

technology, I am sympathetic to the position that specific mandates may be necessary in the face of inaction on the part of OPS. Congress has repeatedly asked OPS to conduct rulemakings and been ignored. As a consequence I can understand those who have lost patience and are prepared to put specific testing and operational prescriptions into Federal statute.

In addition to ensuring that OPS complies with years-old statutory mandates, I support the Inspector General's recommendation that OPS act upon, either to reject or accept, the recommendations of the National Transportation Safety Board. I don't pretend to know whether NTSB's recommendations, that have been accumulating for years, will advance safety. It is unacceptable, however, that OPS should simply ignore them.

Fourth, I have heard from citizens' groups who support the creation of a model oversight oil spill advisory panel in Washington State. I see a real value in creating such a body, and empowering it with meaningful authority to comment on and influence State and Federal action or inaction. Such an advisory panel can continue to focus needed attention on the issue of pipeline safety when the painful memory of June 10 begins, for many, at the same time mercifully and regretfully, to fade.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Nevada.

IN SUPPORT OF FAA CONFERENCE REPORT

Mr. BRYAN Mr. President, I rise today in support of the FAA conference report which will be voted upon later on this afternoon and to discuss one particular feature of that report, the so-called perimeter rule. This is a rule that is both arcane and archaic. It is anticompetitive and unnecessary. The so-called perimeter rule is a rule, enacted by Congress in 1986, that precludes any flight originating at Washington National Airport, the region's most popular airline destination for the Nation's Capital, from flying nonstop more than 1,250 miles from the Nation's Capital. That also includes any inbound flights to Washington National from a point that originates more than 1,250 miles from the Nation's Capital.

This perimeter rule was enacted by Congress in 1986. It might have had some historical justification. The origin of the rule is based upon an attempt to force additional air traffic into Washington's Dulles Airport, which is some distance from the Nation's Capital and not as convenient. Whatever the historical rationale may have been, I think anyone who has used Washington's Dulles Airport in recent years, as I do frequently, would testify

that it is a fully operational airport with a multibillion-dollar expansion and much traffic.

Today, the so-called perimeter rule is defended on the basis of noise control in Northern Virginia and the surrounding area. That was not its historical justification. Now, the effect of the so-called perimeter rule is to preclude direct flights, nonstop, into Washington's National Airport from most of the country and all of the West.

As a historical insight, the original perimeter rule was 750 miles. Then, when Russell Long became chairman of the Senate Finance Committee, his congressional district was in New Orleans, and the distinguished occupant of the chair will not be surprised to learn that the perimeter rule had some flexibility then, and the length was extended so one could fly nonstop to New Orleans. And later, when, I believe, Jim Wright became the Speaker, his congressional district was the Dallas-Fort Worth area, so it was extended to 1,250 miles, its current length.

My point is, there is nothing sacrosanct about this rule. It makes no sense in terms of safety. The Federal Aviation Administration has concluded there is no safety issue involved, and the GAO has repeatedly asserted that the effect of the rule is anticompetitive and it has the effect of driving prices up.

Now, the debate in this Chamber frequently echoes back and forth about Government interference in the marketplace, meddling, arbitrary rules that restrict entry, rules that make it difficult for the private sector to respond to the market. I can't think of a better example of that than this so-called perimeter rule.

For that reason, I am particularly pleased to support this conference report because one of the features in the conference report modifies the perimeter rule. It doesn't eliminate it in its entirety, but it does permit 12 slots that would be authorized to fly beyond the 1,250-mile perimeter, and that means cities such as Las Vegas and other major metropolitan areas in the West will be able to compete for those routes.

It also contains a provision that specifically recognizes new entrants into the market. Many will recall that the underlying premise of the deregulation of the airline industry assumed there would be a number of new entrants into the market. Unfortunately, by and large, that has not occurred. New entrants have had a particularly difficult time entering into this market. It is a very competitive market, and indeed the survivability of those new entrants has been very limited. So this particular provision repeals, in part, the perimeter rule to permit 12 flights to fly beyond the 1,250 miles and to originate from a distance beyond that, thereby making nonstop service to the West a possibility.

It is my hope that among the communities that would be considered would be Las Vegas, which is rapidly expanding its air service. The community's lifeblood is dependent upon tourist travel. A great percentage of that is airline service, and a direct, nonstop service flight to one of the largest metropolitan areas in the country, the Washington metropolitan area, would have an enormously powerful potential for new business for our community.

So it is my hope that colleagues will support the conference report. I am not unmindful of the fact that there are controversial provisions in it. But the modification of the perimeter rule is an important step in the right direction. I salute the conferees for following the lead of the Senate Commerce Committee, which specifically included, at the request of myself and others, the modification of the perimeter rule.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that morning business be extended for 15 minutes.

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

ELIMINATION OF THE MARRIAGE TAX PENALTY

Mr. BROWNBACK. Mr. President, I rise today to address an issue I have raised several times on the floor. I am hopeful that this year, this body, will get a chance to deal with the marriage penalty tax elimination.

Mr. President, Senators KAY BAILEY HUTCHISON, JOHN ASHCROFT, and I have been pushing for some period of time for the elimination of the marriage penalty tax; and it is truly that—a penalty tax on marriage. This body will have a chance to address this issue shortly. The Finance Committee of the Senate will consider this issue in the near future. They will be marking up the bill to eliminate one area of the Internal Revenue Code where the marriage penalty tax occurs. It will then come before this body, I am told, I believe the leader wants it scheduled before April 15.

There will be Members who will try to block this bill, with issues that are extraneous to the marriage penalty. They will be able to add things to it, or filibuster the marriage penalty tax elimination. I hope they think about what they would be doing in stopping the elimination of the marriage penalty tax. Before they take actions to block this important issue, I hope they just pause and say maybe I will try to amend my issue onto another bill; this one is too important. I don't think we need to be blocking it.

Just in looking at the marriage penalty tax, I hope people recognize the

extent of its involvement and intrusion on married couples across the country. I have a chart up here to which I will refer a number of times. It shows the number of married couples affected by the marriage penalty tax across the United States. This is it. The chart represents married couples, and we don't know how many children are in these families who are also effected. We are talking about 25 million American families who are affected across the country by this penalty. In Kansas, we have 259,904 couples who are penalized by this marriage penalty tax.

Again, for those who haven't been following the debate, all our proposal would do is level the playing field. It would say that if you are married, a two-wage-earner family, you will pay the same in taxes as if you were two independent people living together; we are not going to punish you, or fine you, or penalize you for being married.

The average tax these 25 million American couples pay additionally for the privilege of being married is \$1,480. That is a lot of money. That is a lot of money to a lot of people. I hope we cut the tax and send that back to the married couples across this country and say we are not going to penalize you anymore. That is what we are seeking for this body to pass.

The House of Representatives has already done good work in this area. The House of Representatives has passed a bill to provide marriage tax penalty relief for America's families in the 15-percent marginal tax bracket and to eliminate the marriage penalty in the standard deduction.

I think the House bill is a good starting point for our discussion of the marriage penalty reduction and elimination. Doubling the standard deduction, increasing the width of the 15-percent bracket, and fixing the earned-income tax credit where the marriage penalty exists will eliminate or reduce the marriage penalty for all families. It still doesn't get rid of it. The Marriage Penalty appears in over 60 different places in the Tax Code.

Down the road I hope we can get to a discussion of sunseting the entire Tax Code and going to a flatter, fairer, and simpler system. I know the Presiding Officer has led the charge on doing precisely that. It is clearly something we need to do for the country, for the economy, and for the people, so many of whom, labor under this Tax Code in fear they are going to be found to have done something wrong when they are trying to be good, law-abiding citizens. But that is a debate for another day.

Right now we are trying to get at one issue. The National Center for Policy Analysis says the highest proportion of marriage penalties occurred when the higher-earning spouse made between \$20,000 and \$75,000. Clearly, we need to make marriage penalty elimination a priority for all families, not only a few.

Consider that—making between \$20,000 and \$75,000. You are looking at a two-wage-earner family, probably with a child, or two or three children, who can't afford to be penalized by this \$1,480. They are currently being penalized under the Tax Code.

We see the numbers up here. We know the full extent of this.

I want to read—because I think these are so touching and important—statements of people who are impacted by this. We continue to collect these statements and letters from people because now people are calculating their marriage penalty tax. I hope in the next week or so to have a chart saying: OK. As you are watching this on TV, figure your marriage penalty. Have this as one spouse's income; there is another spouse's income; and here is where it meets. That is your marriage penalty, the tax you pay. The average is \$1,480. Some pay more, some less; letting people know this is what they are penalized and this is the tax they are paying.

Listen to some of the stories from people around the country. This is Christopher from Fairfield, OH. This family said:

One of the biggest shocks my wife and I had when deciding to get married was how much more we would have to give to the government because we decided to be married rather than live together. It does not make sense that I was allowed to keep a larger portion of my pay on a Friday and less of it on a Monday with the only difference being that I was married that weekend.

That is to the point.

This is from Andrew and Connie from Alexandria, VA.

We grew up together and began dating when we were 18. After dating for three years we decided that the next natural step in our lives together would be to get married. I cannot tell you the joy this has brought us. I must tell you that the tax penalty that was inflicted on us has been the only real source of pain that our marriage has suffered.

I wish all marriages could be like that—that the only source of pain is the Tax Code. Is that a pain we should inflict on them? Is that something we should do to this married couple? They say: We are getting along pretty good. The only real pain is the Federal Tax Code and the tax penalty we are paying.

I don't think that is a good signal to send.

This is Andrew from Greenville, NC, who writes:

It is unfortunate that the government makes a policy against the noble and sacred institution of marriage. I also feel it is unfortunate that it seems to hit young struggling couples the hardest.

That is probably the biggest point. If you have a combined income with the top wage earner making between \$20,000 and \$75,000—these are young married couples; they are struggling with a lot of issues, struggling with financial issues—and you lob on top of

that a tax penalty, that really hits them, and particularly a lot of couples during the early years with young children.

This is Thomas from Hilliard, OH, who says:

No person who legitimately supports family values could be against this bill. The marriage penalty is but another example of how in the past 40 years the federal government has enacted policies that have broken down the fundamental institutions that were the strength of this country from the start.

This is Sean from Jefferson City, MO:

I think the marriage penalty is a major cause of the breakdown of the family here in the U.S. . . . [Ending it] would do a lot to cut down on the incidence of cohabitation by unmarried couples and give more children two-parent families where there is a real commitment between the parents.

I don't know if I would go as far as what he said—that this has been the major cause of the breakdown of the family in the United States. I don't think that is the case. But it is the wrong signal for us to send. We send signals all the time across the country of what we think is good and what we think is wrong.

Welfare reform: When we went through that fight—it was a very important fight—we decreased the welfare rolls in the country by 50 percent. We sent a signal that we think it is good to work. That is a good signal.

We should eliminate the marriage penalty tax. That is a statement about what we think is good. People are married and they shouldn't be taxed and penalized for that.

According to a recent Rutgers University study, the institution of marriage is already having problems in the United States and is in a state of decline. From 1960 to 1996, the annual number of marriages per thousand adult women declined by almost 43 percent. That impacts and hurts a lot of children. Not that single parents don't struggle heroically to raise children; they do many times very successfully. But that family can have a bonded relationship. Studies are showing again and again that the most important place we can put that child is in a loving relationship between two married people.

I am going to continue to come down to the floor regularly raising this issue because this body will have a chance to vote on this issue in dealing with the marriage penalty tax. I believe there are Members on both sides of the aisle of goodwill who want to see this marriage penalty tax eliminated. I don't think the penalty makes much sense to many Americans at all.

I hope as we start to engage this debate, in this body, that Members on both sides of the aisle will stand up and say: Yes, this is an important issue. We are not going to load it down with a lot of amendments. We are not going to load it down with a lot of extraneous issues. It passed the House. If it passes

this body, we can get it to the President for his signature. It is an important signal to send across the country, and we are not going to block it.

There are a lot of ways in this body that you can block something—that you can put it forward and say you are for it but you are blocking it. I hope this would be one that we could say we are going to pass for the 25 million American married couples.

For those in South Dakota, 75,114 are penalized, and for those in Nevada 146,142 are penalized—I see my colleagues from South Dakota and Nevada—I hope they can say to them: We shouldn't be penalizing you.

We have the wherewithal to change this, and let's change it.

Thank you very much, Mr. President. I hope we will have a vote on a true marriage penalty tax bill before April 15 comes and goes. There will be other of my colleagues on the floor later on to address this issue as well.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXPORT ADMINISTRATION ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 1712, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1712) to provide authority to control exports, and for other purposes.

The Senate proceeded to consider the bill.

Mr. REID. Mr. President, Senator GRAMM is not here. The manager of the bill for the Democrats, Senator JOHNSON, has graciously consented so that I can say a word or two about this legislation.

I rise to speak about an issue that is of particular interest to me and our national economy. The issue I wish to discuss is export controls. As I stated previously, it is critical that the Congress support the engine of our thriving economy while still protecting the integrity of our national security.

Today in America consumer confidence is at a record high. Unemployment is at a 30-year low. New home sales set a record last year. The rate of inflation is less than 2 percent. The stock market has been surging, and corporation profits are better than analysts dreamed.

It was announced last month that we are experiencing a record 107 months of economic expansion. This is all proof that Congress and the administration has done a stellar job in steering the country in the right direction. And yet, thus far, we have been unable to pass

legislation to update our export controls. The Bureau of Export Administration and the Defense Department are still conducting business under cold war era regulations. The economic and political world has changed dramatically. That is why I am so pleased that this bill has come to the floor today.

Last year, I met with Senators GRAMM, ENZI, and JOHNSON, in my office, to discuss export controls. They informed me that The majority leader pledged to them that the Export Administration Act would come to the floor before the end of 1999.

Everyone tried, but as happens a lot of times at the end of the session, it was unable to be brought to the floor. That is not because the Senators I visited with—ENZI, GRAMM, and JOHNSON—didn't try. These three Senators, for whom I have the greatest respect, have all worked hard and in good faith to bring all parties to an accommodation.

When this bill passed out of the Banking Committee, it had the full support of the committee and the business community, while still protecting our Nation's national security. I am afraid with the addition of many of the amendments in the so-called managers' package that this bill is losing support both from the business community and the national security interests. I hope we can work something out and not have to adopt the managers' amendment as it is written.

In January of last year, along with the distinguished majority leader, I, Senator DASCHLE, and a group of Senate Democrats, got together to form a high-tech working group. This group came about because we as Democrats realize the importance of high tech to the Nation's economy. Senator JOHN KERRY, through his leadership capacity, has worked very hard in this regard.

We also recognize that Congress can have a large impact on the growth, or potential growth, of this sector of our economy. Our initial goal was to educate our caucus on the high-tech issues. Because of the generation gap between those who run this industry and most Members in the Senate, this took a little time. However, we got to speed very quickly. We toured sites all over the United States, including high-tech sites in Maryland, Virginia, and Silicon Valley.

As with many issues, I often hear that Congress would best serve the public and industry by doing nothing at all. One of the areas most believe we can be of help is in the area of export controls of high-performance computers. There are currently a number of U.S. products that cannot compete with national competitors due to export control limitations, not because of national security interests but because of the slow review process here in Congress.

In June of 1999, and then in January of this year, with the urging of Senator DASCHLE, myself, and other Senators, the administration agreed to ease the level of controls which were referred to as MTOPS—million theoretical operations per second.

We, as well as those in the computer industry, were elated. There is a 6-month congressional review period for raising the level of MTOPS. The Banking Committee bill reduces the review from 180 to 60 days. By the Senate Banking Committee agreeing to the shortened review period of 60 days, the committee recognized a few important things:

No. 1, 180 days is too long for an industry whose success depends on its ability to beat its foreign competition to the marketplace;

No. 2, a shorter time period gives the Congress adequate time to review the national security ramifications of any changes in the U.S. computer export control regime.

While this is a good step in the right direction, I, along with Senators BENNETT, DASCHLE, KERRY, MURRAY, BINGAMAN, KENNEDY, and BOXER, believe that further reduction of this to 30 days makes more sense.

The high-performance computers we are talking about have a 3-month innovation cycle. Therefore, if 60 days are taken up in Congress, on top of the turnaround time for new regulations at the administration, the innovation cycle is long overdue.

There is no precedent for such a long review period. Even the sales of items on the munitions such as tanks, rockets, and high-performance aircraft only require a 30-day review period. The reality of the situation is that by limiting American companies to this degree we are not only losing short-term market share, but we are allowing foreign companies to make more money and, in turn, create better products in the future. This could lead to the eventual loss of our Nation's lead in computer technology, which has propelled the United States to the good economic standing we see today.

This amendment is critical to our Nation's economy and the success of our high-tech industry.

AMENDMENT NO. 2883

(Purpose: To amend the National Defense Authorization Act for Fiscal year 1998 with respect to export controls on high performance computers)

Mr. REID. I send this amendment to the desk for Senators REID of Nevada, BENNETT, DASCHLE, KERRY of Massachusetts, MURRAY, BINGAMAN, KENNEDY, and BOXER.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. BENNETT, Mr. DASCHLE, Mr. KERRY, Mrs. MURRAY, Mr. BINGAMAN, Mr.