—

''(A) not more than $5,000 in the aggregate of the loan obligation on a Federal Direct Stafford Loan or a Federal Direct Unsubsidized Stafford Loan that is outstanding after the completion of the second complete school year of teaching described in subsection (b)(1)(A); and

''(B) not more than $5,000 in the aggregate of such loan obligation that is outstanding after the fifth complete school year of teaching described in subsection (b)(1)(A).''; and

(3) by adding at the end the following:

''(i) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section $50,000,000 for each of the fiscal years 2000 through 2004.''.

SEC. 505. TEACHER QUALITY ENHANCEMENT GRANTS.

(a) STATES.—Section 202(d) of the Higher Education Act of 1965 (20 U.S.C. 1022(d)) is amended by adding at the end the following:

''(8) MENTORING.—Promoting mentoring programs that pair veteran teachers with novice teachers in order to—

''(A) increase the skill level of the novice teacher;

''(B) assist in the classroom effectiveness of the novice teacher; and

''(C) help promote the retention of the novice teacher in the school.''.

(b) PARTNERSHIPS.—Section 203(e) of the Higher Education Act of 1965 (20 U.S.C. 1023(e)) is amended by adding at the end the following:

''(5) MENTORING.—Promoting mentoring programs that pair veteran teachers with novice teachers in order to—

''(A) increase the skill level of the novice teacher;

''(B) assist in the classroom effectiveness of the novice teacher; and

''(C) help promote the retention of the novice teacher in the school.''.

SEC. 506. IMPROVING TEACHER TECHNOLOGY TRAINING.

(a) STATEMENT OF PURPOSE FOR TITLE I.—Section 1001(d)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301(d)(4)) is amended by inserting '', giving particular attention to the role technology can play in professional development and improved teaching and learning'' before the semicolon.

(b) SCHOOL IMPROVEMENT.—Section 1116(c)(3) of such Act (20 U.S.C. 6317(c)(3)) is amended by adding at the end the following:

''(D) In carrying out professional development under this paragraph a school shall give particular attention to professional development that incorporates technology used to improve teaching and learning.''.

(c) PROFESSIONAL DEVELOPMENT.—Section 1119(b) of such Act (20 U.S.C. 6320(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) include instruction in the use of technology.''; and

(2) in paragraph (2)—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraphs (E) through (I) as subparagraphs (D) through (H), respectively.

(d) PURPOSES FOR TITLE II.—Section 2002(2) of such Act (20 U.S.C. 6602(2)) is amended—

(1) in subparagraph (E), by striking ''and'' after the semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(G) uses technology to enhance the teaching and learning process.''.

(e) NATIONAL TEACHER TRAINING PROJECT.—Section 2103(b)(2) of such Act (20 U.S.C. 6623(b)(2)) is amended by adding at the end the following:

''(J) Technology.''.

(f) LOCAL PLAN FOR IMPROVING TEACHING AND LEARNING.—Section 2208(d)(1)(F) of such Act (20 U.S.C. 6648(d)(1)(F)) is amended by inserting '', technologies,'' after ''strategies''.

(g) AUTHORIZED ACTIVITIES.—Section 2210(b)(2)(C) of such Act (20 U.S.C. 6650(b)(2)(C)) is amended by inserting '', and in particular technology,'' after ''practices''.

(h) HIGHER EDUCATION ACTIVITIES.—Section 2211(a)(1)(C) of such Act (20 U.S.C. 6651(a)(1)(C)) is amended by inserting '', including technological innovation,'' after ''innovation''.

TITLE VI—INVESTMENT IN COMMUNITY-BASED SCHOOLS AND COMMUNITY SERVICE

SEC. 601. 21ST CENTURY COMMUNITY LEARNING CENTERS.

Part I of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8241 et seq.) is amended—

(1) in section 10905, by adding at the end the following:

''(14) Mentoring programs.

''(15) Academic assistance.

''(16) Drug, alcohol, and gang prevention activities.''; and

(2) in section 10907, by striking ''$20,000,000 for fiscal year 1995'' and all that follows through the period and inserting ''$600,000,000 for each of the fiscal years 2000 through 2004, to carry out this part.''.

SEC. 602. GRANTS FOR PROGRAMS REQUIRING COMMUNITY SERVICE.

(a) IN GENERAL.—From sums appropriated under subsection (f) for any fiscal year, the Secretary shall award grants to State educational agencies to enable such State educational agencies to create and carry out programs to help students meet State secondary school graduation requirements relating to community service.

(b) APPLICATION.—To be eligible to receive a grant under this section a State educational agency shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) AMOUNT.—The Secretary shall determine the amount of a grant awarded to a State educational agency under this section.

(d) USE OF FUNDS.—A State educational agency shall use amounts received under a grant under this section to establish or expand a Statewide program, or school district-wide programs, that help secondary school students to perform community service in order to receive their secondary school

diplomas. In carrying out such programs the State educational agency shall determine the type of community service required, the hours required, and whether to exempt low-income students who are employed before or after school, or during summer months.

(e) MATCHING REQUIREMENT.—

(1) IN GENERAL.—To be eligible to receive funds under this section, a State educational agency shall provide assurances satisfactory to the Secretary that non-Federal funds will be made available to carry out activities under this section in an amount equal to the amount that is provided to the State educational agency under this section, of which—

(A) 50 percent of such non-Federal funds shall be provided by the State educational agency or local educational agencies in the State; and

(B) 50 percent of such non-Federal funds shall be provided from the private sector.

(2) CONTRIBUTIONS.—Non-Federal contributions required in paragraph (1) may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

(f) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, $10,000,000 for each of the fiscal years 2000 through 2004 to carry out this section.

TITLE VII—EXPANDING NATIONAL BOARD CERTIFICATION PROGRAM FOR TEACHERS

SEC. 701. PURPOSE.

It is the purpose of this title to assist 105,000 elementary school or secondary school teachers in becoming board certified by the year 2006.

SEC. 702. GRANTS TO EXPAND PARTICIPATION IN THE NATIONAL BOARD CERTIFICATION PROGRAM.

(a) IN GENERAL.—From amounts appropriated under subsection (e), the Secretary shall award grants to States to enable such States to provide subsidies to elementary school and secondary school teachers who enroll in the certification program of the National Board for Professional Teaching Standards.

(b) APPLICATION.—To be eligible to receive a grant under subsection (a), a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) AMOUNT OF GRANT.—The amount of a grant awarded to a State under subsection (a) shall be determined by the Secretary.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A State shall use amounts received under a grant under this section to provide a subsidy to an eligible teacher who enrolls and completes the teaching certification program of the National Board for Professional Teaching Standards.

(2) ELIGIBILITY.—To be eligible to receive a subsidy under this section an individual shall—

(A) be a teacher in an elementary school or secondary school, served by a local educational agency that meets the eligibility requirements described in section 3(a)(2), in the State involved;

(B) prepare and submit to the State an application at such time, in such manner, and containing such information as the State may require; and

(C) certify to the State that the individual intends to enroll and complete the teaching certification program of the National Board for Professional Teaching Standards.

(3) AMOUNT OF SUBSIDY.—Subject to the availability of funds, a State shall provide to a teacher with an application approved under paragraph (2) a subsidy in an amount equal to 90 percent of the cost of enrollment in the program described in paragraph (2)(C).

(e) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section $37,800,000 for each of the fiscal years 2000 through 2004.

TITLE VIII—ENCOURAGING PUBLIC SCHOOL CHOICE

SEC. 801. GRANTS TO ENCOURAGE PUBLIC SCHOOL CHOICE.

(a) IN GENERAL.—From amounts appropriated under subsection (f), the Secretary shall award grants to States to enable such States to implement public school choice programs.

(b) APPLICATION.—To be eligible to receive a grant under this section a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) AMOUNT.—The Secretary shall determine the amount of a grant awarded to a State under this section.

(d) USE OF FUNDS.—Subject to section 3(a)(1), a State shall use amounts received under a grant under this section to establish a statewide public school choice program under which elementary school and secondary school students, who attend a school served by a local educational agency that meets the eligibility requirements described in section 3(a)(2), may enroll in any public school of their choice. Amounts provided under such grant may also be used—

(1) to improve low performing school districts that lose students as a result of the program; and

(2) for any other activities determined appropriate by the State.

(e) LIMITATION.—A State may use not more than 10 percent of the amount received under a grant under this section to carry out activities under subsection (d)(2).

(f) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section, $10,000,000 for each of the fiscal years 2000 through 2004.

Mr. SMITH of Oregon. Mr. President, I rise today in an effort of bipartisanship with Senator KERRY, to present our plan to improve the quality of education for the children of this country. The legislation that we are introducing with Senators CHAFEE, COLLINS, SNOWE, BAYH, CLELAND, KENNEDY, LEVIN, EDWARDS, BRYAN, and MURRAY, combines the best ideas from the Republicans with the best ideas from the Democrats—it is a way of reaching across the aisle to accomplish education reform.

Our shared goal is legislation that empowers educators, parents, and principals to initiate positive change in the local school districts without burdensome Federal mandates. The Kerry-Smith Plan to Educate America's Children acts upon that goal and incorporates what the President proposed in his State of the Union Address—that our Federal dollars must be invested in programs that work. I couldn't agree more. We need to ensure that we're getting the biggest bang out of our education buck—not only for the Federal Government—but for the taxpayers who deserve it, and who expect it. The taxpayers are not only the watchdogs of how we spend our money, they are the stockholders and have the right to determine the direction and quality of our investment. This legislation turns the taxpayers into stockholders by directing the Federal dollars to State and local education agencies and allows them to manage the money locally—in local school districts and for local students—to enhance and improve the quality of public education in our nation.

Our proposal provides local education agencies, parents, principals, and teachers the resources to build upon reform models that have been proven to work, such as the Modern Red Schoolhouse and Success For All programs. For example, the Success For All program focuses on raising the achievement levels of K–12 students in low-performing schools by providing a wide range of assistance, including one-on-one tutoring and family support programs. To ensure that progress is being made, students in the Success For All program are assessed every eight weeks. If a student needs assistance in a specific area such as reading, a tutor is provided to help that student improve his or her reading skills.

Mr. President, this is exactly what every school in America should be doing. In addition, the Modern Red Schoolhouse program goes back to the basics and focuses on the core subject areas of math, science, and reading. Students learn to master these subject areas at their own pace in order to fulfill individual learning contracts. Importantly, this program combines parental and community involvement with flexible daily and yearly schedules for students in order to meet their individual goals.

It is clear that any education reform proposal must be comprehensive in order to be successful. That is why the Kerry-Smith bill focuses on the needs of children and parents before the school day begins, and after the school day ends.

First, our legislation strives to ensure that every child begins school ready to learn by providing the resources to expand existing programs such as EvenStart or HeadStart.

Second, our legislation provides the resources for the development and training of excellent principals—and the retraining of current principals to improve the way they manage our schools. This program can be an opportunity to encourage and recruit second-career principals from the business community.

Third, we provide the needed support for communities to develop alternative schools for students who need further academic or psychological counseling. One of the concerns I hear in my state is that there aren't enough counselors in each school district. In fact, one particular school district in my state, has one counselor for every 800 students. It

is my hope we can greatly increase the number of counselors. Too many children need extra support, and it benefits us all to help ensure they get that support.

In this world-wide web generation where everything is changing and growing at such a rapid rate, we're not always able to keep up with the pace and progress of our children. Thomas Jefferson once said something to the effect that each generation is its own nation—and I think that is true to some extent—and it is our responsibility to prepare the next generation as they face the challenges of the next century.

So as we begin debating education reform, I will support those policies that fulfill our commitment. We can achieve our commitment by providing comprehensive programs to meet the needs of all of our children throughout the entire school day and after school.

We can achieve our commitment by investing in education programs that have proven to work—based on research and real results. And we can achieve our commitment by directing the resources for mentoring and training of our teachers and principals and rewarding local districts that display excellence in education.

The Kerry-Smith bill is an aggressive approach and puts these principles to work—not in Washington, D.C., but in our states and local school districts. We realize that there are many education reform proposals that will be introduced in the Senate this year. And despite the differing views of our respective parties on education in previous years, Senator KERRY and I intended to work with our colleagues on both sides of the aisle to find a workable solution based on the combined strength of various bills.

In closing, I would like to thank my colleague, Senator KERRY, for his foresight and leadership on this issue and encourage my colleagues' cosponsorship and support. The education of our children is, and must continue to be, a bipartisan commitment to excellence.

Mr. KENNEDY. Mr. President, I support the Education Improvement Act of 1999, introduced today by Senator SMITH and Senator KERRY, and I am proud to be a sponsor. It is a major initiative to improve the nation's public schools and address the serious problems they face, such as the shortage of teachers and the lack of after-school programs. These are real problems that deserve real solutions.

Education must continue to be a top priority for this Congress. Few other issues are as important to the nation as ensuring that every child has the opportunity for a good education.

Last year, with broad bipartisan support, Congress made substantial investments in the nation's public schools to reduce class size, expand after-school programs and improve the initial training of teachers. But more needs to be done. States and local communities are making significant progress toward improving their public schools, but they can't do it alone. The federal government must lend a helping hand.

We must do more to meet the needs of public schools, families, and children. We need to expand early childhood education programs, and meet our commitment to reducing class size, modernizing school buildings, improving the quality of the nation's teachers, and provide more opportunities for after-school programs.

The bill addresses these important issues in innovative and very promising ways. The proposed ''Excellent Principals Challenge Grants'' will give school principal the support they need to be effective school leaders. Principals are the bridge between the school and the school boards, and the children and families in the community. More needs to be done to make sure that principals receive the training they need to become effective school administrators. Every child should have the opportunity to attend a school with a well-trained teacher and a well-trained principal.

When it comes to education, the nation's children deserve the best help we can give them. I commend Senator KERRY and Senator SMITH for making this strong commitment to improving the nation's public schools.

By Mr. DURBIN (for himself and Mr. SCHUMER):

S. 825. A bill to amend the Internal Revenue Code of 1986 to allow small business employers a credit against income tax for employee health insurance expenses paid or incurred by the employer; to the Committee on Finance.

SMALL BUSINESS TAX CREDIT FOR HEALTH INSURANCE FOR LOW-INCOME WORKERS

Mr. DURBIN. Mr. President, I rise today on tax day to introduce a new legislative proposal to help small businesses afford quality health insurance for their low-income workers. The number of uninsured is at an all-time high. More than 43 million people, including 11 million children, lack health insurance coverage. Workers in small firms are significantly more likely to be uninsured than workers in larger firms. Nationally, 34 percent of workers in small businesses with less than 10 employees are uninsured. This compares to the national average for all workers which is 18.2 percent. In Illinois, 183,781 workers in a small business in 1997 went without health insurance. For low-income workers the situation was even worse. Nationally, 41.3 percent of workers earning less than $16,000 were uninsured. Again in Illinois, 112,770 working for less than $16,000 in small businesses were uninsured.

This situation is deteriorating. Recent studies show that the number of small businesses offering health insurance has been declining. In 1996, 52 percent of small businesses offered their employees health insurance benefits. This level had fallen to 47 percent by 1998. For the smallest firms, those with 3–9 workers, the percentage of employees covered by employer-sponsored health insurance fell from 36 percent in 1996 to 31 percent in 1998.

Only 39 percent of small businesses with a significant percentage of low-income employees offer employer-sponsored health insurance—such companies are half as likely to offer health benefits as are companies that have only a small proportion of low-income employees.

One of the main reasons for this decline in employer-sponsored health insurance is cost. Small businesses pay on average 30 percent more for health insurance than larger firms and costs are increasing more rapidly for small businesses causing them to drop health insurance benefits.

Health insurance coverage is also related to income. High income workers have the highest rates of insurance. The very poor are generally covered by public sources of health care. It is most often the working poor who have the lowest incidence of insurance. Thirty-seven percent of those with family incomes between 100 percent and 125 percent of poverty are uninsured. In contrast, 92.2 percent of individuals in families with incomes over $50,000 have insurance.

Bearing all this in mind, I am introducing a bill that recognizes that the most concentrated pool of Americans without health insurance are low-income workers in small businesses (0–9 employees). The bill provides tax credits to small businesses when they provide health insurance to those low-income workers. The bill provides a tax credit of up to $600 for an individual policy for a worker making up to $16,000/yr. and a tax credit of up to $1,200 for a family policy for a worker making up to $16,000/yr. The tax credit is valued at 60 percent of what the employer contributes for the individual's health insurance, or 70 percent of what the employer contributes for a family policy, to the maximum of $600 and $1,200 for self-only and family policies respectively.

The proposal does not undermine the employer-based health insurance market, and does not undermine the protections and advantages that are available to group purchasers. Instead it is designed to help small businesses to provide quality health insurance benefits for their employees.

By Mr. ROTH (for himself, Mr. BIDEN, Mr. HELMS, Mr. STEVENS, Mr. SPECTER, Mr. THURMOND, Mr. ENZI, Mr. COCHRAN, Mr. MURKOWSKI, Mr. ABRAHAM, Mr. CRAIG, Mr. DOMENICI, Mr.

DURBIN, Mr. KENNEDY, Mr. KERRY, Mr. KYL, Mr. HOLLINGS, Mr. SMITH of New Hampshire, Ms. COLLINS, Ms. LANDRIEU, Mr. VOINOVICH, and Mr. DEWINE):

S.J. Res. 19. A joint resolution requesting the President to advance the late Rear Admiral Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II, and for other purposes; to the Committee on Armed Services.

ADVANCEMENT OF REAR ADM. KIMMEL AND MAJ. GEN. SHORT ON RETIRED LISTS

Mr. ROTH. Mr. President, I rise today with my colleague from Delaware, Senator BIDEN, and on behalf of Senator THURMOND, Senator HELMS, Senator DOMENICI, Senator SPECTER, Senator STEVENS, and 15 other of our colleagues, to reintroduce a resolution whose intent to redress a grave injustice, one that haunts us from the tribulations of World War II.

The matter of which I speak concerns the reputations of two of the most accomplished officers who served in Pacific theater during that war: Admiral Husband Kimmel and General Walter Short.

They were the two senior commanders of U.S. military forces deployed in the Pacific at the time of the disastrous surprise December 7, 1941 attack on Pearl Harbor. In the immediate aftermath of the attack they were unfairly and publicly charged with dereliction of duty and blamed as singularly responsible for the success of that attack. In short, as we all know today, they were scapegoated.

What is most unforgivable is that after the end of World War II, this scapegoating was given a near permanent veneer when the President of the United States declined to advance Admiral Kimmel and General Short on the retired list to their highest ranks of wartime command—an honor that was given to every other senior commander who served in wartime positions above his regular grade.

That decision to exclude only these two officers was made despite the fact that wartime investigations had already exonerated those commanders of the dereliction of duty charge and criticized the War and Navy Departments for failings that contributed to the success of the attack on Pearl Harbor.

Mr. President, let me repeat this fact: Admiral Kimmel and General Short were the only two flag and general rank officers from World War II excluded from advancement on the military's retired list. That fact alone perpetuates the myth that Admiral Kimmel and General Short were derelict in their duty and singularly responsible for the success of the attack on Pearl Harbor.

The scapegoating of Admiral Kimmel and General Short was one of the great injustices that occurred within our own ranks during World War II. The motivation behind our resolution today is to recognize and correct this injustice.

Our resolution calls upon the President of the United States posthumously to advance on the retirement lists Admiral Kimmel and General Short to the grades of this highest wartime commands. In adopting this resolution, the Senate would communicate its recognition of the injustice done to them and call upon the President to take corrective action. Such a statement by the Senate would do much to remove the stigma of blame that so unfairly burdens the reputations of these two officers. It is a correction consistent with our military's tradition of honor, and it is one long overdue.

Mr. President, the facts that constitute the case of Admiral Kimmel and General Short have been remarkably documented. Since the 1941 attack on Pearl Harbor, there have been no less than nine official governmental investigations and reports, and one inquiry conducted by a special Joint Congressional Committee.

Perhaps the most flawed, and unfortunately most influential investigation, was that of the Roberts Commission. Less than 6 weeks after the Pearl Harbor attack, in a hastily prepared report to the President, the commission accused Kimmel and Short of dereliction of duty—a charge that was immediately and highly publicized.

Adm. William Harrison Standley, who served as a member of this Commission, later disavowed its report, stating that Admiral Kimmel and General Short were ''martyred'' and ''if they had been brought to trial, they would have been cleared of the charge.''

Later, Adm. J.O. Richardson, who was Admiral Kimmel's predecessor as Commander in Chief, U.S. Pacific Fleet, wrote:

> In the impression that the Roberts Commission created in the minds of the American people, and in the way it was drawn up for that specific purpose, I believe that the report of the Roberts Commission was the most unfair, unjust, and deceptively dishonest document ever printed by the Government Printing Office.

Subsequent investigations provided clear evidence that Admiral Kimmel and General Short were unfairly singled out for blame. These reports include those presented by a 1944 Navy Court of Inquiry, the 1944 Army Pearl Harbor Board of Investigation, a 1946 Joint Congressional Committee, and more recently a 1991 Army Board for the Correction of Military Records and report prepared by the Department of Defense in 1995. The findings of these official reports can be summarized as four principal points.

First, there is ample evidence that the Hawaiian commanders were not provided vital intelligence that they needed, and that was available in Washington prior to the attack on Pearl Harbor. Their senior commanders had critical information about Japanese intentions, plans, and actions, but neighter passed this on nor took issue nor attempted to correct the disposition of forces under Kimmel's and Short's commands in response to the information they attained.

Second, the disposition of forces in Hawaii were proper and consistent with the information made available to Admiral Kimmel and General Short.

In my review of this case, I was most struck by the honor and integrity demonstrated by Gen. George Marshall who was Army Chief of Staff at the time of the attack. On November 27, 1941, General Short interpreted a vaguely written war warning message sent from the high command in Washington as suggesting the need to defend against sabotage. Consequently, he concentrated his aircraft away from perimeter roads to protect them, thus inadvertently increasing their vulnerability to air attack. When he reported his preparations to the General Staff in Washington, the General Staff took no steps to clarify the reality of the situation.

In 1946 before a Joint Congressional Committee investigating the Pearl Harbor disaster General Marshall testified that he was responsible for ensuring the proper disposition of General Short's forces. He acknowledged that he must have received General Short's report, which would have been his opportunity to issue a corrective message, and that he failed to do so.

Mr. President, General Marshall's integrity and sense of responsibility is a model for all of us. I only wish it had been able to have greater influence over the case of Admiral Kimmel and General Short.

A third theme of these investigations concerned the failure of the Department of War and the Department of the Navy to properly manage the flow of intelligence. The Dorn Report completed in 1995 for the Deputy Secretary of Defense at the request of Senator THURMOND, stated that the handling of intelligence in Washington during the time leading up to the attack on Pearl Harbor was characterized by, among other faults, ineptitude, limited coordination, ambiguous language, and lack of clarification and followup.

The bottom line is that poor command decisions and inefficient management structures and procedures blocked the flow of essential intelligence from Washington to the Hawaiian commanders.

The fourth and most important theme that permeates the aforementioned reports is that blame for the disaster at Pearl Harbor cannot be placed only upon the Hawaiian commanders. Some of these reports completely absolved these two officers. While others found them to have made errors in judgment, all the reports subsequent to the Roberts Commission cleared Admiral Kimmel and General Short of the charge of dereliction of duty and underscored the rollout of a broad failure by the entire chain of command.

And, Mr. President, all those reports identified significant failures and shortcomings of the senior authorities in Washington that contributed significantly—if not predominantly—to the success of the surprise attack on Pearl Harbor.

The Dorn Report put it best, stating that ''responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and General Short; it should be broadly shared.''

Mr. President, let me add one poignant fact about two of these investigations. The conclusions of the 1944 Naval Court of Inquiry and the Army Pearl Harbor Board—that Kimmel's and Short's forces had been properly disposed according to the information available to them and that their superiors had failed to share important intelligence—were kept secret on the grounds that citing the existence of this intelligence would have been detrimental to the war effort.

Be that as it may, there is no longer any reason to perpetuate the cruel myth that Kimmel and Short were singularly responsible for the disaster at Pearl Harbor. To do so is not only unfair, it tarnishes our Nation's military honor. For reasons unexplainable to me, this scapegoating of Admiral Kimmel and General Short has survived the cleansing tides of history.

This issue of fairness and justice has been raised not only by General Short and Admiral Kimmel and their surviving families today, but also by numerous senior officers and public organizations around the country.

Mr. President, allow me to submit for the RECORD a letter endorsing our resolution from five living former naval officers who served at the very pinnacle of military responsibility. They are former Chairmen of the Joint Chiefs of Staff, Adm. Thomas H. Moorer and Adm. William J. Crowe; and former Chiefs of Naval Operations Adm. J.L. Holloway III, Adm. Elmo R. Zumwalt, and Adm. Carlisle A.H. Trost.

I also submit a similar letter from Senator Robert Dole, one of our most distinguished colleagues, who as we all know served heroically in World War II.

The efforts of these and other officers have been complemented by the initiatives of many public organizations who have called for posthumous advancement of Kimmel and Short.

I submit for the RECORD a copy of the VFW's Resolution Number 441 passed last August calling for the advancement of Admiral Kimmel and General Short.

Mr. President, Admiral Kimmel and General Short remain unjustly stigmatized by our Nation's failure to treat them in the same manner with which we treated their peers. To redress this wrong would be fully consistent with this Nation's sense of justice. As I said earlier, after 58 years, this correction is long overdue.

The message of our joint resolution is about justice, equity, and honor. Its purpose is to redress an historic wrong, to ensure that these two officers are treated fairly and with the dignity and honor they deserve, and to ensure that justice and fairness fully permeate the memory and lessons learned from the catastrophe at Pearl Harbor. In the largest sense, passage of this resolution will restore the honor of the United States in this issue.

I urge my colleagues to support this joint resolution.

Mr. President, I ask unanimous consent to have printed in the RECORD the joint resolution and the documents to which I have referred.

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

Whereas Rear Admiral Husband E. Kimmel, formerly the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, had an excellent and unassailable record throughout his career in the United States Navy prior to the December 7, 1941 attack on Pearl Harbor;

Whereas Major General Walter C. Short, formerly the Commander of the United States Army Hawaiian Department, had an excellent and unassailable record throughout his career in the United States Army prior to the December 7, 1941 attack on Pearl Harbor;

Whereas numerous investigations following the attack on Pearl Harbor have documented that Admiral Kimmel and Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bomb Plot message of September 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6-7, 1941, known as the Fourteen-Part Message;

Whereas on December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent ranks of rear admiral and major general;

Whereas Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of ''dereliction of duty'' only six weeks after the attack on Pearl Harbor, later disavowed the report maintaining that ''these two officers were martyred'' and ''if they had been brought to trial, both would have been cleared of the charge'';

Whereas on October 19, 1944, a Naval Court of Inquiry exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941 attack on Pearl Harbor were proper ''by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor''; criticized the higher command for not sharing with Admiral Kimmel ''during the very critical period of 26 November to 7 December 1941, important information . . . regarding the Japanese situation''; and, concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service;

Whereas on June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel;

Whereas on October 20, 1944, the Army Pearl Harbor Board of Investigation determined that Lieutenant General Short had not been kept ''fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war''; detailed information and intelligence about Japanese intentions and war plans were available in ''abundance'' but were not shared with the General Short's Hawaii command; and General Short was not provided ''on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this'';

Whereas the reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major General Short were denied their requests to defend themselves through trial by court-martial;

Whereas the joint committee of Congress that was established to investigate the conduct of Admiral Kimmel and Lieutenant General Short completed, on May 31, 1946, a 1,075-page report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty;

Whereas the then Chief of Naval Personnel, Admiral J. L. Holloway, Jr., on April 27, 1954, recommended that Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947;

Whereas on November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that Lieutenant General Short ''was unjustly held responsible for the Pearl Harbor disaster'' and that ''it would be equitable and just'' to advance him to the rank of lieutenant general on the retired list'';

Whereas in October 1994, the then Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Admiral Kimmel and recommended that the case of Admiral Kimmel be reopened;

Whereas the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of Rear Admiral Kimmel or Major General Short in grade, it did set forth as a conclusion of the study that ''responsibility for the Pearl Harbor disaster should not fall solely on the

shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared'';

Whereas the Dorn Report found that ''Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war''; that ''the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and follow-up at higher levels''; and, that ''together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered'';

Whereas, on July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from Admiral Kimmel and Lieutenant General Short;

Whereas the Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list with the highest grade held while on the active duty list;

Whereas Rear Admiral Kimmel and Major General Short are the only two eligible officers from World War II who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime ranks under the terms of the Officer Personnel Act of 1947;

Whereas this singular exclusion from advancement on the retired list serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States;

Whereas Major General Walter Short died on September 23, 1949, and Rear Admiral Husband Kimmel died on May 14, 1968, without the honor of having been returned to their wartime ranks as were their fellow veterans of World War II; and

Whereas the Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, and the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of Admiral Kimmel and Lieutenant General Short through their posthumous advancement on the retired lists to their highest wartime grades: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADVANCEMENT OF REAR ADMIRAL KIMMEL AND MAJOR GENERAL SHORT ON RETIRED LISTS.

(a) REQUEST.—The President is requested—

(1) to advance the late Rear Admiral Husband E. Kimmel to the grade of admiral on the retired list of the Navy; and

(2) to advance the late Major General Walter C. Short to the grade of lieutenant general on the retired list of the Army.

(b) ADDITIONAL BENEFITS NOT TO ACCRUE.—Any advancement in grade on a retired list requested under subsection (a) shall not increase or change the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

SEC. 2. SENSE OF CONGRESS REGARDING THE PROFESSIONAL PERFORMANCE OF ADMIRAL KIMMEL AND LIEUTENANT GENERAL SHORT.

It is the sense of Congress that—

(1) the late Rear Admiral Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Admiral Kimmel; and

(2) the late Major General Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally, and, therefore, the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by the then Lieutenant General Short.

The following is a partial listing of high-ranking retired military personnel who advocate in support of the posthumous advancement on the retired lists of Rear Admiral Husband Kimmel and Major General Walter Short to Four-Star Admiral and Three-Star General respectively:

Admirals: Thomas H. Moorer; Carlisle A.H. Trost; William J. Crowe, Jr., Elmo R. Zumwalt; J.L. Hollaway III; Ronald J. Hays; T.B. Hayward; Horatio Rivero; Worth H. Bargley; Noel A.M. Gayler; Kinnaird R. McKee; Robert L.J. Long; William N. Small; Maurice F. Weisner; U.S.G. Sharp, Jr.; H. Hardisty; Wesley McDonald; Lee Baggett, Jr.; and Donald C. Davis.

Vice Admirals: David C. Richardson and William P. Lawrence.

Rear Admirals: D.M. Showers and Kemp Tolley.

To: Honorable Members of the United States Senate

From:

Thomas H. Moorer, Admiral, U.S. Navy (Ret.), Former Chairman, Joint Chiefs of Staff, Former Chief of Naval Operations.

J.L. Holloway III, Admiral, U.S. Navy (Ret.), Former Chief of Naval Operations.

William J. Crowe, Admiral, U.S. Navy (Ret.), Former Chairman, Joint Chiefs of Staff.

Elmo R. Zumwalt, Admiral, U.S. Navy (Ret.), Former Chief of Naval Operations.

Carlisle A.H. Trost, Admiral, U.S. Navy (Ret.), Former Chief of Naval Operations.

Re the honor and reputations of Admiral Husband Kimmel and General Walter Short.

DEAR SENATOR: We ask that the honor and reputations of two fine officers who dedicated themselves to the service of their country be restored. Admiral Husband Kimmel and General Walter Short were singularly scapegoated as responsible for the success of the Japanese attack on Pearl Harbor December 7, 1941. The time is long overdue to reverse this inequity and treat Admiral Kimmel and General Short fairly and justly. The appropriate vehicle for that is the current Roth-Biden Resolution.

The Resoltuion calls for the posthumous advancement on the retirement list of Admiral Kimmel and General Short to their highest WWII wartime ranks of four-star admiral and three-star general as provided by the Officer Personnel Act of 1947. They are the only two eligible officers who have been singled out for exclusion from that privilege; all other eligible officers have been so privileged.

We urge you to support this Resolution.

We are career military officers who have served over a period of several decades and through several wartime eras in the capacities of Chairman, Joint Chiefs of Staff and/or Chief of Naval Operations. Each of us is familiar with the circumstances leading up to the attack on Pearl Harbor.

We are unanimous in our conviction that Admiral Husband Kimmel and General Walter Short were not responsible for the success of that attack, and that the fault lay with the command structure at the seat of government in Washington. The Roth-Biden Resolution details specifics of this case and requests the President of the United States to nominate Kimmel and Short for the appropriate advancement in rank.

As many of you know, Admiral Kimmel and General Short were the Hawaiian Commanders in charge of naval and ground forces on Hawaii at the time of the Japanese attack. After a hurried investigation in January, 1942 they were charged with having been ''derelict in their duty'' and given no opportunity to refute that charge which was publicized throughout the country.

As a result, many today believe the ''dereliction'' charge to be true despite the fact that a Naval Court of Inquiry exonerated Admiral Kimmel of blame; a Joint Congressional Committee specifically found that neither had been derelict in his duty; a four-to-one majority of the members of a Board for the Correction of Military Records in the Department of the Army found that General Short had been ''unjustly held responsible'' and recommended his advancement to the rank of lieutenant general on the retired list.

This injustice has been perpetuated for more than half a century by their sole exclusion from the privilege of the Act mentioned above.

As professional military officers we support in the strongest terms the concept of holding commanders accountable for the performance of their forces. We are equally strong in our belief in the fundamental American principle of justice for all Americans, regardless of creed, color, status or rank. In other words, we believe strongly in fairness.

These two principles must be applied to the specific facts of a given situation. History as well as innumerable investigations have proven beyond any question that Admiral Kimmel and General Short were not responsible for the Pearl Harbor disaster. And we submit that where there is no responsibility there can be no accountability.

But as a military principle—both practical and moral—the dynamic of accountability works in both directions along the vertical line known as the chain of command. In view of the facts presented in the Roth-Biden Resolution and below—with special reference to

the fact that essential and critical intelligence information was withheld from the Hawaiian Commanders despite the commitment of the command structure to provide that information to them—we submit that while the Hawaiian Commanders were responsible and accountable as anyone could have been given the circumstances, their superiors in Washington were sadly and tragically lacking in both of these leadership commitments.

A review of the historical facts available on the subject of the attack on Pearl Harbor demonstrates that these officers were not treated fairly.

1. They accomplished all that anyone could have with the support provided by their superiors in terms of operating forces (ships and aircraft) and information (instructions and intelligence). Their disposition of forces, in view of the information made available to them by the command structure in Washington, was reasonable and appropriate.

2. Admiral Kimmel was told of the capabilities of U.S. intelligence (MAGIC, the code-breaking capability of PURPLE and other Japanese codes) and he was promised he could rely on adequate warning of any attack based on this special intelligence capability. Both Commanders rightfully operated under the impression, and with the assurance, that they were receiving the necessary intelligence information to fulfill their responsibilities.

3. Historical information now available in the public domain through declassified files, and post-war statements of many officers involved, clearly demonstrate that vital information was routinely withheld from both commanders. For example, the ''Bomb Plot'' message and subsequent reporting orders from Tokyo to Japanese agents in Hawaii as to location, types and number of warships, and their replies to Tokyo.

4. The code-breaking intelligence of PURPLE did provide warning of an attack on Pearl Harbor, but the Hawaiian Commanders were not informed. Whether deliberate or for some other reason should make no difference, have no bearing. These officers did not get the support and warnings they were promised.

5. The fault was not theirs. It lay in Washington.

We urge you, as Members of the United States Senate, to take a leadership role in assuring justice for two military careerists who were willing to fight and die for their country, but not to be humiliated by its government. We believe that the American people—with their national characteristic of fair play—would want the record set straight. Thank you.

Respectfully,

ADMIRAL THOMAS H. MOORER (USN, Ret.).
ADMIRAL WILLIAM J. CROWE (USN, Ret.).
ADMIRAL J.L. HOLLOWAY III (USN, Ret.).
ADMIRAL ELMO R. ZUMWALT (USN, Ret.).
ADMIRAL CARLISLE A.H. TROST (USN, Ret.).

WASHINGTON, DC, *March 11, 1999.*

Hon. WILLIAM V. ROTH, Jr.,
Hart Senate Office Building,
Washington, DC.

DEAR BILL: I will join my voice with yours in support of the Kimmel-Short Resolution of 1999.

The responsibility for the Pearl Harbor disaster should be shared by many. In light of the more recent disclosures of withheld information Admiral Kimmel and Lieutenant General Short should have had, I agree these two commanders have been unjustly stigmatized.

Please keep me informed of the progress of this resolution.

Sincerely,

BOB DOLE.

RESOLUTION NO. 441

RESTORE PRE-ATTACK RANKS TO ADMIRAL HUSBAND E. KIMMEL AND GENERAL WALTER C. SHORT

Whereas, Admiral Husband E. Kimmel and General C. Short were the Commanders of Record for the Navy and Army Forces at Pearl Harbor, Hawaii, on December 7, 1941, when the Japanese Imperial Navy launched its attack; and

Whereas, following the attack, President D. Roosevelt appointed Supreme Court Justice Owen J. Roberts to a commission to investigate such incident to determine if there had been any dereliction to duty; and

Whereas, the Roberts Commission conducted a rushed investigation in only five weeks. It charged Admiral Kimmel and General Short with dereliction of their duty. The findings were made public to the world; and

Whereas, the dereliction of duty charge destroyed the honor and reputations of both Admiral Kimmel and General Short, and due to the urgency neither man was given the opportunity to defend himself against the accusation of dereliction of duty; and

Whereas, other investigations showed that there was no basis for the dereliction of duty charges, and a Congressional investigation in 1946 made specific findings that neither Admiral Kimmel nor General Short had been ''derelict in his duty'' at the time of the bombing of Pearl Harbor; and

Whereas, it has been documented that the United States military had broken the Japanese codes in 1941. With the use of a cryptic machine known as ''Magic,'' the military was able to decipher the Japanese diplomatic code known as ''Purple'' and the military code known as JN–25. The final part of the diplomatic message that told of the attack on Pearl Harbor was received on December 6, 1941. With this vital information in hand, no warning was dispatched to Admiral Kimmel or General Short to provide sufficient time to defend Pearl Harbor in the proper manner; and

Whereas, it was not until after the tenth investigation of the attack on Pearl Harbor was completed in December of 1995 that the United States Government acknowledge in the report of Under Secretary of Defense Edwin S. Dorn that Admiral Kimmel and General Short were not solely responsible for the disaster, but that responsibility must be broadly shared; and

Whereas, at this time the American public had been deceived for the past fifty-six years regarding the unfound charge of dereliction of duty against two fine military officers whose reputations and honor have been tarnished; Now, therefore, be it

Resolved, by the Veterans of Foreign Wars of the United States, That we urge the President of the United States to restore the honor and reputations of Admiral Husband E. Kimmel and General Walter C. Short; and be it further

Resolved, That we urge the President of the United States to take necessary steps to posthumously advance Admiral Kimmel and General Short to their highest wartime rank of four-star admiral and lieutenant general. Such action would be appreciated greatly to restore the honor of these two great American servicemen.

Adopted by the 99th National Convention of the Veterans of Foreign Wars of the United States held in San Antonio, Texas, August 29–September 4, 1998.

DELAWARE VFW RESOLUTION PASSED BY DELAWARE STATE CONFERENCE, JUNE 1998

Resolution to the President of the United States with respect to offering an apology on behalf of the Government of the United States to Admiral Husband E. Kimmel and General Walter C. Short. The Naval and Army Commanders at Hawaii at the time of the Japanese attack December 7, 1941 and urging the President to take such steps as are necessary to advance these two officers posthumously on the list of retired Navy and Army officers to their pre-attack ranks of Four-Star Admiral and Three-Star General.

Whereas, Admiral Husband E. Kimmel and General Walter C. Short were the Commanders of record for the Navy and Army forces at Pearl Harbor, Hawaii, on December 7, 1941 when the Japanese Imperial Navy launched its attack; and

Whereas, Following the attack, President Franklin D. Roosevelt appointed Supreme Court Justice Owen J. Roberts to a Commission to investigate such incident to determine if there has been any dereliction of duty; and

Whereas, The Roberts Commission conducted a rush investigation in only five weeks. It charged Admiral Kimmel and General Short with dereliction of their duty. These findings were made public to the world; and

Whereas, The dereliction of duty charge destroyed the honor and reputations of both Admiral Kimmel and General Short, and due to the urgency of the war neither man was given the opportunity to defend himself against the accusation of dereliction of duty; and

Whereas, Other investigations showed that there was no basis for the dereliction of duty charges, and a Congressional Investigation in 1946 made specific findings that neither Admiral Kimmel nor General Short had been ''derelict in his duty'' a the time of the bombing of Pearl Harbor; and

Whereas, It has been documented that the United States Military had broken the Japanese codes in 1941. With the use of a cryptic machine known as ''Magic,'' the Military was able to decipher the Japanese diplomatic code known as ''Purple'' and the military code known as JN–25. The final part of the diplomatic message that told of the attack on Pearl Harbor was received on December 6, 1941. With this vital information in hand, no warning was dispatched to Admiral Kimmel or General Short to provide sufficient time to defend Pearl Harbor in the proper manner; and

Whereas, It was not until after the tenth investigation of the attack on pearl Harbor was completed in December of 1995, that the United States Government acknowledged in the report of Under Secretary of Defense Edwin S. Dorn, that Admiral Kimmel and General Short were not soley responsible for the disaster but that responsibility must be broadly shared; and

Whereas, As this time the American public have been deceived for the past fifty-six years regarding the unfounded charge of dereliction of duty against two fine military officers whose reputations and honor have been tarnished; now, therefore be it

Resolved, That the Veterans of Foreign Wars urges the President of the United States to restore the honor and reputations

of Admiral Husband E. Kimmel and General Walter C. Short by making a public apology to them and their families for the wrongful actions of past administrations for allowing these unfounded charges of dereliction of duty to stand.

Be It Resolved, That the Veterans of Foreign Wars urges the President of the United States to take the necessary steps to posthumously advance Admiral Kimmel and General Short to their highest wartime ranks of Four-Star Admiral and Three-Star General. Such action would correct the injustice suffered by them and their families for the past fifty-six years.

Mr. BIDEN. Mr. President, I and my colleagues—Senators ROTH, KENNEDY, DURBIN, KERRY, HOLLINGS, LANDRIEU, HELMS, STEVENS, SPECTER, THURMOND, DOMENICI, KYL, MURKOWSKI, COCHRAN, CRAIG, ENZI, ABRAHAM, SMITH, COLLINS, VOINOVICH, and DEWINE—are introducing a resolution that seeks long overdue justice for the two commanders at Pearl Harbor fifty-eight years ago, Admiral Husband Kimmel and General Walter Short.

Some will ask, ''why now?'' After all, fifty-eight years have passed. I believe it is more important than ever to take this action now. It is not just the simple truth—that there can be no statute of limitations for restoring honor and dignity to men who spent their lives dedicated to serving America and yet, were unfairly treated. It is also because we have brave men and women in the military today who are fighting one of the most professional and precise battles ever seen against a brutal, genocidal dictator in Kosovo. They know that their cause is just. What too many people do not know is the sacrifice and dedication it takes to be able to do their jobs.

The tremendous ability of our pilots, our maintainers, and our support crews is a direct result of their commitment to professional excellence and service and their willingness to defend the values Americans cherish. We owe it to them to defend those same values here at home. When it comes to serving truth and justice, the time must always be ''now.'' When it comes to treating people with fairness and honoring their service, the time must always be ''now.''

This is the second year we are bringing a resolution before our colleagues. We cannot give up because it is important that the Senate understand and act to end the injustice done to these fine officers. Ultimately, it is the President who must take action, but it is important that we send the message that the historical truth matters. At Pearl Harbor, these two officers should not bear all of the blame. If they continue to do so, both our nation and our military lose.

Today's military is a testament to our ability to confront and learn from our mistakes, but that can only happen if the record is accurate. Admiral Kimmel and General Short served with selfless dedication and honor. They were in command during a devastating surprise attack. They deserved to be treated as officers who used their best judgement to follow the orders they were given and to meet their command responsibilities. Instead, they were made singular scapegoats for that tragedy for fifty-eight years, without full consideration of the circumstances and options available to them.

I hope that most of my colleagues will read this resolution. The majority of the text details the historic case on behalf of Admiral Kimmel and General Short and expresses Congress's opinion that both officers performed their duty competently. Most importantly, it requests that the President submit the names of Kimmel and Short to the Senate for posthumous advancement on the retirement lists to their highest held wartime rank.

This action would not require any form of compensation. Instead, it would acknowledge, once and for all, that these two officers were not treated fairly by the U.S. government and it would uphold the military tradition that responsible officers take the blame for their failures, not for the failures of others.

Before I go into a more detailed review of the historical case, I also want my colleagues to know that this resolution has the support of various veterans groups, including the Veterans of Foreign Wars (VFW) and the Pearl Harbor Survivors Association. The Delaware VFW passed a resolution in support last June and the national VFW passed a resolution in support in last September.

Now, let me review what happened. First, I want to discuss the treatment of Kimmel and Short. Like most Americans, Admiral Kimmel and General Short requested a fair and open hearing of their case, a court martial. They were denied their request. After lifetimes of honorable service to this nation and the defense of its values, they were denied the most basic form of justice—a hearing by their peers.

Here are some of the historic facts. On December 18, 1941, a mere 11 days after Pearl Harbor, the Roberts Commission was formed to determine whether derelictions of duty or errors of judgement by Kimmel and Short contributed to the success of the Japanese attack. This commission concluded that both commanders had been derelict in their duty and the President ordered the immediate public release of these findings. The Roberts Commission was the only investigative body that found these two officers derelict in their duty.

Several facts about the Roberts Commission force us to question its conclusions.

First, Kimmel and Short were denied the right to counsel and were not allowed to be present when witnesses were questioned. They were then explicitly told that the Commission was a fact-finding body and would not be passing judgement on their performance. When the findings accusing them of a serious offense were released, they immediately requested a court-martial. That request was refused. It is difficult to imagine a fair review of the evidence given the rules of procedure followed by the Commission.

It is also important to note the timing here. It would be difficult to provide a fair hearing in the charged atmosphere immediately following America's entry into the war in the Pacific. In fact, Kimmel and Short were the objects of public vilification. The Commission was not immune to this pressure. One Commission member, for example, Admiral Standley, expressed strong reservations about the Commission's findings, later characterizing them as a ''travesty of justice''. He did sign the Report, however, because of concerns that doing otherwise might adversely affect the war effort. As you will see, the war effort played an important role in how Kimmel and Short were treated.

In 1944, an Army Board investigated General Short's actions at Pearl Harbor. The conclusions of that investigation placed blame of General Marshall, the Chief of Staff of the Army at the time of Pearl Harbor and in 1944. This report was sequestered and kept secret from the public on the groups that it would be detrimental to the war effort.

That same year, a Naval Court of Inquiry investigated Admiral Kimmel's actions at Pearl Harbor. The Naval Court's conclusions were divided into two sections in order to protect information indicating that America had the ability to decode and intercept Japanese messages. The first and longer, section therefore, was classified ''top secret''.

The second section, was written to be unclassified and completely exonerated Admiral Kimmel and recognized the Admiral Stark bore some of the blame for Pearl Harbor because of his failure to provide Kimmel with critical information available in Washington. Then Secretary of the Navy James Forrestal instructed the Court that it had to classify both sections ''secret'' and not release any findings to the public.

The historic record is not flattering to our government. A hastily convened and procedurally flawed Commission released condemning findings to the public, while two thorough military reviews which had opposite conclusions were kept secret.

I hope that I have made my point that these officers were not treated fairly and that there is good reason to question where the blame for Pearl Harbor should lie.

The whole story was re-evaluated in 1995 at the request of Senator THURMOND by Under Secretary for Defense

Edwin Dorn. In his report, Dorn concluded that responsibility for the disaster at Pearl Harbor should be broadly shared. I agree.

Where Dorn's conclusions differ from mine and my co-sponsors, is that he also found that he also found that ''the official treatment of Admiral Kimmel and General Short was substantively temperate and procedurally proper.'' I disagree.

These officers were publicly vilified and never given a chance to clear their names. If we lived in a closed society, fearful of the truth, then there would be no need for the President to take any action today. But we don't. We live in an open society. Eventually, we are able to declassify documents and evaluate our past based on at least a good portion of the whole story. I believe sincerely that one of our greatest strengths as a nation comes from our ability to honor truth and the lessons of our past.

Like many, I accept that there was a real need to protect our intelligence capabilities during the war. What I can not accept, however, is that there is a reason for continuing to deny the culpability of others in Washington at the expense of these two office's reputations fifty-seven years later. Continuing to falsely scapegoat two dedicated and competent officers dishonors the military tradition of taking responsibility for failure. The message that is sent is a travesty to American tradition and honor—that the truth will be suppressed to protect some responsible parties and distorted to sacrifice others.

This is not to say that the sponsors of this resolution want to place blame. We are not seeking to place blame in a new quarter. This is not a witch-hunt aimed at those superior officers who were advanced in rank and continued to serve, despite being implicated in the losses at Pearl Harbor. I think the historic record has become quite clear that blame should be shared.

The unfortunate reality is that Admiral Kimmel and General Short were blamed entirely and forced into early retirement.

After the war, in 1947, they were singled out as the only eligible officers from World War II not advanced to their highest held wartime ranks on the retirement lists, under the Officer Personnel Act of 1947. By failing to advance them, the government and the Departments of the Navy and Army perpetuate the myth that these two officers bear a unique and disproportionate part of the blame.

The government that denied these officers a fair hearing and suppressed findings favorable to their case while releasing hostile information owes them an official apology. That's what this resolution calls for.

The last point that I want to make deals with the military situation at Pearl Harbor. It is legitimate to ask whether Admiral Kimmel and General Short, as commanding officers, properly deployed their forces. I think reasonable people may disagree on this point.

I have been struck by the number of qualified individuals who believe the commanders properly deployed their assets based on the intelligence available to them. I am including this partial list of flag officers into the RECORD following my statement for my colleagues to review. Among those listed is Vice Admiral Richardson, a distinguished naval commander, who wrote an entire report refuting the conclusions of the Dorn Report. My colleagues will also see the names of four Chiefs of Naval Operations and the former chairman of the Joint Chiefs of Staff Admiral Thomas Moorer. It was Admiral Moorer who observed that, ''If Nelson and Napoleon had been in command at Pearl Harbor, the results would have been the same.''

In conclusion, Mr. President, I believe this case is unique and demands our attention. As we honor those who served in World War II and who serve today in Kosovo, we must also honor the ideals for which they fought. High among those American ideals is upholding truth and justice. Those ideals give us the strength to admit and, where possible, correct our errors.

I urge my colleagues to support this resolution and move one step closer to justice for Admiral Kimmel and General Short.

Mr. KENNEDY. Mr. President, I strongly support this resolution, which will at long last restore the reputations of two distinguished military officers in World War II—Admiral Husband E. Kimmel of the United States Navy and General Walter C. Short of the United States Army.

This resolution gives us an opportunity to correct a grave injustice in the history of that war. Despite their loyal and distinguished service to the nation, Admiral Kimmel and General Short were unfairly singled out for blame as scapegoats after the Japanese attack on Pearl Harbor on December 7, 1941, which caught America unprepared.

In fact, wartime investigations of the attack on Pearl Harbor concluded that our fleet in Hawaii under the command of Admiral Kimmel and our forces under the command of General Short had been properly positioned, given the information they had received. However, as the investigations found, their superior officers had not given them vital intelligence that could have made a difference, perhaps all the difference, in their preparedness for the attack. These conclusions of the wartime investigations were kept secret, in order to protect the war effort. Clearly, there is no longer any justification to ignore these facts.

I learned more about this injustice from Edward B. Hanify, a close friend who is a distinguished attorney in Boston and who was assigned in 1944 as a young Navy lieutenant to be one of the lawyers for Admiral Kimmel. I believe that members of the Senate will be very interested in Mr. Hanify's perspective, and I ask unanimous consent that a letter he wrote to me last September may be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 1.)

Mr. KENNEDY. No action by the Senate can ever fully atone for the injustice suffered by these two officers. But we can correct the historical record, and restore the distinguished reputations of Admiral Kimmel and General Short.

I commend Senator BIDEN and Senator ROTH for their leadership in sponsoring this measure, and I urge the Senate to act expeditiously on this long-overdue resolution.

EXHIBIT 1

SEPTEMBER 3, 1998.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY: I am advised that a Resolution known as the Roth/Biden Resolution has been introduced in the Senate and that it has presently the support of the following Senators: Roth; Biden; Helms; Thurmond; Inouye; Stevens; Specter; Hollings; Faircloth; Cochran and McCain. The substance of the Resolution is to request the President to advance the late Rear Admiral Husband E. Kimmel to the grade of Admiral on the retired list of the Navy and to advance the late Major General Walter C. Short to the grade of Lieutenant General on the retired list of the Army.

Admiral Kimmel at the time of Pearl Harbor was Commander in Chief of the Pacific Fleet then based in Pearl Harbor and General Short was the Commanding General of the Hawaiian Department of the Army.

The reason for my interest in this Resolution is as follows: IN early 1944 when I was a Lieutenant j.g. (U.S.N.R.) the Navy Department gave me orders which assigned me as one of counsel to the defense of Admiral Kimmel in the event of his promised court martial. As a consequence, I am probably one of the few living persons who heard the testimony before the Naval Court of Inquiry, accompanied Admiral Kimmel when he testified before the Army Board of Investigation and later heard substantially all the testimony before the members of Congress who carried on the lengthy Congressional investigation of Pearl Harbor. In the intervening fifty years I have followed very carefully all subsequent developments dealing the the Pearl Harbor catastrophe and the allocation of responsibility for that disaster.

On the basis of this experience and further studies over a fifty year period I feel strongly:

(1) That the odious charge of ''dereliction of duty'' made by the Roberts Commission was the cause of almost irreparable damage to the reputation of Admiral Kimmel despite the fact that the finding was later repudiated and found groundless;

(2) I am satisfied that Admiral Kimmel was subject to callous and cruel treatment by his

superiors who were attempting to deflect the blame ultimately ascribed to them, particularly on account of their strange behavior on the evening of December 6th and morning of December 7th in failing to warn the Pacific Fleet and the Hawaiian Army Department that a Japanese attack on the United States was scheduled for December 7th at 1:00 p.m. Washington time (dawn at Pearl Harbor) and that intercepted intelligence indicated that Pearl Harbor was a most probable point of attack; (Washington had this intelligence and knew that the Navy and Army in Hawaii did not have it or any means of obtaining it)

(3) Subsequent investigations by both services repudiated the ''dereliction of duty'' charge and in the case of Admiral Kimmel the Naval Court of Inquiry found that his plans and dispositions were adequate and competent in light of the information which he had from Washington.

The proposed legislaiton provides some measure of remedial Justice to a conscientious officer who for years unjustly bore the odium and disgrace associated with the Pearl Harbor catastrophe. You may be interested to know that a Senator from Massachusetts, Honorable David I. Walsh then Chairman of the Naval Affairs Committee, was most effective in securing legislaiton by Congress which ordered the Army and Navy Departments to investigate the Pearl Harbor disaster—an investigation conducted with all the ''due process'' safeguards for all interested parties not observed in other investigations or inquiries.

I sincerely hope that you will support the Roth/Biden Resolution.

Sincerely,

EDWARD B. HANIFY,
Ropes & Gray.

ADDITIONAL COSPONSORS

S. 38

At the request of Mr. CAMPBELL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 38, a bill to amend the Internal Revenue Code of 1986 to phase out the estate and gift taxes over a 10-year period.

S. 74

At the request of Mr. DASCHLE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 74, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 218

At the request of Mr. MOYNIHAN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 218, a bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits.

S. 242

At the request of Mr. JOHNSON, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 249

At the request of Mr. ROBB, his name was added as a cosponsor of S. 249, a bill to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 322

At the request of Mr. CAMPBELL, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 322, a bill to amend title 4, United States Code, to add the Martin Luther King Jr. holiday to the list of days on which the flag should especially be displayed.

S. 327

At the request of Mr. HAGEL, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 327, a bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions.

S. 331

At the request of Mr. JEFFORDS, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 331, a bill to amend the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work, and for other purposes.

S. 348

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 348, a bill to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes.

S. 387

At the request of Mr. MCCONNELL, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 387, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for distributions from qualified State tuition programs which are used to pay education expenses.

S. 414

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 414, a bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind, and for other purposes.

S. 446

At the request of Mrs. BOXER, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 446, a bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond.

S. 459

At the request of Mr. BREAUX, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 472

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 512

At the request of Mr. GORTON, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from Nevada (Mr. BRYAN), the Senator from Maine (Ms. SNOWE), and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

S. 541

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 541, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 566

At the request of Mr. LUGAR, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation

on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 660

At the request of Mr. BINGAMAN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 660, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 664

At the request of Mr. CHAFEE, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 732

At the request of Mr. TORRICELLI, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 732, a bill to require the Inspector General of the Department of Defense to conduct an audit of purchases of military clothing and related items made during fiscal year 1998 by certain military installations of the Army, Navy, Air Force, and Marine Corps.

S. 767

At the request of Mr. ABRAHAM, his name was added as a cosponsor of S. 767, a bill to amend the Internal Revenue Code of 1986 to provide a 2-month extension for the due date for filing a tax return for any member of a uniformed service on a tour of duty outside the United States for a period which includes the normal due date for such filing.

At the request of Mr. COVERDELL, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Vermont (Mr. JEFFORDS), the Senator from Nevada (Mr. REID), the Senator from Ohio (Mr. DEWINE), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 767, supra.

At the request of Mr. COVERDELL, the name of the Senator from Texas (Mrs. HUTCHISON) was withdrawn as a cosponsor of S. 767, supra.

S. 779

At the request of Mr. ABRAHAM, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 779, a bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs.

S. 784

At the request of Mr. ROCKEFELLER, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 786

At the request of Ms. MIKULSKI, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 786, a bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month, and for other purposes.

S. 788

At the request of Mr. BURNS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 788, a bill to amend the Federal Meat Inspection Act to provide that a quality grade label issued by the Secretary of Agriculture may not be used for imported meat and meat food products.

SENATE CONCURRENT RESOLUTION 22

At the request of Mr. DODD, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of Senate Concurrent Resolution 22, a concurrent resolution expressing the sense of the Congress with respect to promoting coverage of individuals under long-term care insurance.

SENATE RESOLUTION 22

At the request of Mr. CAMPBELL, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Indiana (Mr. BAYH), the Senator from Missouri (Mr. ASHCROFT), and the Senator from California (Mrs. BOXER) were added as cosponsors of Senate Resolution 22, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives serving as law enforcement officers.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from Illinois (Mr. DURBIN), and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE RESOLUTION 68

At the request of Mrs. BOXER, the names of the Senator from New York (Mr. SCHUMER), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Maine (Ms. SNOWE), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of Senate Resolution 68, a resolution expressing the sense of the Senate regarding the treatment of women and girls by the Taliban in Afghanistan.

SENATE RESOLUTION 71

At the request of Mr. ABRAHAM, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of Senate Resolution 71, a resolution expressing the sense of the Senate rejecting a tax increase on investment income of certain associations.

AMENDMENT NO. 210

At the request of Mr. DOMENICI his name was added as a cosponsor of amendment No. 210 proposed to S. Con. Res. 20, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal years 2000 through 2009.

SENATE CONCURRENT RESOLUTION 26—EXPRESSING THE SENSE OF THE CONGRESS THAT THE CURRENT FEDERAL INCOME TAX DEDUCTION FOR INTEREST PAID ON DEBT SECURED BY A FIRST OR SECOND HOME SHOULD NOT BE FURTHER RESTRICTED

Mr. ASHCROFT submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 26

Whereas homeownership is a fundamental American ideal, which promotes social and economic benefits beyond the benefits that accrue to the occupant of the home;

Whereas homeownership is an important factor in promoting economic security and stability for American families;

Whereas it is proper that the policy of the Federal Government is, and should continue to be, to encourage homeownership;

Whereas the rate of homeownership grew from 64.7 percent of households in 1995 to 67 percent in 1998;

Whereas the housing needs of the population will change as the population ages;

Whereas the greatest growth sectors in homeownership are minorities and first-time homebuyers;

Whereas the level of homeownership among foreign-born naturalized citizens who have been in the United States for at least 6 years is the same as the level of homeownership of the Nation as a whole (67 percent in 1998);

Whereas the value of a home represents a valuable source of savings for a family;

Whereas the provisions related to homeownership are among the simplest and most easily administered provisions of the Internal Revenue Code of 1986;

Whereas the current Federal income tax deduction for interest paid on debt secured by a first home has been a valuable cornerstone of this Nation's housing policy for most of this century and may well be the most important component of housing-related tax policy in America today;

Whereas the current Federal income tax deduction for interest paid on debt secured by second homes is of crucial importance to the economies of communities in each of the 50 States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense

of Congress that the Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted.

Mr. ASHCROFT. Mr. President, on this April 15, Tax Day 1999, I rise in support of one aspect of our deservedly maligned tax code—the mortgage interest deduction. The mortgage interest deduction provides invaluable assistance to American families seeking the stability and comfort of a home they can call their own.

I purchased my first home, a small fieldstone farmhouse in the Ozarks, in the Spring of 1967, just before proposing to my wife, Janet. Like most families, paying for it was the single largest task in our young lives. It was, with the wisdom of 30 plus years, a transformational event. For it represented our first real taste of what James Truslow Adams called the ''American Dream.''

The experience Janet and I had paying for that farm is not uncommon. In fact, the largest debt most families take on in their lifetimes is a home. Two-thirds of Americans own a home, as do approximately 80 percent of Americans over the age of 50 (unfortunately, Janet and I now fall into both categories). This represents real progress. In 1940, fully 56 percent of Americans were renters. Clearly, America has come a long way.

People buy homes for different reasons. For us, our Ozark farmhouse offered many things: a place of safety to raise a family, the potential of financial security, a sense of community. As I travel across this great country, couples of all ages suggest that they are looking for the same things Janet and I sought over a quarter century ago. They seem to know, as we did, that buying a home is among the essential steps a family takes to ensure stability and prosperity in their lives.

Unfortunately, while homes are a worthwhile investment, they also are expensive. Real estate experts recommend that families buy homes valued at over three times their annual income—a sum far greater than what families could pay back in a year, or two, or even five. So, most Americans take out a mortgage. It is, frequently, a commitment to repay the loan (with interest) over a 30-year period.

Historically, the Federal Government has encouraged such behavior. It has done so to promote stable families in stable homes. Through the home mortgage tax deduction, one of the best and most praise-worthy parts of our highly-flawed tax code, the government allows taxpayers to deduct the cost of interest on their mortgages from their income taxes. In the early years of a mortgage, nearly 90 percent of payments go to interest charges and are therefore tax deductible.

The home mortgage deduction not only encourages home buying, it also helps to promote community and family. In my home state of Missouri, 526,744 tax filers claim the interest deduction out of 2,416,434 returns. These are families trying to build their homes, getting what advantages they can out of the overly-burdensome tax code.

Across the rest of the country, homeownership is an important factor in promoting economic security and stability for American families. In fact, homeownership is one of the most valuable sources of saving for American families and, unlike other forms of saving, it is encouraged and facilitated by our tax code.

The home mortgage deduction is also of great assistance to many of our citizens who are trying hardest to establish the stability and security of homeownership. The greatest growth sectors in homeownership today are among minorities and first-time homebuyers, who are frequently just on the cusp of attaining the American dream.

Similarly, immigrants, who come to this country seeking a new way of life, are beneficiaries of the mortgage deduction. In fact, the level of homeownership among foreign-born naturalized citizens who have been in the United States for at least six years is the same as the level of homeownership of the Nation as a whole. When families such as these, who are new to our shores, prosper, we as a nation prosper.

In short, the home mortgage deduction is an important benefit to citizens across this great land. It is in our national interest to maintain this portion of the tax code so that new generations can also experience the safety and security of homeownership. I urge my colleagues to join me in support of this resolution.

SENATE RESOLUTION 77—COMMENDING AND CONGRATULATING THE UNIVERSITY OF CONNECTICUT HUSKIES FOR WINNING THE 1999 NCAA MEN'S BASKETBALL CHAMPIONSHIP

Mr. DODD (for himself and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 77

Whereas the University of Connecticut men's basketball team capped a remarkable season by defeating the top-ranked Duke Blue Devils 77–74, on March 29, 1999, in St. Petersburg, Florida, to win its 1st national championship in its 1st ''Final Four'' appearance;

Whereas the Huskies finished with a regular season record of 34–2, the best in the program's proud 96 years of competition;

Whereas the Huskies firmly established themselves as the dominant team of the decade in the storied Big East Conference, winning their 6th regular season title and their 4th tournament championship of the 1990s;

Whereas UConn's Richard ''Rip'' Hamilton distinguished himself in the championship game and throughout the season as one of the premier players in all of college basketball, winning his 2d Big East Player of the Year award, earning 1st team All-America honors, and closing out a spectacular offensive performance in the NCAA tournament by being named the most valuable player of the Final Four.

Whereas UConn's senior co-captain Ricky Moore distinguished himself as one of the Nation's top defensive players, personifying the grit, determination, and fierce will to win that carried the Huskies throughout the year;

Whereas UConn coach Jim Calhoun instilled in his players an unceasing ethic of dedication, sacrifice, and teamwork in the pursuit of excellence, and instilled in the rest of us a renewed appreciation of what it means to win with dignity, integrity, and true sportsmanship;

Whereas the Huskies' thrilling victory in the NCAA championship game enraptured their loyal and loving fans from Storrs to Stamford, taking ''Huskymania'' to new heights and filling the State with an overwhelming sense of pride, honor, and community;

Whereas the UConn basketball team's national championship spotlighted one of the Nation's premier State universities, that is committed to academic as well as athletic excellence: Now, therefore be it

Resolved, That the Senate commends and congratulates the Huskies of the University of Connecticut for winning the 1999 NCAA Men's Basketball Championship.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the president of the University of Connecticut.

SENATE RESOLUTION 78—TO AUTHORIZE REPRESENTATION OF MEMBERS AND OFFICERS OF THE SENATE

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 78

Whereas, in the case of *Jim Russell* v. *Albert Gore, et al.*, Case No. 99–2–00749–1, pending in Yakima County Superior Court, Yakima County, Washington, the plaintiff has named as defendants Vice President Albert Gore, Senator Slade Gorton, and Senator Patty Murray;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent Vice President Gore, Senator Gorton, and Senator Murray in the case of *Jim Russell* v. *Albert Gore, et al.*

SENATE RESOLUTION 79—DESIGNATING THE CHAIRMAN OF THE JOINT ECONOMIC COMMITTEE FOR THE 106TH CONGRESS

Mr. LOTT submitted the following resolution; which was considered and agreed to:

S. RES. 79

Resolved, That the following Senator is designated as the Chairman of the following

committee for the 106th Congress, or until his successor is chosen:

Joint Economic Committee: Mr. Mack, Chairman.

SENATE RESOLUTION 80—CONGRATULATING BOYD CLINES, LARRY ROGERS, AND MATT MOSELEY FOR THEIR BRAVERY AND COURAGE IN THE APRIL 12, 1999, RESCUE MISSION OF MR. IVERS SIMS

Mr. COVERDELL (for himself and Mr. CLELAND) submitted the following resolution; which was considered and agreed to:

S. RES. 80

Whereas on April 12, 1999, a treacherous fire erupted in a historic cotton mill in Atlanta, Georgia, and Mr. Ivers Sims, a construction worker, found himself suspended 180 feet in the air trapped by raging flames surrounding him;

Whereas Boyd Clines, a Georgia Department of Natural Resources pilot, and his navigator, Larry Rogers, arrived on the scene and negotiated a helicopter through the menacing wind, smoke, and fire which emanated from the cotton mill, while an Atlanta firefighter, Matt Moseley, dangled from a rope near the flames, all in an attempt to save Mr. Sims;

Whereas Boyd Clines, Larry Rogers, and Matt Moseley, in the true spirit of heroism, demonstrated amazing courage and valor in risking their lives in order to save the life of Mr. Sims;

Whereas the teamwork, dedication, and bravery that Boyd Clines, Larry Rogers, and Matt Moseley displayed during the rescue mission enabled the mission to be successful;

Whereas Atlanta firefighters, police officers, Sheriffs deputies, and residents diligently worked together in order to fight the massive fire that engulfed the historic cotton mill;

Whereas Atlanta residents at home during the fire helped during the crisis by rescuing pets and using garden hoses to extinguish the flames emanating from burning debris;

Whereas the Atlanta firefighters, facing shortages of equipment and personnel, heroically contained a fire that could have spread beyond the cotton mill and enveloped a historic neighborhood now being revitalized;

Whereas the fire crisis of April 12, 1999, shall be remembered not for the tragic loss of the historic cotton mill, but instead for the heroism and bravery displayed by Boyd Clines, Larry Rogers, and Matt Moseley; and

Whereas it should be recognized that Boyd Clines, Larry Rogers, and Matt Moseley have brought pride and honor to the State of Georgia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Boyd Clines, Larry Rogers, and Matt Moseley for the bravery and heroism that they displayed during the April 12, 1999, rescue mission of Mr. Ivers Sims; and

(2) commends Atlanta firefighters, police officers, Sheriffs deputies, and residents for the outstanding teamwork that they displayed in fighting the fire of the cotton mill.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, April 21, 1999, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of the hearing is to receive testimony on whether the United States has the natural gas supply and infrastructure necessary to meet projected demand.

Because of the limited time available, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please contact Dan Kish at (202) 224–8276.

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that we will receive testimony on one additional bill, S. 416 a bill to direct the Secretary of Agriculture to convey the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility, before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources on Wednesday, April 29, 1999, at 2:00 p.m. in room SD–366 of the Dirksen Senate Office building in Washington, D.C.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Amie Brown or Mike Menge (202) 224–6170.

AUTHORITY FOR COMMITTEE'S TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Thursday, April 15, 1999, in open session, to receive testimony on U.S. policy regarding Kosovo, and a revised strategic concept for NATO.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, April 15, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on S. 501, a bill to address resource management issues in Glacier Bay National Park, Alaska; and S. 744, a bill to provide for the continuation of higher education through the conveyance of certain lands in the State of Alaska to the University of Alaska, and for other purposes.

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

COMMITTEE ON FINANCE

Mr. DOMENICI. The Finance Committee requests unanimous consent to conduct a hearing on Thursday, April 15, 1999 beginning at 10 a.m. in room 215 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 15, 1999 at 10 a.m. to hold a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for an executive business meeting to mark up S. 625, a bill to amend Title 11, United States Code (bankruptcy reform), during the session of the Senate on Thursday, April 15, 1999, at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, April 15, 1999 at 2 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, April 15, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:00 p.m. The purpose of this hearing is to receive testimony on S. 109, a bill to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia; S. 340, a bill to amend the Cache La Poudre River Corridor Act to make technical corrections, and for other purposes; S. 582, a bill to authorize the Secretary of the Interior to enter into an agreement for the construction and operation of the Gateway Visitor Center at Independence National Historic

Park; S. 589, a bill to require the National Park Service to undertake a study of the Loess Hills Area in western Iowa to review options for the protection and interpretation of the area's natural, cultural, and historical resources; S. 591, a bill to authorize a feasibility study for the preservation of the Loess Hills in western Iowa; and H.R. 149, a bill to make technical corrections to the Omnibus Parks and Public Land Management Act of 1996 and to other laws related to parks and public lands.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY AND SPACE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Science, Technology and Space Subcommittee of the Committee on Commerce, Science, and Transportation be allowed to meet on Thursday, April 15, 1999, at 10 a.m. on R&D FY/2000 budget.

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

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure be granted permission to conduct a hearing regarding the implementation of the Transportation Equity Act for the 21st Century Thursday, April 15, 9:30 a.m., hearing room (SD–406).

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

ADDITIONAL STATEMENTS

JUDGE BARRY RUSSELL

• Mrs. FEINSTEIN. Mr. President, as a representative of the great state of California, it is always a pleasure to learn about and recognize the great achievements made by members of the Law Enforcement community.

Today, I am delighted to commend Judge Barry Russell, for selflessly dedicating his personal time, energy, and money to coordinating the Federal Bar Association's Federal Law Enforcement Medal of Valor and Distinguished Service Award Luncheon.

Judge Russell has chaired this program for the past ten years, without expecting anything in return. He makes this special effort to ensure that members of the Los Angeles area Federal Law Enforcement community are honored for their selfless acts of valor and exemplary investigative achievements.

On behalf of the United States Senate, and all who have benefitted from your inspirational service, I commend you and wish you all the best in your future endeavors.•

ACCOMPLISHMENTS OF THE UNIVERSITY OF ALASKA

• Mr. MURKOWSKI. Mr. President, I rise today to honor students from my home State of Alaska who have garnered a host of honors recently—all very well deserved.

As an avid outdoorsman and hunter I have more than passing skill with a rifle, but I am in awe at the accomplishments of the University of Alaska Fairbanks Rifle Team. On Friday, March 12 the team won the NCAA national title in team rifle competition during the annual championships held at Norwich University in Northfield, VT.

While the Nanooks won the team Rifle Championships, the students had several other firsts. Ms. Kelly Mansfield, a junior at the University, became the first person ever to win both the small-bore and individual titles in the same year. And the Nanooks set a record with eight team members earning All-American status, record number of All-Americans in rifle competition from a single University. Of the team's eight All-Americans six earned honors in both the small-bore and air rifle disciplines, another record.

Besides Ms. Mansfield, I would like to congratulate the other seven All-Americans who competed with such distinction during the national collegiate championships. Earning praise are sophomore Dan Jordan, freshman Johan Lindberg and sophomore Melissa Mulloy, all double All-Americans first team in both events. Also earning praise are junior Joacim Trybom, who earned first-team, small-bore and second team air rifle honors; Grant Mecozzi, who earned second-team honors in both categories; and Amber Darland, who made the second team in small-bore.

I also would like to mention senior Kelly Bushong, who won honorable mention on the small-bore squad.

All of the students from the University's Fairbanks campus performed wonderfully, an obvious reflection on their coach, Randy Pitney, who has done a sensational job of teaching and preparing his team this year. All Alaskans wish to offer our praise and our thanks for the team's hard work and dedication. Excellence in marksmanship takes skill and discipline. It also takes desire—the desire to practice, the desire to be the best. That was particularly hard this past January in Fairbanks when the temperature was often −50 degrees F.

I can't say enough for the accomplishments of these young women and men. Everyone in Alaska is very proud of the Nanooks' achievements during the 1998–99 season. Again, congratulations on a great year.•

IN RECOGNITION OF HENRY S. LANDAU

• Mr. LEVIN. Mr. President, I rise to congratulate Henry S. Landau on receiving the Humanitarian Award of the Jewish Federation of Washtenaw County, Michigan. Mr. Landau is being honored by the Jewish Federation as a ''builder of our future,'' because of the outstanding work he has done to establish programs and institutions to provide education and job training in the community.

Henry Landau has served his community, state, and country in countless ways. He served as a trustee of Washtenaw Community College from 1976 to 1982. He also served as chair of the Washtenaw Community College Foundation and was later honored by the college with a lifetime achievement award and an endowed scholarship. Mr. Landau was a Senior Life Director of the National Association of Home Builders and a trustee of the Home Builders Institute. Mr. Landau also served as President of the Michigan Association of Home Builders and was a board member for eighteen years.

Henry Landau was instrumental in establishing a unique and innovative program in the Ann Arbor Public School System to teach high school students about the building trades by allowing them to build an actual home. This successful program continues and is now financed through the sale of the homes built by students. The construction industry later honored Mr. Landau's efforts with the H.S. Landau Scholarship, which is awarded annually and benefits a graduate of the Ann Arbor student building program.

Mr. President, I have mentioned only a small sampling of the many ways in which Henry Landau has used his vitality, creativity and hard work to make his community and our nation a better place to live. I know my colleagues will join me in honoring Henry Landau for his many extraordinary efforts on behalf of his community.•

AUTHORIZING REPRESENTATION OF MEMBERS AND OFFICERS OF THE SENATE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 78 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 78) to authorize representation of Members and officers of the Senate in the case of Jim Russell v. Albert Gore, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a civil action commenced

by a pro se plaintiff in Yakima County Superior Court, Yakima County, Washington, against Vice President ALBERT GORE, as President of the Senate, and Senators GORTON and MURRAY. The complaint attacks the validity of federal tax laws essentially by challenging the validity of all legislation enacted subsequent to the Seventeenth Amendment, on the basis that the Constitution prohibits the direct election of Senators provided for by the amendment.

This action is subject to removal from state court to the United States District Court for the Eastern District of Washington. This resolution authorizes the Senate Legal Counsel to represent the Senate defendants in this suit to move for its removal to federal court, and then to seek its dismissal for failure to state a claim for relief.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 78) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 78

Whereas, in the case of *Jim Russell* v. *Albert Gore, et al.*, Case No. 99–2–00749–1, pending in Yakima County Superior Court, Yakima County, Washington, the plaintiff has named as defendants Vice President Albert Gore, Senator Slade Gorton, and Senator Patty Murray;

Whereas, pursuant to section 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent Vice President Gore, Senator Gorton, and Senator Murray in the case of *Jim Russell* v. *Albert Gore, et al.*

DESIGNATING THE CHAIRMAN OF THE JOINT ECONOMIC COMMITTEE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 79, submitted earlier today by Senator LOTT.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 79) designating the Chairman of the Joint Economic Committee for the 106th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 79) was agreed to, as follows:

S. RES. 79

Resolved, That the following Senator is designated as the Chairman of the following committee for the 106th Congress, or until his successor is chosen:

Joint Economic Committee: Mr. Mack, Chairman.

CONGRATULATING BOYD CLINES, LARRY ROGERS, AND MATT MOSELEY FOR THEIR BRAVERY AND COURAGE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 80 submitted earlier today by myself and Senator CLELAND.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 80) congratulating Boyd Clines, Larry Rogers, and Matt Moseley for their bravery and courage in the April 12, 1999, rescue mission of Mr. Ivers Sims.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed at the appropriate place in the RECORD.

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

The resolution (S. Res. 80) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 80

Whereas on April 12, 1999, a treacherous fire erupted in a historic cotton mill in Atlanta, Georgia, and Mr. Ivers Sims, a construction worker, found himself suspended 180 feet in the air trapped by raging flames surrounding him;

Whereas Boyd Clines, a Georgia Department of Natural Resources pilot, and his navigator, Larry Rogers, arrived on the scene and negotiated a helicopter through the menacing wind, smoke, and fire which emanated from the cotton mill, while an Atlanta firefighter, Matt Moseley, dangled from a rope near the flames, all in an attempt to save Mr. Sims;

Whereas Boyd Clines, Larry Rogers, and Matt Moseley, in the true spirit of heroism, demonstrated amazing courage and valor in risking their lives in order to save the life of Mr. Sims;

Whereas the teamwork, dedication, and bravery that Boyd Clines, Larry Rogers, and Matt Moseley displayed during the rescue mission enabled the mission to be successful;

Whereas Atlanta firefighters, police officers, Sheriffs deputies, and residents diligently worked together in order to fight the massive fire that engulfed the historic cotton mill;

Whereas Atlanta residents at home during the fire helped during the crisis by rescuing pets and using garden hoses to extinguish the flames emanating from burning debris;

Whereas the Atlanta firefighters, facing shortages of equipment and personnel, heroically contained a fire that could have spread beyond the cotton mill and enveloped a historic neighborhood now being revitalized;

Whereas the fire crisis of April 12, 1999, shall be remembered not for the tragic loss of the historic cotton mill, but instead for the heroism and bravery displayed by Boyd Clines, Larry Rogers, and Matt Moseley; and

Whereas it should be recognized that Boyd Clines, Larry Rogers, and Matt Moseley have brought pride and honor to the State of Georgia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Boyd Clines, Larry Rogers, and Matt Moseley for the bravery and heroism that they displayed during the April 12, 1999, rescue mission of Mr. Ivers Sims; and

(2) commends Atlanta firefighters, police officers, Sheriffs deputies, and residents for the outstanding teamwork that they displayed in fighting the fire of the cotton mill.

Mr. COVERDELL. Mr. President, to digress for just a moment, this is a resolution acknowledging the heroism of Boyd Clines, Larry Rogers, and Matt Moseley. I doubt that there is hardly an American alive who did not watch that stunning and chilling event when these three men exemplified all the virtues of American heroism. It is a stark reminder of what Americans, who work for our fire departments, our rescue units, our law enforcement agencies all across the country, are capable of doing, and their total dedication where they will often set all their own personal safety aside in the name of helping another citizen.

It was all embodied in this enormous event that occurred in Atlanta, GA several days ago. It was an incredible sight and witness of American heroism. I am particularly pleased to be able to join with my colleague, Senator CLELAND, in the authorship of that resolution which has just been approved.

REFERRAL OF MEASURE—S. 754

Mr. COVERDELL. Mr. President, I ask unanimous consent that calendar No. 86, S. 754 be referred to the Environment and Public Works Committee.

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

TERRY SANFORD FEDERAL BUILDING

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 911 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 911) to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the ''Terry Sanford Federal Building''.

There being no objection, the Senate proceeded to consider the bill.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed at the appropriate place in the RECORD.

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

The bill (H.R. 911) was read a third time and passed.

REREFERRAL OF S. 302

Mr. COVERDELL. Mr. President, I ask unanimous consent that S. 302 be discharged from the Committee on Health, Education, Labor, and Pensions and be referred to the Committee on the Judiciary.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the executive calendar: Nos. 23 and 24. I finally ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

THE JUDICIARY

William J. Hibbler, of Illinois, to be United States District Judge for the Northern District of Illinois.

Matthew F. Kennelly, of Illinois, to be United States District Judge for the Northern District of Illinois.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100–418, appoints the following individuals to serve as Congressional advisers on trade policy and negotiations to International conferences, meetings and negotiation sessions relating to trade agreements:

WILLIAM V. ROTH, Jr. of Delaware, JOHN H. CHAFEE of Rhode Island, CHARLES E. GRASSLEY of Iowa, DANIEL PATRICK MOYNIHAN of New York, and MAX BAUCUS of Montana.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 103–419, appoints the following individual to the United States Commission on Civil Rights: Elsie M. Meeks of South Dakota.

ORDERS FOR MONDAY, APRIL 19, 1999

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 noon on Monday, April 19. I further ask that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then begin a period of morning business until 2 p.m. with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator MURKOWSKI, 20 minutes; Senator BOND, 10 minutes.

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

PROGRAM

Mr. COVERDELL. For the information of all Senators, the Senate will reconvene on Monday at 12 noon and begin a period of morning business until 2:00 p.m. Following morning business, the Senate may begin consideration of any legislative or executive items cleared for action with at least one rollcall vote expected at approximately 5:30 p.m. All Senators will be notified of the particular item to be considered on Monday as well as the exact voting schedule when that information becomes available.

The majority leader would again like to remind all Senators that there will be no session of the Senate tomorrow and next Friday, April 23. I better repeat that. The majority leader would like to remind all Senators that there will be no session of the Senate tomorrow and next Friday, April 23.

ADJOURNMENT UNTIL MONDAY, APRIL 19, 1999

Mr. COVERDELL. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:50 p.m., adjourned until Monday, April 19, 1999, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate April 15, 1999:

STATE JUSTICE INSTITUTE

JOSEPH FRANCIS BACA, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2001. (REAPPOINTMENT)

ROBERT NELSON BALDWIN, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2001. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RONALD T. KADISH, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PAUL V. HESTER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. RALPH E. EBERHART, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8034:

To be general

LT. GEN. LESTER L. LYLES, 0000.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT SURGEON GENERAL AND CHIEF OF THE DENTAL CORPS, UNITED STATES ARMY, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3039:

To be major general

BRIG. GEN. PATRICK D. SCULLEY, 0000.

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE TEMPORARY GRADE INDICATED IN THE UNITED STATES MARINE CORPS IN ACCORDANCE WITH SECTION 6222 OF TITLE 10, U.S.C.:

To be colonel

TIMOTHY W. FOLEY, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. THOMAS R. WILSON, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

DAVID J. ANTANITUS, 0000
DALE E. BAUGH, 0000
RICHARD E. BROOKS, 0000
EVAN M. CHANIK, JR., 0000
BARRY M. COSTELLO, 0000
DAVID M. CROCKER, 0000
KIRKLAND H. DONALD, 0000
DENNIS M. DWYER, 0000
MARK J. EDWARDS, 0000
BRUCE B. ENGELHARDT, 0000
TOM S. FELLIN, 0000
JAMES B. GODWIN III, 0000
CHARLES H. JOHNSTON, JR., 0000
JOHN M. KELLY, 0000
STEVEN A. KUNKLE, 0000
WILLIE C. MARSH, 0000
GEORGE E. MAYER, 0000
JOHN G. MORGAN, JR., 0000
DENNIS G. MORRAL, 0000
ERIC T. OLSON, 0000
JAMES J. QUINN, 0000
ANN E. RONDEAU, 0000
FREDERICK R. RUEHE, 0000
LINDELL G. RUTHERFORD, 0000
JOHN D. STUFFLEBEEM, 0000
WILLIAM D. SULLIVAN, 0000
GERALD L. TALBOT, JR., 0000
HAMLIN B. TALLENT, 0000
RICHARD P. TERPSTRA, 0000
THOMAS J. WILSON III, 0000
JAMES M. ZORTMAN, 0000

IN THE COAST GUARD

THE FOLLOWING NAMED CADETS OF THE UNITED STATES COAST GUARD ACADEMY FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER 14 U.S.C., SECTION 211:

To be ensign

ASHLEY B. ACLIN, 0000
MICAH N. ACREE, 0000
MELODY C. ADAMES, 0000
MARCUS J. AKINS, 0000
PINSUDA ALEXANDER, 0000
NAHSHON I. ALMANDMOSS, 0000
JAMIE T. AMON, 0000
SHAMEEN E. ANTHANIO, 0000
JEFFREY A. APPS, 0000
LORI A. ARCHER, 0000
KATHRYN M. ARNOLD, 0000
JORDAN M. BALDUEZA, 0000
BRANDI A. BALDWIN, 0000
KELLY A. BANKE, 0000
JASON P. BARRETT, 0000
DAVID M. BARTRAM, 0000
JOSH L. BAUER, 0000
DEREK C. BEATTY, 0000
BRIAN J. BEHLER, 0000
ANDREW R. BENDER, 0000
LEAH B. BENTLEY, 0000
MATT A. BOURNONVILLE, 0000
JASON P. BRAND, 0000
SCOT A. BROWN, 0000
NICHOLAS R. BUDERUS, 0000
JANICE T. CARRELL, 0000
JUSTIN M. CARTER, 0000
DREW M. CASEY, 0000
STEPHEN N. CASEY, 0000
SEAN R. CASHELL, 0000
ROBERT B. CHAMBERS, 0000
RANDALL T. CHONG, 0000
MICHAEL A. CILENTI, 0000
JOSEPH A. COMAR, 0000
ZACHARIAH S. CONOVER, 0000
STEPHANIE S. CONRAD, 0000
JEFFREY K. COON, 0000
DANIEL H. COST, 0000
THOMAS G. COWELL, 0000
ERIKA L. CRAWLEY, 0000
DOUGLAS K. DANIELS, 0000
LUKE C. DAVIGNON, 0000
CAROLYN A. DEGON, 0000
AUGUST M. DELARUE, 0000
JASON J. DORVAL, 0000
RYAN S. ENGEL, 0000
ELLEN A. FAIRLEIGH, 0000
PETER E. FANT, 0000
LAUREN E. FELIX, 0000
MICHAEL P. FISHER, 0000
AMY E. FLORENTINO, 0000
CRAIG R. FOOS, 0000
KATHERINE A. FOX, 0000
JULIE P. GAMBLE, 0000
MATTHEW G. GEER, 0000
THOMAS A. GILL, 0000
SUZANNE E. GILLE, 0000
LINDSEY C. GILLICK, 0000
GARRY E. GRABINS, 0000
JEFFREY R. GRAHAM, 0000
ANNA K. HAGER, 0000
SHELBY A. HARRINGTON, 0000
CHAD R. HARVEY, 0000
ANTHONY H. HAWES, 0000
JOHN HENRY, 0000
ANNE M. HERMAN, 0000
AZIZA A. HILL, 0000
THOMAS J. HOPKINS, 0000
TIMOTHY A. HUNTER, 0000
CASSIE Q. JANSSEN, 0000
JEANNETTE E. JERABEK, 0000
RYAN R. JOHNSON, 0000
BRADLEY K. JOHNSON, 0000
BECKY K. JONES, 0000
SARAH E. JUCKETT, 0000
AIMEE R. JULCH, 0000
KIMBLEY K. KASTNER, 0000
DANIEL P. KEANE, 0000
HEATHER J. KELLY, 0000
ROBERT R. KISTNER, 0000
BREANNA L. KNUTSON, 0000
ZACHARY A. KOEHLER, 0000
MICHAEL R. LACHOWICZ, 0000
ERIN G. LAMBIE, 0000
PAUL G. LANG, 0000
SARAH E. LARRABEE, 0000
SCOTT P. MARLETT, 0000
RUSSELL D. MAYER, 0000
NOVA MCCONNICO, 0000
EUGENE D. MCGUINNESS, 0000
KERRY D. MCKEEVER, 0000
BRIAN J. MCLAUGHLIN, 0000
MARION O. MCQUEEN, III, 0000
BRIAN J. MCSORLEY, 0000
DAVID L. MELTON, 0000
ANDREW J. MEYERS, 0000
SEAN R. MITCHELL, 0000
JASON W. MORGAN, 0000
MAURICE D. MURPHY, 0000
RACHEL M. NORTON, 0000
MICHAEL P. ONEIL, II, 0000
DANIEL R. ORCHARD, 0000
KIMBERLY J. ORR, 0000
JESSICA A. OWSIANY, 0000
HEATHER J. PARADISE, 0000
MARK B. PATTON, 0000
JOSHUA D. PENNINGTON, 0000
ERIC C. PERDUE, 0000
KRISTA J. PETERS, 0000
EBEN H. PHILLIPS, 0000
KEVIN L. PLYLAR, 0000
ROBERT H. POTTER, JR., 0000
RYAN M. REARDON, 0000
HELENA H. ROBINSON, 0000
PAUL A. RODRIGUEZ, 0000
AARON J. ROE, 0000
RHETT R. ROTHBERG, 0000
GREGORY K. SABRA, 0000
SCOTT M. SANBORN, 0000
JEFFREY A. SANCHEZ, 0000
GREGORY H. SCOTT, 0000
JOSHUA S. SEBASTIAN, 0000
MICHAEL D. SHARP, 0000
SARAH P. SNYDER, 0000
ANNA L. STAMPER, 0000
BRIAN S. THOMAS, 0000
GEORGE M. TOBEY, 0000
BORIS K. TOWNS, 0000
ERIN N. TRABER, 0000
TODD C. TROUP, 0000
DANIEL R. URSINO, 0000
REBECCA A. WAITT, 0000
MATTHEW J. WALDRON, 0000
THOMAS W. WALLIN, JR., 0000
RICHARD B. WALSH, 0000
STEPHEN M. WASYLENKO, 0000
WILLIAM C. WOITYRA, 0000
HEATHER J. WOLF, 0000
MICHAEL J. WOODRUM, II, 0000
ERIK A. WOZNIAK, 0000
FRANCINE A. YAKIMO, 0000
MICHAEL J. ZERUTO, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate April 15, 1999:

THE JUDICIARY

WILLIAM J. HIBBLER, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

MATTHEW F. KENNELLY, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

EXTENSIONS OF REMARKS

INTRODUCTION OF OSHA REFORM BILLS

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. BALLENGER. Mr. Speaker, today I am introducing five bills, each targeted specifically to a needed reform of the Occupational Safety and Health Act.

Over the past several years, we have made progress in redirecting and refocusing OSHA, from an agency that was too often focused on enforcement "for enforcement's sake" to one that has begun to recognize the importance and effectiveness of cooperative efforts and consultation programs, and of encouraging the voluntary efforts of employers and employees.

When we began this effort, the Clinton administration claimed that any change in OSHA's focus on enforcement would lead directly to increased injuries and deaths. In fact, just the opposite has occurred. The Department of Labor has reported in recent months that both workplace fatalities and workplace injury rates have again declined and are at the lowest levels since those records have been maintained. Those record low levels have been achieved even though we are the midst of a tight job market, a time in which, historically, injury rates increased.

My goal is to continue to push for changes that will further reduce injuries and fatalities by encouraging voluntary action and cooperative approaches. Where regulation and enforcement is imposed, it should be fair and the benefits should justify the costs. Unfortunately, there are still far too many instances in which OSHA's enforcement and regulation is neither.

The five bills that I am introducing cover the following areas. I welcome my colleagues' support for these bills.

Audit Protection: Safety and health audits are an important aspect of a company's efforts to ensure that their workplaces are safe. Most employers, particularly in hazardous industries, do some type of safety and health audit. Those with good lawyers then either destroy the records or disclose it only to their lawyers, neither of which is the most effective way to improve safety and health. The reason companies do so is that OSHA inspectors routinely use the audit to penalize the employer. OSHA's enforcement policy is counterproductive to employee health and safety. I believe we should encourage employers to conduct audits, not discourage them. My bill provides limited protection for audits, and at the same time, encourages employers to conduct audits and to fix the hazards found during those audits.

Whistleblower Protection: The OSH Act provides important legal protection for employees who raise concerns about safety or health hazards. However, the current process for handling those complaints is neither effective nor fair. Complainants sometimes wait years for the Department of Labor to decide whether to seek relief in court. I am proposing that the OSH Act be amended to provide an administrative private right of action so that the complainant is assured opportunity for an administrative hearing and timely decision. Encouraging safety and health audits and assuring timely adjudication of whistleblower complaints by employees are important steps that Congress must take to support and encourage voluntary safety and health efforts by employers and employees.

Safety Meetings: As a result of a December 1998 decision by the National Labor Relations Board, employee safety committee are illegal, except: (1) where a union is involved and the safety committee is negotiated with the union, or (2) the safety committee has no real responsibility for safety and health. For years we have argued over what employee involvement the law allows or does not allow. At least now, in the area of safety, it is clear that, for most workplaces, current law permits very little employee involvement. It is time to fix the law. My bill addresses only safely committees; it does not open up the National Labor Relations Act. It would allow employees to participate, through safety committees, in evaluating safety conditions and safety rules and policies—responsibilities that are now prohibited in the majority of workplaces.

Rulemaking Reform: In my view, a relatively simple reform would make OSHA standards-setting more fair and lead to more practical regulation. When OSHA proposes a standard, it should clearly indicate which industries will be regulated, and its risk assessments and cost analysis regarding the standard should relate specifically to those industries. Neither of these steps is new. OSHA has identified specific industries in some rulemakings, and the courts have frequently required OSHA to reconsider standards because it failed to conduct "industry specific" analyses. Putting these changes in statute will ensure that both are consistently part of the rulemaking procedure, thereby providing greater fairness in future OSHA rulemakings.

SBREFA Implementation: The 1996 Small Business Regulatory Enforcement Act (SBREFA) required all federal regulatory agencies to establish policies to provide for reduction and waiver of penalties for non-serious violations by small employers. OSHA has maintained that its existing penalty policy was an adequate response. However, the existing policy allows a maximum 35 percent reduction for most small businesses, and conditions even that reduction on meeting additional, non-regulatory requirements. My legislation will direct OSHA to adopt a specific waiver of penalties policy for non-serious violations, if those violations are corrected within a timeframe set by OSHA.

NANCY JALONEN, 1999 BRAVO! RECIPIENT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. LANTOS. Mr. Speaker, I rise today to recognize Ms. Nancy Jalonen of San Mateo, CA, the recipient of the 1999 Bravo! Award. The Bravo! Award is given each year by the Hillbarn Theatre League in honor of substantial contributions to the cultural life of the Peninsula area. Ms. Jalonen will receive this honor on tomorrow evening at a ceremony held in her honor at the Crowne Plaza Hotel in Foster City.

Nancy Jalonen has been absolutely vital to the arts community on the Peninsula for many years now. During her tenure as executive director from 1978 to 1984, she revolutionized the San Mateo Arts Council. She developed the Music in the Schools program, attracting professional musicians to local schools to give lectures and demonstrations, and she created the SWAP program, where artists "swap" teaching for studio space. When Ms. Jalonen left the Arts Council in 1984, it had been judged one of the top three councils in California for 2 years running.

Since then, Ms. Jalonen has led the committee to renovate the San Mateo High School Auditorium and transform it into the San Mateo Performing Arts Center. She is on the Board of Directors of Ragazzi and TheatreWorks and is also a member of the committee to found City Arts of San Mateo, an organization geared to promote visual, literary, and performing arts in San Mateo.

In 1996, Ms. Jalonen produced and hosted 21 television programs on the oral history of San Mateo County. This was not her first foray into the world of television. For 20 years at KCSM–TV, she produced and hosted over 150 television programs featuring performing and visual arts organizations throughout San Mateo County. She currently presents a monthly radio program on local theater for the Lighthouse for the Blind.

Mr. Speaker, Nancy Johnson's work has been a remarkable and an important contribution to the cultural life of the Peninsula, and her efforts have enriched the lives of all of us in the Bay Area. I would like to ask my colleagues to join me and the Hillbarn Theatre League in lauding Ms. Nancy Lee Jalonen for her well-deserved honor.

HONORING MARY BIANCHINI

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GILMAN. Mr. Speaker, I am pleased to call to the attention of our colleagues one of the most remarkable residents of my Congressional District and, in fact, of our nation.

Mary Bianchini is turning 92 years young this month, and her friends, family, and numerous admirers are coming together not only to honor her but also to initiate a scholarship fund in her name. Mary has devoted so many years of service to others—as a nurse, as a media personality, and as a linchpin in numerous charitable concerns—that it is only appropriate that we return some of our love to her which she has showered upon us all these many years.

A cover story in the January-February 1987 issue of ''Geriatric Nursing'' recounted how Mary emigrated to the United States from Italy with her family at a young age. In 1929, she married the man her parents has chosen for her but before long that union found a firm foundation in love. In fact, Mary remained married to the same man until his untimely death in the late 1950s, nearly thirty years after their nuptials.

Mary had planned to become a sterling housewife and mother, but as happened with all too many Americans at that time, the Great Depression threw a monkey wrench into her plans. Forced to find employment in a shoe factory, Mary had to seek new employment when that establishment burned down and she applied to become a telephone operator at the Rockland State Hospital. Mary was told there were no vacancies, but would be hired if she would help out in patient care. From that experience on, Mary was hooked on helping others.

Mary demonstrated a natural skill at caring for the ill. She became a licensed practical nurse in 1938, and soon earned a reputation statewide for her compassion and skill, as well as her common sense.

Mary served as an officer in the New York State Practical Nurses Association from 1948 until 1962. In these positions, her reputation as a feisty defender of the underdog was assured.

In the 1960's, Mary began a completely new career as host of her own radio, and cable television, programs. Soon, the movers and shakers in all aspects of society were seeking to be interviewed by this remarkable woman, not quite five feet high. Her insight broadcast interviews continued until well in the 1980s.

Mary Bianchini was the American Heart Association ''Queen of Hearts'' in 1985, was cited by Governor Mario Cuomo for service to our state, and was a strong supporter of my Congressional Citizens Advisory Committee on Drugs.

Perhaps Mary's greatest pride in her own family. Her son Dr. Valentino Bianchini is a respected member of the medical profession who has raised his own family following Mary's guidelines to life. She is also proud of her large, loving family.

Mr. Speaker, I invite my colleagues to join with us in saluting this wonderful woman on the occasion of her 92nd birthday, with wishes for many many more, as well as our profoundest hopes that we will be able to join her in celebrating many birthdays to come.

TRIBUTE TO MERVIN G. MORRIS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. ESHOO. Mr. Speaker, I rise today to honor Mervin G. Morris, an extraordinary man and my constituent of Atherton, California, who will be presented the Leading Citizens Award by the Boys & Girls Club of the Peninsula on Wednesday, April 21, 1999.

As a third generation Californian, Mervin Morris was raised in the farming town of Delano, California. He joined the family business after serving four years in the United States Army during World War II. In 1949, he founded Mervyns Department Store in San Lorenzo, California. From that original store in San Lorenzo, he built a department store chain that currently employs over 70,000 people worldwide.

Mervin Morris has provided over a decade of service to the Boys & Girls Club. His vision resulted in the development of a new clubhouse to serve the youth in East Palo Alto which is slated to open next spring. The clubhouse in Redwood City is named in his honor, and he has been instrumental in garnering volunteer and donor support for a fully renovated facility in the Belle Haven neighborhood in Menlo Park.

Mervin Morris' volunteer activities do not stop at the Boys & Girls Club. He currently serves as a Trustee of the Palo Alto Medical Foundation and is a member of the Board of Directors of the Eisenhower Medical Center. His involvement in countless other community organizations include the California Academy of Sciences, the Jewish Community Federation, Jewish Home for the Aged, the Palm Springs Desert Museum, the Peninsula Oral School for the Deaf, Scott Street Senior Housing, and the Stanford Athletic Department. Mr. Morris also continues his service to our military as a civilian advisor to the Commanding General of the Army and Air Force Exchange Services.

Mervin Morris and his wife of almost fifty years, Roslyn, who is also being honored by the Boys & Girls Club, have four loving children and twelve beautiful grandchildren.

Mr. Speaker, Mervin Morris is a man of outstanding character and I salute him for his remarkable contributions to our country and our community. We consider him a great blessing amongst us and I ask my colleagues to join me in honoring him as he receives the honor of being named a Leading Citizen by the Boys & Girls Club of the Peninsula. No one deserves this more.

CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 68, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2000

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I rise in opposition to H. Con. Res. 68 because it is a magician's trick. It tricks the American people into believing that the Republican budget plan is good for retirees; good for baby boomers and the solvency of Social Security; and good for our working families. Mr. Speaker, their plan is smoke-and-mirrors. Their plan is full of short-term, feel-good, pretax day ''fuzzy-wuzzies.'' However, I submit that we need to be making investments toward America's future, not siphoning off the surplus. I am opposed to such trickery.

Mr. Speaker, their plan uses irresponsible tax cuts for the next 10 years as opposed to investing in our economic future. Their plan ignores the challenges that working families and/or the struggling poor face in consequential areas such as job training, education, health care, and affordable housing.

Mr. Speaker, this conference report sets nondefense discretionary spending for FY 2000 at $43.7 billion less than provided for in 1999. Where do our priorities lie? This budget sounds like a dream, a nightmare for those who are most vulnerable—$2.5 billion less in budget authority for community and regional development; $800 million less for health programs; $4.1 billion less in low-income programs; and finally $13.7 billion more in budget authority for defense spending in FY 2000.

This budget does not reflect the needs of my district where the median income is $25,250. This budget cuts the heart out of senior citizens with the $9 billion Medicare cuts and puts health care at risk for millions with the $1.2 billion cut in Medicaid.

Mr. Speaker, only as this process moves into appropriation reality will the American people understand the basic unfairness, the cold-heartedness which lie at the base of these numbers presented here today.

I end with a quote by the great Franklin Delano Roosevelt to remind my colleagues of achieving a great society in a true democracy.

True individual freedom cannot exist without economic security and independence. People who are hungry and out of a job are the stuff of which dictatorships are made.

TRIBUTE TO JIM SCHUETTE

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GREEN of Wisconsin. Mr. Speaker, I'd like to briefly provide some comments about a great friend of the people of northeastern Wisconsin, and a personal friend of mine—Jim Schuette.

This month marks the end of Jim's term as Outagamie County Executive, a position he has held for the last three years.

But Jim's history of serving the people goes back a full 45 years—and we're truly fortunate he decided to dedicate his life to public service.

As a young man, Jim joined the U.S. Marine Corps and later went on to serve for 19 years with the U.S. Army Reserves.

For most of his working life, Jim delivered letters for the U.S. postal service—and was always a smiling face folks could count on.

For the 22 years before he became county executive, he served on the Outagamie County Board, where he earned a reputation for approaching problems with his trademark common sense.

I couldn't dream of letting this occasion go by without telling Jim how much his time and hard work have meant to me and to the people of northeastern Wisconsin.

So, on behalf of myself and the countless other people whose lives have been made brighter by Jim's efforts, I want to say "thanks!"

HONORING THE SHEPELS AND MARIA'S ITALIAN RESTAURANT

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KLINK. Mr. Speaker, I rise today to honor two outstanding citizens from Beaver, Pennsylvania. To the delight of the community, George and Maria DiLeonardo-Shepel reopened a fine family restaurant known as Maria's on April 1, 1999. The Shepels' hard work and commitment to this neighborhood institution are testimony to the strong work ethic of western Pennsylvania.

I would like to recognize the Shepels for their contributions to their community. Without these types of individuals, many of our neighborhoods would lose their local traditions. Their dedication and hard work are deserving of commendation.

The Shepels bought Maria's in 1988 and successfully modeled the restaurant after an authentic Italian eatery. For six years, this establishment was a popular neighborhood meeting place. During my first campaign for the U.S. Congress, the Shepels were among my first supporters, and invited me to dine in their restaurant. I will never forget their friendship or their kind words of support.

The couple has spent the last few years renovating the restaurant and restoring it to its original condition. By providing quality food and friendly service, the Shepels have ensured that Maria's will be a permanent fixture in this community for years to come. My fellow colleagues, it is with great pleasure that I rise and applaud George and Maria DiLeonardo-Shepel. I hope they continue to enjoy tremendous success and wish them the best of luck in the future.

CELEBRATING A CENTURY OF ACCOMPLISHMENT

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. BARCIA. Mr. Speaker, people who give back to their community are a precious resource. For my home town of Bay City, one wonderful example of how valuable this precious resource can be is Knights of Columbus, Council #414, which this week celebrates its most special 100th anniversary.

Forty-nine men from Bay City and Saginaw met on April 16, 1899, to organize Valley Council 414, with its first home at the Old Cottage Hall on the corner of Sixth and Madison. While some members withdrew from 414 in order to form other new councils in Saginaw and the surrounding area, by December 29, 1915, the Bay City Council 414, renamed as such in 1902, had grown to over 1,500 members. A proud but sad point of history was made when in 1917, Francis McCauley became the first Bay County and Council 414 member casualty in France during World War I.

Over the years, Council 414 has grown in members and has moved through several facilities that have served its diverse needs. At the same time, it has held true to the main purposes of the Knights of Columbus, founded by Rev. Michael McGivney in 1882—charity, unity, fraternity, and patriotism. It has held its loyalty to the Catholic Church and the Pope. The Knights of Columbus have promoted solid values through its promotion of family life, charitable disbursements to needy people and disaster victims, its "Crusade for Life" in defense of the unborn, insurance for its members, an educational trust for children of members who are killed or totally disabled due to military service or in performance of their duties as full-time law enforcement officers or firemen, and student loans to Knights, their families, and members of the clergy.

Council 414 has worked particularly hard to provide charitable assistance to the crippled children and adults of Bay City, as well as to the mentally challenged. Its "Klown Unit" provided more than 2,200 hours of enjoyment to children at schools, hospitals, special events, and the Special Olympics last year. The Knights have been wonderful friends through their visits to senior citizens. They also provided, without charge, assistance with their Pall Bearers Group at over 400 funerals since the group's inception more than a decade ago.

Mr. Speaker, at a time when we ask whether or not our people have a sense of values, and whether or not they are prepared to recognize that the government alone cannot provide all of the assistance that people may require, we need look no further than the Knights of Columbus, and inspirational units like Council 414 of Bay City. I urge you and all of our colleagues to join me in congratulating Grand Knight James F. Morrisette and the more than 640 members of Council 414 on this very special 100th anniversary, and in wishing them many more successful and fulfilling years to come.

HONORING RONALD ANSIN

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. OLVER. Mr. Speaker, I rise today to pay honor to the fine work and outstanding public service of a true philanthropist, Mr. Ronald Ansin. On this Saturday, Ron will receive the 1999 National Alexis de Tocqueville Society Award for Community Service, United Way of America's highest honor given for volunteer service.

A native of central Massachusetts, Ron graduated from Harvard College cum laude in 1955 and continued his education at Yale Law School graduating in 1958. Both a civic and business leader in Massachusetts, Ron heads two successful companies, the Anwelt Corporation in Fitchburg, Massachusetts and L.B. Evans's Son Co., Inc., in Leominster, Massachusetts.

Over the past 30 years, Ron has committed himself to civic and community service on many local, state and national issues.

Locally, Ron has been a philanthropic force in North Central Massachusetts, supporting the Thayer Symphony Orchestra, HealthAlliance, Inc., the Fitchburg Art Museum, and local educational institutions including the Applewild School, Fitchburg State College and Mount Wachusett Community College. Ron has been the recipient of the Distinguished Citizen Award from the Boy Scouts of America and has received a Honorary Doctor of Humanities Degree from Fitchburg State College.

Within Massachusetts, Ron held the position of the Commissioner of Commerce and Development in the mid-1980's. He also served on a number of state-wide boards and councils including the Governor's Commission on Cogeneration, the Mental Health & Retardation Area Board, and the State Job Training Coordinating Council. Ron currently serves on the American Civil Liberties Union of Massachusetts.

Nationally, Ron is the treasurer of the Center of National Policy in Washington, DC, a non-partisan and non-profit public policy think tank. In 1977, Ron served as an industry advisor (footwear) to the Office of the President.

Mr. Speaker, few people in public life ever make the type of contributions made by Ronald Ansin. I can sincerely commend Ron as a true humanitarian, a role-model for our youth, and a man worthy of honor and respect. It is only appropriate that the House join me in paying tribute to Mr. Ansin today.

THE FAMILY FARM PROTECTION ACT

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GREEN of Wisconsin. Mr. Speaker, I am proud this week to introduce my first bill before this house.

It's a bill designed to bring some desperately-needed relief to farm families across

America and in my home of northeastern Wisconsin.

It's a simple proposal, really—and rather than increase government's role in agriculture, it actually eliminates one of the burdens government places upon our family farmers.

This bill—the Family Farm Protection Act—will exempt farmers from the Federal capital gains tax when they sell their farm to a family member.

This bill removes one of the multitude of burdens our farmers face, and will help to keep family farms within the family.

Our farmers are suffering through the toughest farm crisis in 15 years—maybe longer.

We used to call farming ''agriculture,'' today, it's more often called ''agribusiness.''

I think there's a reason for that.

America used to be an ''agri-culture''—farming was more than a business.

It was America's way of life—we were a culture built around an agrarian center.

Washington and Jefferson were both farmers.

But today, we can see our ''agri-culture'' slipping into history.

As more family farms go under, the farming way of life—America's ''agri-culture'' goes with them.

We cannot let that happen.

While the U.S. economy is booming, farmers face a real crisis—no matter how hard they work.

In the past, we in the Congress have had a tendency to get government more involved in the midst of a farm crisis.

But this bill—the Family Farm Protection Act—recognizes that government is often a part of the problem, rather than a part of the solution.

We have 22 original co-sponsors of this legislation, each of whom I'd like to thank for their help and support in this growing effort to offer real relief to our farm families.

This proposal helps protect our family farmers today and is an important first step in a broader movement to maintain America's tradition of ''agri-culture''—a way of life and a set of values that built the America we live in today.

I ask my colleagues to join me in this movement and to support the Family Farm Protection Act.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. DAVIS. Mr. Speaker, I was unavoidably detained in the district and as a result missed rollcall votes 78–85. If I had been present, I would have voted ''aye'' on rollcall 78; ''aye'' on rollcall 79; ''aye'' on rollcall 80; ''aye'' on rollcall 81; ''aye'' on rollcall 82; ''aye'' on rollcall 83; ''nay'' on rollcall 84; and ''nay'' on rollcall 85.

THE DAVID CHETCUTI FIREARMS MODIFICATION ACT—H.R. 1428

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. LANTOS. Mr. Speaker, I rise today to inform my colleagues about legislation that I am introducing in the House to honor the memory of a brave police officer who was killed in my congressional district less than a year ago, Officer David Chetcuti. Officer Chetcuti was a devoted husband and a loving father to his three sons. He was also a decorated 11-year veteran of the Millbrae police department. On April 25 of last year, after responding to a routine call from an officer in a neighboring jurisdiction, Officer Chetcuti was shot and killed by Marvin Sullivan, a convicted felon.

Mr. Speaker, the weapon which Sullivan used to kill David Chetcuti was an assault rifle, a class of firearm that many of us thought we had succeeded in removing from our Nation's streets. Marvin Sullivan, who was not legally able to purchase the kind of firearm he used to kill Officer Chetcuti, assembled his weapon from a series of gun components which he was able to purchase without any of the restrictions which are imposed by law on the purchase of assault weapons.

Through mail order catalogues, over the Internet, and at gun shops—without any of the restrictions on the purchase of fully assembled firearms—Sullivan was able to purchase the components that he used to make his illegal weapon. That gun was created for the sole purpose of killing another human being. The weapon he built defied and circumvented all the firearm safeguards for which we have fought long and hard. The components were easy to procure, the assembly was simple, and the final product was devastatingly deadly.

Mr. Speaker, the legislation I introduced today—H.R. 1428, The David Chetcuti Firearm Modification Act—would close the existing loophole which permits felons like Marvin Sullivan to have access to components which they can use to assemble these weapons. This is a simple proposal and does not require more enforcement effort than what currently exists. Quite simply, this legislation would extend the provisions of existing gun control legislation to those components which criminals, like Mr. Sullivan, can and do use to make assault weapons.

The adoption of this legislation would prohibit the sale to convicted felons of large capacity ammunition clips or other firearm components which make it possible for them to maim and kill. This legislation would also require that the purchase of these components be carried out in person. Today there are literally hundreds of mail order operations and Internet sites which offer items such as military issue ammo clips, silencer-fitting threaded barrels, and pistol grips capable of turning a hunting rifle into an automatic killing machine.

Mr. Speaker, the availability of these components is a public safety threat, already tragically felt by the Chetcuti family and by the law enforcement community in my congressional district. For the safety of our outgunned law enforcement officers and for the well-being of our communities, I urge my colleagues in the Congress to join me in working for the passage of this legislation.

Mr. Speaker, much has been said to honor the dedicated men and women who daily put their safety and their lives on the line to provide the citizens of our country with the security, safety, and peace essential for the maintenance of our civil society. These men and women of our law enforcement community are the ''thin blue line'' which stands between the decent and law-abiding citizens of this nation and the abyss of lawlessness, chaos, and anarchy. Our law enforcement professionals deserve the support and protection which this legislation will provide.

100th ANNIVERSARY OF UNIONTOWN HOSE FIRE CO. NO. 2 OF HASTINGS-ON-HUDSON, NY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GILMAN. Mr. Speaker, on April 18, 1999, the Uniontown Hose Fire Company No. 2 in Hastings-on-Hudson will celebrate its 100th anniversary.

Originally incorporated on August 19, 1899, by 30 charter members, the company has faithfully served the Hastings community by protecting the lives and property of their neighbors for nearly a full century.

Fire departments are one of our most vital organizations protecting the safety of a community and its citizens. Each year, throughout our Nation, fire kills over 6,000 people, injures about 28,000 people, and destroys more than 7 billion dollars' worth of property. Without the services that institutions such as the Uniontown Hose Fire Co. provide, these numbers would be even higher and the threat of fire to Americans could be even more severe. Besides fighting fires, our volunteer firemen are involved in fire prevention and safety as well a providing first aide and rescue support in the event of major disasters. The protection the men and women of Uniontown Hose have furnished to the community of Hastings-on-Hudson over their many years of service is worthy of commendation, for its is their devoted work that helps make our neighborhoods safer and more secure.

Mr. Speaker, I invite my colleagues to join me in congratulating the Uniontown Hose Fire Co. on its 100th anniversary and extending our best wishes to its officers and members for another 100 years of service.

TRIBUTE TO ROSLYN G. MORRIS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. ESHOO. Mr. Speaker, I rise today to honor Roslyn G. Morris, an extraordinary woman and my constituent of Atherton, CA,

who will be presented the Leading Citizens Award by the Boys & Girls Club of the Peninsula on Wednesday, April 21, 1999.

Roslyn Morris has a distinguished volunteer resume. Described by friends as ''quietly loving and giving'', Roslyn Morris is often found behind the scenes working diligently on causes important to her. Initially on the Board of the Florence Crittendon Home, she was a founding member of the Peninsula Children's Charter Auxiliary. Her deep commitment to Peninsula Volunteers (PV) led her to serve as President of the Board of Directors in 1980. In 1995, the newly renovated PV Senior Center Little House was named in her honor.

Roslyn Morris is actively involved with the Museum of Modern Art in San Francisco. She recently assisted with the opening of the new Iris & Gerald Cantor Center for the Visual Arts at Stanford University.

Roslyn and her husband of almost 50 years, Mervin, also being honored by the Boys & Girls Club, have 4 loving children and 12 beautiful grandchildren.

Very importantly, Mr. Speaker, Roslyn Morris' example of excellence has inspired others to provide opportunities for achievement, especially for the young and particularly, for those who come from disadvantaged circumstances.

Mr. Speaker, Roslyn Morris is a woman of outstanding character and I salute her for her remarkable contributions to our country and our community. I ask my colleagues to join me in honoring her as she is being named a Leading Citizen by the Boys & Girls Club of the Peninsula. No one deserves this more.

ALAMANCE COUNTY, N.C.'s SESQUICENTENNIAL CELEBRATION

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. BURR of North Carolina. Mr. Speaker, I rise today to honor and congratulate Alamance County, North Carolina for its upcoming 150th Anniversary. Alamance County's charter was granted on April 24, 1849, but its rich history goes back much farther. The area was first an important crossroads on the well-known Indian Trading Path which connected villages in eastern Virginia, South Carolina, and eastern North Carolina. This path became an important avenue for trade and migration in the new colony, and it helped bring Alamance County's first European settlers—English and Irish Quakers, Scotch-Irish Presbyterians, and German Lutherans. Most of these settlers traveled many miles from Pennsylvania and northern Virginia to make Alamance County their home, and their legacy lives on today. The Cane Creek Meeting, established in 1751, is the oldest active Quaker meeting in North Carolina, and Hawfields Presbyterian Church, established in 1755, is the oldest Presbyterian Church in the county.

A desire for freedom has always been deeply ingrained in the people of Alamance County. As a result of their frustration with land tenure problems, inequitable taxation, and inadequate representation in the colonial General Assembly, many of the county's residents joined the Regulator Movement—established to protest corrupt and inefficient county courts. The hostilities between the Regulators and the colonial government escalated into general insurrection and climaxed when Royal Governor William Tryon quelled the uprising by mustering a 1,000-man militia and defeating the Regulators on May 16, 1771 in the Battle of Alamance. While the county's loyalties were split early in the American Revolution, Alamance County played a key role in America's independence. General John Butler, a Swepsonville resident and one of our country's most distinguished Revolutionary War soldiers, led patriot troops in the battle of Moore's Creek Bridge and was later elected Brigadier General of the Hillsborough District. Moreover, Pyle's Massacre, a major American victory, occurred in Alamance County four miles west of the town of Graham.

Before Alamance County's charter was granted in 1849, the area was part of Orange County. Residents of the section of Orange County west of the Eno River, however, felt removed from the county seat of Hillsborough, and in January, 1849, one of Orange County's Representatives in the General Assembly introduced legislation creating Alamance County. Separate legislation introduced at the same time established Graham (named after Governor William A. Graham) as the Alamance County Seat. On April 19, 1849, the residents of Orange County approved the creation of Alamance County by a narrow margin, and five days later, on April 24, 1849, Alamance County's Charter was granted—the event we will celebrate next Saturday.

Since its establishment, Alamance County has had a strong and growing economy. In 1856, the North Carolina Railroad was completed. Running from Goldsboro to Charlotte, the railroad spurred great economic growth in the county. Because of the efforts of Benjamin Trollinger and Edwin M. Holt (local mill owners and members of the railroad's board of directors), the North Carolina Railroad was run through the middle of Alamance County, and the railroad's repair and maintenance shops were located near Graham at Company Shops. In 1887, Company Shops' name was changed to Burlington which is now the county's largest municipality.

The presence of the railroad was also a blessing to the county's emerging textile industry. Within a short period, many new mills opened, including Alamance County's most successful textile operation—the Alamance Cotton Mill. Established by Edwin Michael Holt on the site of his father's grist mill on Alamance Creek, Alamance Cotton Mill contributed greatly to the prominence of the southern textile industry when it became the first mill south of the Potomac River to produce commercially dyed cotton plaids—known as Alamance plaids. The success of the mill enabled the Holt family's business to grow and include 22 mills in Alamance County alone. Some of these mill holdings would later be consolidated into the multinational corporation Burlington Industries. Today, the textile industry continues to be a major source of the county's economic growth and stability.

Mr. Speaker, after 150 years, Alamance County exemplifies the best attributes of a rural county. Its people have worked hard to develop its economy and community—all while preserving its heritage and culture. It is a friendly place where people still stroll the sidewalks in the evening and greet friends and strangers with a smile. I am proud to have Alamance County in my district, and I wish them success and happiness for the next 150 years.

THE DEATH TAX ELIMINATION ACT

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. SANDLIN. Mr. Speaker, I rise today to introduce legislation that will improve the prospects of every family-owned and operated farm, ranch, and business in America. These small family farms and businesses are the backbone of the Texas economy, and the estate tax, often called the death tax, threatens their continued existence. It is time to end this tax—and my bill does just that.

The U.S. Department of Agriculture estimates that farmers' and ranchers' estates are six times more likely to face estate taxes than others' estates. In my travels around the 19 counties of the First Congressional District, evidence of the accuracy of this estimation pours forth. At nearly every stop I make, I hear horror stories from family members who were forced to sell all or part of the family farm just to pay estate taxes.

The death tax represents one percent of the Federal tax revenues. However, the impact to the taxpayers is far from insignificant. Not only does this punitive tax cause financial problems for families who are forced to sell property that has been in the family for generations or businesses built over a lifetime, but also local economies feel the impact as jobs disappear and businesses close. Clearly, the social and economic costs of the estate tax far outweigh the revenue it provides for the federal government.

The time has come to end this ill conceived tax. The tax that was originally intended to break up huge family estates now inhibits the passage of 70 percent of family businesses from one generation to the next. Two years ago, we took meaningful steps to reduce the burden of death taxes on family farms and small businesses in the Taxpayer Relief Act of 1997. The next step is to completely eliminate it and free families from this burden forever.

AMERICAN SOCIETY OF TRANSPLANTATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. ANDREWS. Mr. Speaker, as we approach National Organ and Tissue Donor Awareness Week, April 18–24, I rise today to recognize the American Society of Transplantation, an organization comprised of 1,400

transplant physicians, surgeons, and scientists actively engaged in the research and practice of transplantation medicine and immunobiology and represents the majority of professionals in the field of transplantation in the United States. AST members play a critical role in the management of transplant patients from the onset of end-stage disease to post-transplantation are involved in basic research that translates from ''bench to bedside,'' improving the care of transplant patients.

The 1999 National Donor Recognition Ceremony, sponsored by the Health Resources and Services Administration (HRSA), will kick-off the week's activities that will be promoting organ and tissue donation and celebrating donors. AST's President, John F. Neylan, MD will be a speaker at this event along with U.S. Surgeon General, David Satcher, MD, PhD. Similar events will be taking place around the country next week. Organ procurement agencies, transplant centers and transplant-related organizations across the nation will sponsor activities with a donation theme ranging from health fairs to sporting events. Donor memorial services and transplant recipient reunions will take place to celebrate and recognize those individuals who have given the ultimate gift . . . ''the Gift of Life.''

As a strong supporter of medical research, I commend the AST, headquartered in my district, for their dedication and commitment to research, education, advocacy and patient care in transplantation science and medicine. These dedicated physicians are integral members of the ''transplant team'' and in many cases, are the directors of their transplant program.

Through the work of AST, the transfer of information to the transplant clinics from basic science laboratories will lead to new scientific advances and improvements in patient care. Next month, AST will be holding their 18th Annual Scientific Meeting which will attract an international attendance to the city of Chicago and will feature the cutting edge science that is opening new frontiers in transplantation medicine and immunobiology. AST members assist in providing the ''Gift of Life'' and I commend them for their contributions to our society's health care.

THE CARING FOR AMERICA'S CHILDREN ACT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GILMAN. Mr. Speaker, today I am introducing the Caring for America's Children Act, in an effort to effectively stimulate the demand for higher quality care for our Nation's children while stimulatenously removing barriers and providing resources to improve the quality of child care in the United States.

Child care continues to be a worry for most families as stories continue to surface about the lack of quality child care. Moreover, research has clearly demonstrated that a high-quality child care program is one that makes the healthy development and education of children its first objective and strives to stimulate the learning process of all children through developmentally appropriate activities that foster social, emotional, and intellectual growth. In addition, families in today's society are increasingly required to have both parents enter the work force. Accordingly, the demand for quality child care is increasing as is the need for credentialed and accredited child care providers.

Accordingly, this act will stimulate the demand for higher quality child care for our Nation's children while simultaneously removing barriers and providing resources to improve the quality of child care in the United States.

Many of my colleagues may have read about the tragic circumstances surrounding the Fiedelhotz family in Florida. The son Jeremy died after only 2 hours at a day care facility. Though this tragedy should have never happened, it is an unfortunate example of what can and may continue to happen unless we encourage and inform all parents about the need for accredited and credentialed child care providers and facilities.

Caring for America's Children Act through the Tax Code will encourage the demand for accredited or credentialed child care. This will be accomplished in the following manner: First, by increasing the amount which an employee can contribute to a dependent care assistance plan if a child is in accredited or credentialed child care; second, changing the dependent care tax credit to allow parents to receive a higher and more equitable dependent day care credit; third providing tax benefits for employees which provide quality child care; fourth, extending eligibility for businesses to take a qualified charitable deduction for the donation of educational equipment and materials to public schools, accredited or credentialed nonprofit child care providers; fifth, establishing a $260 million competitive grant program to assist States in improving the quality of child care; sixth, expanding public information and technical assistance services to identify and disseminate to the public what is important for child development in child care; seventh, providing $50 million to create and operate a technology-based training infrastructure to enable child care providers nationwide to receive the training, education, and support they need to improve the quality of child care; eighth, creating a child care training revolving fund to enable child care providers and child care support entities to purchase computers, satellite dishes, and other technological equipment which enable them to participate in the child care training provided on the national infrastructure; and ninth, requiring that all Federal child care centers will have to meet all State and local licensing and other regulatory requirements related to the provision of child care, within 6 months of the passage of this legislation.

I want to urge all of my colleagues to review this bill and to consponsor this important bill. Our children are our future and we must insist that they receive the best care possible, especially during their early development years.

Accordingly, I urge your support.

CONGRATULATING PETER AND FRANCES KENDALL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate J. Peter Kendall, mayor of Oakland, New Jersey, and his wife, ''Fran,'' on being chosen as the recipients of the 1999 West Bergen Mental Healthcare's Distinguished Service Award. Mayor and Mrs. Kendall have given many years of exemplary public service to their community, both in the field of mental health and otherwise. This honor is certainly well deserved, and today I wish to add the recognition of the United States House of Representatives to that which they have received from West Bergen Mental Healthcare.

Over the years, the Kendalls have been strong advocates of affordable mental health services for families in their community. Together, they have been actively involved with West Bergen Mental Healthcare in numerous ways, contributing generously of their time and talents.

Mrs. Kendall has adopted ''doing for others'' as a personal philosophy. She divides her time between community service, her family and neighbors, a great talent for art and a never-ending interest in politics, people and participation. In 1994, her commitment to Oakland was recognized when she was chosen as the Oakland Women's Club as Woman of the Year. Fran has truly been a close, supportive friend to the community and all who know her.

An awarding-winning artist, Mrs. Kendall has been honored at numerous art shows, including the CAA Interstate Show, the CAA National Juried Art Show, the Urban Farms Art Show, the Mid-Atlantic Juried Art Show and many others. Her work ''displays a highly individualized sense of color'' and has been featured in galleries throughout the area as well as in numerous corporate shows and private homes in the United States and abroad. Mrs. Kendall is actively involved in community activities including Oakland's 300th anniversary, ''First Night Oakland,'' and the Bergen County Women's Republican Club among others.

When the New Jersey Conference of Mayors chose Mayor Kendall as the 1998 Mayor of the Year, they acknowledged a treasure long recognized by the people of Oakland. Currently serving his second four-year term as mayor and in this 14th year of elected office in Oakland, Mayor Kendall is a dedicated public servant. Whether it is in the political, social, economic or family arena, no task is too great or too small.

Mayor Kendall has brought his successful business experience to the benefits of Oakland, stabilizing taxes, reducing municipal staff, directing improvement projects, preserving open spaces and spearheading the building of the Oakland Senior Citizens Center. He is the chairman of the 300 anniversary celebration, initiated the ''First Night Oakland'' event and many others. Whether he is playing in a softball game to raise money for a sick child, working with students at Valley Middle School or playing Santa Claus, he is always there to help. In every way, Mayor Kendall has

brought the people of Oakland together as a community and family.

Mayor Kendall and I have worked together on many local projects over the years and he has always provided me with sound advice and counsel, and authoritative information.

The Kendalls have lived in Oakland 22 years and have three sons—John, Mark and Sean. John and his wife, Carla, have two sons, Christopher and Peter, while Mark and his wife, Rose, have three children, Biancia, Dalton and Madisyn.

Peter and Fran Kendall are hard-working, dedicated public servants. Their efforts to improve the quality of life in their community are exemplary. Their dedication and generosity are known throughout Northern New Jersey. They are true friends to all the people all the time.

RECOGNITION OF CATHEDRAL HIGH SCHOOL BOYS VARSITY FOOTBALL AND GIRLS VARSITY SOCCER

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to recognize the accomplishments of the Boys Varsity Football team and the Girls Varsity Soccer team of Cathedral High School in Springfield, Massachusetts. Their two teams demonstrated superb athletic excellence and great character in the fall season of 1998. Their exploits bring pride and joy to the City of Springfield and the many alumni of Cathedral High School. Their accomplishments deserve our recognition.

The Cathedral High School Football team has a long and proud tradition. Undefeated seasons can be traced back to the 1930's. The Cathedral Football legacy includes the first Notre Dame player to win the Heisman Trophy, Angelo Bertelli. Mr. Bertelli was a member of Cathedral's 1939 undefeated squad. Another legendary graduate is Nick Buoniconti, a co-captain at Notre Dame and member of the back-to-back Super Bowl Champion Miami Dolphins of 1973-74. Mr. Buoniconti was a member of the 1955 undefeated Cathedral Panthers.

The Cathedral Football team of 1998 capped an 11-0 season with the Western-Central Massachusetts Super Bowl Championship. Third year Head Coach Matt Ballard, and Assistants Tom Sheehan, Stefan Davis, and Greg Gebo, led a senior-laden squad back to the heights first reached by the likes of Bertelli and Buoniconti. Although the 1998 team was led by upperclassmen, Coach Ballard is looking forward to the return of 27 of his Champions next year.

The members of the 1998 Super Bowl Champion Cathedral High School Football team are: Seniors: Michael Buoniconti, Timothy Dean, Phillip Gervais, Bartholomew "B.J." Lawlor, Anthony Luvera, Christian McCollum, Christopher McDonald, Timothy McDaid, William Ostiguy, Bryan Picard, Michael Rivard, Jeffrey Santiago, Samuel Scott, Justin Simmions, Shawn Torres, and William Torres; Juniors: Vincente Buoniconti, Brett Cook, Sean Cox, Richard Cummings, Daniel Keyes, Jonathon Koldys, Derick Lamoureux, Taren Latta, Michael Martin, Brendan McDonald, John Piascik, and Matthew Yvon; Sophomores: George Bahlke, Michael Britt, Joseph Camerota, Shaun Carpenter, Michael Christman, Benjamin Dagenais, Matthew Gendron, Brandon Jones, Joseph Luvera, Timothy Manning, Jonathon Miller, Michael Ojunga, Devon Robinson, Steven Snow, and Liam Walsh.

The accomplishments of the Cathedral High School Girls Soccer team are no less impressive. For the third straight year, the team was led by Head Coach Larry Kelly and Assistant Coach Laura Wray. Over these three years, the Panthers have amassed a record of 49-4-7 and three straight Western Massachusetts Championships.

The 1998 team finished the season 21-2, ranker #12 in the nation, and became Massachusetts State Co-Champions with the #1 team in the nation, Winchester High School. The Panthers scored 115 goals, while letting in only 10. The girls were named a High School Academic All-America Team and Senior Mary McVeigh was named All-America, and Gatorade Player of the Year for Massachusetts. Although the 1998 squad was led by an extremely skillful group of seniors, Coach Kelly expects his tenacious underclasswomen to be ready for the challenges of 1999.

The members of the 1998 Massachusetts State Co-Champion Cathedral Girls Soccer team are: Seniors: Kathryn Crisostomo, Lauren Downey, Casey Fitzgerald, Alison, LaMontagne, Christine LaValley, Cindy Lilly, Mary McVeigh, Melanie Mucha, Maura Neal, and Melissa Rowe; Juniors: Jamie Athas, Carissa Caulfield, Cathrine Kirwan-Avila, Katie Leydon, Kelly Quinn, Kady Robbins, Vanessa Saundars, Annie Tudryn; Sophomores: Jessica Bain, Kara Downey, Cristin Goodwin, Michelle Jette, Toni Pantuosco, Nicole Scibelli, Crystal Stanton, and Jenn Woytowicz; and first year student Shannon Donnelly.

INTRODUCTION OF THE PERSONAL INFORMATION PRIVACY ACT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KLECZKA. Mr. Speaker, information on the most personal aspects of our lives continues to be spread across the landscape. Once taken for granted, our wall of privacy is crumbling.

Today, I am re-introducing the Personal Information Privacy Act. This legislation attempts to restore some control over the use of our personal information. The bill prevents credit bureaus from giving out Social Security numbers and prohibits the sale or purchase of any information that includes anyone's Social Security number unless they have written consent to do so.

A merchant who requires a Social Security number on a check used for a purchase or a cable company who demands a Social Security number on an application for service will be prohibited from such practices or be charged with an unfair and deceptive business violation.

Further, this bill prohibits any state department of motor vehicles from selling drivers' photographs and drivers lists containing Social Security numbers. In addition, marketers will not be able to sell consumers' purchasing experiences or credit transactions without prior approval.

This bill also provides for civil and criminal penalties for violations. The criminal penalties are now possible because of action taken in the 105th Congress. Last year, Congress passed the Identity Theft and Assumption Deterrence Act, which, for the first time, criminalizes identity theft. Finally, victims of identity theft have a means to prosecute those who assume their identities and ruin their credit histories. While I am pleased that this legislation, which I cosponsored, was signed into law by President Clinton, I feel that further action is needed. We must pass legislation to prevent these crimes from occurring.

This legislation is necessary because anyone's personal information is easily accessible, be it through the presentation of false identification or through the internet. The information can be as innocuous as a name, address, and phone number or as intrusive as a detailed summary of personal finances, including bank account balances and investment portfolios.

One of the main reasons information is so accessible is that a person's Social Security number has become a personal identifier. Many private entities, from doctors to universities, now follow the example of the federal government by using the SSN as an identifier.

Recently, the Government Accounting Office completed a report that states "No single federal law regulates the overall uses of SSNs." It further notes that "Businesses and governments are not limited to using SSNs for purposes required by federal law." Consequently, requiring a person's SSN, the key to a wealth of personal information, as a condition of doing business is now common practice.

Mr. Speaker, this legislation is designed to curtail the rampant invasion of our privacy. What we buy and where we buy it is no one's business but our own. And, the unauthorized use and abuse of our Social Security number must stop. I urge all of my colleagues to cosponsor and support this legislation.

SECTION 1. SHORT TITLE

The title of this Act is the "Personal Information Privacy Act of 1999."

SECTION 2. CONFIDENTIAL TREATMENT OF CREDIT HEADER INFORMATION

Section 2 would add a sentence to § 603(d) of the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681a(d), which defines the term "consumer report" for purposes of the FCRA. The team currently means, essentially, any communication of information by a consumer reporting agency about a consumer that is used or expected to be used as a factor in establishing the consumer's eligibility for credit, insurance, employment, or for any other legitimate business purpose. Under § 604 of the FCRA, 15 U.S.C. § 1681b, a consumer reporting agency may not furnish a consumer report except for specified purposes. The new sentence that § 2 would add to the definition of

''consumer report'' provides: ''The term also includes any other identifying information of the consumer, except the name, address, and telephone number of the consumer if listed in a residential telephone directory available in the locality of the consumer.'' If this new sentence becomes law, then consumer reporting agencies would be prohibited from disclosing such identifying information except for a purpose specified in § 604.

SECTION 3. PROTECTING PRIVACY BY PROHIBITING USE OF THE SOCIAL SECURITY NUMBER FOR COMMERCIAL PURPOSES WITHOUT CONSENT

This section would add a new section to the general administrative provisions of Title 11 of the Social Security Act, 42 U.S.C. §§ 1301 et seq., prohibiting persons from buying or selling any information that includes an individual's social security account number (''SSN''), without the written consent of the individual. In addition, no person may use an individual's SSN for identification purposes without the written consent of the individual. In order for consent to be valid, the person desiring to use an individual's SSN must inform the individual of all the purposes for which the SSN will be utilized, the persons to whom the number will be known, and obtain the individual's consent in writing.

These new prohibitions would not affect any statutorily authorized uses of the SSN under § 205(c)(2) of the Social Security Act, 42 U.S.C. § 405(c)(2) (SSN used for Social Security wage records, and for various enumerated purposes by federal agencies and state and local governments), § 7(a)(2) of the Privacy Act of 1974 (5 U.S.C. 552a note) (authorizing state and local governments to require disclosure of an individual's SSN if required by federal law or if the required disclosure was pursuant to a system of records in effect prior to January 1, 1975), or 26 U.S.C. § 6109(d) (an individual's SSN is used for all identifying purposes specified in the Tax Code).

Individuals are authorized to bring a civil action seeking equitable relief and damages in a U.S. District Court for violations of this section. Damages may include the greater of actual damages or liquidated damages of $25,000, or, in case of a willful violation resulting in profit or monetary gain, $50,000. The court may assess, against the respondent, reasonable attorney's fees and other litigation costs in cases where an individual prevails. A statute of limitation of 3 years is provided. The remedies provided by this section are in addition to any other lawful remedies available to an individual.

The Commissioner of Social Security is authorized to assess a civil money penalty of not more than $25,000 for each violation of this section, or in the case of violations found to constitute a general business practice, not more than $500,000. The enforcement procedures for civil money penalties are the same as set forth in section 1128A of the Social Security Act, 42 U.S.C. § 1320a–7a(d), (e), (g), (k), (l) and the first sentence of (c). These set forth the criteria for determining the amount of the civil penalty, the investigation and injunction authority of the Commissioner, and courts of appeals review of civil money penalty determinations. Also applicable are the provisions of section 205(d) and (e) of the Social Security Act, 42 U.S.C. § 405(d) and (e), which authorize the Commissioner of Social Security to issue subpoenas during investigations, and provide for judicial enforcement of such subpoenas.

The Commissioner of Social Security is directed to coordinate enforcement of the provisions of this section with the Justice Department's enforcement of criminal provisions relating to fraudulent identification documents, and with the Federal Trade Commission's jurisdiction relating to identity theft violations.

The provisions of this section do not preclude state laws relating to protection of privacy that are consistent with this section. The effective date of this section would be two years after enactment of this bill.

If a person refuses to do business with an individual because the individual will not consent to disclosure of this or her SSN, then such refusal will be considered an unfair or deceptive act of practice under section 5 of the Federal Trade Commission Act (15 U.S.C. § 45). The Commission may issue a cease and desist order, violation of which is subject to civil money penalties of up to $10,000 per violation.

SECTION 4. RESTRICTION ON USE OF SOCIAL SECURITY NUMBERS BY STATE DEPARTMENTS OF MOTOR VEHICLES

18 U.S.C. § 2721(b) sets forth permissible uses of personal information obtained by a state department of motor vehicles. This section provides that, with respect to the SSN of an individual, such personal information may only be disclosed to a government agency, court or law enforcement agency in carrying out its functions to the extent permitted or required under section 205(c)(2) of the Social Security Act, 42 U.S.C. § 405(c)(2), section 7a(2) of the Privacy Act of 2974, 5 U.S.C. § 552a note, section 6109(d) of the Internal Revenue Code, or any other provision of law specifically identifying such use. This section would also prohibit the disclosure of SSNs by state departments of motor vehicles for bulk distributions for surveys, marketing or solicitations purposes.

SECTION 5. RESTRICTION ON USE OF PHOTOGRAPHS BY STATE DEPARTMENTS OF MOTOR VEHICLES

Section 5(a) would add a new subsection to 18 U.S.C. § 2721, which currently generally prohibits the release of certain personal information from state motor vehicle records. This new subsection would prohibit the release of an individual's photograph, in any form or format, by a state department of motor vehicles without the express written consent of the individual. An exception would be permitted for disclosure of an individual's photograph to a law enforcement agency of any government for a civil or criminal law enforcement activity if authorized by law and pursuant to a written request.

Section 5(b) would make technical amendments to 18 U.S.C. § 2721(a) and (b) to conform that section to the new provisions added by this section. It would also amend 18 U.S.C. § 2722(a) to reference the new subsection (e) added by this section.

SECTION 6. REPEAL OF CERTAIN PROVISIONS RELATING TO THE CONSUMER REPORTS IN CONNECTION WITH CERTAIN TRANSACTIONS NOT INITIATED BY THE CONSUMER

Section 6(a) would amend § 604(c) of the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681b(c), which governs prescreening to determine a consumer's eligibility for credit or insurance. Prescreening is a practice whereby a user of consumer reports, such as a lender or insurer, contacts a consumer reporting agency without having received an application for credit or insurance from a particular consumer. The user might submit a list of names and ask the agency to identify persons on he list who meet criteria that the user specifies. Or it might ask the consumer reporting agency to create its own list based on the user's criteria. Section 604(c) currently prohibits prescreening, except in two situations, to determine a consumer's eligibility for credit or insurance. It prohibits, in other words, except in two situations, a consumer reporting agency from furnishing a report on a consumer who has not applied for credit or insurance.

The two situations in which it permits prescreening are when: (1) the consumer authorizes the consumer reporting agency to provide the report, or (2) the lender or insurer will make a firm offer to the consumer if prescreening shows the consumer eligible for credit or insurance, and the consumer has not previously asked to be excluded from prescreening done by the consumer reporting agency. Section 6(a) would, in effect, prohibit presceening in connection with credit and insurance except when authorized by the consumer. It would amend § 604(c)(1) to provide that a consumer reporting agency would be permitted to furnish a consumer report in connection with a ''credit or insurance transaction that is not initiated by consumer only if the consumer provides express written authorization in accordance with paragraph (2). . . .'' ''Paragraph (2)'' refers to § 604(c)(2) of the FCRA, which would be rewritten by § 6(b) of the bill.

Section 6(b) would rewrite § 604(c)(2) to provide: ''No authorization referred to in paragraph (1) [§ 604(c)(1)] with respect to any consumer shall be effective unless the consumer received a notice before such authorization is provided which fully and fairly discloses, in accordance with regulations which the Federal Trade Commission and the Board of Governors of the Federal Reserve System shall jointly prescribe, what specifically is being authorized by the consumer and the potential positive and negative effects the provision of such authorization will have on the consumer.'' The regulations would have to require that the notice be prominently displayed on a separate document or, if the notice appears on a document with other information, that it be clear and conspicuous.

Section 6(c) would repeal the provision, mentioned above, that allows consumers to exclude themselves from prescreening lists. The provision would be unnecessary if prescreening were prohibited except when a consumer had authorized it.

SECTION 7. SALE OR TRANSFER OF TRANSACTION OR EXPERIENCE INFORMATION PROHIBITED

Section 7(a) would add a new § 626 to the FCRA. New § 626(a) would provide: ''No person doing business with a consumer may sell, transfer, or otherwise provide to any other person, for the purpose of marketing such information to any other person, any transaction or experience information relating to the consumer, without the consumer's express written consent.'' A consumer's consent would not be

required for the sale, transfer, or provision of transaction or experience information for a purpose other than marketing.

New § 626(b) would define ''transaction or experience information'' as ''any information identifying the content or subject of 1 or more transactions between the consumer and a person doing business with a consumer. . . .'' Section 626(c) would allow six exceptions, where a consumer's consent would not be required for the provision of transaction or experience information: (1) communications ''solely among persons related by common ownership or affiliated by corporate control,'' (2) information provided pursuant to court order or federal grand jury subpoena, (3) ''[i]nformation provided in connection with the licensing or registration by a government agency or department, or any transfer of such license or registration, of any personal property bought, sold, or transferred by the consumer,'' (4) ''[i]nformation required to be provided in connection with any transaction in real estate,'' (5) ''[i]nformation required to be provided in connection with perfecting a security interest in personal property,'' and (6) ''[i]nformation relating to the amount of any transaction or any credit extended in connection with a transaction with a consumer.''

Section 7(b) would make a technical amendment to § 603(d)(2)(A) of the FCRA to ensure that it does not conflict with new § 626, and § 7(c) would make a clerical amendment to add a reference to new § 626 to the table of sections for the FCRA.

IN RECOGNITION OF THE CANTON HIGH SCHOOL MARCHING BAND'S INTERNATIONAL COMPETITION CHAMPIONSHIP IN DUBLIN, IRELAND

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. HALL of Texas. Mr. Speaker, I rise today to acknowledge and honor the latest achievement of a wonderful group of young men and women from my district—the Canton, Texas, Mighty Eagle High School Band. Just last month, on St. Patrick's Day, I came before the House to honor the numerous awards and recognitions that have been bestowed upon these youngsters. In addition, I wanted to publicly acknowledge them for being chosen to represent the State of Texas in Dublin, Ireland, on St. Patrick's Day, for that city's St. Patrick's Day Parade.

Mr. Speaker, not only did the Canton High School Band go to Dublin, Ireland to perform, but they won the international competition by winning the event's top prize. The Eagle Band ''wowed'' the five member international judging panel with its rendition of ''Festive Overture'' by Demitri Shostakovich. For its winning performance, the Eagle Band was recognized by Dublin Lord Mayor, Joe Doyle, with the parade competition championship trophy.

Playing before crowds of people and ambassadors from France, Russia, Argentina, England and Germany, the Canton Band proudly represented their home town, the State of Texas and the United States. As we adjourn today, let us do so in honor of the Canton Mighty Eagle Band and their latest achievement.

NOBEL LAUREATE ELIE WIESEL TEACHES ABOUT THE TRAGEDY OF INDIFFERENCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. LANTOS. Mr. Speaker, few Americans more epitomize the nobility of America's moral strength than Dr. Elie Wiesel, the 1986 recipient of the Nobel Peace Prize and a survivor of the Holocaust. Elie has devoted his life to ensuring that the tragedy of his youth is never again repeated. His passionate and unyielding defense of human rights is a model to all of us.

Last Monday night, Elie Wiesel spoke at the White House at a Millennium Evening Forum including President and Mrs. Clinton and an audience of distinguished guests. His speech—''The Perils of Indifference: Lessons Learned From A Violent Century''—eloquently describes the most lasting moral peril of the Holocaust nightmare: the apathy of those who sat silently while millions were slaughtered by Nazi Germany. As reports of Hitler's atrocities mounted during the late 1930's and early 1940's, corporations continued to conduct business with the Third Reich, refugees were denied admission to a host of nations, tragically including to the United States, and free peoples refused to act to stop Hitler's killing machine.

Without such passive disregard for human life, many of the six million victims of the Holocaust might have lived. ''In a way, to be indifferent to that suffering is what makes the human being inhuman,'' explained Dr. Wiesel, ''Indifference, after all, is more dangerous than anger and hatred.''

The reflections of Elie Wiesel are particularly significant given the ongoing war crimes of Slobodan Milosevic and the Serbian government against untold thousands of Kosovar Albanians. Elie acknowledged the undeniable moral character of NATO's military campaign against these outrageous human rights atrocities, and he pointed out the sharp contrast with the world's reaction during the Holocaust: ''This time, the world was not silent. This time, we do respond. This time, we intervene.''

Mr. Speaker, Elie Wiesel is right. America must remain committed to military campaign to help the suffering Albanian victims of Milosevic's brutal campaign of ethnic cleansing in Kosova. We must also maintain our commitment to fight against human rights abuses throughout the world.

Dr. Elie Wiesel is the Andrew W. Mellon Professor in the Humanities at Boston University. In addition to the Nobel Peace Prize, he has been awarded the Presidential Medal of Freedom, the United States Congressional God Medal, and the Medal of Liberty Award. Elie's talents as a teacher, author, and orator have enlightened generations of students and citizens for nearly five decades.

Mr. Speaker, as we mark the Days of Remembrance this week, I urge my colleagues to read carefully the thoughtful reflections of Dr. Elie Wiesel.

THE PERILS OF INDIFFERENCE: LESSONS LEARNED FROM A VIOLENT CENTURY, REMARKS AT MILLENNIUM EVENING, THE WHITE HOUSE, APRIL 12

Mr. WIESEL. Mr. President, Mrs. Clinton, members of Congress, Ambassador Holbrooke, Excellencies, friends: Fifty-four years ago to the day, a young Jewish boy from a small town in the Carpathian Mountains woke up, not far from Goethe's beloved Weimar, in a place of eternal infamy called Buchenwald. He was finally free, but there was no joy in his heart. He thought there never would be again.

Liberated a day earlier by American soldiers, he remembers their rage at what they saw. And even if he lives to be a very old man, he will always be grateful to them for that rage, and also for their compassion. Though he did not understand their language, their eyes told him what he needed to know—that they, too, would remember, and bear witness.

And now, I stand before you, Mr. President—Commander-in-Chief of the army that freed me, and tens of thousands of others—and I am filled with a profound and abiding gratitude to the American people.

Gratitude is a word that I cherish. Gratitude is what defines the humanity of the human being. And I am grateful to you, Hillary—or Mrs. Clinton—for what you said, and for what you are doing for children in the world, for the homeless, for the victims of injustice, the victims of destiny and society. And I thank all of you for being here.

We are on the threshold of a new century, a new millennium. What will the legacy of this vanishing century be? How will it be remembered in the new millennium? Surely it will be judged, and judged severely, in both moral and metaphysical terms. These failures have cast a dark shadow over humanity: two World Wars, countless civil wars, the senseless chain of assassinations—Gandhi, the Kennedys, Martin Luther King, Sadat, Rabin—bloodbaths in Cambodia and Nigeria, India and Pakistan, Ireland and Rwanda, Eritrea and Ethiopia, Sarajevo and Kosovo; the inhumanity in the gulag and the tragedy of Hiroshima. And, on a different level, of course, Auschwitz and Treblinka. So much violence, so much indifference.

What is indifference? Etymologically, the word means ''no difference.'' A strange and unnatural state in which the lines blur between light and darkness, dusk and dawn, crime and punishment, cruelty and compassion, good and evil.

What are its courses and inescapable consequences? Is it a philosophy? Is there a philosophy of indifference conceivable? Can one possibly view indifference as a virtue? Is it necessary at times to practice it simply to keep one's sanity, live normally, enjoy a fine meal and a glass of wine, as the world around us experiences harrowing upheavals?

Of course, indifference can be tempting—more than that, seductive. It is so much easier to look away from victims. It is so much easier to avoid such rude interruptions to our work, our dreams, our hopes. It is, after all, awkward, troublesome, to be involved in another person's pain and despair. Yet, for the person who is indifferent, his or her neighbor are of no consequence. And, therefore, their lives are meaningless. Their hidden or even visible anguish is of no interest. Indifference reduces the other to an abstraction.

Over there, behind the black gates of Auschwitz, the most tragic of all prisoners were the ''Muselmanner,'' as they were called. Wrapped in their torn blankets, they would sit or lie on the ground, staring vacantly into space, unaware of who or where they were, strangers to their surroundings. They no longer felt pain, hunger, thirst. They feared nothing. They felt nothing. They were dead and did not know it.

Rooted in our tradition, some of us felt that to be abandoned by humanity then was not the ultimate. We felt that to be abandoned by God was worse than to be punished by Him. Better an unjust God than an indifferent one. For us to be ignored by God was a harsher punishment than to be a victim of His anger; Man can live far from God—not outside God. God is wherever we are. Even in suffering? Even in suffering.

In a way, to be indifferent to that suffering is what makes the human being inhuman. Indifference, after all, is more dangerous than anger and hatred. Anger can at times be creative. One writes a great poem, a great symphony, have done something special for the sake of humanity because one is angry at the injustice that one witnesses. But indifference is never creative. Even hatred at times may elicit a response. You fight it. You denounce it. You disarm it. Indifference elicits no response. Indifference is not a response.

Indifference is not a beginning, it is an end. And, therefore, indifference is always the friend of the enemy, for it benefits the aggressor—never his victim, whose pain is magnified when he or she feels forgotten. The political prisoner in his cell, the hungry children, the homeless refugees—not to respond to their plight, not to relieve their solitude by offering them a spark of hope is to exile them from human memory. And in denying their humanity we betray our own.

Indifference, then, is not only a sin, it is a punishment. And this is one of the most important lessons of this outgoing century's wide-ranging experiments in good and evil.

In the place that I come from, society was composed of three simple categories: The killers, the victims, and the bystanders. During the darkest of times inside the ghettoes and death camps—and I'm glad that Mrs. Clinton mentioned that we are now commemorating that event, that period, that we are now in the Days of Remembrance—but then, we felt abandoned, forgotten. All of us did.

And our only miserable consolation was that we believed that Auschwitz and Treblinka were closely guarded secrets; that the leaders of the free world did not know what was going on behind those black gates and barbed wire; that they had no knowledge of the war against the Jews that Hitler's armies and their accomplices waged as part of the war against the Allies.

If they knew, we thought, surely those leaders would have moved heaven and earth to intervene. They would have spoken out with great outrage and conviction. They would have bombed the railways leading to Birkenau, just the railways, just once.

And now we knew, we learned, we discovered that the Pentagon knew, the State Department knew. And the illustrious occupant of the White House then, who was a great leader—and I say it with some anguish and pain, because, today is exactly 54 years marking his death—Franklin Delano Roosevelt died on April the 12th, 1945, so he is very much present to me and to us.

No doubt, he was a great leader. He mobilized the American people and the world, going into battle, bringing hundreds and thousands of valiant and brave soldiers in America to fight fascism, to fight dictatorship, to fight Hitler. And so many of the young people fell in battle. And, nevertheless, his image in Jewish history—I must say it—his image in Jewish history is flawed.

The depressing tale of the *St. Louis* is a case in point. Sixty years ago, its human cargo—maybe 1,000 Jews—was turned back to Nazi Germany. And that happened after the Kristallnacht, after the first state sponsored pogrom, with hundreds of Jewish shops destroyed, synagogues burned, thousands of people put in concentration camps. And that ship, which was already on the shores of the United States, was sent back.

I don't understand. Roosevelt was a good man, with a heart. He understood those who needed help. Why didn't he allow these refugees to disembark? A thousand people—in America, a great country, the greatest democracy, the most generous of all new nations in modern history. What happened? I don't understand. Why the indifference, on the highest level, to the suffering of the victims?

But then, there were human beings who were sensitive to our tragedy. Those non-Jews, those Christians, that we called the ''Righteous Gentiles,'' whose selfless acts of heroism saved the honor of their faith. Why were they so few? Why was there a greater effort to save SS murderers after the war than to save their victims during the war?

Why did some of America's largest corporations continue to do business with Hitler's Germany until 1942? It has been suggested, and it was documented, that the Wehrmacht could not have conducted its invasion of France without oil obtained from American sources. How is one to explain their indifference?

And yet, my friends, good things have also happened in this traumatic century: the defeat of Nazism, the collapse of communism, the rebirth of Israel on its ancestral soil, the demise of apartheid, Israel's peace treaty with Egypt, the peace accord in Ireland. And let us remember the meeting, filled with drama and emotion, between Rabin and Arafat that you, Mr. President, convened in this very place. I was here and I will never forget it.

And then, of course, the joint decision of the United States and NATO to intervene in Kosovo and save those victims, those refugees, those who were uprooted by a man whom I believe that because of his crimes, should be charged with crimes against humanity. But this time, the world was not silent. This time, we do respond. This time, we intervene.

Does it mean that we have learned from the past? Does it mean that society has changed? Has the human being become less indifferent and more human? Have we really learned from our experiences? Are we less insensitive to the plight of victims of ethnic cleansing and other forms of injustices in places near and far? Is today's justified intervention in Kosovo, led by you, Mr. President, a lasting warning that never again will the deportation, the terrorization of children and their parents be allowed anywhere in the world? Will it discourage other dictators in other lands to do the same?

What about the children? Oh, we see them on television, we read about them in the papers, and we do so with a broken heart. Their fate is always the most tragic, inevitably. When adults wage war, children perish. We see their faces, their eyes. Do we hear their pleas? Do we feel their pain, their agony? Every minute one of them dies of disease, violence, famine. Some of them—so many of them—could be saved.

And so, once again, I think of the young Jewish boy from the Carpathian Mountains. He has accompanied the old man I have become throughout these years of quest and struggle. And together we walk towards the new millennium, carried by profound fear and extraordinary hope.

BUILDING TRANSPORTATION ASSETS FOR AMERICA

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mrs. FOWLER. Mr. Speaker, improvements to our nation's state and local infrastructure are necessary and long overdue. Economic growth and vitality hinge on a region's ability to accommodate commercial and commuter traffic both safely and efficiently. I am proud to say that last year's TEA–21 legislation, which I cosponsored, has begun to address these critical transportation needs, through honest, off-budget funding. I rise today to submit for the record an editorial that appeared last month in the Tampa Tribune. This editorial illustrates how local concerns are being met under the new funding formulas.

[From the Tampa Tribune, Mar. 3, 1999]

BUD SHUSTER'S WORDS OF WISDOM

U.S. Rep. Bud Shuster, chairman of the House Transportation and Infrastructure Committee, made a field trip to Tampa the other day to see our port, airport and highways.

There is general agreement here on the importance of air and sea transport, but the community is divided on ground transportation—whether to continue to depend entirely on roads or to augment them with a commuter rail line that would largely follow existing freight rail rights of way.

Shuster's advice: If you can, build rail.

''When you have right of way, you're halfway there,'' he told us. ''Light rail seems to be pretty darn efficient.''

This from a solidly conservative congressman representing a Pennsylvania mountain district that has been Republican since 1860.

Shuster helped deregulate trucking and has consistently pushed to give local governments more say in how federal transportation money is spent. Now up to half the federal gasoline tax revenue in any one category can be diverted to another, which means some highway money can be spent on transit and vice versa. This flexibility gives state and local governments more power, which puts them under more pressure to make intelligent choices.

The new transportation law is sending Florida about $440 million more per year, a sum that partially corrects the old funding formula that for years shortchanged fast-growing states.

Shuster argues convincingly that all federal gasoline taxes should be spent on transportation and that all airline ticket taxes should be spent on aviation improvements. If the money isn't needed, reduce the tax rate. But the money is desperately needed, so Congress should invest it to improve the national economy and public safety.

He dismisses as ill-informed the often repeated criticism that Congress loaded the

latest highway bill with pork. High-priority congressional projects account for 5 percent of the spending, and all those projects required the written support of the state departments of transportation. Even if all these special projects are unnecessarily fat, which they aren't, the remaining 95 percent of the money is going back to state and local governments.

Shuster, a veteran of the endless tug of war over limited revenues, conceded. ''These decisions are not made by angels up in heaven.''

They are made largely by men and women here at the local level, and the better informed they are, the more wisely they will invest tax-payers' money. It should interest them that the neutral advice from conservative Bud Shuster, who is neither campaigning here nor speculating in local real estate, is to seriously consider rail.

ST. ALOYSIUS CENTENNIAL

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Saint Aloysius Church, Wilkes-Barre, Pennsylvania, on the occasion of its Centennial Celebration. I am pleased and proud to bring the history of this fine parish to the attention of my colleagues.

Thirty-four families came to Father Richard McAndrew in 1899 with the request for their own church in South Wilkes-Barre. Father McAndrew petitioned Bishop Hoban for a new parish and on April 29, 1900, the Bishop came to lay the cornerstone for the new church building. As founding pastor, Father McAndrew helped in the first months until the parish's first official pastor was named, Father Thomas Brehony. Father Griffin, who was named as Father Brehony's assistant, later became the church's second pastor.

In 1913, Father McCarthy was installed as the church's third pastor and would serve the parish for thirty-two years. By the end of World War I, the church had outgrown its original building, so a beautiful new gothic church was constructed and dedicated by the Archbishop of Philadelphia in 1927. Father McCarthy continued the expansion with a new rectory in 1938.

When Father McCarthy died and Father Monahan took over St. Aloysius, he undertook the huge task of founding a school for the parishioners of St. Aloysius. Beginning with just a kindergarten, each year the school expanded a grade until there were eight grades. With the new school staffed by the Sisters of Mercy, the expansion of the school necessitated the expansion of the convent, so a new convent was dedicated in 1963.

Tragically, Tropical Storm Agnes swelled the Susquehanna River in June of 1972 until it spilled its banks and flooded all of Wyoming Valley, including St. Aloysius Church and its parish buildings. The interior of the church was totally ruined and the parish was devastated. The Pastor at that time, Father Padden, undertook the task of restorting the buildings after the disaster. Over a million dollars were spent on restoration, using loans from the disaster relief programs in place at the time. The last payment on that money was made in 1992.

In 1982, with Father Padden's retirement, Msgr. Donald A. McAndrews, the Director of Catholic Social Services, was appointed as sixth Pastor of St. Aloysius. Throughout his tenure, Msgr. McAndrews has continued the expansion and modernization of the parish. The parish's school, which celebrated its 50th anniversary in 1998, now has an all-lay faculty and provides a quality education to 265 students.

Mr. Speaker, St. Aloysius Church is part of a tradition of strong religious faith which is synonymous with the Wyoming Valley. Founded by thirty-four families, the church serves eighteen hundred families today. Its proud history is a testament to the importance of faith in our daily lives in Northeastern Pennsylvania. I am proud to join with the parishioners and with the community in wishing St. Aloysius Church the very best as it enters a new century and a new millenium.

HONORING PASTOR RODNEY H. TRAVIS

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. TALENT. Mr. Speaker, I rise today with the honor and pleasure of recognizing Pastor Rodney H. Travis of the First Baptist Church in Ellisville, Missouri. Pastor Travis will open today's session of the United States House of Representatives with the invocation. Pastor Travis is a generous and eloquent man, and he offers a moving invocation.

Pastor Travis is an outstanding member of the St. Louis community. Pastor Travis and his wife Karen Sue and their children Shawn Renae and Tiffany Hope have been in Missouri since 1982, serving at the First Baptist Church in Jackson, Missouri before coming to Ellisville in 1995. Over the last four years, he has diligently served his congregation and the community.

Pastor Travis has served God in many ways since receiving his Master of Divinity from Southern Baptist Theological Seminary in 1979 and later his Doctor of Ministry from Vanderbilt University in 1979. He has served as Trustee of Missouri Baptist College and has held numerous positions with the Missouri Baptist Convention, including serving as President from 1991–1992. He has volunteered as chaplain in Tennessee prison system and as a Police Department Chaplain. His words have served as inspiration to thousands through the Sunday School lessons he wrote for the Baptist publication World and Way and for the Baptist Sunday School Board ''Listening in Prayer.'' He also has been named to the International Mission Board Trustee and will serve in this capacity until 2003.

Mr. Speaker, I am honored to be able to introduce Pastor Travis to the United States House of Representatives, and I am moved that he has accepted this honor and will share with us his blessing.

IN SUPPORT OF THE MORTGAGE INTEREST DEDUCTION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mrs. CAPPS. Mr. Speaker, today is April 15th, tax day. It's a good day to take a thoughtful look at our tax policy.

Yes, we must reduce our tax burden, bring more fairness to our tax law, and simplify the tax code. But today we must also be very wary of gimmicks, schemes, and risky proposals.

I am particularly concerned about proposals like the flat tax that would eliminate the mortgage interest deduction.

This tax policy has greatly improved the quality of life for millions of middle class families across our nation. It has enabled countless families in San Luis Obispo and Santa Barbara Counties to raise their children in stable, secure neighborhoods. Home ownership is on the increase across America, and with this increase comes better schools, less crime, and more civic participation.

Owning a home contributes enormously to the financial security of our families. Nothing symbolizes the American dream more than owning a home. For this reason, I am the proud cosponsor of a Congressional resolution expressing strong support for the protection of the home mortgage interest tax deduction. On tax day, let's commit ourselves to making the ideal of home ownership a reality for all Americans.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America, I submit the following articles into the CONGRESSIONAL RECORD.

JUSTICE DEPARTMENT ANNOUNCES ARRESTS IN INDIANA CHURCH BURNINGS

(By Rex W. Huppke)

INDIANAPOLIS (AP).—A man charged with seven Indiana church fires may be responsible for up to 50 such arsons across the Midwest and South, including Mississippi.

Probable cause affidavits accompanying the formal charges brought against Jay Scott Ballinger paint a picture of a 36-year-old who burned churches at random while traveling with his girlfriend, an exotic dancer.

The U.S. Department of Justice announced Tuesday that Ballinger had been arrested and charged with setting seven Indiana church fires dating back to 1994. The Yorktown man was being held in federal custody in Indianapolis while a multi-agency investigation continues.

Charged with one count each of arson are Angela Wood, 24, of Atlanta, Ga., and Donald A. Puckett, 37, of Lebanon, Ind. Wood is in federal custody in Macon, Ga., and Puckett is being held in Indianapolis.

Wood has admitted to serving as a lookout during some of the other fires Ballinger allegedly set, according to the affidavit, and both Wood and Puckett are believed to have helped Ballinger burn down the Concord Church of Christ in Lebanon, Ind., in 1994.

U.S. Attorney Judith A. Stewart would not give information on a motive for the arsons. She said that because the charges are part of a federal criminal complaint she couldn't comment on the investigation until formal charges were brought before a grand jury.

All three arrested are white and most of the church burnings in Indiana have involved rural churches with predominately white congregations.

''When someone sets fire to a house of worship, they are not just setting fire to a building, but to an entire community,'' said Bill Lann Lee, assistant attorney general for the Justice Department's civil rights division.

The arrests stemmed from the work of the National Church Arson Task Force, established in 1996 after a series of fires at black churches in the South.

An affidavit from a Bureau of Alcohol, Tobacco and Firearms agent says that searches of Ballinger's central Indiana residence turned up a gasoline container and satanic books and writings. Also found were credit card statements showing purchases made in Indiana and other states on or about the dates of church fires in those areas.

The affidavit says Ballinger admitted to setting ''a total of approximately thirty to fifty'' church fires in Indiana and other states.

Jerry Singer, a special agent with the ATF, said the fires involve 11 states, including Indiana, Kentucky, Tennessee, Ohio, Mississippi, Georgia and Alabama, all of which were mentioned in the affidavits. Singer would not identify the other four states involved.

He said that in his 21 years with the ATF, this is the largest serial arson case he's seen.

The affidavit details the events that led to Ballinger's arrest: On Feb. 6, 1999, a church in Brookville, Ohio, was burned. Three days later, a detective from the Ball State University Police Department in Muncie overheard an emergency radio call for medical assistance at the Ballinger residence in Yorktown, a few miles west of Muncie.

The officer recognized the last name from a previous church arson investigation. He went to Ball Memorial Hospital in Muncie and interviewed Ballinger's father, who said his son was badly burned when he came home early in the morning on Feb. 7.

The officer notified federal investigators of the incident at the hospital. During interviews with law enforcement officials Feb. 19–21, Ballinger admitted to the various arsons.

Ballinger had at least one prior offense—a 1993 arrest on charges of contributing to the delinquency of a minor. According to court records, he was arrested near Daleville for allowing two teen-agers to consume alcohol in his car.

A warrant was issued for his arrest in Delaware County in 1994 after he failed to show up at a court hearing on those charges.

One of the affidavits in the church arson case said that Puckett admitted that he, Ballinger and Wood set fire to the Concord Church of Christ in Lebanon, Ind., in January 1994.

According to the affidavit, Ballinger and Wood met at Puckett's home, mixed several flammable liquids together then left to find a church to burn.

They picked the Concord Church of Christ at random. Wood allegedly wrote satanic symbols on the porch, Puckett sprayed the flammable mixture and Ballinger lit the fire.

The church was destroyed.

JURY AWARDS $720,000 TO COUPLE IN CROSS-BURNING CASE

CHICAGO (AP).—A federal jury has awarded $720,000 in damages to a black couple whose suburban home was targeted by a white neighbor with a cross-burning.

After a one-day hearing, jurors deliberated about an hour Monday before deciding in favor of Andre Bailey and Sharon Henderson of Blue Island, who are married, and who filed the lawsuit against Thomas Budlove Jr.

Budlove has failed to respond to the lawsuit or appear in court, prompting a judge to rule last year that his conduct amounted to a tacit admission to the cross burning.

The incident occurred less than a year after Bailey and Henderson moved into the rented bungalow in the predominantly white neighborhood in September 1995. The couple alleged Budlove regularly shouted racial slurs at them from his property. Their tires were slashed, windows were broken, their dog wounded by gunfire and leaves burned on their front porch.

On June 13, 1996, Bailey said that as he stepped from his house to start his car, he was confronted by a 6-foot cross burning in the yard.

Lawyers for the couple and their two children sought at least $300,000 in damages from Budlove. Attorneys for the family told the jury they doubted Budlove has that amount of money. But they urged the jury to send a message that hate crimes won't be tolerated.

TRIAL BEGINS IN RACIST PLOT CASE

LITTLE ROCK, AR (AP).—Prosecutors opened their case against two white supremacists charged with murder by calling a former associate who said one suspect linked Jews and blacks to insects and animals.

Chevie Kehoe, 26, of Colville, Wash., and Danny Lee, 26, of Yukon, Okla., are also charged with racketeering and conspiracy.

Kehoe and Lee are accused of using a campaign of violence to set up a whites-only nation in the Pacific Northwest and could get the death penalty if convicted.

John Shults, a convict who says he has left the white supremacy movement, testified Monday that he joined Kehoe in the Northwest.

''We would make such comments as 'The Jews are nothing but maggots. The Jews should be exterminated.' . . . Black people were the beasts of the field, how they were meant to be lower than the white man, how we used them for caretaking,'' Shults said.

Members of the mostly black jury were expressionless. Shults also said Kehoe spoke of executing judges to spark a revolt.

The crimes associated with the alleged plot include a 1996 bombing at City Hall in Spokane, Wash.; shootouts with Ohio police; the slayings of two people in Idaho; and the drownings of a white Arkansas family of three.

U.S. Attorney Dan Stripling told jurors that Kehoe's beliefs were based on those of Robert Mathews, the founder of the Aryan Nations white supremacist group. Mathews was killed in 1984 when his hideout caught fire during a shootout with federal agents in Washington state.

The prosecutor said Kehoe and Lee robbed the Arkansas family in 1996 and killed them by taping plastic bags over their heads, weighing them down with rocks and throwing them into a bayou.

Later, the defendants told Kehoe's parents that the family was on ''a liquid diet,'' Stripling said.

The judge has issued a gag order in the case, but Lee's mother, Lea Graham, said her son is innocent and no racist.

NATIONAL REPORT DESCRIBES 12 ORGANIZATIONS IN WISCONSIN AS HATE GROUPS

(By the Associated Press)

Twelve Wisconsin organizations are being described as hate groups in a quarterly journal published by the Southern Poverty Law Center.

The ''Intelligence Report'' listed six groups described as neo-Nazi. They are the Euro-American Alliance in Milwaukee; the New Order in Milwaukee; the Knights of Freedom in Sullivan; and World Church of the Creator in Milwaukee, New Berlin and Franklin.

Also listed were two Ku Klux Klan groups, the American Knights of the Ku Klux Klan in Mercer and Imperial Klans of America, Knights of the Ku Klux Klan in Adams.

Two skinhead groups listed were the Hammerskin Nation in Hartland and Oi! Boys in Kenosha.

One Christian Identity church, the Wisconsin Church of Israel in Appleton, was named. Christian Identity describes ''a religion that is fundamentally racist and anti-Semitic,'' the report said.

Also included was one black separatist group, a Nation of Islam affiliate in Milwaukee. Black separatists are organizations ''whose ideologies include tenets of racially-based hatred,'' the report said.

Wisconsin had 10 hate groups listed by the journal in 1997, said Joseph Roy Sr., intelligence project director for the law center in Montgomery, Ala.

The law center listed 537 hate groups and group chapters nationwide engaging in racist behavior in 1998 up from 474 the previous year.

Officials of nine of the Wisconsin groups listed could not be reached for comment.

Donald V. Clerkin, 60, of Greendale, chairman of the Euro-American Alliance, called the organization a ''white nationalist'' group concerned with, among other things, the threat immigration poses to ''Western culture, European culture in North America.''

''I consider it a badge of honor,'' he said of the listing. In Mercer, Michael McQueeney, 43, calls himself the national grand dragon for the National Knights of the Ku Klux Klan—Not the American Knights cited in the report.

He disputed the hate-group label. ''I dislike a lot of blacks, Jews and homosexuals because of what they're doing in this country, but there's a lot of good Jews out there, and there's a lot of good black people out there,'' he said.

At Muhammad Mosque No. 3 in Milwaukee, part of the Nation of Islam, minister William Muhammad, 40, called it ''totally false and slanderous'' to call his denomination a hate group.

''The Nation of Islam teaches love—love of God, love of justice and love of self,'' Muhammad said. ''Our goal and purpose is the upliftment of our people—the moral, spiritual, social and economic development and cultivation of our people.''

IN HONOR OF LET'S CELEBRATE, INC., FOR ITS COMMITMENT TO FIGHTING HUNGER AND POVERTY IN HUDSON COUNTY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Let's Celebrate, Inc., for its hard work and dedication to battling poverty in Hudson County.

For more than 17 years, Let's Celebrate, Inc., has been instrumental in assisting individuals ''move from hunger to wholeness.'' By implementing a continuum of care through counseling, job training, emergency food assistance, adult basic education, and housing assistance, Let's Celebrate has become a vital force in stamping out poverty in my district.

With more than 40 staff members, 750 volunteers, and 27 service and meal sites throughout the area, this impressive organization is responsible for aiding and encouraging countless families to move from dependency to self-sufficiency.

Through innovative programs such as JobPower and Celebrate Catering, Let's Celebrate provides invaluable, hands-on training designed to help clients gain experience, develop job skills, and learn to adapt to a work environment. These efforts are so successful that Let's Celebrate secures jobs for 85 percent of its trainees.

In addition, Let's Celebrate supplies emergency food assistance programs through the Emergency Food Network and The Square Meal Community Center. These soup kitchens and pantries serve more than 125,000 meals per year to our neediest citizens—600 of which are distributed through the Senior Services program. They also help distribute clothing, offer counseling, and provide referrals.

Let's Celebrate's efforts exemplify leadership and dedication to eliminating poverty in Hudson County. For these tremendous contributions to New Jersey, I am very happy to honor Let's Celebrate for its achievements on its 17th Anniversary. I salute and congratulate Let's Celebrate on these extraordinary accomplishments.

IN HONOR OF NORMANDY HIGH SCHOOL'S 30TH ANNIVERSARY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Normandy High School for its 30 years of excellence in educating the students of Parma, Ohio.

Normandy High School first opened its doors in the fall of 1968 and welcomed 1700 sophomore- and junior-year high school students. The architectural design of the school was unique and considered state-of-the-art when built 30 years ago. The first commencement exercise was in June 1970, with 525 young men and women receiving diplomas. Since this first commencement ceremony, 13,400 students have graduated. Normandy's current enrollment is 1,128 students and the staff consists of 87 faculty and 58 support people.

Normandy High School subscribes to rigorous academic standards and offers an extensive curriculum. There are accelerated course offerings in all academic areas. A full range of vocational education programs are also available. Normandy students' score on the standardized SAT and ACT tests are consistently above the State and National averages. The school's Renaissance Program demonstrates the commitment to academic excellence, continuous improvement and citizenship which contributes to the high caliber of graduates from the school. Normandy High School is indeed an outstanding asset to the Parma community.

Normandy not only has a fine academic program, but its athletic department is also well renowned. In addition to numerous victories in state playoffs, invitationals and tournaments, Normandy's athletes have accomplished the following LEL Championships: Baseball 1979, 1982 Softball 1976, 1977, 1983 Football 1981, 1982, 1983, John Thomas San Francisco 49er's Super Bowl Champs, Girls Basketball 1976–77, Cross Country 1984, 1989, 1998, 1973 All American Track & Field Curt Tesar, Golf 1988, 1990, 1992, 1998 Chris Wollman & Bernie Jablonski State Champs, Wrestling 1981, 1985, 1987 Volleyball 1976, 1978, 1982, 1988, 1995, 1998, Hockey Baron Cup Champs 1976, 1998, 1999.

Providing excellent educational opportunities for all children is one of the most important goals in our society. I am encouraged by the involvement of the students, teachers, administrators, parents, local businesses and community organizations who are celebrating the 30th anniversary of Normandy High School and working toward continued success and involvement in our schools.

I am confident that Normandy will continue to produce exceptional students who will greatly contribute to the future of the Parma community.

CONGRATULATIONS DIANNE S. NURY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Dianne Nury on her election as Chairman of the Wine Institute for the 1998–99 fiscal year. Dianne is the first woman to become Chairman of the Wine Institute.

Dianne Nury is president of family-owned Vie-Del Company in Fresno. Nury heads one of California's largest bulk winery, distillery and fruit juice processing operations, contracting with 1,000 growers located predominantly in the Central Valley. Nury is a native and resident of Fresno, she began her career as area sales manager for Seagrams after graduating in 1982 from California State University, Fresno with a degree in business. She joined Vie-Del in 1985 as a sales representative, she then became vice president of the company in 1988 until assuming the presidency in 1991 from her father. Dianne Nury is immediate past president of the National Juice Products Association and is current vice chairman of the Viticulture and Enology Research Center at CSU, Fresno.

As Chairman of the Wine Institute, Nury pledges to continue the focus of the Institute's progress for international market development and research funding. She will also emphasize the public policy issues that the Wine Institute has taken on, such as taxation and free and fair trade here and abroad.

Mr. Speaker, I rise today to congratulate Dianne Nury, as Chairman of the Wine Institute. Dianne's chairmanship carries on a legacy set by her father, Mike Nury. I urge my colleagues to join me in wishing Dianne Nury many years of continued success.

IN HONOR OF SAN LORENZO CLUB

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the San Lorenzo Club and one of its cofounders Antonio Ramos for their service to the Cleveland community.

Antonio Ramos has been involved in many different organizations in the Hispanic and non-Hispanic community. He is the only active founder of the San Lorenzo Club, and has occupied almost all the positions in the Board of Directors through its existence. He also founded the Roberto Clemente Baseball Little League, to help create a sense of cultural identity for children. He now serves as President of the league.

The goal of the San Lorenzo Club, which has many members from different countries and cultures, is to have a place where Puerto Ricans can meet and feel a little bit like they are in their tropical island and at the same time promote their roots in a different country. When the club reached its goal of having their own place, after three years, not even a large fire which destroyed the building could dampen their dreams. Even with no place to meet the club maintained the unity between members and started having their monthly meetings in members' houses.

The club has been a vital part of the Hispanic and non-Hispanic community in the Cleveland area. The club works to maintain its families through sports. The San Lorenzo Club is a permanent sponsor of the Roberto Clemente Baseball Little League in Cleveland, and pushed the city to rename the city park after the famous Puerto Rican baseball player. The club also works to help the Hispanic and non-Hispanic needy throughout the Cleveland area.

My fellow colleagues, join me in honoring both Antonio Ramos and the San Lorenzo Club for their outstanding service to the Cleveland area.

TRIBUTE TO SARAH NEWCOMB McCLENDON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in salute of Texas-born reporter Sarah Newcomb McClendon and her pioneering efforts as a member of the Washington, DC press corps.

Ms. McClendon was born in Tyler, Texas. She has been a reporter for nearly 70 years and has covered eleven Presidents since 1994. She has covered the White House with wit and directiveness for more than fifty years. Like a true Texas woman, she has earned respect from many for her toughness that is always tempered with a touch of charm.

Prior to moving to Washington, Ms. McClendon received her journalism degree from the University of Missouri in 1931. She worked for the Courier-Times and Tyler Morning Telegraph in Tyler, Texas. She also was a reporter for the Texas newspaper the Beaumont Enterprise. In 1944 she became a National Correspondent for the Philadelphia Daily News. In 1946 she made her pilgrimage to Washington, DC, where she founded the McClendon News Service which she still runs today.

Her awards, which read like a who's who in journalism, include the Woman of Achievement Award for Texas Press Women, the National Federation of Women Award, Public Relations award from the American Legion and the first recipient of the Presidential Award for Journalism in Washington.

Sarah McClendon has helped pave the way for many women journalists and writers. In a field where women are often not heard, she has not relied on good manners to do her job. Instead, she has made people listen and answer her tough questions often forcing many Presidents to do double takes.

Her never-give-up interviewing style has made her both loved and feared. However, at the end of the day, she is the one who has asked the questions her readers care about most.

Mr. Speaker, Sarah McClendon has covered Washington with persistence and good humor. Her ability as a reporter has demonstrated that she truly has printers ink coursing through her veins.

TRIBUTE TO NEW INDUCTEES TO MINNESOTA AVIATION HALL OF FAME

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to two pioneers in general aviation in the State of Minnesota: Francis Einarson of International Falls and Rudy Billberg of Roseau. These two gentleman will be inducted into the Minnesota Aviation Hall of Fame on Saturday, April 17, 1999.

Francis Einarson serves as an operator of the International Falls Airport, and he has long been a leader in aviation in Northern Minnesota. His induction to the Aviation Hall of Fame is an honor that it richly deserved—if not overdue. Francis' brother Jim taught him to fly in 1948, and the two men began operating the airport in International Falls the same year. Over the years, Francis Einarson took tourists for scenic rides, taught students how to fly, provided air ambulance service and conducted search and rescue missions. Francis also oversaw several expansions of the International Falls Airport, which today acts as a gateway to Northern Minnesota communities and attractions like Voyageurs National Park.

Rudy Billberg is also part of aviation history in Minnesota. In the early days of aviation, Rudy made his start by barnstorming to festivals in Duluth and the Iron Range and putting on acrobatic shows. He provided valuable service to the United States by training flyers in Duluth and flying troops and supplies during World War II. He also trained junior college students in flying through the Civilian Pilot Training program and was appointed one of Minnesota's first flight examiners.

These men were adventures when aviation was a new mode of transportation, and they made a valuable contribution to the development of the aviation field. I know my colleagues join me in congratulating Francis Einarson and Rudy Billberg on their induction into the Minnesota Aviation Hall of Fame.

INTRODUCTION OF TRAFFIC STOPS STATISTICS ACT OF 1999

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Traffic Stops Statistics Act of 1999 along with 21 additional cosponsors. Identical legislation is being introduced today in the other body by Senators LAUTENBERG, FEINGOLD, and KENNEDY.

Our bill would require the Justice Department to conduct a study of racial profiling by acquiring data from law enforcement agencies regarding the characteristics of persons stopped for alleged traffic violations and the rationale for subsequent searches. The legislation is similar to legislation I introduced last Congress (H.R. 118) which was approved by the Judiciary Committee on a bipartisan basis and passed the House by voice vote on March 24, 1998.

We have all heard stories of African and Hispanic Americans—including many well known actors, athletes, law enforcement officers, and legislators—who have been stopped for the traffic infraction known as "Driving While Black" or "Driving While Brown." Our legislation will allow us to ascertain the extent such profiling is occurring on a nationwide basis, help increase police awareness of the problem, and determine if any broader response is warranted.

The limited data available indicates that the problem of racial profiling in traffic stops is serious. For example, a recent study by the Orlando Sentinel found that 70% of the persons stopped on I–95 were African-American, even though they only made up less than 10% of the driver population. A court ordered study in Maryland found that more than 70% of drivers stopped on I–95 were African American though they made up only 17.5% of drivers, while another study conducted in conjunction with a New Jersey civil rights lawsuit found that minorities were nearly five times as likely as non-minorities to be stopped for traffic violations along that state's turnpike.

Further evidence of racial profiling by law enforcement was evident in the case of *State* v. *Soto,* in which Superior Court judge, Robert E. Francis ruled that troopers were engaging in racial profiling on the southernmost segment of the New Jersey Turnpike. This in turn raises troubling questions regarding the extent to which law enforcement officials may be unfairly targeting Hispanic and Asian Americans under the guise of immigration enforcement.

If our citizens are to trust our justice system it is imperative that all forms of discrimination be eliminated from law enforcement. The Traffic Stops Statistics Act of 1999 will help give Congress the tools to assess and understand a dangerous form of such discrimination—racial profiling in traffic stops.

INTRODUCTION OF THE NATIONAL ASSISTANCE FOR POLICE OFFICER SAFETY ACT OF 1999

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. ROGAN. Mr. Speaker, today I am introducing the National Assistance for Police Officer Safety Act. This legislation is a simple, straightforward measure that will give qualified active duty law enforcement personnel carrying proper identification the ability to carry their firearms outside of their local jurisdiction, including across State lines. I am pleased to announce that my friend and colleague Congressman STEVEN ROTHMAN joins me in authoring this bill.

The law enforcement community has long sought a unified federal law to resolve the inconsistent and fickle 'right to carry laws' that pervade State statutes. This bill will give active law enforcement officers the ability to protect themselves and their families from retaliations by criminal stalkers seeking to harm them. Further, this bill increases public safety by adding more armed, qualified peace officers to our streets.

Recently, police officers from my own district traveled to Washington to participate in ceremonies honoring fallen law enforcement officers. During their visit they expressed great concern at being forced to be unarmed on public streets without protection against unsuspected retaliation. This measure will give all police officers—all of us—an added measure of protection.

INTRODUCTION OF THE ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT OF 1999

HON. RAY LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. LAHOOD. Mr. Speaker, I rise today on the anniversary of former President Abraham Lincoln's death to celebrate his life. Today, I am introducing the Abraham Lincoln bicentennial Commission Act of 1999. This bill will establish a commission, the purpose of which would be to make recommendations to Congress for a national program to honor former President Abraham Lincoln in the year 2009, the bicentennial celebration of his birth.

Abraham Lincoln has gone down in history as one of our country's greatest Presidents. As our sixteenth President, Abraham Lincoln served the country during a most precarious era. While most of the country looked to divide, President Lincoln fought for unity and eventually saved the Union. With the belief that all men where created equal, President Lincoln led the charge to free all slaves in America. Without the determination and vision of President Lincoln, the country, as we know it, may not exist today.

President Lincoln also serves as a national symbol of the ''American Dream.'' Born of humble roots in Hardin County, Kentucky on February 12, 1809, Abraham Lincoln rose to the Presidency though a legacy of honesty, integrity, intelligence and commitment to the United States of America.

In 1909, America celebrated the centennial of President Lincoln's birth in a manner deserving of his accomplishments. Congress approved placing the image of President Lincoln on a first-class stamp for the first time, made President Lincoln's birth a national holiday, and passed legislation leading to the construction of the Lincoln Memorial here in Washington, D.C. Further, President Roosevelt approved placing the image of President Lincoln on the penny.

As in 1909, the Congress should again honor President Lincoln in 2009, by establishing the Abraham Lincoln Bicentennial Commission. Through this Commission, Congress will be able to demonstrate its appreciation for Abraham Lincoln's accomplishments and ultimate sacrifice for our country. This Commission will identify and recommend to Congress appropriate actions to carry out this mission and, through the recommendations of this Commission and subsequent acts of Congress, the American people will benefit by learning about the life of President Lincoln.

Mr. Speaker, I ask my colleagues to join me in honoring the memory of President Lincoln by supporting the Abraham Lincoln Bicentennial Commission Act of 1999.

TAXES AND HOME OWNERSHIP

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. ENGLISH. Mr. Speaker, I rise today to speak in favor of the preservation and extension of a very important benefit to all taxpaying Americans.

We all know the significance of today, April 15th. And as lamentable as today is for every hard-working American who strives to save income for themselves and their families, there is one component of the federal tax code every citizen should be granted. I am speaking about the tax deduction for interest paid on debt secured by the purchase of a home.

Owning a home, Mr. Speaker, has to be, without doubt, the one goal every American shares. And far be it for the federal government to stand in the way of that goal. What better way could the federal government assist with this dream than by granting every American a tax deduction on interest paid on a home mortgage.

The benefits of home ownership are many. Most importantly, home ownership strengthens neighborhoods and families. It strengthens neighborhoods in that those who live in a home will also invest in the area in which they live, thereby supporting vibrant and prosperous communities. And owning a home financially strengthens families, especially for parents who work hard to provide for their children.

Homes, Mr. Speaker, for families all across this land that live in one and hope to own one, are the greatest institutions our nation can build. That is why I rise today in strong support of, and encourage all members of this body to support, a resolution my colleague, Representative ROUKEMA, will introduce on the extension to every American of a tax deduction for interest paid on debt secured by a first or second home.

Home ownership is the backbone of our great nation and must remain a dream within the grasp of every American.

TRIBUTE TO FREEHOLDER THERESA BROWN ON BEING NAMED ''FREEHOLDER OF THE YEAR'' BY THE NEW JERSEY CONFERENCE OF MAYORS

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. SAXTON. Mr. Speaker, on April 22, 1999, the New Jersey Conference of Mayors will bestow to Theresa D. Brown, Esq. the Freeholder of the Year Award for her dedicated service to Burlington County and the State of New Jersey. Having worked closely on several issues with Ms. Brown, I believe that the Conference of Mayors made an outstanding selection.

Ms. Brown is the daughter of retired Air Force M/SGT Walter and Julie Brown. As a military dependent, Ms. Brown grew up in exotic locales including France, the Philippines, Hawaii, and several other places within the United States.

Upon graduating from Princeton University, Ms. Brown became a certified K–12 teacher in Social Studies, English, and French at the intermediate and high school levels in the East Windsor regional School District in Hightstown, New Jersey. From there, Ms. Brown worked with the New Jersey Education Association lobbying before the New Jersey Legislature and the United States Congress for the state's largest teacher's union. Additionally, Ms. Brown worked as the Planning Manager for mercer County Legal Services in Trenton.

Seeking more challenges, Ms. Brown graduated from Seton Hall Law School and worked as a law clerk for the Honorable Michael Patrick King, P.J.A.D., Superior Court of New Jersey, Appellate Division of Westmont, New Jersey. Theresa moved on to become an associate with the Trenton firm of Picco, Mack, Herbert, Kennedy, Jaffe, and Yoskin and then an Assistant City Attorney for the City of Camden. Ms. Brown served as an Assistant Director of litigation for the New Jersey Department of the Public Advocate where she litigated automobile insurance rate-making cases before the Office of Administrative Law and the Appellate Division. Ms. Brown moved on to become a partner in the Camden firm of Derden and Brown and later served as an attorney with the New jersey Protection and Advocacy, Inc. in Trenton where she represented persons with disabilities. Currently, Ms. Brown practices in the area of family law.

On January 1, 1997, Ms. Brown her 3-year term on the Burlington County Board of Chosen Freeholders. With her election, she became the first African-American woman elected to hold that position in Burlington County. Among the many duties she performs, Freeholder Brown oversees the operations of Burlington County College, the Special Services School, and the Institute of Technology as well as Culture and Heritage, the county Library and the Consumer Affairs office.

Freeholder Brown's public service does not end with her duties on the Board of Freeholders. Freeholder Brown volunteers her time to civic organizations and is President of the Girl Scouts of the South Jersey Pines, Inc. which serves girls in Atlantic, Burlington, Cape May, Cumberland, and Gloucester Counties. Freeholder Brown is also a member of Girl Scouts of the U.S.A.'s Special Committee on Fund Development. Additionally, Freeholder Brown is a member of the Board of Directors for the Burlington County Chapter of the American Red Cross and also serves on the Burlington County Board of Social Services.

Mr. Speaker, it is my sincere privilege to honor a dedicated public servant and this year's recipient of the New Jersey Conference of mayors' 1999 Freeholder of the Year Award, Freeholder Theresa D. Brown. A finer selection could not have been made.

MERGER BETWEEN AMERITECH AND SBC COMMUNICATION

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. SHIMKUS. Mr. Speaker, there are a number of developments regarding the proposed merger of Ameritech and SBC Communication that merit our attention, specifically recent actions taken by the Federal Communication Commission. While I have not taken a position on the merger and do not plan to do so

at this time, I find the process the FCC is proposing to be arbitrary and inconsistent decisionmaking.

The FCC has proposed to add an additional 90-day process that includes staff discussions, another Commission en banc hearing and another round of public comment to help in reviewing this merger. I find this unprecedented additional process quite worrisome since the Commission has already held a public proceeding which took nine months and generated 12,000 pages of written submissions from over 50 parties. It is hard to believe that the Commission might need more information to determine what sort of conditions it should impose on these companies. I am also puzzled by the fact that Chairman Kennard has not seen fit to use such a process with any other mergers he has considered recently in the communications industry.

Mr. Speaker, this merger was announce 11 months ago. During this time, the Department of Justice reviewed the proposal extensively and just ruled on April 8, that it is not anticompetitive—however, the FCC continues to drag it's feet in deciding on this matter. I firmly believe that the FCC has a duty to uphold in the strongest possible terms the ''public interest'' when looking at a merger. However, I do not believe that it gives them cover to devise a unique, convoluted process which applies a different standard and much stricter burden of proof than what was acceptable for similar cases.

At this time, Ameritech and SBC still remain in the regulatory swamp which unfairly disadvantages the competitive positions of both companies. I strongly encourage the FCC to consider the Ameritech-SBC merger with the same speed, efficiency and fairness that it has considered other recent mergers in the telecommunications industry. For the FCC to do otherwise is something we should all find intolerable.

AIRSPACE REDESIGN ENHANCEMENT ACT

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce the Airspace Redesign Enhancement Act. This bill would require the Federal Aviation Administration to speed up the process of redesigning the airspace over the New Jersey and New York Metropolitan area.

For over a decade, residents in my district and countless other areas of New Jersey and New York have been plagued by the problem of aircraft noise. According to the FAA, redesign of the airspace will solve many of the region's air noise problems.

The airspace over our region—Newark, Kennedy, and LaGuardia airports, along with a host of smaller municipal and regional airports—has made this area the busiest, most congested and most complex in the Nation. These three major airports have over 1 million flight arrivals and departures a year. Further, the high volume of flights is further complicated by the fact that these three airports share airspace. When Newark changes departure and arrival patterns, adjustments must be made at Kennedy and LaGuardia airports as well.

Last July, the FAA announced at Newark Airport that it would begin the process of redesigning the airspace over the New Jersey and New York Metropolitan Region. This was to be the first area in the country addressed by the FAA, and the results could be applied to other regions during future airspace redesign processes.

So why the delays? Since last July, no real action has been taken. The 5-year timetable has fallen behind, and residents in my district face a long wait before any potential relief from constant aircraft noise.

Mr. Speaker, 5 years is too long. These families should not be forced to wait 5 years before these planes stop flying, low and loud, over their homes and yards. I have heard too many stories from too many families who cannot have conversations in their homes when these planes fly overhead.

Enough is enough. The Airspace Redesign Enhancement Act would give the FAA 2 years to complete the airspace redesign process, and would give them the money they need to do so. By speeding up the process of redesigning the airspace over the New Jersey and New York Metropolitan region, other areas of the country will have their airspace redesigned much quicker as well. New Jersey is not the only region to suffer from aircraft noise. This bill can help residents near Chicago's O'Hare Airport, Reagan National Airport, Los Angeles International Airport, Denver International Airport, and other airports across the country.

The FAA has offered too many excuses for not getting this job done. Mr. Speaker, I urge my colleagues to support the Airspace Redesign Enhancement Act so that this process will not stretch out far into the 21st Century.

INTRODUCTION OF THE TRUTH IN EMPLOYMENT ACT OF 1999

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. BOEHNER. Mr. Speaker, I rise today to introduce the Truth in Employment Act of 1999. This important legislation addresses the abusive union tactic commonly called ''salting.'' ''Salting'' is an economic weapon unions use to damage and even run employers out of business.

''Salting'' abuse is the placing of trained professional organizers and agents in a non-union facility to harass or disrupt company operations, apply economic pressure, increase operating and legal costs, and ultimately put the company out of business. The object of the union agents are accomplished through filing, among other charges, unfair labor practice charges with the National Labor Relations Board. As brought out during the five hearings the Workforce Committee held on this issue in the 104th and 105th Congresses, ''salting'' is not merely an organizing tool, but has became an instrument of economic destruction aimed at non-union companies that has nothing to do with legitimate union organizing.

As a former ''salt'' from Vermont testified last year before the Employer-Employee Relations Subcommittee:

> ''[Salting] has become a method to stifle competition in the marketplace, steal away employees, and to inflict financial harm on the competition. Salting has been practiced in Vermont for over six years, yet not a single group of open shop electrical workers have petitioned the local union for the right to collectively bargain with their employers. In fact, as salting techniques become more openly hostile . . . most workers view these activities as a threat to their ability to work. In a country where free enterprise and independence is so highly valued. I find these activities nothing more than legalized extortion.''

There can be no disputing what these ''salts'' are trying to do. As a former NLRB field attorney testified before the subcommittee, from his experience, ''salts have no intention of organizing a company by convincing the co-workers that unions are a good thing for them. Instead, once a salt enters the workplace, that individual engages in a pattern of conduct to disrupt the workplace; to gather information about the employer to feed to the union; to disrupt projects; and ultimately to file charges with the National Labor Relations Board.''

Another witness quoted directly from the International Brotherhood of Electrical Workers' organizing manual, which states that the goal of the union salt is to ''threaten or actually apply the economic pressure necessary to cause the employer to raise his prices, scale back his business activities, leave the union's jurisdiction, go out of business and so on.''

Hiding behind the shield of the National Labor Relations Act, unions ''salt'' employers by sending agents into non-union workplaces under the guise of seeking employment. These ''salts'' often try to harm their employers or deliberately increase costs through various actions, including sabotage and frivolous discrimination complaints with the NLBR. If an employer refuses to hire the ''salt,'' the union files unfair labor practice charges. Alternatively, if the ''salts'' are hired by the employer, they often attempt to persuade bona fide employees of the company to sign cards supporting the union. The union agents also often look for other reasons to file unfair labor practice charges, solely to impose undue legal costs on the employer.

The stark reality is that ''salting'' puts companies out of business and destroys jobs. Clearly, the drafters of the 1935 National Labor Relations Act did not intend this result. The Act was not intended as a device to circumvent the will of employees, to strangle businesses into submission to further a union's objectives, or to put non-union employers out of business.'' One construction company testified before the subcommittee that it had to spend more than $600,000 in legal fees from one salting campaign, with the average cost per charge of more than $8,500. Beyond legal fees, one employer testified, ''it would be impossible to put a dollar amount on the pain and suffering caused by the stress of the situation to a small company like ours who does not have the funds to fight these charges.''

Thus, under current law, an employer must choose between two unpleasant options: either hire a union ''salt'' who is there to disrupt the workplace and file frivolous charges resulting in costly litigation, or deny the ''salt'' employment and risk being sued for discrimination under the NLRA.

The Truth in Employment Act of 1999 would protect the employer by making it clear that an employer is not required to hire any person who is not a ''bona fide'' employee applicant. The bill states that someone is not a ''bona fide'' applicant is such person ''seeks or sought employment with the employer with the primary purpose of furthering other employment or agency status.'' Simply put, if someone wants a job, but at least 50 percent of their intent is not to work for the employer, then they should not get the job and the employer has not committed an unfair labor practice if they refuse to hire the person.

As drafted, this legislation is a very narrow bill simply removing from the protection of Section 8(a) of the NLRA a person who seeks a job without at least 50 percent motivation to work for the employer. At the same time, the legislation recognizes the legitimate role for organized labor, and it would not interfere with legitimate union activities. The Act contains a proviso, which, by the way, passed the House 398 to 0 last March during consideration of H.R. 3246, the Fairness for Small Business and Employees Act, making clear that the bill does not affect the rights and responsibilities available under the NLRA to anyone, provided they are a bona fide employee applicant. Employees and bona fide applicants will continue to enjoy their right to organize or engage in other concerted activities under the NLRA, and, employers will still be prohibited from discriminating against employees on the basis of union membership or union activism.

It was alleged last Congress by some throughout the course of the many hearings on ''salting'' and during floor debate last March that this legislation overturns the Supreme Court's decision in *NLRB* v. *Town & Country Electric, Inc.* However, in fact, the Act reinforces the narrow holding of *Town & Country.* The Court held only that paid union organizers can fall within the literal statutory definition of ''employee'' contained in Section 2(3) of the NLRA. The Court did not address any other legal issues, but the effect of the decision is to uphold policies of the NLRB which subject employers to unwarranted union harassment and frivolous complaints.

The Act does not change the definition of ''employee'' or ''employee applicant'' under the NLRA, it simply would change the Board's enforcement of Section 8 ''salting'' cases by declaring that employers may refuse to hire individuals who are not at least half motivated to work for the employer. So long as even a paid union organizer is at least 50 percent motivated to work for the employer, he or she cannot be refused a job pursuant to the Act.

This bill establishes a test which does not seek to overrule *Town & Country* and does not infringe upon the legitimate rights of bona fide employees and employee applicants to organize on behalf of unions in the workplace. Indeed, the Supreme Court's holding that an individual can be the servant of two masters at the same time is similarly left untouched. In fact, it is the acknowledgment that an applicant may in fact be split in motivation between an employer and a union that gives rise to the need for examining an applicant's motivation—a ''primary purpose'' test that the NLRB general counsel and courts will apply.

In closing, Mr. Speaker, forcing employers to hire union business agents or employees, who are primarily intent on disrupting or even destroying employers' businesses, does not serve the interests of bona fide employees under the NLRA and hurts the competitiveness of small businesses. This bill does not prohibit organizers from getting jobs, and it is completely consistent with the policies of the NLRA. All the legislation does is give the employer some comfort that it is hiring someone who really wants to work for the employer. The Truth in Employment Act of 1999 returns a sense of balance to the NLRA that is being undermined by the Board's current policies. I urge my colleagues to support its passage.

IN HONOR OF THE 100TH ANNIVERSARY OF THE VETERANS OF FOREIGN WAR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the 100th anniversary of the Veterans of Foreign War (VFW).

The VFW traces its roots back to 1899 when Veterans of the Spanish-American War (1898) and the Philippine Insurrection (1899–1902) founded local organizations to secure rights and benefits for their service. A group of veterans founded the American Veterans of Foreign Service in Columbus, Ohio. Similar groups were later formed in Denver, Colorado and throughout Pennsylvania.

In 1913, the Veterans of the Foreign War came into existence as a result of the merger of these three separate foreign service organizations which held the same ideals and similar membership requirements. The mission of the VFW is to support and further the interests of United States veterans. Membership in the VFW is available to all US citizens, honorably discharged from the armed forces, who have earned an overseas campaign medal.

Currently, the VFW has a membership of 2.1 million. In addition to assisting veterans with numerous issues the organization is involved with national programs such as the Americanism Program. This program provides materials and information, sponsors events and promotes activities which are designed to stimulate interest in American's history and tradition, institutions of civic responsibility and patriotism.

A key element of VFW involvement is community service. The organization sponsors programs benefitting education, the environment, health services, civic pride, and community betterment. VFW is also the sponsor of Voice of Democracy, a national audio essay competition which annually provides more the $2.7 million in college scholarships to high school students across the nation. In addition, members work with a variety of youth organizations including Junior and Special Olympics and the Boy Scouts of America. The organization is also active in drug awareness and missing children efforts.

The VFW raises money for needy veterans and their families through the Buddy Poppy program. More than 17 million Poppies are sold each year, generating funds for the national veterans service program, relief for local veterans and their families and the VFW National Home.

My fellow colleagues, please join me in honoring the VFW's 100th anniversary and its members who have bravely risked their lives to serve the United States.

TRIBUTE TO HARRY BAKER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Harry Baker on the occasion of his retirement from the Madera County Board of Supervisors. Harry attended his last board meeting on December 15, 1998, after 12 years of dedicated service.

Harry Baker was born in Eastern Madera County over 70 years ago. As a veteran of World War II, Harry was a first hand witness to the most turbulent time in the history of the twentieth century. Today Harry is a life member and Past Post Commander of Veterans of Foreign Wars, Post 8753 and a life member of the American Legion. Thanks to the GI Bill, Harry was able to go to college and finish his education, he is a graduate of the University of California, Berkeley.

Harry has been successful not only in politics, but also in business. In addition to serving as President and Chairman of the board of Sierra Tel Tronics, he also serves as President and Chairman of the Board of Sierra Telephone, Sierra Cellular, Sierra Tel Logic, Sierra Tel Internet, Sierra Telephone Long Distance, Sierra Tel Tronics Business Center, Sierra Tel Tronics Business Systems, El Dorado Cellular, and ST Air Services. Harry has operated Sierra Telephone, one of the area's largest employers, for over 48 years. Harry has taken the company through remarkable growth, increasing in size from 200 customers and 4 employees, to 20,000 customers and 230 employees. Harry was a founding member of the Western Rural Telephone Association and served as its president in 1967, he's been on the Board of Directors for 14 years.

Despite a busy work schedule, Harry makes time for many worthwhile community activities. He's a Life Member of the Madera County Historical Society and was appointed to the Madera District Fair Board by former Governor George Deukmejian. Harry is a Charter Member of the Gateway Yosemite Elks Lodge, and a member of the Sierra Oakhurst Lions Club. Harry is also an example to youth, he is a Cub Scout and Boy Scout Troop Leader as well as a 4–H Leader.

Mr. Speaker, I rise today to pay tribute to Harry Baker, on the occasion of his retirement from the Madera County Board of Supervisors. Supervisor Baker has been a devoted public

servant during his 12 years of service. I urge all of my colleagues to join me in wishing Harry Baker many years of continued success.

REGARDING THE PASSING OF MS. SONYA BEMPORAD OF DALLAS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, Prime Minister Winston Churchill once said "There is no finer investment for any community than putting milk into babies."

I believe that Ms. Sonya Bemporad of Dallas lived by these words and committed her time, energy and soul to investing in children. One of the most notable advocates of children and leaders of child care policy, Ms. Bemporad died Saturday, March 20, 1999. She was 64 years old.

She is known throughout Texas, and our Nation as the leading and chief theoretician with the child care group here in Dallas. The child care group is an innovative non-profit organization that operates day-care centers, manages public subsidies for child care in north Texas, conducts training for child-care workers and provides other services. She was the group's senior vice president at the time of her death.

While Congress is still debating on proposals to improve the safety, quality and delivery of child care, Ms. Bemporad worked during her entire life to find new ways to care for children. She was on the cutting-edge with her design of the child-care group's "relationship-centered child care" approach. This approach advocated a small, family-like environment and interaction with one "constant caregiver."

Mr. Speaker, Ms. Bemporad's methods are so widely accepted and acknowledged that First Lady Hillary Rodham Clinton visited one of the day care centers in Dallas that the group operates.

On February 20, 1998, the First Lady toured the Martin Luther King, Jr. Child Development Center with me, witnessing first hand, Ms. Bemporad's model. Ms. Bemporad's model on child-care is so effective that the First Lady showcased it nationwide as she worked with the President to travel throughout the country and across the world to visit child-care facilities that work for children and their parents.

Mr. Speaker, the year before, Ms. Bemporad's success was featured on ABC's *World News Tonight with Peter Jennings* as a solution to the Nation's child-care crisis. In addition, the child-care group founded the Sonya Bemporad chair for relationship-centered child care. A position she had stewardship over until her passing.

These accolades are testimonials to her commitment to children. She deserves that recognition and more, Mr. Speaker. Many children are better cared for, receive more attention and are surrounded by providers who have an interest in their long-term well-being. Due to her efforts, many children in an "relationship-centered child care environment" usually score higher on reading and language tests in public schools than their peers.

Countless children who will produce and achieve in classrooms throughout the city of Dallas, the State of Texas, and our Nation have Ms. Bemporad to thank. She could not develop such an approach if she did not possess the time and desire to know children and what makes them function. This innate sense of Ms. Bemporad's is what helps make children successful and cared for. She influenced her peers to subscribe to this method, moving away from simply studying and analyzing children. She influenced them to accommodate and fashion learning environments to children and their most pressing needs.

However, Mr. Speaker, this is a part of a long career in attending and addressing to the needs of children. Over the last 25 years, she lent her talents and heart to other child-care organizations. The Dallas county child welfare and the Dallas County Mental Health and Mental Retardation Agencies all benefited from her sage advice, unlimited compassion and concern for children. In addition, she was also a member of the American Association of Psychiatric Services for Children and the city of Dallas Health and Human Services Commission.

Mr. Speaker, I join the parents and children of the 30th Congressional District in paying tribute to Ms. Sonya Bemporad. Like trees, children cannot grow without a seed. Ms. Bemporad was indeed a seed that allowed many children to grow and reach new heights.

IN HONOR OF MONTACHUSETT GIRL SCOUT COUNCIL GOLD AWARD RECIPIENTS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. MCGOVERN. Mr. Speaker, I rise today to acknowledge the accomplishments of thirteen outstanding young women of my District who have been selected as recipients of the Girl Scout Gold Award. These thirteen recipients from the Montachusett Girl Scout Council in Worcester, Massachusetts are: Kendra Beauvais, Diana Brink, Sarah Broders, Donnielle Crossman, Michelle Curtis, Bridget Donahue, Laura Gallant, Asavari Kamerkar, Mary-Elizabeth Morgan, Jennifer Mummenthey, Sarah Potty, and Bridget Strom.

I am pleased to be able to acknowledge their accomplishments in service to their community.

IN HONOR OF THE CLEVELAND SLOVAK DRAMATIC CLUB

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, today I rise in honor of the 50th anniversary of the Cleveland Slovak Dramatic Club. The Cleveland Slovak Dramatic Club is a vital part of the Cleveland area as it encourages Slovak youth to be loyal Americans and to be active and proud of their Slovak heritage.

Throughout its 50 years of existence, The Cleveland Slovak Dramatic Club (C.S.D.C.) has been involved in many activities to help the Slovak community in the Cleveland area. During the first 10 years of the C.S.D.C., it actively sponsored various Slovak cultural activities such as live stage plays which were performed throughout the Cleveland area. Profits from these cultural events went to aid Slovak refugees who had escaped persecution in Slovakia and were dispersed throughout Europe. The events raised over $20,000 which was donated from the club to aid refugees.

In addition to C.S.D.C.'s cultural plays, the club also provided live cultural programs on Christmas and Easter holidays on Cleveland's Slovak radio.

C.S.D.C. members have become very active in all Slovak movements and activities in various Slovak Clubs, fraternal and social organizations such as, Slovak League of America, Slovak World Congress, First Slovak Catholic Union, and many others. It is through their help and activity in these organizations, that Slovak heritage, culture and Slovak fraternalism have prospered and grown for many years.

My fellow colleagues, please join me in honoring the Cleveland Slovak Dramatic Club for their years of service to the Slovak community of the Cleveland area.

HONORS LISETTE BERNIER-MCGOWAN FOR OUTSTANDING SERVICE TO THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. DeLAURO. Mr. Speaker, I am pleased to rise today to honor the fine work and outstanding public service of Lisette Bernier-McGowan. Lisette is well deserving of our commendation after thirty years of service to the New Haven public school system and community.

Lisette was raised and educated in Puerto Rico, and upon her arrival in Connecticut recognized the need for greater bilingual education in our schools. She earned two Masters Degrees at Southern Connecticut State University, in Modern Foreign Languages and Elementary Bilingual Education, and set out to build a system of increased diversity within the public school curriculum and community. For more than two decades she has given her time and expertise for the good of New Haven young people.

Her knowledge in bilingual and english as a second language programs is highly regarded by other leaders in this field. She has served on the Commissioner's Task Force on Bilingual Education, the Superintendent's Task Force for Excellence in Education, the Yale Study Groups on Bilingual Education and Cultural Bias.

Most recently she has served as Director of two innovative education programs. The Bilingual Science Project is a comprehensive three-year teacher training program on effective strategies for the integration of science and language acquisition. The BRIDGE

Project is a reform effort in three New Haven elementary schools in New Haven designed to provide rigorous literacy development. While leading these efforts, she concurrently served as Chair of the New Haven Public Schools Task Force on Bilingual Education. Her commitment to this issue has lead to real progress in developing and implementing sound bilingual education policy and curriculum.

Several local organizations have honored her consistent leadership in the community. Among her achievements, Lisette has been awarded the Bilingual Director of the Year, the Connecticut Latinas in Leadership Award, LULAC Award for Leadership in Education, and the YMCA Women in Leadership award. We are not the first to recognize Lisett's contribution, but I am proud to take this opportunity to join others in our community to honor this talented woman.

Mr. Speaker, it is an honor for me to rise today and join with family, friends, and the City of New Haven to pay tribute to Lisette Bernier-McGowan for outstanding service to our community. She has truly left a positive mark on New Haven that will benefit our schools and our young people for years to come. Educator, leader, and friend, Lisette's exceptional commitment and dedication have made her a model to which we can all aspire.

IN HONOR OF MR. JOSEPH CUNDARI FOR HIS DEDICATION TO HARRISON AND TO HUDSON COUNTY COMMUNITY COLLEGE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the remarkable accomplishments of Mr. Joseph Cundari for his contributions to Harrison and Hudson County Community College.

Through his vast knowledge of engineering and his devotion to the community in which he was raised, Mr. Cundari has dedicated his life to the betterment of Harrison, NJ. From serving as Vice President of the West Hudson Hospital Association, 1958–1962, to serving as Vice President of the Harrison Board of Education, 1991–1996, Mr. Cundari consistently gave his time, energy, and resources in order to improve his surroundings.

Using his degree in civil engineering from Manhattan College, Mr. Cundari began his long career of serving his country and his community by enlisting in the United States Army. As Master Sergeant and Chief of Engineer Operations Section of the 341st Engineer Regiment, Mr. Cundari was instrumental in the construction of the Alaska Military Highway and in the reconstruction of railroad bridges devastated by WWII in France, Belgium, and Germany.

After leaving the military, Mr. Cundari returned to Harrison and was named Town Engineer by the New Jersey Engineering Department and Department of Construction Inspection. From March 1946 through the present, Mr. Cundari prepared plans and specifications for all public works projects involving the construction of new water mains, sanitary and storm sewers, and street improvements.

In addition to his work to improve the infrastructure of Harrison, Mr. Cundari was a leader on the issue of safety. He was proactive in formulating the police, fire alarm, and traffic signals for the town of Harrison.

Since 1990, Mr. Cundari has served on the Hudson County Community College Board of Trustees. Under his leadership as Chair of the Facilities Committee, the college initiated plans for campus development in Journal Square—an integral area in my district. His expertise and work for the college have been so essential to the growth of the college that he was named the HCCC's first trustee emeritus by the Board of Chosen Freeholders.

Mr. Cundari's efforts exemplify leadership and dedication to both the town of Harrison and Hudson County Community College. For these tremendous contributions to New Jersey and his example as a public servant, I am very happy to honor Mr. Cundari for his achievements. I salute and congratulate him on his extraordinary accomplishments.

HOMEOWNERSHIP—LIVING THE AMERICAN DREAM

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FILNER. Mr. Speaker, and colleagues, I rise today in support of homeownership and the mortgage interest tax deduction that makes it possible for millions of American families participate in the American Dream.

Today, when Americans are paying taxes and we debate changing the tax code, we need to be vigilant to protect the part of the code that helps millions to improve their lives and secure their future.

Two-thirds of all American families own their own homes—a rate that would be impossible without the mortgage interest deduction.

Homeownership is essential to the strength and vitality of America, providing a foundation of family security, stability and prosperity. Our communities are strengthened because of the pride of ownership and the vested interest homeowners have in their neighborhoods.

So today, let us vow to protect the mortgage interest tax deduction, and help to guarantee a strong future for American families and communities.

THE INTRODUCTION OF THE WORKING AMERICANS WAGE RESTORATION ACT

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. NETHERCUTT. Mr. Speaker, this week, most Americans will pay their federal income tax. In total, individuals will spend about 1.7 billion hours to try to comply with the tax code. Businesses will spend 3.4 billion hours. That is equivalent to a "staff" of 3 million people working full-time, year-round, just on taxes. For Washington State residents, the average total tax burden will rise from $10,307 in 1997 to $10,634, making Washington the state with the tenth highest per capita tax burden.

Our colleague in the Senate, Senator JOHN ASHCROFT, and I believe this is too much, that working Americans know better how to spend their money than the Government does. So I am pleased today, with Senator ASHCROFT to introduce the Working Americans Wage Restoration Act.

The bill will eliminate the double taxation on the employee's share of the Social Security payroll tax. It would not affect the Social Security Trust Fund in any way.

Over the last 50 years, the Social Security employer-employee payroll tax has grown from 2% to 15%. As a result, almost three-quarters of all families now pay more in total Social Security payroll taxes than they pay in income taxes. These payroll taxes are inherently unfair because workers are taxed twice on the same income. Americans are taxed first as a portion of their gross income for federal income tax purposes and a second time for their contribution to the Social Security Trust Fund.

By allowing workers to deduct their share of Social Security contributions from their federal taxes, the Working Americans Wage Restoration Act will eliminate this double taxation and allow the workers who generated the economic growth to keep more of the money they earn.

Currently, businesses and employers are permitted to deduct their share of the payroll tax as a business expense, but workers are not. Individuals should have this same opportunity. My legislation would provide the same benefit to individuals that businesses already enjoy.

I urge my colleagues to support the Working Americans Wage Restoration Act.

IN HONOR OF PATRICK SWEENEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mr. Patrick Sweeney for 35 years of public service.

Mr. Sweeney began his career as a legislator in 1967 in the Ohio House of Representatives. In 1974 he was elected Assistant Majority Leader. Four years later he was elected as chair of the Education Section and as Vice Chairman of the House Finance and Appropriations Committee. In 1984, Mr. Sweeney was named Majority Whip. He later served as Minority Leader of the Ohio House where he left in 1996 to serve as State Senator of the 23rd District. Mr. Sweeney currently serves as an advisor and co-professor at Cleveland State University.

Mr. Sweeney achieved many accomplishments for the Cleveland area while in office. He brought millions of state dollars home for various projects, including the renovation of Playhouse Square and Cleveland State University's 17–18th Street Project, which included a new law library and a new business

school building. Mr. Sweeney has also been supportive of the arts and theaters in the downtown area.

Patrick has been a dear friend, colleague and mentor for many years. I have tremendous respect for him as a legislator. I was very pleased that he succeeded me as State Senator of the 23rd District when I was elected to Congress. It gives me great pleasure to publicly recognize the achievements of Mr. Sweeney.

My fellow colleagues, please join me in honoring Patrick Sweeney for his 35 years of Public Service. He will be saluted for his achievements at a dinner by the Cuyahoga County Democratic Party.

IN HONOR OF TERENCE FREITAS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FARR of California. Mr. Speaker, I rise today to honor the memory of Terence Freitas. Terence was kidnapped in Colombia on February 25th, and slain while working on behalf of the rights of indigenous people. As a humanitarian and environmentalist, he leaves behind a legacy of activism and passion that inspires us all.

Terence graduated from the University of California at Santa Cruz in 1997 with a dual degree in biology and environmental studies. He was a conservation biologist and policy analyst, with extensive field experience in temperate and tropical rainforests. While at the University of California at Santa Cruz, Terence was an active member of the community. He was involved in numerous campus activities and helped to redesign the Crown College core course. Crown College is naming its college service award after him. In addition, an endowment has been established in his name to support the research of environmental studies at UCSC.

Terence also worked as an environmental consultant, researching American Indian Law and U.S. environmental policy. He was a longtime advocate for indigenous people and worked with Native American tribes while he was a student. His passions for working with marginalized cultures lead him in 1997, to the U'wa people in Colombia where he and two companions were on a mission to preserve the culture of the U'wa Indians.

The U'wa Tribe is fighting a battle to defend their rights and traditional territory. Ever dedicated to the fight for indigenous rights, Terence willingly put aside concern for his own safety and went to an area with one of the highest rates of documented human rights abuses, where violence, kidnappings and executions are part of everyday life. No one outside Colombia did more for the U'wa people than did Terence.

Terence helped to establish the U'wa Defense Working Group and lived life passionately. His fight will be continued by fellow activists, and Terence will be missed by all of those whose lives he touched. The loss of his young, vibrant life, is a tragedy for the whole world. The global humanitarian effort has suffered greatly with the passing of Terence Freitas.

INTRODUCTION OF THE RELIGIOUS FREEDOM PEACE TAX FUND BILL

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. LEWIS of Georgia. Mr. Speaker, one of the fundamental liberties of our country is freedom of religion. The right to exercise our religious beliefs free of government coercion. The Federal Government must not force a citizen to act against his or her religious beliefs.

Because of their strong religious convictions, some Americans do not pay their taxes. They do not pay their taxes because their religion forbids them from supporting war. Seventeen cents out of every tax dollar received by the Federal Government is spent on the military.

This military spending is inconsistent with the religious beliefs of hundreds and thousands of Americans. Because of their strong beliefs, these people would rather disobey their government than disobey their God or their beliefs. As a disciple of Ghandi and Dr. Martin Luther King, Jr.'s, preachings on nonviolence, I understand the difficult choice these Americans face.

That is why I am introducing this legislation. The Religious Freedom Peace Tax Fund would allow religious and conscientious objectors to pay their taxes without violating their religious beliefs. These taxpayers would have their tax payments placed in the Religious Freedom Peace Tax Fund. Money from this fund could not be spent for military purposes. Religious objectors would be assured that their tax payment would not increase military spending—that paying taxes would not violate their religious beliefs.

The Joint Committee on Taxation has determined that the Religious Freedom and Peace Tax Fund legislation is a slight revenue raiser. The bill will not reduce military spending. It simply will allow thousands more Americans to pay their taxes in good conscience.

VFW VOICE OF DEMOCRACY WINNING ESSAY FROM HAWAII

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I have the great honor to request permission to insert in the CONGRESSIONAL RECORD the text of the winning essay from Hawaii entitled ''My Service to America,'' by Carmen M. Herlihy, in the 1998–99 VFW Voice of Democracy Scholarship Competition.

MY SERVICE TO AMERICA

(By Carmen Herlihy)

It was a little over two hundred years ago that a tremendous thing happened. Freedom was born. The birth of the United States Constitution was perhaps one of the most important occurrences in our country's history. In that mother of freedom there sprung a child of the future, the Bill of Rights. These 10 amendments have been the backbone of the growth of modern society. People have lived in the comfort of knowing that they will always be there, for they have always been there. But as the population continues to grow, and differences in culture have sprung up, perhaps the existence of the freedom that we as citizens have taken for granted will slowly be taken right out of our patriotic hand.

It would be a lie to say that we live in a country that grants us complete freedom. After all, complete freedom would lead to chaos. Therefore laws were created to protect the well-being of all citizens. But we are privileged enough to live in a country that allows us to voice our opinions freely, worship in what we choose, and defend ourselves when necessary.

As I watch television broadcast of the unfortunate occurrences in places such as Kosovo, where people as young as children are being killed; Northern Ireland, were a 300 year old conflict has yet to solved and China where oppression is not openly accepted, but expected by all, I thank the spirits of our founding fathers for their bravery and loyalty in the belief that a country that enables its citizens to grow, is a country that must be formed.

We as citizens of this great land have an obligation to fulfill; that obligation is to live out our reputation as being the land of opportunity and freedom, equality for all. It is a journey we must make in order to continue the tradition of freedom and basic human rights. The first of many battles is at hand.

On November third 19 hundred and ninety eight, a choice will have to be made by the citizens of a small state floating in the middle of the pacific ocean. Many people will vote on that issue without fully understanding the concept its carries out. To some it means savings the idea of traditional marriage, to other it means saving the constitution of the United States. Whatever the truth may be, another issue lies beneath the surface, one that many people would rather overlook. It is question of freedom.

Homosexuality. A word often said beneath ones breath. The thing about the word homosexuality that always amused me was the fact that people were afraid to say the word, fearing almost that was a contagious condition. It's safe to assume that a majority of the United States population disagrees with ''Alternative'' lifestyles. But does that mean that it acceptable to deny a group of people the basic human rights they are entitled to?

Have we learned nothing from the people of segregation that our country had endured not so long ago? There were people, such as Martin Luther King Jr., who were brave enough to stand up and demand the freedom that African-Americans were entitled to. There were the struggles women had endured in order to gain their right to an abortion. We live in a country that grants its citizens basic human rights that are necessary in order to live, freedom to be ones own person. Should we deny those freedoms to people who are different from ourselves? We have no right to impose our beliefs onto other people, nor does anyone have the right to deny the beliefs of another. If we do so, we will only be stepping back into our journey toward the United States our founding fathers had envisioned.

As citizens of this great country, we all have our service to America. But the freedom instilled in the United States grants us

the right to chose what that is. My service to America is to uphold the belief that all men are created equal. My service to America is to ensure that I will never be in the position of oppressing another group of people. My service to America is to inform the generation to follow of the importance of freedom. My service to America is to never forget historical struggles. My service to America is to never forget that I live in America, the land of the free.

Carmen M. Herlihy is a senior attending Baldwin High School on the island of Maui. She hopes to enter New York University this fall to pursue a career in the theater or writing.

SALUTE TO OCCUPATIONAL THERAPY MONTH

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. SLAUGHTER. Mr. Speaker, in today's business world, maintaining a productive workforce is a vital function. Workplace injuries seriously hamper the efficiency of both the employer and the employee. Workers hurt on the job need assistance in returning to their positions and aid in preventing future injuries. Occupational therapists have long been in the forefront of providing these vital services to companies and their workers.

April 1 marked the beginning of Occupational Therapy Month. I would like to take this opportunity to hail the men and women who serve as occupational therapists, including, I am proud to note, my own daughter.

Occupational therapists are skilled in task analysis and ergonomics. They advise businesses on cost-effective ways to reduce the likelihood of worker disability. Occupational therapists work to prevent injury by modifying work areas, teaching techniques to alleviate physical discomfort, and developing equipment to simplify work. As the computer becomes more integrated in the daily lives of Americans, the occupational therapist can advise on how to set up a computer workstation that allows healthy computing. Using the right equipment and posture can prevent neck and shoulder pain, as well as damaging hand and arm conditions that can result from computer overuse. Occupational therapists improve the effectiveness and health of businesses and their employees.

In recognition of the critical role these individuals play in supporting the American workforce, I salute the 60,000 members of the American Occupational Therapy Association during their special month of April.

IN HONOR OF RENAMING THE WADE PARK VA MEDICAL CENTER FOR LOUIS STOKES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the renaming of the Cleveland VA Medical Center to the Louis Stokes Cleveland Department of Veterans Affairs Medical Center and the dedication of the new parking garage.

Louis Stokes is not only a military veteran of World War II, but he is also a veteran of nearly two decades of public service to the people of Cleveland in the House of Representatives, and a maker of history. During his time in Congress, he was considered the dean of the Ohio Congressional Delegation.

Louis Stokes was the first African-American from Ohio to win a seat in Congress on November 6, 1968. He has impressed all who have known and worked with him with his commitment, erudition and patience. He has been a political mentor to me, and I have known and appreciated his abiding loyalty, good advice and friendship for many years.

Louis Stokes is also widely respected for his broad knowledge of veterans affairs and health issues. It is very fitting, therefore, that the Cleveland VA Medical Center be renamed the Louis Stokes Cleveland Department of Veterans Affairs Medical Center.

My fellow colleagues, please join me in congratulating our former colleague, Louis Stokes, as he accepts this great honor.

ROCKAWAY CHAMBER OF COMMERCE HOSTS BRAVEST AND FINEST LUNCHEON

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. WEINER. Mr. Speaker, I rise today to invite my colleagues to pay tribute to the Rockaway Chamber of Commerce on the occasion of it's Bravest & Finest Luncheon.

The members of the Rockaway Chamber of Commerce have long been known for their commitment to community service and to enhancing the quality of life for all New York City residents.

This luncheon is not only a festive happening, it is a chance for all of us to celebrate and pay tribute to a group of individuals who have dedicated their lives to protecting their friends and neighbors. This year's honorees truly represent the best of what our community has to offer.

Lieutenant Carl Trincone was appointed to the New York City Fire Department in September 1982. After being promoted to the rank of Lieutenant in 1991, he was assigned to Engine 264 where he continues to protect the people of the Rockaways from harm's way.

Firefighters 1st Grade Gregory Ruggiero, Steven Incarnato, Brian Gallagher, and Eugene Gentile are well known for their heroism and dedication to the people of the Rockaways. These brave men routinely place their own lives at risk in order to protect their friends and neighbors.

Police Officers George Von Bartheld, Jason Gaertner, Cory Fink, Scott Rodriquez, and Lucion Herriot have each made an exceptional contribution towards the reduction of crime in the Rockaways and have enhanced community safety. In addition, the members of the Transit Borough Queens Detective Squad, lead by Sgt. Scott Guginsky, have helped make our subways a safer place to travel. Each of these officers have proved themselves to be valuable assets to both the Police Department and the people of the Rockaways.

All of today's honorees have long been known as innovators and beacons of good will to all those with whom they come into contact. Through their dedicated efforts, they have each helped to improve my constituents' quality of life. In recognition of their many accomplishments on behalf of my constituents, I offer my congratulations on their being honored by the Rockaway Chamber of Commerce.

INTRODUCTION OF LEGISLATION TO EXTEND AND IMPROVE THE NATIONAL WRITING PROJECT

HON. GEORGE G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I am pleased today to join my colleague Congressman WICKER in introducing legislation to extend and improve the National Writing Project.

The knowledge and skill of a child's teacher is the single most important factor in the quality of his or her education. The National Writing Project is a nationwide program that works to improve student writing abilities by improving the teaching of writing in the nation's schools.

The National Writing Project serves a remarkable number of teachers and students on an exceptionally small budget.

In academic year 1997–98, the National Writing Project trained 181,402 teachers and administrators nationwide through 157 writing project sites in 46 states, Washington, DC, and Puerto Rico. It has served two million teachers and administrators over the last 25 years.

For every federal dollar received, the National Writing Project raises $6.93 in matching grants. This makes the National Writing Project one of the most cost-effective educational programs in the country.

Furthermore, a national staff of only two people administers the National Writing Project. The use of limited federal funds to leverage large private investments is the most efficient way to use the budgeted funds available for the greatest possible return.

The National Writing Project works. For example, in Chicago, students of National Writing Project teachers have shown significantly higher gains on the Illinois Goals Assessment Program writing tests when compared to student performance citywide. In an urban Sacramento, California high school, student performance on local writing assessments rose from lowest to highest in the district after an influx of National Writing Project teachers to the school, and college enrollment among this school's senior class rose 400%.

The National Writing Project has received similarly impressive results all across this country. In fact, the National Writing Project has received glowing reviews from the Carnegie Corporation of New York, the National Council of Teacher Education, the Council for Basic Education, and independent evaluators.

The national Writing Project is efficient, cost-effective and successful. I look forward to working with my colleagues in enacting this important legislation.

IN HONOR OF DR. RUSSELL L. TRAVIS

HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. FLETCHER. Mr. Speaker, I rise to call to the attention of my colleagues in the House of Representatives the distinguished career of Russell L. Travis, MD, a neurological surgeon from Lexington, Kentucky, and a good friend. After a lifetime commitment of service to his patients, his profession, his community, and to the people of the Commonwealth of Kentucky, it is fitting that Dr. Travis be recognized by this body as he completes his term as president of the American Association of Neurological Surgeons.

Born in Jenkins, Kentucky, a small Appalachian community, Dr. Travis attended Centre College in Danville, and received his medical degree from the University of Louisville. Following his residency at the Medical College Hospital of South Carolina, Dr. Travis returned to Lexington to begin his practice as a neurological surgeon.

One of Dr. Travis' most outstanding contributions has been his commitment to ensuring that all Kentucky citizens have access to affordable, quality health care. As both an advocate for change at a legislative level and as a volunteer in the field, his efforts are widely known and appreciated. Almost every week for the past 25 years, Dr. Travis has traveled hundreds of miles to see patients in places where you wouldn't normally find a neurosurgeon—towns like Whitesburg or Hazard, Kentucky, where adequate medical attention is in short supply. What's more, he enlisted others in service to his vision, playing a key role in the formation of Kentucky Physicians Care, a group of physicians who volunteer their services to provide free medical care to the less fortunate in their communities. This national recognized program was the first all-volunteer, nongovernment-sponsored statewide program of its kind in the country. To ensure its success, Dr. Travis traveled to every part of the State at his own expense, encouraging his colleagues to participate. And what a success it has been—since 1985 more than 300,000 Kentucky citizens have received needed medical attention from Dr. Travis' physician volunteers.

Dr. Travis' insight, experience, and hard work while serving on Kentucky's Task Force on Health Care Access and Affordability proved invaluable in achieving our goals of reforming health care in Kentucky, attempting to undo the damage well-intentioned but ill-considered government intervention had done. The Commonwealth owes much to Dr. Travis for his efforts on this task force.

Dr. Travis has given much back to his profession as well. His tireless involvement in State and national professional societies has improved the standards of medical care. Dr. Travis' colleagues have recognized these contributions with numerous awards, including the Congress of Neurological Surgeons' Distinguished Service Award, the Kentucky Medical Association's Service to Mankind Award, the Fayette County Medical Society's Jack Trevey Award for his leadership role in the Kentucky Physician Care Program, and the Physician's Recognition Award.

On behalf of my colleagues in the United States House of Representatives, I congratulate and commend Dr. Russell Travis on his exemplary service for not only the people of Kentucky, but for his contributions to the field of neurological surgery, from which the entire Nation benefits.

GAO FINDS 43% OF ELIGIBLE MEDICARE BENEFICIARIES NOT RECEIVING LOW-INCOME PROTECTION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. McDERMOTT. Mr. Speaker, complicated administrative procedures, difficult and lengthy application forms and even the reluctance to visit a welfare office are keeping millions of low-income seniors from receiving Medicare benefits designed just for people like them, according to a new report from the General Accounting Office.

The GAP report I requested with Representative PETE STARK found that 43 percent of the elderly poor are not enrolled in Medicare's programs to assist them with their health-care costs. The federal agency said of the 5.1 million elderly who qualify for the assistance, about 2.2 million were not enrolled.

My view is that GAO's findings that the high percentage of Medicare beneficiaries who are eligible, but not actually enrolled in the programs is alarming, and warrants Congressional action.

These are people in our society who need help the most. Often they are women, single, living alone, and over 80 years old. We need to adequately take care of our mothers, grandmothers and aunts, rather than force them to endure a gauntlet of administrative forms and long lines at the welfare agency.

The GAO report cited a lack of outreach to get people into the program, complex administrative rules, and the reluctance of some seniors to visit a welfare office as part of the reason for lack of enrollment.

To correct these problems, Representatives STARK and BERRY and I today introduced legislation to automatically enroll eligible beneficiaries into the programs.

It's clear that Congress has failed to ensure that we reach out to Medicare beneficiaries eligible for these programs. Section 154 of the Social Security Amendments of 1994 (P.L. 103–432) directed the Secretary of HHS to obtain all information necessary from newly-eligible Medicare beneficiaries to determine their eligibility for these programs and to transmit this information to individual states.

Medicare provides health insurance coverage to nearly 39 million Americans. Costs are shared by the government and the individuals. Medicare Part A—hospitalization—is paid through the federal payroll tax. But premiums for Medicare Part B—for doctor's bills—are paid by beneficiaries through a deduction from their Social Security payments. Many seniors also buy so-called Medigap policies to take care of costs not paid by Medicare.

The cost of Medicare Part B premiums, which are $45.50 per month this year, can be a burden for low-income elderly.

The poorest of the elderly can get help paying their premiums through Medicaid. But many seniors who are not quite at the poverty level still have trouble paying this cost. So Congress established two programs, the Qualified Medicare Beneficiary program, or QMB, and the Specified Low Income Medicare Beneficiary program, (SLMB).

QMB began in 1986 and is aimed at Medicare beneficiaries below the federal poverty level. It pays Medicare premiums, deductibles and coinsurance.

SLMB, started in 1993, requires state Medicaid programs to pay Part B premiums, but not deductibles or coinsurance. It is aimed at those with incomes below 120 percent of the federal poverty level.

We introduced our bill to ensure that qualified and needy seniors can take advantage of these programs. Essentially, what their bill would do is automatically enroll qualifying seniors in the programs.

The GAO report also stated that many potential recipients don't even know the programs exist.

The report noted, "The persistence of relatively low enrollment in the QMB and SLMB programs suggests that enhanced outreach or simplified enrollment processes would be helpful in reaching a larger share of eligible low-income Medicare beneficiaries."

Our legislation would go a step further and ensure that Medicare beneficiaries actually receive the benefits to which they are entitled.

IT IS TIME TO SERVE OUR VETERANS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. MORAN of Kansas. Mr. Speaker, I am glad to rise in support of legislation I introduced on March 25, 1999, that will give more veterans the freedom to choose where they receive medical care. Under current law, the VA does not generally treat a non-service connected Medicare-eligible veteran because they have no way to recover the full cost of doing so. With this legislation, a Medicare-enrolled veteran could go to their VA for care and Medicare would reimburse the VA at a fixed rate. This Medicare subvention legislation allows the Department of Veterans Affairs to establish a three year demonstration project at up to 10 sites around the country to test Medicare reimbursements to the VA. While a pilot project for Department of Defense Medicare Subvention was enacted into law in 1997, the VA's Pilot Project was not.

This legislation is budget neutral. It caps Medicare payments to the VA at $50 million

annually. HHS and VA will monitor this project from beginning to end in order to study its effectiveness in giving more veterans access to VA health care. Last month, this legislation passed in the Senate. Now is the time for the House to act on this issue.

The second part of this bill would take steps to ensure that the Department of Defense health care coverage, Tricare, is accessible and patient-friendly through improved business practices and by meeting industry standards. In 1993, the Department of Defense restructured its health care program in order to maintain beneficiary access to high quality care while containing cost. Implementation of this program has been difficult as force reduction and base closures have resulted in fewer military treatment facilities and medical personnel. There is still much to be done to ensure access to Tricare's 8 million beneficiaries made up of active service members, their families, and retirees.

This legislation directs the Department of Defense to take several steps to ensure that Tricare is similar to the health care coverage available to all other federal employees; that it ensure portability of benefits from region to region; and that it improve patient management. Changes in this bill will improve Tricare for beneficiaries, providers, and contractors. Identical legislation was passed last month in the Senate and it is time the House did the same. Those who have served in our military deserve accessible health care without the red tape.

This bill also encourages the Veterans Benefits Administration to review its policies and procedures in reviewing claims; initiate necessary actions to process claims in a consistent and timely manner; and report to the Congress on measures taken to improve processing time. Processing claims through the VBA, including veterans disability ratings, has grown increasingly slower over the last few years. A veteran's access to VA health care often depends on these decisions. We should not put a veteran's health care needs on hold because of paperwork delays.

I commend our veterans for their courage in defending our nation's values and freedoms. They have served their country to the fullest extent, and it is time to serve our veterans.

INTRODUCTION OF CORPORATE RESPONSIBILITY ACT OF 1999

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. VISCLOSKY. Mr. Speaker, today I introduced the Corporate Responsibility Act of 1999 which will save an estimated $33 billion in corporate welfare over the next five years. This bill eliminates or reforms twelve federal programs that currently use billions of taxpayer dollars to subsidize corporate America. Three years ago, Congress reduced welfare for individuals and families. Now it is time to do the same for corporations.

This legislation is necessary to eliminate the system of tax breaks, subsidies and other policies given to wealthy special interests by the federal government. Time magazine estimates that corporate welfare costs American taxpayer $625 billion every five years. Foreign Sales Corporations (FSCs), which give tax breaks to corporations who transport American jobs overseas, alone account for $1.7 billion each year.

My bill, similar to one introduced in the 105th Congress, takes aim at the worst examples of corporate welfare in the federal budget, including FSCs, special tax treatment of alcohol fuels, the Market Access Program, the Export Enhancement Program, and federal funding of forest roads for logging. The bill also includes a lock-box mechanism to ensure that all savings and revenue go directly toward reducing the public debt.

This bill would save more than $33 billion over five years by ending corporate welfare programs and reforming others. Because this legislation is limited to the most egregious examples, my bill is a litmus test for anyone who is serious about ending corporate welfare. In short, this bill puts the best interest of our citizens—a balanced budget, jobs, education, and a clean environment—ahead of handouts to huge corporations and wealthy special interests.

Consequently, I urge my colleagues to cosponsor and support the Corporate Responsibility Act of 1999.

HOLOCAUST COMMEMORATION AND KOSOVO

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Ms. SCHAKOWSKY. Mr. Speaker, my remarks today come at a time of great significance to the Jewish community and the international community. This week we observed the days of remembrance, a commemoration of the Holocaust and a tribute to those who lost their lives.

The Holocaust was a time of such incredible horror that it is often not taught to the young and some, because of how disturbing it can be, choose not to speak of it. I accept it as my duty to educate others about the atrocities of the past so that they may never again occur. The Holocaust was a disgraceful chapter in the history of humankind. The fact that the world stood by and watched, is something that I will never understand. What I will do, what the world must do, is to promise that these crimes against humanity will never again be tolerated.

Today, our responsibility is again subject to a test. With the crisis in Kosovo, and the all too familiar images of families being packed into boxcars, bodies being discovered, and orphaned children crying, the Jewish community is painfully reminded of the suffering we have sworn to prevent.

I would also like to take this opportunity to commend the people of Israel for realizing the relationship between the suffering in Kosovo and the suffering in the history of the Jews. In the first ten days of Operation Allied Forces, Israeli citizens donated over one million dollars toward refugee relief efforts in the Balkans. Field hospitals set up by Israel have already helped to successfully deliver 7 babies born to Kosovar refugees. In Israel on Monday, 17 families of Kosovar refugees—the first of hundreds yet to come—arrived to a warm welcome led by Prime Minister Benjamin Netanyahu and his wife Sara.

Among those that arrived on Monday were Lamia Jaka, the daughter of righteous gentiles Dervish and Servet Kurkut of Kosovo, and her husband Vlaznim. Lamia's parents saved both Jews and religious texts during the Holocaust. David Berkowitz of Neveh Ilan, whose mother was saved by Lamia's parents who hid her at their home, was on hand for a tearful reunion.

These acts are very important to me. They say that the lessons of the Holocaust need to be taught forever. I am thankful for the opportunity I have to commemorate the lives lost in the Holocaust and for the opportunity I have in facing the crisis in Kosovo to honor human life by acting to preserve it.

I was touched by the remarks Eli Wiesel delivered this week at the White House which are included below. I would urge my colleagues to take the time to read them because they serve as testimony to our necessary involvement in the NATO operation taking place in Kosovo.

Mr. WIESEL. Mr. President, Mrs. Clinton, members of Congress, Ambassador Holbrooke, Excellencies, friends: Fifty-four years ago to the day, a young Jewish boy from a small town in the Carpathian Mountains woke up, not far from Goethe's beloved Weimar, in a place of eternal infamy called Buchenwald. He was finally free, but there was no joy in his heart. He thought there never would be again.

Liberated a day earlier by American soldiers, he remembers their rage at what they saw. And even if he lives to be a very old man, he will always be grateful to them for that rage, and also for their compassion. Though he did not understand their language, their eyes told him what he needed to know—that they, too, would remember, and bear witness.

And now, I stand before you, Mr. President—Commander-in-Chief of the army that freed me, and tens of thousands of others—and I am filled with a profound and abiding gratitude to the American people.

Gratitude is a word that I cherish. Gratitude is what defines the humanity of the human being. And I am grateful to you, Hillary—or Mrs. Clinton—for what you said, and for what you are doing for children in the world, for the homeless, for the victims of injustice, the victims of destiny and society. And I thank all of you for being here.

We are on the threshold of a new century, a new millennium. What will the legacy of this vanishing century be? How will it be remembered in the new millennium? Surely it will be judged, and judged severely, in both moral and metaphysical terms. These failures have cast a dark shadow over humanity: two World Wars, countless civil wars, the senseless chain of assassinations—Gandhi, the Kennedys, Martin Luther King, Sadat, Rabin—bloodbaths in Cambodia and Nigeria, India and Pakistan, Ireland and Rwanda, Eritrea and Ethiopia, Sarajevo and Kosovo; the inhumanity in the gulag and the tragedy of Hiroshima. And, on a different level, of course, Auschwitz and Treblinka. So much violence, so much indifference.

What is indifference? Etymologically, the word means ''no difference.'' A strange and unnatural state in which the lines blur between light and darkness, dusk and dawn,

crime and punishment, cruelty and compassion, good and evil.

What are its courses and inescapable consequences? Is it a philosophy? Is there a philosophy of indifference conceivable? Can one possibly view indifference as a virtue? Is it necessary at times to practice it simply to keep one's sanity, live normally, enjoy a fine meal and a glass of wine, as the world around us experiences harrowing upheavals?

Of course, indifference can be tempting—more than that, seductive. It is so much easier to look away from victims. It is so much easier to avoid such rude interruptions to our work, our dreams, our hopes. It is, after all, awkward, troublesome, to be involved in another person's pain and despair. Yet, for the person who is indifferent, his or her neighbors are of no consequence. And, therefore, their lives are meaningless. Their hidden or even visible anguish is of no interest. Indifference reduces the other to an abstraction.

Over there, behind the black gates of Auschwitz, the most tragic of all prisoners were the ''Muselmanner,'' as they were called. Wrapped in their torn blankets, they would sit or lie on the ground, staring vacantly into space, unaware of who or where they were, strangers to their surroundings. They no longer felt pain, hunger, thirst. They feared nothing. They felt nothing. They were dead and did not know it.

Rooted in our tradition, some of us felt that to be abandoned by humanity then was not the ultimate. We felt that to be abandoned by God was worse than to be punished by Him. Better an unjust God than an indifferent one. For us to be ignored by God was harsher punishment than to be a victim of His anger. Man can live far from God—not outside God. God is wherever we are. Even in suffering? Even in suffering.

In a way, to be indifferent to that suffering is what makes the human being inhuman. Indifference, after all, is more dangerous than anger and hatred. Anger can at times be creative. One writes a great poem, a great symphony, have done something special for the sake of humanity because one is angry at the injustice that one witnesses. But indifference is never creative. Even hatred at times may elicit a response. You fight it. You denounce it. You disarm it. Indifference elicits no response. Indifference is not a response.

Indifference is not a beginning, it is an end. And, therefore, indifference is always the friend of the enemy, for its benefits the aggressor—never his victim, whose pain is magnified when he or she feels forgotten. The political prisoner in his cell, the hungry children, the homeless refugees—not to respond to their plight, not to relieve their solitude by offering them a spark of hope is to exile them from human memory. And in denying their humanity we betray our own.

Indifference, then, is not only a sin, it is a punishment. And this is one of the most important lessons of this outgoing century's wide-ranging experiments in good and evil.

In the place that I come from society was composed of three simple categories: the killers, the victims, and the bystanders. During the darkest of times, inside the ghettoes and death camps—and I'm glad that Mrs. Clinton mentioned that we are now commemorating that event, that period, that we are now in the Days of Remembrance—but then, we felt abandoned, forgotten. All of us did.

And our only miserable consolation was that we believed that Auschwitz and Treblinka were closely guarded secrets; that the leaders of the free world did not know what was going on behind those black gates and barbed wire; that they had no knowledge of the war against the Jews that Hitler's armies and their accomplices waged as part of the war against the Allies.

If they knew, we thought, surely those leaders would have moved heaven and earth to intervene. They would have spoken out with great outrage and conviction. They would have bombed the railways leading to Birkenau, just the railways, just once.

And now we knew, we learned, we discovered that the Pentagon knew, the State Department knew. And the illustrious occupant of the White House then, who was a great leader—and I say it with some anguish and pain, because, today is exactly 54 years marking his death—Franklin Delano Roosevelt denied on April the 12th, 1945, so he is very much present to me and to us.

No doubt, he was a great leader. He mobilized the American people and the world, going into battle, brining hundreds and thousands of valiant and brave soldiers in America to fight fascism, to fight dictatorship, to fight Hitler. And so many of the young people fell in battle. And, nevertheless, his image in Jewish history—I must say it—his image in Jewish history is flawed.

The depressing tale of the St. Louis is a case in point. Sixty years ago, its human cargo—maybe 1,000 Jews—was turned back to Nazi Germany. And that happened after the Kristallnacht, after the first state sponsored pogrom, with hundreds of Jewish shops destroyed, synagogues burned, thousands of people put in concentration camps. And that ship, which was already on the shores of the United States, was sent back.

I don't understand. Roosevelt was a good man, with a heart. He understood those who needed help. Why didn't he allow these refugees to disembark? A thousand people—in America, a great country, the greatest democracy, the most generous of all new nations in modern history. What happened? I don't understand. Why the indifference, on the highest level, to the suffering of the victims?

But then, there were human beings who were sensitive to our tragedy. Those non-Jews, those Christians, that we called the ''Righteous Gentiles,'' whose selfless acts of heroism saved the honor of their faith. Why were they so few? Why was there a greater effort to save SS murderes after the war than to save their victims during the war?

Why did some of America's largest corporations continue to do business with Hitler's Germany until 1942? It has been suggested, and it was documented, that the Wehrmacht could not have conducted its invasion of France without oil obtained from American sources. How is one to explain their indifference?

And yet, my friends, good things have also happened on this traumatic century: the defeat of Nazism, the collapse of communism, the rebirth of Israel on its ancestral soil, the demise of apartheid, Israel's peace treaty with Eqypt, the peace accord in Ireland. And let us remember the meeting, filled with drama and emotion, between Rabin and Arafat that you, Mr. President, convened in this very place. I was here and I will never forget it.

And then, of course, the joint decision of the United States and NATO to intervene in Kosovo and save those victims, those refugees, those who were uprooted by a man whom I believe that because of his crimes, should be charged with crimes against humanity. But this time, the world was not silent. This time, we do respond. This time, we intervene.

Does it mean that we have learned from the past? Does it mean that society has changed? Has the human being become less indifferent and more human? Have we really learned from our experiences? Are we less insensitive to the plight of victims of ethnic cleansing and other forms of injustices in places near and far? Is today's justified intervention in Kosovo, led by you, Mr. President, a lasting warning that never again will the deportation, the terrorization of children and their parents be allowed anywhere in the world? Will it discourage other dictators in other lands to do the same?

What about the children? Oh, we see them on television, we read about them in the papers, and we do so with a broken heart. Their fate is always the most tragic, inevitably. When adults wage war, children perish. We see their faces, their eyes. Do we hear their pleas? Do we feel their pain, their agony? Every minute one of them dies of disease, violence, famine. Some of them—so many of them—could be saved.

And so, once again, I think of the young Jewish boy from the Carpathian Mountains. He has accompanied the old man I have become throughout these years of quest and struggle. And together we walk towards the new millennium, carried by profound fear and extraordinary hope. (Applause.)

I conclude on that.

IF IT AIN'T BROKE, DON'T FIX IT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. SCHAFFER. Mr. Speaker, if it isn't broken, don't fix it. If it works, don't break it.

I'm referring to the Social Security debate. Currently, some in Congress are looking at proposals to prevent the program's anticipated bankruptcy 32 years from now. In order to buy the system a couple more years of financial solvency, some of our colleagues are considering levying a new tax on state and local government employees who are currently covered by their own pension plans. They want to force newly-hired state and local government employees who would otherwise enjoy independent pension and disability programs with good returns to participate in Social Security which offers neither security nor a good investment opportunity.

If that isn't bad enough, by mandating new state and local employees into Social Security, they will short-circuit state and local programs by shutting down the capital stream necessary to maintain current benefit levels. Mandating Social Security will, in essence, break what isn't broken while failing to fix what is.

Mr. Speaker, 5 million state and local employees and 2 million retirees are covered by alternative plans. In Ohio, Colorado, California, Massachusetts, Nevada, Maine, Alaska, and Louisiana, over half of all state employees are covered by their own plans. In Texas and Illinois over 1 million employees are covered under state and local plans. Every state is impacted because about 75 percent of all public safety employees are not covered under Social Security. In Colorado there are more than 200,000 state, education, and local government employees who are outside of the federal retirement system.

These state and local disability and pension systems were developed because the original Social Security Act of 1937 excluded state and local governments from Social Security coverage. This was to avoid raising a possible Constitutional question of whether the federal government could tax state and local governments. Congress later amended the law to make state and local government employee participation in Social Security voluntary in 1950. In 1983, those already participating in Social Security were required to remain in the federal systems.

In the absence of Social Security, Colorado state and local employees developed public retirement plans which have been able to provide solid, secure benefits at a reasonable cost. The plans earn better investment returns, through private sector investments, than are available through the current pay-as-you-go Social Security system. With a diversified investment fund, the state's largest plan has earned an average annual investment return of over 11 percent during the last 25 years.

Furthermore, the plans are designed to meet the specific needs of public employees. Fire fighter pension plans, for example, are designed to take into account early retirement ages, high rates of disability and the need for extensive health care characteristic of this profession.

The one-size-fits-all approach of universal Social Security coverage would provide inadequate flexibility for safety workers' needs. Mandatory coverage will have additional consequences. Even on a new-hire basis, mandatory coverage will reduce the capital stream necessary for investment. In many plans around the country this will cause benefit cutbacks including reduced credit for future service, cuts in retiree health care coverage and cost of living adjustments.

Further, mandatory coverage represents a new tax and an unfunded federal mandate on states which would require state and local tax increases or a reduction in services for taxpayers. Health benefits for retirees would also be affected in many states.

Mr. Speaker, private sector workers would also be affected. Most states do not receive any income tax revenue from Social Security payments and the lost state revenue resulting from mandatory coverage would likely be made up from increased state taxes or budget cuts.

In Colorado, the public pension systems will be seriously compromised because most of the funding of benefit comes from investment income which would be severely cut by the transfer of significant contributions to Social Security. State retirement funds support Colorado's economy and the nation unlike Social Security funds which simply support other government programs. Reduced state pension investment means reduced Colorado capital investment. A decline in contributions translates into less investment in Colorado-based companies and real estate. Furthermore, when Colorado retirees receive fewer benefits they will pay fewer state income taxes.

The potential loss of revenue to the state is significant, but the loss of retirement contributions and security for Colorado state and local workers is even more troubling. Our state's Public Employees' Retirement Association (PERA) anticipates an end to plan improvements for current participants and retirees. New hires would receive a combined Social Security and PERA benefit that would be slightly less than three-fourths of the current PERA benefit.

To put it plainly, under mandatory Social Security state and local workers will lose out. New hires will lose the opportunity to participate in financially strong, high-earning retirement plans and they will be forced to partake in an inefficient system and receive far less or possibly nothing at all. Those already participating in state and local government retirement plans will experience a reduction in benefits when new hire funds are redirected to Social Security. In order to make contributions to both pension and Social Security plans, state and local governments will have to raise taxes or reduce services, in which case, everyone loses.

Mr. Speaker, the only advantage Congress would realize in this scheme would be to buy two extra years for Social Security.

Over the past year, I led the Colorado delegation to protect state and local government pension and disability plans. Letters I wrote expressing our united opposition to mandatory Social Security have reached your desk. Do not disregard them or underestimate our resolve.

Congress must preserve the freedom of states, school districts, and local governments to maintain plans which best meet their needs, independent of Social Security. Social Security can and must be fixed without destroying plans upon which our constituents depend for their retirement.

Mr. Speaker, if it works, don't break it.

WOMEN'S HISTORY MONTH

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1999

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise today to pay tribute to the numerous women of achievement in this country during Women's History Month. I believe true leadership has no gender, race, age or religion. It consists of dedication, perseverance, hard work, compassion, wisdom and a commanding vision for the future.

Tonight I woudl like to honor two women in particular who have mastered all of these traits despite being faced with seemingly insurmountable obstacles. As both the Vice Chair of the Women's Caucus and an active member of the Congressional Black Caucus, I have worked with my colleagues to present two awards to Helen Thomas and Dorothy Height during Women's History Month. Since it is important to document the remarkable work of women of such achievement Mr. Speaker, I would like to share with you their stories.

Helen Thomas has been the White House bureau chief of United Press International (UPI) since 1974. Over the past several decades, Helen has covered eight presidents. She is the first female UPI White House bureau chief. Prior to that, over the span of 50 years, she has been given what she called ''the big plum'' job of getting doughnuts for reporters in 1942. She went on to cover exclusively ''female'' subjects for UPI's radio wire, which was called United Press at the time. However, her big break came when she served as the only print journalist accompanying President Nixon when he made his historic trip to China in 1972. Thus was the rise of Helen Thomas.

Helen is considered tough and incisive with a keen ability to pierce through issues to find the meaning of events. She is also considered warm, open, passionate and opinionated. She has been a self-described women's libber since the day she was born and initiated the campaign to open the doors of the National Press Club to women, which finally occurred when Nikita Krushchev spoke at the Club in 1959—although it took another 12 years before women were admitted. In the mid-seventies, she became the National Press Club's first female officer; the first female member of the 90-year old Grid Iron Club, Washington's most exclusive press organization, and in 1993 was elected its president; and the first female officer of the White House Correspondents Association. She has received numerous awards for her work in journalism and in 1992, UPI established an internship program in her honor to be awarded annually to a female journalism student.

At the proud age of 78, she continues to jump from behind bushes near the White House jogging track to fire questions at President Clinton during his morning run. And Helen is still known for jumping over banquet tables to get to a phone before her competitors. At White House press conferences, she is inevitably the first correspondent to be called on by the President and the last to close with her signature statement, ''Thank you, Mr. President.''

It is with great honor that the Congressional Caucus for Women's Issues bestows the Women's Leadership Award to a woman of integrity, grit and boundless energy. She serves as a tremendous role model for millions of women in America.

An equally important role model for this country is Dorothy Height. Despite reaching the ripe age of 87 years old, Dr. Height is still considered one of the nation's most influential and effective women's leader. She has her master's degree in social work, and has been awarded 23 honorary degrees from various universities, including Harvard University. Some of her most impressive achievements include her leadership of the YWCA, National Council of Negro Women and the Center for Racial Justice.

During a tragic time of civil unrest, she was the first Black and first woman named to deal with the Harlem Riots of 1935 and sat at the table with President Johnson during the civil rights movement to develop meaningful civil rights legislation. Dr. Height served as a vocal and extremely effective leader in the civil rights movement to address lynching, desegregate the armed forces, reform the criminal justice system and free access to public accommodations. She also was the national president of Delta Sigma Theta Sorority from 1947 to 1956.

Today, Dr. Height is still viewed as a dynamic orator who contributes invaluable intellectual insight to national discussions on race relations, the role of women and a range of civil rights issues. She has traveled the world to study other cultures and developed a critical understanding of the role of women in Africa, Asia, India and Latin America. She has become a living legacy throughout this country and abroad.

I am so honored to join my colleague BARBARA LEE in bestowing an award on Dr. Height for her unyielding determination to never give up, her enthusiastic, can-do approach to solving some of the nation's most complex problems, and her astute understanding of the world that can be created through equality of opportunity for all of humanity.

LOCAL CENSUS QUALITY CHECK ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to H.R. 472, the Local Census Quality Check Act of 1999. Although this bill purports to increase the involvement of local governments in the census, it really acts to slow down and delay an accurate count. Because the Census is a significant civil rights issue, the Census for 2000 must be accurate to ensure equal representation of all Americans.

The methodology of H.R. 472 repeats the process that was used in 1990—the same process that resulted in an undercount of the population. The 1990 Census missed 8.4 million people, 4.4 million people were counted twice and 13 million people were counted in the wrong place.

Although there were various reasons for the undercount in 1990, a disproportionate number of children, people of color and the rural and urban poor were most likely to have been missed. Thus, each of these groups was denied an equal voice in our government.

Census undercounts translate into communities losing out on federal and state funding for schools, crime prevention, health care and transportation. Because of the undercount in 1990, Texas lost almost $1.87 billion in federal funds. A recent article in The Houston Chronicle estimated that Texas could lose $2.8 billion if a similar undercount takes place.

In my district in Houston, close to 500,000 people were missed. It is estimated that 28,554 children in my district were missed. Almost five percent of all African-Americans and Hispanics were not counted in 1990, and these groups constitute almost half of the population of the city!

As Chair of the Congressional Children's Caucus, the undercount of children is particularly troubling to me. Over 50 percent of all American children were missed in the census count in 1990. This undercount affects all of the programs that benefit our children—education, health care, housing, childcare, nutrition and immunizations.

H.R. 472 in its present form will delay the census by an additional nine weeks. If we want to improve our methods, then we cannot micro-manage the count after the census is complete, nor should we further delay the results by waiting for 39,000 local governments to review the count.

The Census Bureau has already developed a plan that provides for review as the count occurs instead of after the fact. After the Census of 1990, the Bureau determined that the Post Census Local Review program was inefficient. Therefore, it has already designed a better series of programs and procedures that will promote local government participation in a timely and fair way.

In addition to the traditional headcount, the Bureau will conduct an in-depth survey of 300,000 households to measure how many people were missed. This survey, called the Accuracy and Coverage Evaluation or ACE, is more efficient and it is a better use of resources. It would cover about 85% of all housing units in the country, and twice as many local governments will be included than in 1990.

The Administration has expressed its negative views on H.R. 472. The Census Bureau has stated that this bill will compromise their efforts to conduct an accurate count. The Department of Commerce does not support this bill and recommended that the President veto it if it passes. The President has indicated that he will follow the advice of the Department of Commerce and veto this bill.

Instead of supporting H.R. 472, I ask that you support the Maloney amendment, offered by Representative CAROLYN MALONEY, which gives local governments the ability to remain within the plans developed by the Census Bureau. The Maloney amendment in the form of a substitute allows the Census Bureau to design programs to address local government concerns while not causing a delay in the count.

I urge my colleagues to vote against H.R. 472 and support the Maloney amendment. We owe it to the millions of people who were not counted. H.R. 472 will cause an unnecessary delay in the census. The Post Census Local Review method advocated in this bill did not prevent an undercount in 1990, and we must not make the same mistake for the year 2000.