to make certain we don't do anything that is going to derail the economy.

We have seen some suggestions—for example, Governor Bush and some of his Republican friends in the Senate who have suggested over a $1 trillion tax cut that they want to see over the next 10 years. They have suggested we change the Social Security system.

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

Mr. DURBIN. I yield the floor.

## MEASURES PLACED ON THE CALENDAR—S. 3068 AND H.R. 5173

Mr. CRAIG. Mr. President, I understand there are two bills at the desk due for their second reading.

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. I ask unanimous consent that they be read by title at this time.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 3068) to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent resident status.

A bill (H.R. 5173) to provide for reconciliation pursuant to sections 103(b)(2) and 213(b)(2)(C) of the concurrent resolution on the budget for fiscal year 2001 to reduce the public debt and to decrease the statutory limit on the public debt.

Mr. CRAIG. Mr. President, I object to further proceedings on the bills at this time.

The PRESIDING OFFICER. The bills will be placed on the calendar.

The PRESIDING OFFICER. The Senator from North Dakota.

## JUDGE RONALD DAVIES

Mr. DORGAN. Mr. President, the legislation we will vote on after lunch contains a provision that will name a Federal courthouse in Grand Forks, ND. A Federal building in Grand Forks, ND, will be named the Judge Ronald N. Davies Federal Building. I want to describe to my colleagues something about Judge Ronald Davies.

Some of my colleagues may have had the opportunity to visit the Norman Rockwell exhibit at the Corcoran Gallery of Art in downtown Washington, DC. Among the many examples of Americana in the Gallery is a famous painting of a little African American girl, hair in pigtails, head held high, being escorted into a school by U.S. marshals. It was the result of a ruling by an unassuming Federal judge, a son of North Dakota, that allowed this Nation to take one large step forward in expanding America's dream for all Americans.

Forty-three years ago this month, on September 7, 1957, a Federal judge from North Dakota was asked to go to Arkansas to sit as a Federal judge and render a decision on a case involving civil rights. Surrounded by security guards because of threats on his life, Judge Ronald Davies carefully weighed the facts and the law and then issued an order that the New York Times later said was a landmark decision in civil rights, ordering the integration of the Little Rock public schools.

Most people will not know the name of Ron Davies, but Judge Davies is one of North Dakota's proudest sons. He was made a Federal judge by the appointment of President Eisenhower in 1955. While on temporary assignment in Arkansas, he issued the decision that would become one of the landmark decisions on the issue of civil rights. He required the integration of the schools in Little Rock.

Judge Davies was not a tall man. In fact, he was just over 5 feet—about 5 foot 1, 5 foot 2—but he will certainly be remembered as a giant in the history of civil rights and integration. Despite threats on his life and National Guardsmen guarding the doors, this man sat in a courthouse and rendered the pivotal decision that will echo throughout this Nation's history. He replied, ''I was only doing my job,'' when asked about that decision. He was unassuming and unwilling to be in the national spotlight. In fact one news program called him an ''obscure judge.'' He agreed. He said, ''We judges are obscure and should be.''

Back then, he was also called ''the stranger in Little Rock.'' But he was no stranger to justice and no stranger to decency and no stranger to common sense. Men such as Judge Davies should be remembered. I think it is appropriate that we recognize this Federal judge with the fiery spirit, a man with an unerring sense of duty who went to Little Rock in a very difficult circumstance and did his job.

When schoolchildren and citizens and visitors pass through the door of the Federal building in Grand Forks, ND, they will be reminded of the courage Judge Davies showed America as he sat and did his job in those difficult times in Little Rock. It was a turning point in our Nation's history.

I can think of no better way to celebrate the life of Judge Davies, and also the important achievements his decision 43 years ago this month have rendered this country, than to put his name on the Federal building in Grand Forks, ND. So when this legislation becomes law later this year, that Federal building will be named the ''Ronald N. Davies Federal Building and United States Courthouse.''

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

The PRESIDING OFFICER. The Senate will now resume consideration of the conference report to accompany H.R. 4516, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 4516 making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I understand that under this conference report that is now on the floor, the Senator from Wyoming has an hour reserved.

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. I ask unanimous consent that I be allowed to use up to 10 minutes of that hour.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### PRESCRIPTION DRUGS

Mr. CRAIG. Mr. President, for the course of the last hour and a half, I have been both in committee and in my office. While in my office, I watched a good deal of the discussion going on here on the floor by some of my colleagues on the other side—Senator GRAHAM from Florida, Senator BOXER from California, Senator DURBIN from Illinois, and Senator DORGAN from North Dakota—talking about the issue of prescription drugs.

There isn't a Senator here who does not recognize the importance of this issue primarily with the senior community in America today—primarily with the poorer of that community who cannot afford some of the new drugs that are on the market that are clearly improving their lifestyle, extending their health, and allowing many of our citizens to live better and longer.

That is why some of us, if not all of us, for the last couple of years have recognized the need to respond to the prescription drug issue within Medicare as a primary health provider in this country for our seniors. When that belief first came about, it came about in the context of the reform of Medicare. I think it is important to give a little history.

With a health care program in this country that is 30 years old, we began to recognize that it was in trouble; that it was continuing to pay for health care needs that were sometimes no longer needed and costs continued to go up. We were constantly working to adjust it.

In the Balanced Budget Act of 1997, we made adjustments. Some of those

were right; some of those were wrong. Some of those were interpreted by the Federal health care administrators in a way that Congress didn't intend, and we are going to make some of those corrections this year for nursing homes and hospitals. The fundamental question is and should be, Was Medicare providing the necessary health care needs of our seniors?

Out of that grew the prescription drug issue. No question about it, as the President knows, these new designer drugs that are out on the market that are a result of our science, our technology, are doing wonderful things. They are not included. They are not a part of the old Medicare model that we created 30-plus years ago. That is why in the Balanced Budget Act of 1997 this Congress and this Senate said: Let's create the National Bipartisan Commission on the Future of Medicare. Let's reform it to fit the 21st century and the needs of the seniors of America in the 21st century, and let's do that in the context of shaping it differently, making sure prescription drugs are a piece of it. That will be the new health care paradigm.

The President appointed people. We appointed people. We worked. They studied. We brought in the best health care experts in the country and they brought about a report. Something happened along the way. We were getting closer and closer to an election cycle, and it appeared tragically enough that the other side saw this much more as a political issue than a need for substantive reform. As a result, that commission reported it lacked the one vote necessary for a majority to report back to Congress its findings and its proposal for the Congress to act.

Interestingly enough, the two Democrats from the Senate, Senator BREAUX and Senator KERREY, who served on that committee, voted for the report. They saw it as a major step in the right direction and, of course, the President's appointees were advised to vote against the report, or so we understand. They voted against it. Eleven votes were needed to approve the commission's recommendation; 10 of the 17 commissioners voted yes. We needed one more and we simply did not get it.

Before the vote ever took place, President Clinton announced the commission had failed and that his own advisers would draft a plan to serve the Medicare program. I think what he was saying was that his own advisors would draft a political plan to serve the next Presidential election.

The politics of Mediscare and prescription drugs moves now into the political arena. That announcement occurred in March of 1999. It literally was the sounding of a trumpet, the sounding of the fact that prescription drugs and Medicare without reform would become a part of the political mantra of the day; every Senator, Democrat and Republican, recognizing that we had to deal with prescription drugs. In fact, it was interesting to me that Senator BREAUX said: We are not going to fix Medicare; we are going to be looking for issues to beat each other over the head with once again.

That is what he said in the CONGRESSIONAL RECORD of March of 1999—a Democrat, referring to the commission and a failure of the commission and a failure of this President to stand up and be counted for at a time when we had a chance, a window of opportunity to make major national reform in Medicare and to include prescription drugs in it. We would not be here today voting or debating this issue had that report come forward, been crafted into law, in bill form, and been debated. We would have debated it. With that kind of bipartisan support it could have and it would have happened. But it didn't happen. And tragically enough, it is not going to happen this year.

We are engaged in a national debate over which side can provide the best form of prescription drug program for the seniors of America. The debate in the field today between candidate George W. Bush and candidate Vice President AL GORE has now moved to the floor of the Senate. Prior to that debate, the Congress, in its budget resolution, said: Let's put $200 million in there to deal with prescription drugs this year so that seniors who are in true need, the truly neediest of the senior community who are making those choices between food and prescription drugs could be cared for. I hope we can still get them.

While we have the national debate ongoing today between Governor Bush and Vice President GORE—and it is an appropriate debate to have—the Vice President, I don't believe, deserves another bite at the apple. He has had 8 years and he had a chance to go to this President and say: Let's do Medicare reform. Let's do it now in a bipartisan way. Let's take this issue off the table.

That isn't what happened. It is just too ripe for politics. It is just too tasty an issue to engage in a national debate about it. That is what we are about today. It is now on the floor of the Senate. Vice President GORE has his prescription drug plan out; George W. Bush has proposed his; we will attempt to deal with ours.

I have the privilege of now serving on the Finance Committee. The Finance chairman has brought about a bill and we hope to have it on the floor and we hope it will comply with the amount of money necessary in the budget to fund this in the short term to deal with the problem in the immediate sense. Governor Bush says: Let's deal with it now and let's give truly needy seniors the solution to the problem now.

And AL GORE says: No, no, no; let's work on this—18 months, 2 years; We will have a better plan; we will have an all-inclusive plan.

There are very real differences in what is proposed. Our Vice President says an all-Government plan, Government control, Government managed, universal for everyone. We are saying, no, no, we like the one in the model that the Governor from Texas has put up, with greater flexibility, more choice for seniors. It is very similar to what I have, and very similar to what the Presiding Officer has, under insurance, allowed to be provided for Federal employees by private providers. There is flexibility to make choices.

I don't think I want a Federal warehouse in Boise, ID, distributing drugs to seniors 500 miles away at the other end of the State. I want the local pharmacy allowing the local senior to make the choice with his or her doctor as to what their true needs are and for those needs to be covered in Medicare. That is what the seniors of America want. They don't want the Government saying yes or the Government saying no.

There are very real and fundamental debates. I suspect we are going to hear Senators such as the Senator from Florida now on the floor—and this is an important issue in a State with so many seniors, as has the State of Florida, and I don't dispute that. But it is important that we engage in this debate and that the American public stop and say, gee, is there a free lunch and are there free drugs? The answer is no. It will cost someone, and it will cost $200 or $300 or $400 or $500 million, or $12 billion a year to do a universal program, or a lot more than that. We know it will be very costly. Therefore, it is right and proper to decide who can afford to pay and who can't afford to pay.

How about those seniors who have their own health care program now that pays? Why would AL GORE want to wipe out those insurance programs and go to a Government program? I don't think any seniors who study the program and understand that are going to like that idea. They are going to want their own health care program that they paid for and that maybe is a condition of their retirement coming down from the company they had worked for all their lives. And they ought to have it. That is the kind of flexibility and the dynamics we ought to have in the marketplace.

This Congress, in a bipartisan way, will ultimately solve this problem. We can do it this year a little bit of the way to help the truly needy. That is what we ought to do. I hope we can resolve that in a bipartisan fashion. Then we will allow the national debate to go on. We will ask every senior to compare the score charts, the Governor Bush plan versus the Al Gore plan—a Government plan versus a plan of choice, versus a plan of individualism; a relationship between a doctor and his

or her patient versus a relationship with a Government provider.

That choice is going to be very simple for Americans when they are given it in a clear, understandable way. That is why I am on the floor today. Let's back away from the clutter and the finger pointing. Let's compare the plans—they are both out there now—on a point-by-point basis, and let us do what we can do here this year.

We have $200 million built into the budget. We did it in advance, knowing we ought to deal with this issue. We ought to deal with it now for the truly needy seniors of America, those who make the horrible choice of food versus prescription, heat versus prescription. Not in America. Never in America should that be allowed to happen.

I hope the politician will step back for a moment from the restrictions or complications of that issue and solve that problem now for our truly needy seniors while we allow the national debate to go on as to what America and American citizens wish to choose as a part of their overall health care needs.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent to speak on the time of Senator THOMAS.

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

THE 90 PERCENT SOLUTION

Mr. VOINOVICH. Mr. President, one of the primary reasons I came to the Senate, was the fact that I believed we had spent money over the years on many things that, while important, we were unwilling to pay for, or, in the alternative, do without. We had a policy of ''let the next guy worry about it'' or more precisely, ''let the next generation worry about it.'' I have said this before and I will keep on saying it until everyone realizes that we have a national debt that is costing us $224 billion in interest payments a year, and that translates into $600 million per day just to pay the interest.

Out of every Federal dollar that is spent this year, 13 cents will go to pay the interest on the national debt. In comparison, 16 cents will go for national defense; 18 cents will go for non-defense discretionary spending; and 53 cents will go for entitlement spending. Right now, we spend more Federal tax dollars on debt interest than we do on the entire Medicare program.

It still amazes me to think that 38 years ago, when my wife Janet and I got married, only 6 cents out of every dollar was going to pay interest on the debt. It is high time for our nation to make some headway into bringing down our national debt and lowering those interest costs.

As my colleagues know, our nation currently enjoys the greatest economic expansion in our history. We have a robust economy, and across the nation, states are reporting record low unemployment rates. Congress should take advantage of this incredible opportunity to create a lasting legacy for the young people of our country, and pay down our national debt and get this burden off the backs of our children and off the backs of our grandchildren.

All the experts say that paying down the debt is the best thing we could do with our budget surpluses.

Indeed, CBO Director Dan Crippen said earlier this year:

> . . . most economists agree that saving the surpluses, paying down the debt held by the public, is probably the best thing that we can do relative to the economy.

Federal Reserve Chairman Greenspan also said:

> My first priority would be to allow as much of the surplus to flow through into a reduction in debt to the public. From an economic point of view, that would be, by far, the best means of employing it.

Lowering the debt sends a positive signal to Wall Street and to Main Street. It encourages more savings and investment which, in turn, fuels productivity and continued economic growth. It also lowers interest rates, which in my view, is a real tax reduction for the American people.

Furthermore, devoting on-budget surpluses to debt reduction is the only way we can ensure that our nation will not return to the days of deficit spending should the economy take a sharp turn down or a national emergency arise.

In the time that I have been in the Senate, I have worked tirelessly to ensure that our on-budget surplus is used to pay down the national debt.

In fact, during consideration of the fiscal year 2000 and the fiscal year 2001 budget resolutions, I offered amendments that would direct whatever on-budget surplus we received in each particular fiscal year towards debt reduction.

In addition, I have been a staunch advocate of ''lock boxing'' both the Social Security and Medicare trust funds to prevent the expenditure of these funds.

Further, I offered an amendment with Senator ALLARD this past June to direct $12 billion in FY 2000 on-budget surplus dollars toward debt reduction. By the way, it passed by a vote of 95–3.

It was a great victory, but the celebration did not last long.

Unfortunately, all but $4 billion of that $12 billion disappeared: used for other spending in the Military Construction Appropriations Conference Report.

My disappointment was somewhat tempered by the news that the on-budget surplus that had been predicted earlier in the year was entirely too low an estimate.

As my colleagues know, in July, the CBO announced that our fiscal year 2000 on-budget surplus had grown to $84 billion—$60 billion more than was projected in January.

We have to be careful not to squander this windfall, because if we are able to maintain some fiscal restraint—and resist the temptation to spend it in the time we have remaining—at the end of this fiscal year, that $60 billion will be used for debt reduction.

We must resist the temptation to tap it before the end of this month—particularly in light of the fact that as of the first of this month, Congress had increased non-defense discretionary spending in fiscal year 2000 to $328 billion: a 9.3 percent boost over the previous fiscal year, and the largest single-year increase in non-defense discretionary spending since 1980.

If we do resist the temptation to spend it, I think we should celebrate the fact that we have made a major dent in our national debt; the most significant payment using on-budget surplus funds in more than 30 years. Think of that.

But, the fiscal year 2000 budget cycle is just about over. The issue today is what are we going to do to strike a blow for fiscal responsibility in the coming fiscal year.

As my colleagues are likely aware, Majority Leader LOTT and Speaker HASTERT have developed legislation, the Debt Relief Lock-Box Reconciliation Act for Fiscal Year 2001, H.R. 5173, that will allocate 90 percent of the fiscal year 2001 surplus towards debt reduction.

What will that mean?

Under H.R. 5173, both the Social Security and the Medicare surpluses will be ''lock-boxed,'' and approximately $200 billion will be protected from those who would use those funds for more spending.

I think the public should know, so there is no confusion, that it is not a literal ''lock box''—like a safety deposit box—but it is an iron-clad commitment that Congress cannot touch these funds for spending. Instead, those surplus dollars could only be used to pay down the debt.

It took Congress until just last year to finally stop using our Social Security surplus as a means to mask more than three decades of spending and instead, use it for debt reduction. We should continue this ''hands off'' approach of the Social Security trust fund.

Sadly, we have not yet been able to do the same with respect to the Medicare surplus—having used nearly all of it on spending in fiscal year 2000. Now is the time to treat the Medicare surplus the same as we have treated the Social Security surplus and make sure that it is subject to the same ''hands off'' policy as well.

Putting these trust funds in a ''lock box'' doesn't mean that we will have solved the problems of Social Security

and Medicare, but using them to lower our debt now gives us added flexibility in the future to address the long-term solvency of these two programs. It is about time we reform Social Security and Medicare.

Also under this bill, some $42 billion of the on-budget surplus that the CBO is estimating for the next fiscal year will be used strictly for debt reduction. No smoke-and-mirrors, no gimmicks, just straight debt reduction.

Therefore, under H.R. 5173, 90 percent of all fiscal year 2001 surplus funds will be used for debt reduction.

I have heard the President and some of my colleagues say that this is just going to squeeze the ability to meet ''pressing needs'' in the coming fiscal year. I do not agree.

If the disparity between the preliminary and supplemental surplus projections of fiscal year 2000 are any indicator, there will likely be an upward readjustment of the surplus projections in FY 2001.

If our economy should slow and these projections turn out to be too optimistic, then we could cut spending—which would be fine as far as I am concerned. But in the meantime, this proposal will hold our feet to the fire with respect to spending, and our feet need to be held to the fire.

My colleagues and I are not asking for a lot, simply that this body stand up and be counted. I hear people every day saying let's do something about the national debt. I hear the President of the United States say it is a problem and we need to address it. So, I say to my colleagues that if we agree that we need to bring down the debt, then let's take advantage of the chance to do so and let's enact this proposal.

Reducing the national debt has been a principle of my party. It has been a principle of mine throughout my political career. First of all, you don't go into debt. But, if you do, you get rid of it.

Here we have an ability to put our money where our mouths are, and say, yes, we do believe in reducing the national debt. We are going to take this money, put it aside, and pay down the national debt.

And while I personally would like to see as much of the on-budget surplus used for debt reduction as humanly possible, I believe this is the best proposal we are going to see as negotiations get underway over the fiscal year 2001 budget.

Nevertheless, I believe by capping spending and tax cuts for fiscal year 2001, and locking in set amounts of debt reduction, as this proposal does, we will have effectively established a good first step towards further fiscal responsibility in fiscal year 2002 and beyond. In other words, it establishes a down payment for us to do even more meaningful debt reduction in years ahead.

I think GAO Comptroller General David Walker said it best when he testified last year before the House Ways and Means Committee. Here is what he said:

> This generation has a stewardship responsibility to future generations to reduce the debt burden they inherit, to provide a strong foundation for future economic growth, and to ensure that future commitments are both adequate and affordable. Prudence requires making the tough choices today while the economy is healthy and the workforce is relatively large—before we are hit by the baby boom's demographic tidal wave.

When I came to the Senate, I had one grandchild. Today, I have three. Like all other Americans, I think about what the future has in store for them and about the legacy I want to leave to my grandchildren.

We have a moral obligation to remove the debt-burden that we have placed on their backs. It is up to this Congress—in the weeks we have left—to pass the Debt Relief Lock-Box Reconciliation Act for our children and grandchildren and for the future of our Nation.

The House of Representatives has already stepped up to the plate and passed this bill overwhelmingly, by a vote of—listen to this—381 to 3. It is up to the Senate to do the same.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I will speak on the time that has been reserved for Senator KENNEDY and ask unanimous consent to speak for up to 15 minutes.

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

Mr. GRAHAM. Mr. President, we are now debating a conference report that includes both the legislative branch and the Treasury and general government appropriations bills. Unfortunately, the Treasury and general government bill was never considered on the Senate floor. It went directly from the Appropriations Committee into this conference report.

There are some critical deficiencies in the Treasury and general government appropriations bill, deficiencies that I had hoped to address on the floor with an amendment. I am now prevented from doing that. The deficiencies to which I want to call the attention of my colleagues involve counterterrorism funding, an issue that should be of particular concern to each of us.

As you know, terrorism is a national security threat, a threat which Americans have experienced in reality. Just to mention the names: Oklahoma City, the World Trade Center, Khobar Towers, Pan Am 103. Each of these reminds us of how deadly terrorism can be and how vulnerable we are to it.

What most Americans do not know is that there are many more instances of attempted terrorist activities that have been averted by a combination of good intelligence and effective law enforcement.

The apprehension of a terrorist crossing into the United States by Customs agents just prior to the millennium celebration is one well-known example of the success that we have had in interdicting terrorists before they can strike.

While terrorists have been around for a long time, their actions are becoming increasingly more deadly. In the past 5 years, over 18,000 people someplace around the world have been injured or killed in a terrorist incident. That 18,000 number of persons injured or killed by terrorism in the last 5 years represents a threefold increase over the preceding 5 years.

With the proliferation of chemical, biological, radiological, and even nuclear weapons as a real threat, the potential for even deadlier attacks is a reality. This makes efforts to prevent attacks even more vital.

Earlier this year, the congressionally mandated National Commission on Terrorism issued its report. The report is called: ''Countering the Changing Threat of International Terrorism.'' This report concluded that international terrorism poses an increasingly dangerous and difficult threat, and that countering the growing danger of this threat requires significantly enhancing U.S. efforts.

It further states that priority one is to prevent terrorist attacks using U.S. intelligence and law enforcement as our principal tools to prevent such attacks.

I would also like to cite a recent report by the Commission on America's National Interests. The Commission on America's National Interests is a commission on which Senators ROBERTS, MCCAIN, and myself are members.

The commission's report on ''America's National Interests,'' dated July 2000, lists as a vital interest that:

> Terrorist groups be prevented from acquiring weapons of mass destruction and using them against U.S. citizens, property and troops.

The commission's report goes on to state:

> As one of the most free and open societies in the world, the U.S. is also among the most vulnerable to terrorism. . . .
>
> Protecting American citizens both at home and abroad requires a well-coordinated counter-terrorism effort by all U.S. government agencies, giving due regard for fundamental American civil liberties and values.

The report on ''America's National Interests'' continues:

> Given the severity of the potential consequence of a weapon of mass destruction terrorist incident, as well as the rising technical capacity of non-state actors, the U.S. government should attach the highest priority to developing the capacity to preempt these threats if possible, and mitigate their consequences if necessary.

Mr. President, I repeat from the report on ''America's National Interests''

that ''the U.S. government should attach the highest priority to developing the capacity to preempt these threats if possible, and mitigate their consequences if necessary.''

This report could not have been more clear. Yet still another group of experts studying U.S. national security, the U.S. Commission on National Security, commonly known as the Hart-Rudman commission, concluded in its April 2000 report that our No. 1 priority should be to ensure that the United States is safe from the dangers of a new era: the proliferation of weapons of mass destruction and terrorism. It specifically mentions ''strengthening cooperation among law enforcement agencies, intelligence services, and military forces to foil terrorist plots. . . .''

The words of these three significant reports, as well as many other Americans, did not go unheeded by the administration. The President recognized the growing importance of law enforcement and intelligence in countering the terrorist threat even before these reports were released. He sent to Congress a request for over $300 million in additional funding for exactly the types of enhanced counterterrorism efforts that these three commissions are recommending.

What has happened in the Congress? Of the approximately $300 million requested, a portion of which was requested in a classified form, as it will be used by various intelligence agencies, $28 million of that $300 million was for reprogramming requests in the fiscal year that is about to conclude on September 30. What happened? That request for reprogramming was rejected, rejected including $10 million for the Department of the Treasury and $18 million for the Department of Justice.

I am sad to report that in the bill before us today, the fiscal year 2001 appropriations request, which begins on October 1, did not fare much better. There was a $71.1 million request for the Department of Justice. This has been completely unfunded in both the House and the Senate appropriations committees and thus in this conference report. There was a $77.2 million request for the Department of the Treasury which should have been included in the bill we are currently debating; $74 million of that remains unfunded.

In addition, the request for the intelligence community was not funded in the fiscal year 2001 legislation. In total, of those amounts which are available for public review, of the $300 million requested by the President, $146.1 million was unfunded.

Let me describe a couple of specific initiatives that are particularly important and that so far have not been funded in either the House or Senate appropriations bill.

First, the administration requested over $40 million to support the Joint Terrorism Task Forces. These are interagency law enforcement groups which combine resources and expertise for a more effective and efficient effort to deter and investigate terrorists. This is a proven concept that brings agencies together to solve problems, hopefully problems before they mature into tragic instances. The Joint Terrorism Task Forces were very successful in deterring and preventing terrorism during the millennium. I cannot understand why this Congress would not support this request.

Second, the President requested $6.4 million to create a unit within the Office of Foreign Asset Control dedicated to uncovering and tracking the financial assets of terrorist organizations. This is an area of law enforcement in which America, in the area of terrorism, is woefully deficient. It is vitally important that we establish this new office and that we gain an insight and an ability to oversee and control terrorist financing. This was a specific recommendation of the National Commission on Terrorism. This item was rejected, and so our woeful deficiency will continue for another year, if the current position of Congress, including the position of the legislation before us this afternoon, becomes law.

In fact, there were several items that were included in the President's request that the Commission on Terrorism specifically recommended. They include increased resources to meet technology requirements, expansion of linguistic capabilities, increased funding for investigative initiatives—all of those unfunded.

There is also an as yet unfunded request to establish a Center for Anti-Terrorism and Security Training. This will provide a centralized training facility for those on the front lines fighting terrorists around the world, including our own Capitol Police, diplomatic security officers protecting our embassies abroad, and our allies who look to us to help them in their fight against terrorism. The counterterrorism funding I am highlighting is desperately needed. All agencies have agreed that we need to do more to step up our efforts against terrorism. These requests are supported by the bipartisan National Commission on Terrorism and, in more general terms, the Commission on America's National Interests, and the Hart-Rudman commission.

What I find especially hard to imagine is why we would refuse this $300 million request when it is so widely recognized that the cost of failure, when it comes to terrorism, involves weapons of mass destruction and could be in the billions of dollars. This is an area where we must do absolutely everything we can on the prevention side to avoid, to interdict acts of terrorism before they are inflicted upon our citizens.

Mr. President, there is yet another consequence of the action we are being asked to take by supporting an appropriations bill which is so deficient in meeting this key area of our Nation's security. All too often we are seen as pushing other governments to do more in the fight against terrorism, to help us in an international effort against terrorism. If we are unwilling to support what our own experts tell us is needed, what is in our national interest, how can we be effective in convincing others to do more? I don't think there is an answer to that question. We must practice what we preach.

The good news is there is still time to remedy the situation. I hope the appropriations committees will fund the President's request for counterterrorism funding. This is about a real threat that is here today and cannot be ignored. Failing to take action on this modest request is irresponsible. Those who call for spending more for potential future threats and for increasing spending on other national security priorities cannot ignore the vital national interest, the first-line priority of an effective national protection against terrorism.

I will express my dismay, my shock at what has been done by the Congress thus far by voting against this bill. And should the Congress, in its lack of attention or lack of appropriate recognition of the importance of terrorism, should we pass this appropriations bill, which is so deficient in responding to the challenges of terrorism, then I will urge the President to veto this bill and give the Congress an opportunity to redeem itself from what is potentially a very serious error—placing the national security of the United States at risk.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. 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. DASCHLE. Mr. President, I will use some of my leader time to comment briefly on the pending legislation.

I come to the floor to express my strong objection to the manner in which this was presented to the Senate. It is wrong, it is dangerous, it is shortsighted, and it does a real disservice to this institution, period.

I have no objection to appropriations bills coming to the floor, as they must. I have no objection to perhaps even limiting the amendments at this late date to relevant legislation that may be affected in the bill. But I do have a strong reservation when we gag the Senate, as we have once again, limiting debate about important matters directly relating to tax and appropriations in a way that precludes the right

of every Senator to be fully engaged in these deliberations.

I have heard again and again from colleagues on the other side that it is our desire to slow things down—to stop things. Let me say that is poppycock. No one here wants to slow anything down. In just a moment I will present a list for the RECORD of all the things we are prepared to take up this afternoon—this afternoon.

We know why this package was cobbled together in the form and manner in which it now appears before the Senate. It was put together to deny us the right to offer amendments—something we seek to do not because we want to slow things down but because we want a voice.

I am not necessarily opposed to the telephone tax repeal. Senator ROBB has been an extraordinary advocate of that. I give him great credit for getting us this far. But I must say I think it begs the question at this hour, with our Republican colleagues clamoring for 90 percent of the surplus to be used for debt retirement, should we would choose the telephone tax, of all things, as one of the items to be paid for with the remaining 10 percent of the surplus our Republican colleagues suggest should be available for both tax reduction as well as investments?

I am told there is about $28 billion left in the budget if we reserve 90 percent for the surplus. If we assume for the moment that we accept the Republicans' proposal to use 50 percent of that $28 billion for tax reduction and 50 percent for investments, that leaves about $14 billion for tax reduction in the remainder of this year. Fourteen billion dollars isn't a lot of money when you are talking about the proposals we have had to vote on this year, but $14 billion represents what the Republicans would make available for tax cuts.

The telephone tax would use up one-third of what they would allocate for tax reduction in this fiscal year—one-third. Maybe we want to commit one-third of the remaining surplus for tax reduction to the telephone tax.

But this Senate is denying us the opportunity to suggest something else. This Senate is denying us the opportunity to offer amendments and to have a debate. In fact, I must say I will bet you most people are going to vote on this and they don't even have a clue what the telephone tax is. I know the Presiding Officer does. He just noted that to me. But I will venture a guess that a lot of people do not.

That is just one of the problems we have with this course of action.

I don't have any objection to taking up the Treasury-Postal appropriations bill. I don't have any objection to taking up Legislative Branch appropriations bill. But I do have an objection when the administration informs us that we have virtually eliminated funding for counterterrorism and have not provided the funding necessary for the IRS and we have been denied the opportunity to at least debate these issues.

Then I am told indirectly that, well, we will come up with the money somewhere on another vehicle. I am mystified by that approach. What is it that leads us to think we can find the money elsewhere, at a later date, if we can't find it now? And if we can't find it now, it just seems to me we are premature in moving the bill forward until we can find it.

There are a lot of specific practical problems that I hope my colleagues share about this approach—problems related to our ability to participate in the process, problems related to our ability to offer amendments, problems related to the fundamental rights of every Senator to be involved in the debate, problems related directly to the substance of the issues on which we are now voting. Those are serious problems, and they shouldn't be minimized. But beyond that, I have fundamental problems with the precedent we are setting here.

There are many who may come into the Senate in future years who, if we continue this process, may come to the conclusion that if it is good on appropriations, why not on any authorization? Why not on a tax bill? Let's just go from committee to conference. Let's forget this Chamber. This Chamber might well be additional office space someday. We don't need a Chamber anymore—not for deliberations, because there are none.

Where does it end? Not in our generation. I am sure this will be a slow process. But, institutionally, anybody who cares about the way the Senate should be run should care about the process we are using now.

I don't know what message it sends to our young Members on either side of the Chamber about the way we do business around here. But I don't want to have it heard or said on the Senate floor anytime in the near future that this is the greatest deliberative body, because we aren't deliberating. We are not deliberating on these issues, we are rubber stamping. We are sending them through the process the way you might expect it done in the House, but it doesn't, and it shouldn't, happen here. Institutionally, Republican or Democrat, old or young, it shouldn't matter. I am troubled, very troubled, by this process.

As I said a moment ago, we have no objection—none—to moving to other bills. I will not do it. But I would love to ask unanimous consent to move, immediately following the conclusion of our debate on this package, to the Commerce-State-Justice appropriations bill. Guess what. I would get an objection on the other side. I am not sure why. I don't know why. But I know this. We haven't brought it up because somebody over there doesn't want it to come up. That isn't us.

I would love to ask unanimous consent to take up the D.C. appropriations bill, the intelligence authorization bill, and the H–1B bill. Let's take them up. Let's have a debate. Let's offer amendments. I have offered to Senator LOTT that we could take up the H–1B bill with five amendments on a side with an hour limit on each amendment, period. We would be done in a day. I believe we could do it in a day. The other side has rejected this offer.

Don't let anybody say with a straight face or with any credibility that it is Democrats holding things up. Let's get to these bills. Let's get them done. Let's offer amendments. But, for heaven's sake, let's remember this institution. Let's call it the most deliberative body and mean it. Let's recognize the institutional quality.

It degrades us each time something such as this happens.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

(The remarks of Mr. MURKOWSKI are located in today's RECORD under "Morning Business.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BENNETT. Mr. President, we are about through with this debate, as demonstrated by the fact that Senators on neither side are coming to the floor. We would be able to vote more rapidly than anticipated except that some Senators have made appointments based on the assumption we would not be voting until 3:30 or 4. However, we have cleared on both sides that we can vote on the adoption of the pending conference report at 3:15 and that paragraph 4 of rule XII be waived. I ask unanimous consent that the Senate agree to the adoption of that time and the waiving of that rule.

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

Mr. BENNETT. I suggest the absence of a quorum and ask unanimous consent that the time be charged equally on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, the Senate will shortly vote on the conference report to accompany H.R. 4516, the Legislative Branch Appropriations Act for 2001.

As the managers have stated, this conference report also includes the Treasury-general government bill for fiscal year 2001.

Many Senators have voiced concern about the inclusion of the Treasury bill, which had not previously passed the Senate, in this conference report. Many Senators have questioned me personally about this. Having served in this body for nearly 32 years, I understand and share that commitment to the procedures of the Senate and want to do my best to preserve the rights of all Senators.

I am here to ask Senators in this case to consider the product rather than the process by which this conference report comes before the Senate. This report addresses critical funding priorities for all of the elements of the legislative branch. Senator BENNETT and Senator FEINSTEIN have achieved a very balanced agreement with the House on the underlying bill that merits the support of the Senate.

In the Treasury bill, substantial changes were made to the committee-reported bill, the bill that came out of our Appropriations Committee, to accommodate priorities of the Members of the House and of the executive branch, both in terms of funding and of legislation. It would be preferable to have this bill come separately before the Senate, but the Appropriations Committee now finds itself in the stranglehold of the calendar.

In all likelihood, we have about 10 voting days remaining in this Congress. We are working to compress weeks of work into a handful of days. There are additional changes that Members and the President seek in the Treasury portion of the conference report. I have extended my personal commitment to Senator DORGAN to work with him and Senator CAMPBELL to try to incorporate those adjustments into another conference report. I also have given my word to Senator REID concerning problems regarding the police section of the legislative bill itself.

Adoption of this report now will permit us to redouble our efforts to conclude our work as rapidly as possible on the other bills that still pend before Congress, and we will be able to achieve the changes some sought to make in the current bill. Any other course will set the Senate and the Congress way back in getting our job done.

If this conference report is not approved, we will have to find some way to go back to conference with the House. And if it is decided that we must bring the Treasury bill before the Senate, I can assure Senators that we will have a postelection session.

It is just not possible to finish these bills before the election and get home in a reasonable amount of time—at least before the election—for the Members of the House and Senate who are up for election to conduct their campaigns.

I don't know of any other way to do what we have to do, other than to try to match up some of these bills in conference. There are lots of issues that both sides of the aisle may disagree on and fight over during the days that remain in this Congress.

The bill before the Senate, I believe, is a reasonable bill, comprised of two separate bills that meet important national objectives. I have come to the floor to urge the Senate to support this conference report, to accept the commitments that I and others have made concerning the additional concerns expressed on the floor, and let our committee complete its work.

I report to the Senate that conferences are scheduled today on the Interior bill and Transportation appropriations bill. But there is one thing Senators should know; our committee will be working every day—not just the 10 days of votes—between now and adjournment to try to finish the bills before the scheduled day of adjournment, October 6. Even when that day comes, it will not be the last day for the Appropriations Committee. We will have to await the outcome of the President's review and determine whether there have to be changes made in the bills following the veto, should that occur. I am not predicting it will occur, but it might.

If the Senate votes and approves this bill and sends it to the President, it is going to lend real momentum to concluding the appropriations process in a very responsible way this year. There have been things that held up these bills this year, including many days on the Senate floor with cloture motions and other matters. I am not critical of those. That is very important work for the Senate to do.

Now we are in the appropriations process and we are trying to deal with a period that will really end on the 28th, not the 30th, because of the holiday and our recess next week. We have to find a way to complete these bills.

The Senators who want to vote against the bill ought to be prepared to come back after the election. We are not going to be able to finish these bills separately this year. We are going to have to find a way to join them together. I, for one, have lived through too many postelection sessions. I don't want to live through another one. I urge Members of the Senate to support this conference report and let us get on about our work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROTH. 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. ROTH. Mr. President, with passage of the legislative branch appropriations conference report, the Senate will successfully roll back one of the most regressive taxes in history and given Americans everywhere a much-deserved break.

For some time, now, I have pushed to repeal the telephone excise tax, a tax that is placed on individuals and families, regardless of income or circumstances.

Quite simply, if you owned a phone, you paid the tax, and along with its regressive nature, the tax was lamentable because it stood as one more example of how antiquated, unfair, counterproductive government policies not only outlive their original design, but become almost impossible to abolish.

The telephone excise tax was first imposed in 1898, more than 102 years ago. Its purpose was to fund the Spanish-American War, to provide for those who, like Teddy Roosevelt and his Rough Riders, needed the wherewithal to defend U.S. interests.

At the time it was imposed, it came as something of a luxury tax—a tax on the wealthy, as few Americans owned telephones.

Roosevelt rode up San Juan Hill. The war came to an end. But Washington couldn't resist holding on to the revenue. From time to time, the tax was repealed, but it always seemed to get reinstated—rising as high as 25 percent at one point—and placing an unfair burden on millions.

Today, however, we shall successfully eliminate the telephone excise tax, and this—in my mind—is cause for celebration. Studies show that individuals and families with income less than $10,000 spend almost 10 percent of their income on telephone bills. Individuals and families earning $50,000 spend 2 percent of their income for telephone service. Because of what we have done here today, these families—and all families—will benefit.

I'm proud of this action, grateful to those who supported repealing this excise tax. What we have done is not only in the interest of Americans everywhere, but it is a clear demonstration that we are willing and able to appropriately address the need to reduce the excessive tax burden that has been placed on the back of America's middle class.

My sincere hope is that this is the beginning of a long and successful trend.

On another issue, I am concerned that the legislative branch appropriations conference report—while it contains good news for taxpayers—while it contains good news for taxpayers—does not meet the full funding needs of the Internal Revenue Service. As you know, 2 years ago in a major bipartisan initiative, Congress successfully passed the largest IRS reform and restructuring effort in history. That law has been effective in protecting taxpayers and giving the IRS the direction necessary to re-engineer its business practices, upgrade its computer systems, and provide taxpayers with better service.

But in order to most effectively carry out Congress' mandate, and to fulfill its mission to collect and protect the Federal revenue, the IRS needs adequate funding.

This appropriations conference report, unfortunately, provides hundreds of millions of dollars less than what the agency needs. And the absence of proper funding will cut directly into the improved conditions that Congress desires. Unless additional funding is provided, the Service may be unable to effectively perform its audit and collection functions. Without adequate funding, service functions will diminish.

There will be a loss of telephone and walk-in service for taxpayers, a decrease in the level of toll-free service, and it will become more difficult for taxpayers to receive assistance.

We must provide additional funds to the IRS in other appropriate bills before this Congress adjourns. Only by doing this can we ensure that the IRS has the resources it needs to meet the standards of service and accountability that Congress has required.

Along with eight members of the Senate Finance Committee, I have signed a letter to members of the Appropriations Committee asking that funding be restored. And I intend to work with my colleagues toward this end.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GREGG. Mr. President, I ask consent that the vote occur on adoption of the pending conference report at 3 p.m., and that paragraph 4 of Rule 12 be waived.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

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

The PRESIDING OFFICER (Mr. GREGG). Without objection, it is so ordered.

MINIMUM WAGE

Mr. DURBIN. Mr. President, I rise to speak this afternoon on an issue which is important to all Americans, particularly the 10 million who are presently working for a minimum wage. Senator KENNEDY of Massachusetts will join me in a few minutes to discuss the issue, which has been a major crusade for him for the last several years.

Earlier I noted that until the mid-1980s the issue of a minimum wage increase was never a partisan issue. In fact, Republican and Democratic Presidents alike endorsed the idea of periodically trying to increase the minimum wage to reflect the cost of living. But for some reason, in the mid-1980s, that all changed. It became a Democratic and Republican battle as to whether people who were earning a minimum wage should be able to keep up with the cost of living, keep up with inflation. Because of that battle, fits and starts and the wins and losses, many minimum wage workers across America started falling behind. In fact, their buying power, working for a minimum wage, was diminishing because Congress had failed to give them an adequate increase in their income to keep up with the cost of living.

Some arguments on the other side suggested: If you raise the minimum wage for workers who have no skills, entry level workers, it is going to basically kill jobs because employers are going to have to make a choice. They are either going to pay more to a minimum wage worker on the job and then reduce the size of the workforce or pay less to that minimum wage worker and keep a larger workforce.

It seems as if there is linear logic to this argument, but, in fact, when you look at it, the economic history of this country just does not back it up. As you will notice on this first chart which I am showing, as we have seen increases in the minimum wage from April of 1995 where the wage was increased, in October of 1996, to $4.75, and then again in October of 1997 to $5.15 an hour, the current minimum wage, the number of people working in America has continued to grow. So the argument that increasing the minimum wage is a job killer just does not make any sense.

Just the opposite seems to be true. In a growing economy, when you give to the workers at the lowest level an increase in their living wage, they are likely to spend it. They need it for rent, for groceries, for their kids' shoes, for school expenses. So little of it is saved as lower income families are forced to spend everything to make ends meet; that spending, of course, creates demand in the economy for the production of more products and services. That is what has happened to us repeatedly. Since 1996, if you will take a look here at the minimum wage increase, unemployment is down in all the major groups.

People say these minimum wage jobs are just for kids who do not have any skills or background. When they come to the workplace and get their first job, they have to be prepared to be paid very little for it. I used to be one of those a long time ago. Take a look at what has happened here between September of 1996 and August of the year 2000. The 1996 minimum wage increase did not kill job opportunities in a single category here: Among teenagers, even among high school dropouts, African Americans, Hispanic Americans, or women in the workforce.

One of the other misconceptions is that somehow the minimum wage is just going to be paid to those who are, frankly, children who have limited work experience, a first job, so they will get a minimum wage. Who are these 10.1 million workers across America who would benefit from an increase in the minimum wage? I think you would be surprised to learn, as I was, that 69 percent of the workers who benefit are adults over the age of 20. So the idea that this is a children's wage or a teenager's wage is just wrong. Mr. President, 69 percent of minimum wage workers, 7 million of them, are over 20; 60 percent of these are women and many of these women have children.

You know what we are talking about here. We are talking about someone who has gone through a divorce, perhaps has a child they are trying to raise and do their very best by working a minimum wage job. Sixty percent of these minimum wage workers are women and 45 percent of them have full-time jobs. They are full-time minimum wage workers making less than $11,000 a year: 16 percent African American, 20 percent Hispanic; 40 percent of them work in retail. They sell us our hamburgers and our CDs at the store and all the things we buy; 27 percent are in the service sector; 83 percent of the minimum wage workers are heads of households and they are earning between $5.15 an hour and $6.14 an hour. Mr. President, 40 percent of minimum wage workers are the sole adult breadwinners in their families.

The argument that we are talking about a training wage for kids who really just want a first time on the job overlooks 40 percent of the minimum wage workforce who are adults trying to make enough money to feed a child—those are the minimum wage workers. I can recall a speech given many years ago by Rev. Jesse Jackson from Chicago, which I am proud to represent in the Senate, when he talked about these people going to work every day—the invisible workforce. We do

not see them cleaning our hotel rooms, clearing off the tables, working in the kitchens and the day-care centers and the nursing homes; people we rely on to make America a better place, who do the tough, often thankless jobs in America for $5.15 an hour.

In my home State of Illinois, the estimate is we have over 400,000 minimum wage workers. These are people who deserve an increase in that minimum wage for a chance to be able to get out of poverty. Frankly, most Americans agree: If you are a hard-working person who is not looking for a handout but just looking for a chance to go to work, you really deserve some sort of basic living wage.

Look at this chart. ''Americans Support Wages That Keep Working Families Out Of Poverty.'' Overwhelmingly, 81 percent strongly agree with this. Does anyone really, listening to this speech, this debate, believe if you are making $10,700 a year you are out of poverty? That you have a comfortable life? Even with the Earned-Income Tax Credit, one of the few things with which we try to help these working families, by and large life is from payday to payday. They are striving just to meet the necessities and basics of life. So when we talk about an increase in the minimum wage, we are talking about helping these families who are going to work every single day finally reach up over the ledge and look ahead, beyond poverty.

If welfare reform was not about rewarding that type of person, what was the debate all about? I voted for it. Some of my colleagues said don't do that because you are going to leave the poor behind when they really need help. I hope we never do.

But I can tell you, this minimum wage debate is about those people, folks with limited job experience. They are finally off the dole, off welfare, trying to do their best, stuck in a $5.15-an-hour job; showing up for work on a regular basis, full-time employees—45 percent of them—and still stuck at $5.15 an hour.

During the Republican Convention in Philadelphia, there was a lot of talk about the economy. It was amazing, in a way, because they failed to acknowledge, as you might expect, we are in a period of prosperity unparalleled in the history of the United States. We have had the longest run of economic expansion ever. We are now talking about eliminating our national debt. That has not happened since the Civil War, I might add—the Civil War in the 19th century, if there is any doubt what I am referring to.

In Philadelphia, they said the problem with this economy is it has left too many people behind. It has helped create 22 million new jobs in this country, a lot of them in my State and other States around the Nation. But if you are talking about leaving people behind, how about the people on minimum wage who have been left behind because a Republican dominated and controlled Congress refuses to give a minimum wage increase to the hardest working people in this country?

Oh, the Republicans in the House have come forward with a proposal. They have had the idea of implementing this $1-an-hour increase over 3 years. They want to bring it down to 2 years, but there are a couple attachments to it and riders and things they would like to add. For example, they would like to really challenge paying overtime to workers in general—not talking about minimum wage workers but talking about workers in general. Frankly, many of us think that is a bitter pill to swallow; that a lot of hard-working families would have to give up on their overtime pay so the lowest paid workers in this country earning $5.15 an hour would have a chance to get out of poverty and have a living wage. That is not a deal which, frankly, any of us should buy.

It is time for us to do the right thing. We are going to go home in a few weeks. A lot of Senators will be campaigning for other candidates or for their own reelection, and they will face a lot of crowds and people coming up to them. You aren't likely to see a lot of minimum wage workers in those crowds. These are hard-working folks struggling to get by, many times with more than one job; they do not have time to listen to politicians who get out and gab and make their speeches on the stump.

But it is a shame we will not have a chance to see them because, if we do, we, frankly, have to ask of them some understanding and forgiveness, that this Congress, with its large agenda of important items, has failed to address the most fundamental need in their lives—an increase in the minimum wage so they can survive and raise their children and live in dignity.

If we value hard work in this country, we should compensate the hard workers, the minimum wage workers adequately. For over 2 years we have refused to do it. I see my colleague, Senator KENNEDY, is on the floor. I salute him for the leadership he has shown on this issue time and time again. I am sorry we are in a position where both parties no longer have come to a bipartisan agreement on dealing with a minimum wage.

But I say to Senator KENNEDY, as I am prepared to yield the floor to him, that this is a battle worth fighting in the closing weeks of this session. As we consider all of the possibilities and all of the special interests that need to be tended to and made happy before we leave, let us not forget the people who cannot afford a lobbyist in this town—the minimum wage workers across America who we count on week in and week out to make America work.

I think we owe it to them to increase the minimum wage by 50 cents an hour over each of the next 2 years, to a level of $6.15, knowing full well that that is not a comfort level, that isn't going to give them relief from concern about paying for the necessities of life; but we owe it to them to increase this wage. Frankly, this Senator is prepared to say that this experience with this minimum wage increase has convinced me once and for all that relying on the goodness and gratitude of Congress on an infrequent basis to give the hardest working people in this country enough money to scrape themselves out of poverty and make a living has to come to an end.

We need to put into law a cost-of-living adjustment for the minimum wage, so we can say to the people across America, the millions who work for this minimum wage: Your life is not going to be hanging in the balance as to whether politicians in Washington are paying attention. You pay attention to your family and your job every day. We should pay attention to you by making certain you have a living wage.

Mr. President, I yield the floor to my colleague from Massachusetts, Senator KENNEDY.

Mr. BENNETT. If the Senator would withhold, I would like to make an inquiry about time.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. It is my understanding that on the Republican side there are still 45 minutes remaining under the control of Senator MCCAIN.

The PRESIDING OFFICER. Twenty-nine minutes.

Mr. BENNETT. I ask unanimous consent that that time be reserved for my control as manager of the bill.

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

Mr. BENNETT. I thank the Chair.

Mr. DURBIN. Mr. President, how much time is remaining on the Democratic side?

The PRESIDING OFFICER. The Senator from North Dakota has 4 minutes, and Senator KENNEDY has 11½ minutes.

Mr. DURBIN. I thank the Chair and yield to Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I had hoped to be able to address some of the issues here this afternoon, but we will have to work out additional time later in the afternoon.

The appropriations bill that is before us effectively will increase the pay for Members of Congress by over $5,000 a year. I support that particular proposal, but we ought to know that that is what is effectively included in this legislation. That is there basically because of the Republican leadership. As I mentioned, I support that, as I have supported other pay increases in the past.

But what Americans should understand is the fact that on the one hand the Republican leadership is prepared to have a $5,000 increase in the pay of Members of Congress and still deny us the opportunity to vote for a 50-cent-an-hour increase this year and a 50-cent-an-hour increase next year for the hard-working Americans who are at the bottom end of the economic ladder. It is basically and fundamentally wrong. And the American people ought to understand it.

We have 2½ weeks left. We ought to be able to make a judgment decision whether those Americans—some 10.1 million who will be affected by the increase in the minimum wage—ought to be able to have an increase in the minimum wage. We believe they should. We have fought to try to get that to happen. We have been limited in our opportunities to address that issue because of parliamentary tactics which have been used by the Republican majority in the Senate to deny us that.

No one needs a briefing about the issues on the increase in the minimum wage. They are basic. They are fundamental. Ninety-five percent of the Members of this body have voted on this issue. It would not take a great deal of time. We would be willing to enter into an hour equally divided if we were able to get an opportunity to vote on an increase in the minimum wage.

The American people ought to understand what the priorities are as we are coming to the last days of this Congress with 2½ weeks left. This is an issue of priorities. The Republican leadership has said we will put this appropriations bill forward. They have basically sidetracked the whole debate on the education bill, even though that was a priority for them before and even though their standard bearer is out there talking about the importance of higher education. I wish that the candidate would just call up the majority leader and say: Put the education bill on the floor of the Senate. Why aren't you doing it?

We are going to be dealing with the H–1B legislation which is going to affect 100,000 visas and denying the opportunity to make other kinds of changes in that particular program. We are saying that that is more important than having a short debate on an increase in the minimum wage?

As my friend and colleague has pointed out—who are these people? They are basically people who are assistants to teachers, who work in the schools in this country.

Who are they? They are helping assistants to child care workers, who are looking after the children of working families.

Who are these people? They are assistants in nursing homes, who are looking after the parents who have retired and are now in nursing homes being taken care of either by their children in nursing homes or perhaps even under the Medicaid system.

These are the people who are minimum wage workers. They are the men and women who clean the buildings around this country.

What has happened to them over the period? I wish the Members of this body had seen the excellent piece on ABC this morning that talked about what is happening in the workforce. It pointed out that now the American worker is working longer than any other worker and that the rates of productivity have increased. Generally speaking, when you have an increase in productivity and you have workers willing to work more, they get an increase in their pay. Not here, not minimum wage workers.

What we have seen is that those at the top part of the economic ladder have been experiencing a very substantial increase and those on the bottom fifth of the economic ladder, which include the minimum wage workers, have actually fallen behind in their purchasing power. If we do not take action on an increase in the minimum wage in the final 2½ weeks, then the increase we had 3 years ago will effectively be wiped out for these workers. That is quite a message; that is quite a priority.

Mr. President, I ask the Chair to advise me when I have 2 minutes remaining.

What has happened? We have offered this. And what has come back now from the other side, from the Republican leadership? They say: All right, we will let you have a 2-year increase in the minimum wage if you will agree to a $76 billion tax reduction for the wealthiest individuals in this country. Some deal, some deal for workers—$76 billion in tax reductions. You would think at least they would have the common sense just to do it for the small mom-and-pop stores. No. This is for the big boys, tax cuts, $76 billion. The last time we had an increase in the minimum wage, it was $21 billion. A lot of people thought that was too much. Seventy six billion dollars they want. And that isn't enough.

What they also want to do is wipe out time and a half for overtime for 73 million Americans, cut back on overtime pay. So you don't have to even pay, not only the minimum wage workers, but those above them, overtime pay. That is part of the deal: We will give 50 cents an hour to hard-working Americans this year and 50 cents next year. Give us the $76 billion. Let us be able to make other workers work. It will save us billions and billions and billions of dollars in terms of payroll. That is the deal they are offering.

Beyond that, I know this isn't a typical Republican position. They say: We are going to preempt the States that are out there in terms of the tax credit for workers in restaurants where they are able, instead of paying the full minimum wage, to say: We will only pay part. And if they get the rest in terms of tips, we don't have to make up the wages. That is a fine situation anyway. Someone is able to provide additional kinds of services; because of that, able to get a tip; and you are going to penalize them. We are going to put that into giving the credit to the employers. It is a lousy deal for workers in the first place. The Restaurant Association and their employees have gone through the roof anyway since the last time we passed it. Nonetheless, what they are saying is, OK, here is one deal for the minimum wage, but because some of the States have been a little more understanding and a little more helpful to these workers, we will preempt those States. I don't hear any statements on the other side of the aisle: Well, we don't want one size fits all. If you eliminate ''one size fits all'' and ''Washington knows best'' from the Republican vocabulary, they haven't got much to say. On this bill, there is no consistency. Give us $76 billion. Let us eliminate overtime. Then we will have a deal.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. KENNEDY. Mr. President, we are going to take every opportunity—and there will be some that will come down—to try to do something in terms of the minimum wage.

As I have said before, this is a women's issue because the majority of the recipients of the minimum wage are women. It is a children's issue because a majority of the women who get the minimum wage have children. This is a family issue. We hear ''family values'' around here. This is a family values issue because whether those parents have time to spend with those children depends on income. It is a children's issue.

It is a civil rights issue because the great percentage of those who are out there working are men and women of color. And beyond that, it is fairness issue. In the United States of America, with the economy going right through the roof, with the greatest economic prosperity in the history of the Nation, we are going to say: If you work hard, 40 hours a week, 52 weeks of the year, we don't think you ought to live in poverty. The Republican leadership refused to let us get a vote on this. That is absolutely unconscionable. The American people ought to understand it on election day.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Utah.

Mr. BENNETT. Mr. President, I am here in my capacity as manager of the conference report. We have had very

little conversation about the conference report or any of the items contained in the bill, but through this debate, we have had a great deal of conversation about a number of other issues.

I suppose in the spirit of that debate, I can be excused if I respond to the comments made by the senior Senator from Massachusetts. The senior Senator from Massachusetts as well as the Senator from Illinois have given us a great number of statistics about the minimum wage, a great deal of information from various studies that have been done about the minimum wage. I remind them of the last time we had a definitive study on the minimum wage that was given to us with great fanfare from the Department of Labor; that further analysis of that study by objective academics indicated that the methodology of the study was false; that the conclusion of the study, which was that the minimum wage did not in fact destroy jobs, was false, and that the minimum wage does in fact have an impact.

I don't want to debate studies and arguments and academics. I want to take us, for just a moment, into the real world of employment. We hear over and over that we are in the most prosperous economy that anybody can remember. That is true. That creates a real world situation which has not been addressed in any of the rhetoric we have just heard.

The real world situation is this: When the economy is very strong, there is a very strong demand for labor. As a consequence, unemployment goes down. Unemployment is at historic lows at this time of a good economy. And in the real world, where people really seek jobs and employers really seek workers, there is a shortage of workers.

I talk to employers in my State and I say: What is your biggest problem?

They say: Our biggest problem is finding workers. We post jobs. We do everything we can to try to get people to come in and take these jobs. They come in off the street and if, during the presentation of what the job is like, we say something that they don't particularly like, they turn and walk out. Why? Because they can walk into another employer down the street and have exactly the same kind of presentation. They are in a position where they can pick and choose.

I know this doesn't sound like macroeconomics, but this is the reality of the marketplace in which we operate. If I can talk about macroeconomics for a moment, let me quote Alan Greenspan, who appears regularly before the Senate Banking Committee and the Joint Economic Committee, on both of which I have the opportunity to serve. He says to us the one thing he watches with greatest concern in terms of the possibility of this economy overheating and spiraling off into inflation is the shortage of labor. He says the reason he has not raised interest rates more is because our labor is becoming so much more productive that we can have this kind of tremendous demand in the economy, even though the labor force is not expanding as rapidly as one would think it would have to in historic terms. The labor force is expanding in productivity so that it can keep up with the demand for labor in the economy without becoming inflationary.

So there are microeconomic considerations and individual considerations, but it always comes down to the same fact in the real world: There is no shortage of jobs. There is no shortage of good-paying jobs. There is no shortage of jobs above the poverty level. The problem is with people who, for whatever reason, cannot take the jobs that are available. The reason is usually training. The reason is usually experience.

If I may get personal for a moment, Mr. President, I don't know how many other Members of this body have worked for a minimum wage, but I have. I did it when I was 14. The job, frankly, was something of a gift because I don't think I added very much value to the corporation that I worked for at age 14 at 50 cents an hour. For me, it was a tremendous experience. I look back on the time that I worked at ages 14, 15, 16, and so on, in the summertime, after school, and on weekends, as one of the most important formative experiences of my life. But I think if the Federal Government had come in and said, no, you can't pay BOB BENNETT 50 cents an hour and we are going to order you to pay him 75 cents, my employer, in all probability, would have said: What he does for us is, frankly, not worth 75 cents an hour, and being true to our shareholders and our other employees whose jobs we do not want to jeopardize, we will just let him go. But the minimum wage was low enough that I could work for 50 cents an hour, I could have that kind of experience and, frankly, I could get the kinds of job skills that made it possible for me, a few years later, to command salaries at substantially higher than the minimum wage.

When I hear about the minimum wage from people in my State, it is always from employers who are employing—and this is a very pejorative term, but it is true—marginal workers. And they say: Senator, if you raise the minimum wage, I am going to have to let them go. The contribution that they make to my company, or farm, or ranch, whatever it might be, is marginal. I can afford to pay them the minimum wage now and say that I get some return from their labor. If you raise it, I am going to have to say, no, it isn't worth it; I can't afford this. These people then end up unemployed. The problem with these workers is not to have the Government step in and attempt to repeal the law of supply and demand; the problem is to find innovative, new ways to give them the training and skills they require in order to command a higher wage on the basis of their work.

We are about to move, I hope, on to a debate on H–1B visas. People will say: What does that have to do with the minimum wage? It is a manifestation of the same basic principle I am talking about here; that is, we cannot, no matter how powerful we think we are as Senators, repeal the law of supply and demand.

H–1B visas are used primarily by high-tech employees from other countries who come into this country to take high-tech jobs. What is the demand for those high-tech jobs? Right now, there are between 350,000 and 400,000 high-tech jobs, paying in the high five figures and into the low six figures, going begging in this country, and the companies that have those jobs are saying: If we can't find Americans, we want people from outside America to come in and fill these jobs. Will you please allow us to give visas to these people?

We cannot legislate that those kinds of salaries be paid to someone who is not capable of doing the job. The focus here, in terms of those who are at the lowest ends of our economic ladder, should be finding ways to train them, equip them, and prepare them to command, on the basis of their own skills, the wages they want instead of having the Government just automatically decree that they be paid a wage that may, in fact, be higher than the amount of value that they can add to their employer.

The Senator from Illinois displayed a chart that showed the minimum wage going up and employment going up, and then he suggested that one causes the other. I suggest that there is no relationship whatsoever between those two trend lines. There is another trend line that I think has a relationship. What is the area of greatest unemployment in this country? If you break it down with the demographics and the metropolitan areas, you find that the area of greatest unemployment in this country is among young, black teenagers in the inner city, particularly male. That is, statistically, the area of highest unemployment.

The unemployment rate among young, teenage, black males in the inner city in the United States is not only in double digits; it is in high double digits. I don't have the figures with me now. I didn't understand that we were going to debate minimum wage on the legislative branch bill. But they are in the 50 percent, 60 percent, 70 percent area. Those young, black men would benefit enormously by having a job experience. I know that, as I say,

from my own experience, when I was paid the minimum wage at age 14. But it was less to add value to the company than to add skills and understanding to myself.

If we had the law of supply and demand operating unimpeded by Government instruction, I can imagine—and I think I could find jobs for those young, black teenagers to do in the inner city. They would not be $6-an-hour jobs, but they would be jobs where there could be some value added to the employer and tremendous experience and training value added to the employee. And the Government, over time, would get tremendous benefits out of that because if those young men could be trained in marketable skills and then go out and command jobs at $10 and $12 and $15 an hour based on their skills rather than the Government demanding that they be paid that whether they produce value for it or not, the economy would be better, society would be better, and America as a whole would be better.

So as I listen to these debates on the minimum wage, the emotion, the shouting, and the great indignation that is sent forward here, I ask the Senators to step away from the academic studies. Go out among the employers of their own States and ask this direct question: What will happen in your business to the people you hire if the Federal Government intervenes in this situation and starts to dictate the wages that you pay?

A comment came out of the oil crisis of the 1970s when President Carter was telling us that the energy crisis was a crisis that was the moral equivalent of war and that we must somehow marshal the entire energies of the Nation to deal with it. Interestingly enough, as the Senator from Alaska points out, ever since we declared that kind of war, American dependence on foreign oil has gone up, not down. That is one of the main reasons we are looking at $2-a-gallon gasoline in the Midwest, as we are seeing the results of 8 years of an administration that has opposed any kind of energy development in the United States. In that period, an economist made this point that I have never forgotten. He said: When the Federal Government interferes with the setting of prices by the forces of supply and demand, you get one of two results.

If the Federal Government sets the price higher than the market would set it, you get a shortage. When the Federal Government sets the price lower than the market would set it, you get a surplus. In other words, when the Federal Government says you must pay a wage higher than these people can return value for, you get a shortage of jobs that these people can fill. If the Government should arbitrarily say we will set a price lower than these people can produce, then you get a surplus of people.

We don't need shortages and we don't need surpluses. We need jobs. We don't need shortages. We don't need surpluses of energy. To put it back in the same context, we need the energy.

The law of supply and demand gives you a price. It is always the right price as supply meets demand. As soon as someone steps in to try to manipulate that law—be that someone a monopolist, or be that someone a Federal legislator—and you get a diversion between the price that the demand would call for and that the supply would provide, you get either a shortage or a surplus. It has been that way since time immemorial, and it will be that way forevermore into the future.

We need to learn that lesson and be a little humble towards that process in the Senate as we stand on the floor of the Senate and raise our voices in indignation to say we must do something for these people in the name of fairness, and realize that in the long run we are in all probability hurting far more than we are helping.

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

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

Mr. BENNETT. Mr. President, I ask unanimous consent that the time currently running virtually equally between the two sides be charged equally against both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BENNETT. 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. BENNETT. 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.

Mrs. BOXER. Mr. President, I will vote against the combined legislative branch and Treasury-Postal Service appropriations bills.

While the administration has identified a couple of funding shortfalls in the bill, that is not my primary concern here, and it is not the reason I am opposing this legislation.

I am voting against the bill because the Senate has never considered the Treasury-Postal appropriations bill. Let me repeat that: the Senate is being asked to vote on a conference report on a bill that never passed the Senate.

This is a complete distortion of the legislative process. We are not potted plants. The people of the state of California elected me to represent them. That means debating bills, offering amendments that are important to the people of my state, and casting votes. It does not mean giving a rubber stamp to whatever conference report comes before us when we have not even debated the bill in the first place.

I was considering offering an amendment to this bill prohibiting the sale of firearms to individuals who are drunk. Believe it or not, it is not against the law to sell a gun to someone who is intoxicated. I was considering offering an amendment regarding the carrying of concealed weapons in places of worship. And I was considering offering an amendment praising Smith and Wesson for entering into an agreement with the administration to change the way it manufactures and distributes firearms.

But I was prevented—every Senator was prevented—from offering any amendments because the Treasury-Postal Service bill was never brought up. Normally a bill that does not come before the Senate cannot become law.

But the majority wanted to avoid debating and voting on these amendments, and so they found a way to make an end-run around the rules of the Senate and to run roughshod over the rights of 100 Senators.

I will not be a party to this process, so I will vote against the bill.

Ms. SNOWE. Mr. President, I rise today in support of the contraceptive coverage provision included in the FY2001 Treasury-Postal appropriations conference report currently before the Senate.

This provision is fundamental to the health of the approximately 2 million women of reproductive age who rely on the Federal Employees Health Benefits Program, or FEHBP, for their health care, and I thank Chairman CAMPBELL for again including this important language. This language is essentially the same language that has been signed into law the last 2 years.

This provision says that if an FEHBP health plan provides coverage of prescription drugs and devices, they must also cover all FDA-approved prescription contraceptives. It also says that plans which already cover outpatient services also cover medical and counseling services to promote the effective use of those contraceptives.

This language respects the rights of religious plans that, as a matter of conscience, choose not to cover contraceptives. Furthermore, the committee language we have before us makes it clear that this language does not cover abortion in any way, shape, or form.

The contraceptive coverage provision signed into law the last 2 years, and contained in this year's bill, contains a conscience clause that strikes the appropriate balance between recognizing the legitimate religious concerns of individual health plans and physicians

with the equally important goal of increasing access to prescription contraceptives and reducing unintended pregnancy and abortion rates in this country.

The religious exemption in current law specifically exempts the religious-based plans that the Office of Personnel Management, which manages FEHBP, identified as participating in FEHBP. And it exempts ''any existing or future plan, if the plan objects to such coverage on the basis of religious beliefs.''

Despite concerns voiced by opponents, this provision has caused no upheaval in the Federal Employees Health Benefit Program. When plans have left the program in the last 2 years they cited insufficient enrollment, noncompetitive premiums, or unpredictable utilization as the reason for leaving the program—not the requirement to cover prescription contraception. And other than the five plans specifically excluded in current law, no plan has requested to be excluded from the provision nor has any plan complained that the conscience clause is insufficient. Furthermore, OPM is not aware of any physician or other health care provider who requested an exclusion.

The need to retain the current committee language is clear. Today, nearly 9 million Federal employees, retirees, and their dependents participate in the FEHBP. Approximately 2 million women of reproductive age rely on FEHBP for all their medical needs. Unfortunately, before 1998, the vast majority of these women were denied access to the broad range of safe and effective methods of contraception.

It is clear that the need for prescription contraceptive coverage is well understood by women across the country. And while we in Congress debate this need and delay guaranteeing coverage to women across the country, states are taking up the call on their own. In fact there are 13 states—Maryland, Connecticut, Georgia, Hawaii, Maine, New Hampshire, Nevada, North Carolina, Vermont, California, Delaware, Iowa, and Rhode Island—who have passed their own contraceptive coverage legislation.

Across America, the lack of equitable coverage of prescription contraceptives contributes to the fact that women today spend 68 percent more than men in health care costs. That's 68 percent. And this gap in coverage translates into $7,000 to $10,000 over a woman's reproductive lifetime.

So I ask my colleagues: with 10 percent of all Federal employees earning less than $25,000 what do you think is the likely effect of these tremendous added costs for these Federal employees?

Well, I'll tell you the effect is has: Many of them simply stop using contraceptives, or will never use them in the first place, because they simply can't afford to. And the impact of those decisions on these individuals and on this nation is a lasting and profound one.

Women spend more than 90 percent of their reproductive life avoiding pregnancy, and a woman who doesn't use contraception is 15 times more likely to become pregnant than women who do. Fifteen times. And of the 3 million unintended pregnancies in the United States, half of them will end in abortion.

Mr. President, I can't think of anyone I know, no matter their ideology or party, who doesn't want to see the instances of abortion in this nation reduced. Well, imagine if I told you we could do something about it.

We vote year after year to restrict abortion coverage in FEHBP plans. My colleagues know that I vote against this restriction every time it comes up. At the same time I firmly believe that, if the Senate is going to vote against allowing FEHBP plans to cover abortion, then we should require this same plan to cover prescription contraceptives if they cover other prescription medications—prescription contraceptives which prevent unintended pregnancies that lead to abortion.

That is what the committee language does. When the Alan Guttmacher Institute estimates that the use of birth control lowers the likelihood of abortion by a remarkable 85 percent, how can we ignore a provision like this which makes the use of birth control more affordable to our Federal employees, and do so—according to the Congressional Budget Office—with negligible cost to the Federal Government.

The fact is, all methods of contraception are cost effective when compared to the cost of unintended pregnancy. And with unplanned pregnancies linked to higher rates of premature and low-birth weight babies, costs can rise even above and beyond those associated with healthy births.

As the American Journal of Public Health estimates, the cost under managed care for a year's dose of birth control pills is less than one-tenth of what it would cost for prenatal care and delivery.

Whatever the reason, as an employer and model for the rest of the nation, the Federal Government should provide equal access to this most basic health benefit for women. The committee language would allow Federal employees to have that option.

In closing, Mr. President, let me say that if we, as a nation, are truly committed to reducing abortion rates and increasing the quality of life for all Americans, then we need to begin focusing our attention on how to prevent unintended pregnancies. Retailing contraceptive coverage for Federal employees is a significant step in the right direction. I thank Chairman CAMPBELL for again including this important language.

Mr. DOMENICI. Mr. President, I am pleased to rise today in support of the conference report accompanying H.R. 4516, the Legislative Branch and Treasury-general government appropriations bill for FY 2001.

The pending conference agreement combines two of the 13 annual appropriations bills into one bill, which provides $34.9 billion in new budget authority and $30.9 billion in new outlays to fund the operations of the Legislative Branch, and the Executive Office of the President, and the agencies of the Department of the Treasury, including the Internal Revenue Service (IRS), Customs Service, Bureau of Alcohol, Tobacco and Firearms, the General Services Administration, and related agencies. When outlays from prior-year budget authority and other completed actions are taken into account the conference agreement totals $33.0 billion in BA and $32.5 billion in outlays for fiscal year 2001.

The final bill is $145 million in BA and $145 million in outlays below the most recent section 302(b) allocation for these two subcommittees filed on September 20th.

The final bill also has a revenue effect for two provisions—repeal of a provision in the Balanced Budget Act of 1997 that temporarily increases federal employee retirement contributions by 0.5 percent; and repeal of the telephone tax enacted in the late 1800's to help finance the Spanish-American War. A loss of revenue totaling approximately $4.8 billion is estimated for fiscal year 2001, and additional amounts in the outyears.

I commend the subcommittee chairman and ranking members for bringing this important measure to the floor. I urge the adoption of the bill and ask for unanimous consent that the Budget Committee scoring of the bill be printed in the RECORD at this point.

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

H.R. 4516, LEGISLATIVE BRANCH APPROPRIATIONS, 2001: SPENDING COMPARISONS—CONFERENCE REPORT

[Fiscal year 2001, $ millions]

| | General purpose | Mandatory | Total |
|---|---|---|---|
| Conference Report[1]: | | | |
| Budget authority | 18,161 | 14,805 | 32,966 |
| Outlays | 17,683 | 14,810 | 32,493 |
| Senate 302(b) allocation: | | | |
| Budget authority | 18,306 | 14,805 | 33,111 |
| Outlays | 17,828 | 14,810 | 32,638 |
| 2000 level: | | | |
| Budget authority | 16,210 | 14,479 | 30,689 |
| Outlays | 16,679 | 14,488 | 31,167 |
| President's request | | | |
| Budget authority | 19,057 | 14,805 | 33,862 |
| Outlays | 17,951 | 14,810 | 32,761 |
| House-passed bill: | | | |
| Budget authority | 16,886 | 14,805 | 31,691 |
| Outlays | 17,201 | 14,810 | 32,011 |
| Conference report compared to: | | | |
| Senate 302(b) allocation: | | | |
| Budget authority | −145 | | −145 |
| Outlays | −145 | | −145 |
| 2000 level: | | | |
| Budget authority | 1,951 | 326 | 2,277 |

H.R. 4516, LEGISLATIVE BRANCH APPROPRIATIONS, 2001: SPENDING COMPARISONS—CONFERENCE REPORT—Continued

[Fiscal year 2001, $ millions]

| | General purpose | Mandatory | Total |
|---|---|---|---|
| Outlays | 1,004 | 322 | 1,326 |
| President's request | | | |
| Budget authority | −896 | ..... | −896 |
| Outlays | −268 | ..... | −268 |
| House-passed bill: | | | |
| Budget authority | 1,275 | ..... | 1,275 |
| Outlays | 482 | ..... | 482 |

[1] Also reflects conference report on Treasury-General Government Appropriations. Conference report also includes repeal of federal communications excise tax, which results in a revenue loss of $4.328 billion in 2001, and a repeal of federal employee retirement contribution, which results in a revenue loss of $460 million in 2001. Neither revenue effect is reflected in the discretionary scoring of this bill, and count on the PAYGO scorecard instead.

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. BENNETT. Mr. President, am I correct in my assumption that the previous order calls for a vote now on the conference report?

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. Have the yeas and nays been ordered?

The PRESIDING OFFICER. No.

Mr. BENNETT. Mr. President, I ask for the yeas and nays on the conference report.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the conference report. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from California (Mrs. FEINSTEIN), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 28, nays 69, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—28

| | | |
|---|---|---|
| Allard | Gorton | McConnell |
| Bennett | Grassley | Murkowski |
| Bond | Gregg | Nickles |
| Campbell | Hagel | Shelby |
| Cochran | Hutchinson | Smith (OR) |
| Craig | Inhofe | Specter |
| Crapo | Kyl | Thomas |
| Domenici | Lott | Thurmond |
| Enzi | Lugar | |
| Fitzgerald | Mack | |

NAYS—69

| | | |
|---|---|---|
| Abraham | Dodd | Kerry |
| Ashcroft | Dorgan | Kohl |
| Baucus | Durbin | Landrieu |
| Bayh | Edwards | Lautenberg |
| Biden | Feingold | Leahy |
| Bingaman | Frist | Levin |
| Boxer | Graham | Lincoln |
| Breaux | Gramm | McCain |
| Brownback | Grams | Mikulski |
| Bryan | Harkin | Miller |
| Bunning | Hatch | Moynihan |
| Burns | Helms | Murray |
| Byrd | Hollings | Reed |
| Chafee, L. | Hutchison | Reid |
| Cleland | Inouye | Robb |
| Collins | Jeffords | Roberts |
| Conrad | Johnson | Rockefeller |
| Daschle | Kennedy | Roth |
| DeWine | Kerrey | Santorum |
| Sarbanes | Snowe | Voinovich |
| Schumer | Stevens | Warner |
| Sessions | Thompson | Wellstone |
| Smith (NH) | Torricelli | Wyden |

NOT VOTING—3

| | | |
|---|---|---|
| Akaka | Feinstein | Lieberman |

The conference report was not agreed to.

Mr. STEVENS. Mr. President, I enter a motion to reconsider the vote by which the conference report was defeated.

The PRESIDING OFFICER. The motion is so entered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## IMMIGRATION AND NATIONALITY ACT AMENDMENTS—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 2045) to amend the Immigration and Nationality Act with respect to H–1B nonresidential aliens.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Florida.

Mr. GRAHAM. Mr. President, we are debating the motion to proceed to the legislation that would increase the number of visas for aliens who have certain technical skills that are deficient within the United States; that is, the H–1B visa bill. Several of us hope this bill can be expanded in order to deal with other pressing issues of immigration to provide not only for those who are desirous of working in the high-tech industry—the high-tech industry which needs their services—but also that we can redress some of the injustices which have seeped into our immigration law. So I am, today, rising to discuss those elements of unfairness that we hope can be considered under the title of the Latino and Immigrant Fairness Act.

The focus of this legislation is, as the title of the act says, fairness. We all learned some fundamental lessons in grammar school. One of those is what is fair and what is not fair. It is fair for a teacher to punish two noisy schoolchildren who have broken the rules in the classroom by keeping both of them inside during the recess period. We may, in our own childhood, have been subjected to that kind of sanction. But if the teacher decides to let one child go out and play but keeps the other in, that wouldn't be fair. In other words, one of the aspects of fairness is treating people who are in the same circumstances in the same way.

We are here today trying to achieve that type of fairness because, in 1996, we passed an immigration law that went too far. It violated that rule of treating people in the same circumstances in the same way.

It was also unfair because it applied retroactively. People who had played by the rules, who were doing all the things that they thought this society wanted them to do in order to become a part of our society, suddenly found that all those steps were for naught, and they were about to be subjected to deportation. Making laws retroactive is almost always bad public policy. It is changing the rules in the middle of the game. That is what we have done, but this is our opportunity to correct it.

A little history: Central American and Haitian immigrants came to the United States, particularly in the 1980s, and were welcomed by Presidents Ronald Reagan and George Bush. They were fleeing civil wars or violent upheavals in their repressive governments. They followed every rule.

Over the past 10 or 15 years, they set down roots. They raised families; they bought homes, started small businesses. Then, with the passage of the 1996 immigration bill, they suddenly became deportable. They could be forced to return to their countries, the very countries they fled. They were being forced to do so based on no actions of their own but, rather, a change in the rules enacted here in Congress.

Congress was quick to recognize some of the overreaching of the 1996 immigration law because 1 year later, in 1997, and then 2 years later, in 1998, Congress took steps to correct this injustice for some people—mainly Nicaraguans, Cubans, and some Haitians. In 1997, with bipartisan support, Congress passed the Nicaraguan Adjustment and Central American Relief Act, often called NACARA.

In 1998, with bipartisan support, we passed the Haitian Refugee Immigration Fairness Act. In 2000, with the Latino and Immigrant Fairness Act, we can complete the process and correct injustices for all who face similar circumstances.

One part of the Latino and Immigrant Fairness Act, the part that we refer to as ''NACARA Parity,'' would have a tremendous impact on Central American and Haitian nationals. Many of the Central American and Haitian beneficiaries of this legislation reside in my State of Florida. I know them well. They are small business owners; they are educators; they are volunteers. They are raising families who are contributing to our State. These residents are a vibrant and crucial part of our community. Many have made Florida their home for 15 or 20 years or more. It is patently unfair to uproot these families after they have sunk such deep roots into our communities.

I had the honor of participating in a hearing held recently in Miami when