

person that is committed to the domestic production of energy and committed to renewable sources of energy, and committed to making a point with OPEC that we don't intend to be dependent upon these nations holding us up, particularly after the American taxpayer gave \$415 million of foreign aid to OPEC nations for them to use to buy the rope to strangle the American consumer economically and hurt our whole economy in the process. That is exactly what OPEC is doing when the price of our energy, the price of our fuel oil, goes up 30 percent.

I hope we have a new day. I want to have a new day. I hope for a new day. A lot of that is what the people decide in the coming election.

I yield the floor.

SENIOR SAFETY ACT

Mr. LEAHY. Mr. President, I rise today to encourage passage of the Seniors Safety Act, legislation I introduced along with Senators DASCHLE, KENNEDY, and TORRICELLI in March 1999. Eight additional Senators have signed on as cosponsors since then. Despite this broad support, however, the majority has declined even to hold hearings on this bill to fight crime against America's senior citizens. As Grandparents' Day approaches this Sunday, and as this Congress comes to a close, I urge the majority to join with us in our efforts to improve the safety and security of older Americans.

During the 1990s, while overall crime rates dropped throughout the nation, the rate of crime against seniors remained constant. In addition to the increased vulnerability of some seniors to violent crime, older Americans are increasingly targeted by swindlers looking to take advantage of them through telemarketing schemes, pension fraud, and health care fraud. We must strengthen the hand of law enforcement to combat those criminals who plunder the savings that older Americans have worked their lifetimes to earn. The Seniors Safety Act tries to do exactly that, through a comprehensive package of proposals to establish new protections and increase penalties for a wide variety of crimes against seniors.

First, this bill provides additional protections to nursing home residents. Nursing homes provide an important service for our seniors—indeed, more than 40 percent of Americans turning 65 this year will need nursing home care at some point in their lives. Many nursing homes do a wonderful job with a very difficult task—this legislation simply looks to protect seniors and their families by isolating the bad providers in operation. It does this by giving Federal law enforcement the authority to investigate and prosecute operators of those nursing homes that engage in a pattern of health and safe-

ty violations. This authority is all the more important given the study prepared by the Department of Health and Human Services and reported this summer in the New York Times showing that 54 percent of American nursing homes fail to meet the Department's "proposed minimum standard" for patient care. The study also showed that 92 percent of nursing homes have less staff than necessary to provide optimal care.

Second, the Seniors Safety Act helps protect seniors from telemarketing fraud, which costs billions of dollars every year. My bill would give the Attorney General the authority to block or terminate telephone service where that service is being used to defraud seniors. If someone takes your money at gunpoint, the law says we can take away their gun. If someone uses their phone to take away your money, the law should allow us to protect other victims by taking their phone away. In addition, my proposal would establish a Better Business Bureau-style clearinghouse that would keep track of complaints made about telemarketing companies. With a simple phone call, seniors could find out whether the company trying to sell to them over the phone or over the Internet has been the subject of complaints or been convicted of fraud.

Third, the Seniors Safety Act punishes pension fraud. Seniors who have worked hard for years should not have to worry that their hard-earned retirement savings will not be there when they need them. My bill would create new criminal and civil penalties for those who defraud pension plans, and increase the penalties for bribery and graft in connection with employee benefit plans.

Fourth and finally, the Seniors Safety Act strengthens law enforcement's ability to fight health care fraud. A recent study by the National Institute for Justice reports that many health care fraud schemes "deliberately target vulnerable populations, such as the elderly or Alzheimer's patients, who are less willing or able to complain or alert law enforcement." This legislation gives law enforcement the additional investigatory tools it needs to uncover, investigate, and prosecute health care offense in both criminal and civil proceedings. It also protests whistle-blowers who alert law enforcement officers to examples of health care fraud.

This legislation is intended to focus attention on the particular criminal activities that victimize seniors the most. Congress should act on this bill now—when it comes to protecting our seniors, we have no time to waste. I am eager to work with the majority on this bill, and would be happy to consider any constructive improvements. Protecting seniors should be a bipartisan cause, and I want to pursue it in

a bipartisan way. So I urge my colleagues on the other side of the aisle to look at this bill and work with us to improve the security of our seniors.

MISSILE DEFENSE

Mr. KYL. Mr. President, as you know, President Clinton recently announced that he would further delay deployment of a national missile defense system to protect the United States. Regrettably, although the President's decision was disappointing, it was not surprising given the track record of the Clinton-Gore administration. In fact, when one looks back over the past 8 years it is clear that this latest decision is merely the capstone to a string of poor decisions by this administration that have left us defenseless against a growing threat to America's security.

Time after time, the administration has taken steps to delay development of a system to defend against a missile threat that the Rumsfeld Commission, our intelligence agencies, and the Defense Department have said is increasingly serious. The administration has failed to pursue development of promising missile defense technologies, such as sea- and space-based defenses, has underfunded the limited programs it has authorized, and has pursued misguided arms control policies.

This week, Senator THAD COCHRAN released a report entitled "Stubborn Things" that chronicles the record of neglect by this administration toward missile defense. The report contains ten chapters, corresponding to each year over the past decade. Each chapter includes a chronological recitation of events relevant to ballistic missile defense, including the progression of the missile threat facing the United States, developments in arms control negotiations, as well as data on the level of funding devoted to these vital programs.

Senator COCHRAN named the report after a quote from John Adams, who said in 1770:

Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.

True to the spirit of John Adams' admonition, Senator COCHRAN's report simply lays out fact after fact about what has transpired in the area of missile defense over the past decade. It is an excellent compilation of the events and decisions that have led us to our current situation.

For example, after the President announced that he would not authorize deployment of a national missile defense system, administration officials said the President had reached this decision in part because development of a booster for the ground-based system has lagged. But as Senator COCHRAN's report points out, this is a legacy of