The Senate met at 9:15 a.m. and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear Father, bless the Senators today. You are the Potter; they are the clay. Mold them and shape them after Your way. Americans have prayed for Your best for this Nation, and You have answered their prayers with these women and men, chosen by You because they are people open to Your guidance. Meet their personal needs today so they can be Your instruments in meeting America’s needs. Give them peace of mind, security in their souls, and vigor in their bodies so they can lead with courage and boldness. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair. STROM THURMOND, President pro tempore.

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

RESERVATION OF LEADER TIME

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

BIPARTISAN CAMPAIGN REFORM ACT OF 2001

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 27, which the Clerk will report.

The bill clerk read as follows:

A bill (S. 27) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

Pending:

Specter amendment No. 140, to provide findings regarding the current state of campaign finance laws and to clarify the definition of electronic communication.

Hagel amendment No. 146, to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits.

AMENDMENT NO. 146

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the Hagel amendment No. 146. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, the remaining time on the proponent side of the Hagel amendment is how much? The ACTING PRESIDENT pro tempore. Eighty minutes.

Mr. MCCONNELL. I expect Senator HAGEL to be here momentarily. I yield myself 5 minutes of the Hagel proponent time.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. MCCONNELL. Mr. President, I never thought I would be putting a Richard Cohen column in the CONGRESSIONAL RECORD for any purpose on any issue, and certainly not on campaign finance reform. But I think this liberal columnist of the Washington Post must have had an epiphany. His column this morning I think is noteworthy, and I want to read a couple parts of it before putting it in the RECORD.

Richard Cohen said this morning in the Washington Post with regard to the underlying bill that it would do damage to the first amendment. He said:

There is no getting around that. The AFL-CIO is right about it. The American Civil Liberties Union is right too. Some senators who support McCain-Feingold do not quibble with that assessment; they say only that no bill is perfect. . . .

Further in the article, Cohen says:

The trouble is that the lobbyists on K Street will ultimately figure out a way around any campaign finance reform. This is virtually a physical law in Washington, like water seeking its own level. It happened following the Watergate reforms, and it will happen this time, too.

And so when that happens we will be left with nothing much by way of reform. But we will be left with a bit less free speech. Specifically, we will be left with severe restrictions on so-called issue advocacy. Sometimes these efforts are scurrilous and underhanded: Remember the scuzzy attack by friends of George Bush on John McCain’s record on cancer research? But sometimes such attacks are valuable additions to the political debate. However you judge them, they are speech by a different name, and the First Amendment protects them all.

He goes on to say:

Still, Congress has no business enacting a law—any law—that contains provisions it knows will not pass constitutional muster. . . .

So there is a great desire to do something—almost anything, it seems, to convince the public that not all Washington is for sale. Much of the Washington press corps, symbiotically tied to government for its sense of importance, also craves out for reform. But this particular reform comes at a steep price, even the criminalization of what heretofore was free speech.

No doubt the power and wealth of special interests pose a problem for the political system. But worse than the ugly cacophony of a last-minute smear campaign is the chill of any government-imposed silence. That’s not reform. It’s corruption by a different name.

I ask unanimous consent that the Richard Cohen column be printed in the RECORD.

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

(From the Washington Post, Mar. 27, 2001)

. . . PRESERVE FREE SPEECH

(By Richard Cohen)

To tell the truth, I had no intention of ever writing about campaign finance reform, as in
the McCain-Feingold bill. It is a complicated matter, one that is better of me. I have done my reading, done my interviewing, consulted some very wise people and asked myself one basic question: What is it that I hold most dear in American public life? The answer, as always: the First Amendment.

Sen. Charles Schumer (D–N.Y.), one of those wise men I consulted, tried to make me see matters differently. He essentially stated his case in an eloquent speech on the floor of the Senate, pleding for campaign finance reform as a way to restore the people's confidence in the political system—to make us all feel that the votes of our representatives are not for sale.

Oddly enough, it was just that quality—a restoration of integrity—likewise tracted to me. Sen. John McCain's presidential campaign. Here was a candidate who in words, deeds and something indefinable had made a good case. Good people could do good in government, and that the power of money had to be met by the power of ideas. McCain deserves all the credit he can get for putting reform before the public.

But his bill would do damage to the First Amendment. There is not getting around that. The AFL-CIO is right about that. Some Senator who support McCain-Feingold do not quibble with that assessment; they say only that no bill is perfect and no constitutional right must be violated. In this, they say, we will have to give up some free speech rights to gain some control over a very messy and sometimes corrupt campaign finance system.

The trouble is that the lobbyists of K Street will ultimately figure out a way around any campaign finance reform. This is virtually what has happened with Washington, like water seeking its own level. It happened following the Watergate reforms, and it will happen this time, too.

And so even if this happens we will be left with nothing much in the way of reform. But we will be left with a bit less free speech. Specifically, we will be left with severe restrictions on so-called issue advocacy. I will not bore you with talk radio, they're denounced by intellectually corrupt personalities who make much more money, work many fewer hours and talk about Congress as if it were entirely on the take.

So there is a great desire to do something—almost anything, it seems, to condemn the bill. And I say that not all Washington is for sale. Much of the Washington press corps, symbolically tied to government for its sense of importance, also cried out for reform. But this particular reform comes at a steep price, even the criminalization of what heretofore was free speech.

Mr. McCONNELL. I also noted with interest David Broder's column this morning. Broder can best be described as something of a moderate on the campaign finance issue. He has been at several different places over the years.

He makes this point about raising the "hard money" limit.

His conclusion:

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should be to reduce the amount spent on campaigns. Why? Political communication is expensive. There is no mass-media America. Candidates are competing not only with each other but with all the commercial products and services relying for viewership with their own advertising promotions. Contributions of reasonable size that help candidates get their messages out are good for democracy, not a threat.

McCain and Feingold are seeking to negotiate what a “reasonable” increase in individual limits would be. Such an amendment would strengthen, not diminish, this system and certainly should not provide an excuse for Daschle or other Democrats to abandon it.

Political journalism lost a notable figure last week with the death of Rowland Evans, a patrician by birth, who brought a touch of reality to political discourse. A co-author with Robert Novak of one of the most influential columns for many years, the Evans-Novak relationship has left a notable void. Last week with the death of Rowland Evans, it is this perception that any new legislation must finally address.

It is a system that is inimical to our democratic ideals. It is this perception that any new legislation must finally address.

Mr. McConnell. It is noteworthy that nothing in the bill is going to quiet the voices of people with great wealth. Here is a full page ad today, in the Washington Post, paid for by a gazillionaire named Jerome Kohlberg, who firmly believes everybody’s money in politics is tainted except his. His money, of course, is pure. This is the same individual who spent $½ million in Kentucky in 1998 trying to defeat our colleague, Jim Bunning, and I have defended his right, obviously, over the years to do what he wants to do with his money.

It further points out that no matter what we do in the Senate, people of great wealth are still going to have influence. You are not going to be able to squeeze the ball out of the system. The Constitution doesn’t allow it. This is a classic example of how big money is financing the reform side in this debate, underwriting Common Cause, underwriting ads.

Essentially, great people of great wealth are paying for the reform campaign. They are free to do that. I defend their right to do it, but I think it is noteworthy.

I ask a reduced version of this ad in today’s Washington Post be printed in the RECORD.

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

THE TIME HAS COME

After two rejections by the Senate of a meaningful Campaign Finance Reform Bill it is now time for the Congress to act.

This is not a Democrat or Republican problem. The two operative parties of government now do what the game demands: "It is not we who take," coupled with the exorbitant amounts of money involved. This collaboration calls into question the legitimacy of our elections and of the candidates in pursuit of office.

Citizen voters are increasingly making it evident that they are disgusted with the process, attack the integrity of a system that flies in the face of equal representation. They feel more certain with each election cycle that they are getting a President or Congress mortgaged with "due political" debt that must be repaid by legislative favors.

It is a system that is inimical to our democratic ideals. It is this perception that any new legislation must finally address.

The time has come for the Congress to demonstrate the statesmanship that the people of our country expect and deserve. —Jerome Kohlberg.

Mr. McConnel. I see Senator Hagel is here and fully capable of controlling his time. I yield the floor.

Mr. Hagel. Mr. President, I yield up to 15 minutes to my colleague from Kansas.

Mr. Roberts. Mr. President, a week ago yesterday Senator Hagel, our colleague from Nebraska, took the floor of the Senate and with straight talk said some things that made a great deal of sense. They bear repeating at this point in time.

First, he said it was time for this debate. Our current campaign finance laws make absolutely no sense. That is true. Since the proponents are bound and determined to take up their version of what I call "alleged reform," before we get to the business of tax relief, the energy crisis, foreign policy, and national security concerns, not to mention a host of other pressing issues, it is time, certainly, to dispense with this issue. However, in so doing, let me remind my colleagues of our first obligation. That is to do no harm.

Senator Hagel warned us must be careful not to abridge the rights of Americans to participate in our political discourse. He stressed we should encourage greater participation, not less. I want my colleagues and all listening to listen to Senator Hagel.

I start from the fundamental premise that the problem in the system is not the political party; the problem is not the candidate’s campaign; the problem is the unaccountable, unlimited outside money and influence that flows into the system where there is either little or no disclosure. That is the core of the issue.

On that, Senator Hagel was right as rain on a spring day in Nebraska.

He went on to say political parties encourage participation, they promote participation, and they are about participation. They educate the public and their activities are open, accountable and disclosed. And, then he nailed the issue when he said:

"Any reform that weakens the parties will weaken the system, lead to a less accountable system and a system less responsive to and accessible by the American people."

Senator Hagel asked, "Why do we want to ban soft money to political parties—that funding which is now accountable and reportable? This ban would weaken the parties and put more money and control in the hands of wealthy individuals and independent groups accountable to no one."

It makes sense to me, Senator.

Finally, Senator Hagel warned the obvious. In this regard, I simply do not understand why Members of this body and the proponents of alleged reform—and all of the twittering media bluebirds sitting on the reform windows—are so disingenuous with the obvious. It seems to me either they are blinded by their own political or personal prejudice or they just don't get it or they just don't want to get it.

Senator Hagel warned last week when you take away power from one group, it will expand power for another. I do not believe that our problems lie with candidates for public office and their campaigns. I believe the greatest threat to our political system today is from those who operate outside the bounds of openness and accountability. Three cheers for Chuck Hagel. He has shined the light of truth into the middle of reform.

My colleagues, at the very heart of today’s campaign law tortured problems are two simple realities that cannot be changed by any legislative cleverness or strongly held prejudice.

First, private money is a fact of life in politics. If you push it out of one part of the system it re-enters somewhere else within the shadows of or outside the law. Its like prohibition but last time around it was prohibition with temples, bedrooms, and labor union payoffs.

Most to the point with members of this body deciding every session some two trillion dollars worth of decisions that affect the daily lives and pocketbooks of every American, there is no way anyone can or should limit individual citizens or interest groups of all persuasions from using private money, their money, to have their say, to protect their interests, to become partners in government—unless of course you prefer a totalitarian government.

Second, money spent to communicate with voters cannot be regulated without impinging on the very core of the first amendment, which was written as a safeguard and a protection of political discourse.

We got into this mess by defying both of these principles with very predictable results. Let’s see now, here is a reform, let us place limits on money spent to support or defeat candidates.

"Whoops, those who want to have their way now run ads that called issue advocacy, and we are running at a full gallop in that pasture—can’t stop that expression of free speech; it is constitutionally protected, or at least it
Mr. MCCAIN. If the Senator will allow me, I was until yesterday in Senator WELLSTONE’s amendment. When my colleague placed tight limits on contributions to candidates and called that reform, we went down the same trail again. Whoops, those who want to have their say in a democracy began giving to political parties with unregulated soft money.

So now we have hard regulated disclosure and soft unregulated disclosed, and express advocacy and issue advocacy, and they are all wrapped up in a legalistic mumbo-jumbo that defies understanding or enforcement and has given reform and the Federal Election Commission a bad name.

My friends, this money-regulating scheme is bankrupt. Yet here we are again with the same medicine show, same horse doctor, and the same old medicine. But this time around we are to ban soft money given to political parties, and then to really make sure that works, we are going to restrict independent advocacy and have given reform and the Federal Election Commission a bad name.

Well, not to worry now; we will fix it. What a deal. Pass this so-called reform and candidates will spend more time asking for contributions, the very thing they want to avoid, forced by the current low limits to beg every day. Our political parties will lose their main source of funds or become hollow shells, and if the speech controls are upheld, why, our political discussion will be both chilled and censored. Of course, the real campaigns would be run by the special interests with independent expenditures rather than by the candidates and the parties.

My colleagues, we have a choice. We can continue to go down this road of one party basically trying to unilaterally disarm the other and destroying our two-party system and the first amendment in the process or we can really support something that truly deals with the real problems within our campaign finance laws, and that “something” is the legislation offered by my friend and colleague, Senator HAGEL.

His reform does three basic things: First, he protects the first amendment to the Constitution and calls for full and immediate disclosure and identity.

Second, he addresses the basic reason that our campaign funds are going around, under, and over the public disclosure table today, the antiquated closed and soft unregulated, disclosed and cheating the effort by my colleague as a point pill.

Third, he proposes a limit on soft money that is of concern to me, but at least it is semi-reasonable. I will accept the cap given the full disclosure and the increase of the amount of money that our individual citizens could and should be giving to candidates unchanged over two decades.

Finally, if we are truly serious about getting a reform bill passed if we want a bill signed by the President as opposed to an issue, it might be a good idea to see if the base bill amended by Senator HAGEL would fit that description.

President Bush listed six reform principles:

First, protect the rights of individuals to participate in democracy by updating the limits on individual giving to candidates and protecting the rights of citizen groups to engage in issue advocacy. Hagel passes; the underlying bill, as amended to date, does not.

Second, the President said we should maintain strong political parties. Hagel passes that test; the underlying bill, without Hagel does not.

Third, the President said we should ban the corporate and union soft money, I don’t buy that, but under Senator HAGEL, he does limit soft money.

Fourth, the President said we should eliminate involuntary contributions.

Hagel doesn’t deal with that issue. The underlying bill as amended or, to be more accurate, as not amended, does not meet this criterion.

Fifth, require full and prompt disclosure. The Hagel bill meets this test.

Sixth, to promote a fair, balanced, and constitutional approach. Here, the President supports including a nonseparability provision, so if any provision of the bill is found unconstitutional, the entire bill is sent back to Congress for further deliberation.

We still have that issue before us. However, the bottom line is that if you want a campaign reform measure that President Bush will sign, you should support the measure I have cosponsored with Senator HAGEL.

There is one other thing. Too many times, common sense is an uncommon virtue in this body. Here we have a paradox of enormous irony. Legislation that is unconstitutional, that endangers free speech, that advantages independent special interests and the wealthy and that will cripple the two-party system and individual participation has been labeled and bookshelved by many of the hangers-on within the national media and the special interests that are favored in the legislation by being “reform.”

Well, colleagues and those in the media, all that glitters is not gold. All that lurks under the banner of reform is not reform. There are a lot of cacti in this world; we just don’t have to sit on every one of them. McCain-Feingold, the current bill, is another ride into a box canyon. On the other hand, legislation I have cosponsored with CHUCK HAGEL is a clear, cold drink of common sense, a good thing to have on any reform trail ride.

I salutate you, sir, and yield the floor.

Mr. HAGEL. Mr. President, I am overwhelmed with my colleague from Kansas. I note that the senior Senator from Kansas was speaking, making reference to all of his hangers-on friends.

Mr. MCCAIN. If the Senator will yield for a 10-second comment?

Mr. HAGEL. Yes.

Mr. MCCAIN. As usual, the Senator from Kansas illuminated, enlightened, and entertained all at once, and I enjoyed it very much.
Mr. HAGEL. If he passes the Senator's test, then we are making progress and we are grateful.

The Hagel bill deals clearly with the issues that are very important and we need to preserve them and we need to understand them. We need to be clear about it. It is my view that McCain-Feingold would decrease voter turnout, would decrease the interest in participation in elections. That is the strength of this country, for people to come together with different views and express those views in elections so the people, indeed, are represented. It would devastate the parties if McCain-Feingold were passed as it is proposed. It would devastate grassroots activity.

Political involvement ought not be limited only to professionals or people who have expert legal advice on the intricacies of Federal legislation. It is just too easy to speak with some folks who were talking about how difficult it is for trade associations to deal with people within their trade associations unless they get some kind of approval from the company and it can only last for 3 years and they can only do it in one company. Those are the kinds of restrictions that should not exist.

Frankly, I get a little weary of the corruption idea all the time, as if everyone in this Chamber votes because of somebody providing money. In my view, and in my experience, you go out and campaign and tell people what your philosophy is, you tell people where you are going to be on issues, and they vote either up or down to support you. The idea that every time there is a dollar out there you change your vote is ridiculous. I am offended by that idea, frankly. I do not think it is the way it really is. In any event, McCain-Feingold falls on a number of points. It presents constitutional roadblocks regarding speech and restricts State parties from energizing voters.

The Hagel bill deals clearly with many things. It increases the opportunity for hard money, brings it up to date for inflation. No. 2, it provides a soft money at the precinct level that can be controllable. Most important, it provides for disclosure. It provides the opportunity for voters to see who is participating in the financial aspect of it. Then they can make their decisions.

I think it is something that brings accountability to campaign finance. It is something the President will reform. I am very pleased to be a supporter of the Hagel bill. I urge my friends in the Senate to support it as well.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the senior Senator from New York is recognized for up to 15 minutes.

Mr. SCHUMER. Mr. President, I rise to express my opposition to an amendment offered by Senator HAGEL to deal with soft money, not by banning it, as the McCain-Feingold bill does, but by capping donations to national parties at $60,000 per year per individual. Worse still, not only does this amendment set an awfully high cap for soft money, it would not limit soft money when given to State parties, even when the obvious purpose is to influence Federal elections.

Let me say right off the bat that I commend Senator HAGEL for his effort in this area. He is sincerely concerned about the mess that our campaign finance system has become and has offered the solution he believes is the best one. His integrity and his sincerity in offering this amendment are unquestioned by just everybody in this Chamber.

But in my judgment, and with all due respect to my friend from Nebraska, his amendment falls far, far short of being the Hagel bill. I urge my friends in the Senate to support it as well.

Mr. President, I yield the floor.
simple reason that it would carry the stamp of reform and lead the public to expect a better system while failing to live up to the label.

Should Hagel become law—which I hope it does not—people will say a year after: They tried it. They tried to do something and it failed. And you can’t do anything.

Their cynicism, their disillusionment with the system, will actually increase, despite the sincere effort of the Senator from Nebraska.

The main problem with the amendment is how it treats soft money. Imagine that candidate Needbucks wants to run for the Senate. The election is 2 years away. He goes to his old friends, John and Jane Gotbucks, who have done quite well in the booming economy of the last 8 years, and asks them to donate soft money to the party.

Under the Hagel amendment, Mr. and Mrs. Gotbucks can give $240,000 in hard and soft money—$60,000 limit per person $240,000 per couple per cycle. Under McCain-Feingold, that would not be allowed.

But that is not everything. Throw in the $300,000 in hard money that John and Jane can give under this amendment, and you know what they say: Pretty soon we are talking about real money. The total that a couple can give is $540,000 in hard and soft money to a candidate under the Hagel legislation.

Mr. President, $540,000 a couple limits? That is reform? Give me a break. In fact, that is the kind of money that can’t help but catch the gimlet eyes of our friend, candidate Needbucks, and his party.

Let’s suppose, in addition, that John and Jane Gotbucks happen to run a corporation. The Hagel amendment would allow their corporation, and all others like it, to give legitimate, regulated money to the parties for the first time since the horse was the dominant mode of transportation and women couldn’t even vote. We are allowing corporate money back into the system after nearly 100 years when it was not allowed.

Maybe it is instructive to remember how all this came about. In 1907 Teddy Roosevelt was burned by revelations that Wall Street corporations had given millions to his 1904 campaign. Of course, one of his famous wealthy supporters, Henry Clay Frick, came to deplore Roosevelt for his progressivism and commented, “We bought the S.O.B. but he didn’t buy the bond.”

But Teddy Roosevelt rose above the scandal and, as he so often did, blazed the trail of reform. He signed the Tillman Act, which outlawed corporate contributions, into law.

And now, for the first time in a century, this amendment would take us back to the Gilded Age when corporate barons legally—legally—could give money directly to political parties.

My friend from Nebraska may say his amendment isn’t perfect but at least it keeps most of this corporate and union money out of the system. But even that modest claim really isn’t accurate. Public Citizen has analyzed the $60,000 cap in the Hagel bill and determined that 58 percent of soft money given to the national parties in the 2000 election cycle would be permitted under these caps.

Even if this were pass-fail, 42 percent is an F. And we have not even reached the worst part of this amendment yet. Bad as it is to allow soft money in $120,000 increments rather than get rid of it, the amendment would do absolutely nothing to limit soft money flowing to the State parties.

In short, the Hagel amendment is like taking one step forward and two steps backward in terms of corporate contributions and soft money to parties. One step forward, two steps back. My colleagues, we are not at a square dance; we are dealing with serious reform.

The public is clamoring for us to do something. The Hagel bill is so watered down, has so many loopholes in it, it is like Swiss cheese that, again, you may as well vote for no reform at all, in my judgment.

If you tell our friends, our givers, Mr. Gotbucks and his company, that they can only give the minuscule sum of $60,000 a year to the national parties but they can give unlimited amounts to State parties for use in Federal elections, what do you think their lawyers are going to tell them to do? And when State parties get that money, they will use it to run issue ads, to get out the vote, and do other things that clearly benefit Federal candidates, just as they do now.

Let’s not forget how this works. Just last year, as then-Governor Bush was gearing up his run for the nomination, he set up a joint victory fund with 29 State Republican parties. This fund raised $5 million for then-candidate Bush that was meant to be used in the general election. The fund took in soft money contributions ranging from $50,000 to $150,000 from wealthy individuals and their families. This money, legally get around the limits, would continue unabated and could actually increase under the amendment that my friend from Nebraska has proposed.

In short, regulating soft money without dealing with the soft money that goes to State parties is like the person who drinks a Diet Coke with his double cheesburger and fries: It does not quite get the job done.

It isn’t enough to say the States will regulate the money on their own. Mr. President, 29 States allow unlimited PAC contributions to State parties. 27 States allow unlimited individual contributions to State parties, and 13 States allow unlimited corporate and union contributions to State parties. So the notion that States will take control of soft money at the State level just does not stand up. There is no evidence that they will.

So then, if this amendment is so filled with holes, if it is, indeed, the original Swiss cheese amendment, why is it the proponent’s proposal?

Well, the proponents, including my good friend from Nebraska, say they are concerned that banning soft money will doom our parties and drive all of the money now sloshing around our campaign system into the hands of independent and unaccountable advocacy groups who will run ads and engage in other political activity.

In the first place, there is a glaring inconsistency at the heart of this argument. McCain-Feingold—such as the Senator from Kentucky, who has led the fight against reform for many years—say they cannot support the bill because it treads on free speech. On the other hand, they say we do not dare enact the bill because then all of these outside groups will be using their first amendment rights in speaking out instead of the parties. And now on the third hand they say, well, we have always said regulating soft money is unconstitutional, but now we support capping soft money.

That is like being a little bit pregnant. You either exalt the first amendment above everything else and say there should be no limits or you don’t and you support real reform like my friends from Arizona and Wisconsin have propounded.

As the New York Times put it this morning, my colleague from Kentucky “has flipped. He cannot now clothe himself in the Constitution in opposing real reform” as long as he votes for the Hagel amendment.

For my part, I agree with Justice Stevens, who said Buckley v. Valeo got it wrong. “Money is property—it is not speech,” he wrote in a decision last year.

The right to use one’s own money to hire gladiators, or to fund speech by proxy, certainly merits significant constitutional protection. These property rights, however, are not entitled to the same protection as the constitutional, but now we support capping soft money.

The more important response to this amendment, however, is not to point out the proponents’ contradictions on the first amendment but to chide them for greatly exaggerating the demise of our political parties.

Soft money isn’t the cure for what ails the parties; it is the disease. All of us in this business know the parties have become little more than conduits for the money donations by a privileged few. The parties do not have any say. They are simply mechanisms which people who want to give a lot of money go through to make it happen. If we
keep going down this road, we risk that parties will become empty shells. They are so busy channeling money into large amounts of donations they do not get out the vote and the party building and the educating that parties should do and did do until this soft money disease afflicted and corroded them, as it does our entire body politic.

The reality is, banning soft money will be good for our political parties, not bad. Banning soft money will strengthen our parties by breaking their reliance on a handful of super-rich contributors and forcing them to build a wider base of small donors and grassroots supporters.

Let me quote the former chairman of the Republican Party, William Brock:

"In truth, the parties were stronger and closer to their roots before the advent of this loophole than they are today. Far from reinvigorating the parties themselves, soft money has done the opposite by strengthened certain specific candidates and the few donors who make huge contributions, while distracting the parties from traditional grassroots work.

The fact is, the parties in this country got along just fine without soft money in the 1980s, before this form of funding exploded, to say nothing of their 200-year history before that.

Is my friend from Nebraska saying that the great two-party tradition in this country, which is one of the main causes of our political stability and the envy of the rest of the world, rests on the thin read of soft money contributions? I hope not. Let me tell the Senate, if that is true, then we are way too late in terms of strengthening the parties.

Ultimately, the basic premise of Senator Hagel's argument, which is that the donors who soft money gives soft money to the parties will simply shift it to exist-curing other issues and candidates, is also way off the mark. The parties will simply shift it to exist-cure and permanent super PACs, which have now gained a foothold in the political landscape.

Mr. SCHUMER. Mr. President, I ask the Senator to yield to me an additional 3 minutes.

Mr. DODD. I yield 3 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. SCHUMER. We all know that people such as Johnny Chung aren't giving for ideological reasons. They are giving because to them our Government works "like a subway—you have to put in coins to open up the gate."

But, of course, at the end of the day there is nothing we can do to stop independent political spending by individuals. That is clearly protected by the First Amendment. The important point is that after this bill passes, any individuals or outside groups who want to support Federal candidates won't be able to coordinate their expenditures with candidates. They will have to go it alone, if they really want to, without the need for strategy and timing that make an ad campaign effective. So let them do it. The wall against coordination will go a long way to keeping out special interest influence and is a vast improvement over the current system giving directly to the parties.

Mr. President, I quote the words of someone who has invested a lot in this debate, someone who cares about reform, someone I greatly respect. Last year that person said:

"The American people see a political system controlled by special interests and those able to pump millions of dollars, much of it essentially unaccountable and defended by techni-cally and nuancer. As our citizens become demoralized and detached because they feel they are powerless, they lower their expecta-tions and standards for Government and our offices.

I completely agree with that speaker whose name was Chuck Hagel. If we agree that pumping millions of unaccoun-tantable dollars into the system threatens public confidence, which is the lifeblood of any democracy, we have to do something serious about it. We cannot say we are reforming when a couple can give $540,000 through soft money to a candidate. That is not reform. That will not, I am afraid, bolster people's confidence in the sys-tem.

I am afraid the Hagel amendment is more words than action. While the sys-tem continues its long agonizing slide into greater and greater dependence on the most fortunate few, if we simply pass and sign it, the public will stop that slide. I urge defeat of the Hagel amendment and support of the original McCain-Feingold effort.

Mr. President, I yield my remaining time to the Senator from South Dakota.

Mr. DODD. Mr. President, I yield 1 minute to the Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from New York. We have had some rivalries when it comes to the dairy industry. I appreciate the use of the Swiss cheese analog. As a Cheesehead from Wisconsin, that is the most persuasive thing he could possibly use.

Senator SCHUMER has brought forth the absolutely basic point. First of all, under the Hagel amendment, corporate and union treasuries will be writing direct checks to the Federal parties, something we have never allowed.

Secondly, every dime of soft money that is currently allowed can just come through the State parties back to the Federal parties. No reform.

Third, when it comes to the limits that are raised, both soft and hard money under the Hagel amendment, any couple in America can give $540,000 every 2 years.

Finally, under the Hagel amendment, there is no prohibition on officeholders and candidates from raising this kind of money.

Those are four strikes against the bill, and you only need three.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield up to 10 minutes to my friend and col-league, the distinguished Senator from Nebraska, Mr. NELSON.

Mr. NELSON of Nebraska. Mr. President, I thank my colleague from Nebraska for the opportunity today to ext-end my full support for campaign finance reform. Again, I convey my sincere appreciation for the work of Senators McCain and Feingold and Senator Hagel, as well as all of my colleagues who are involved in this effort to reform the campaign finance sys-tem.

As a veteran of four Statewide cam-paigns myself, and as a newly elected Senator fresh from the campaign trail, I believe, as many of my colleagues do, that the current campaign finance laws are, in a word, "defective."

Our country was founded on prin-ciples such as freedom and justice. As I see it, the present system for financing Federal campaigns undermines those very principles.

I believe in its present form the campaign finance system tends to ben-efit politicians who are already in of-fice. Those are the folks who call it incumbent in-surance. I prefer to call it a problem. Thus, I wholeheartedly believe the time has come for meaningful cam-paign finance reform.

There is an old adage we all know that goes: Don't fix it unless it is broken. Well, many aspects of our campaign finance system today are broken, and they do need fixing.

Before us today we have several leg-islative remedies for this flawed sys-tem. Not one, though, as far as I am concerned, is a panacea for the maladies afflicting our current campaign fi-nance laws, nor can they be. Both the McCain-Feingold bill and the Hagel bill
include provisions which I support. I am a cosponsor of Senator HAGEL’s legislation because I am particularly sympathetic to the bill’s attempt to provide greater accountability to the role of soft money contributions rather than prohibit them.

In an effort to pinpoint the culprit for the faults in the present campaign finance system, I believe soft money has become the scapegoat. As my friend from Louisiana pointed out last night, there is a popular misconception that the McCain-Feingold bill bans all soft money. This is not accurate. McCain-Feingold bans only soft money to the political parties.

While I agree that unlimited soft money contributions raise important questions, I also believe that banning soft money to the parties would only be unproductive and ultimately ineffective. The shortcomings of the current system, blocking the flow of soft money from one direction, it will eventually be funneled to the candidates from another. Furthermore, some soft money contributions are used for valuable get-out-the-vote efforts and for the promotion of voter registration and party building, all very valuable efforts that promote our system.

A more realistic approach in lieu of banning soft money would be to cap soft money to the parties at $60,000, as prescribed by the Hagel bill. Thus, I favor the provision to limit soft money in Senator HAGEL’s bill. Also, I strongly support the provisions on disclosure outlined in McCain-Feingold, that are also included in the Hagel amendment. A lack of accountability within the current system is at the core of the problem. As a matter of fact, if we could enact substantive changes to disclosure laws and remove the facades which special interest groups hide behind, we will be heading in the right direction. This action to increase disclosure, combined with limitations on soft money contributions, will not only refine our current system, but will reform it.

As an individual who spent the majority of the past year on the campaign trail, I have put a great deal of thought into what I believe is the right direction for campaign finance reform. My Senate race has made me all too familiar with the shortcomings of the current system. My campaign experience with one group in particular has bolstered my support for efforts to limit so-called issue ads. This organization funded by undisclosed contributors ran soft-money issue ads throughout my campaign criticizing my stance on one issue, which was unrelated and irrelevant to their purported cause.

Unfortunately this is not the only example of issue-ad tactics I encountered during my most recent campaign. It only follows that I am pleased with the Snowe-Jeffords provision, which addresses these so-called issue ads funded by labor and corporations. This provision will hold labor and corporations more accountable for these ads by imposing strict broadcasting regulations and increasing disclosure requirements.

I was very encouraged last night by the passage of Senator WELLSTONE’s amendment, which expands the Snowe-Jeffords provision to also cover the ads run by special interest groups, whose sole purpose is to mislead voters. This leads me to my final point and the reason why I have come to the floor this morning. I want to express my strong support for this Hagel amendment we are currently debating. The passage of this amendment is crucial for the improvement of our campaign finance system. I commend Senator HAGEL for introducing a measure that realistically addresses soft money contributions. Additionally, the Hagel amendment does not supersede the critical aspects of McCain-Feingold—most notably the Snowe-Jeffords, and now Wellstone, issue-ad provisions, which are imperative if our goal is true reform. The Senate has the opportunity to repair our flawed campaign finance system. And if we don’t seize the moment and take action now, it will always be a flaw in our democracy.

Again, I commend my colleagues on their efforts, and I am hopeful that we will succeed in approving this amendment and ultimately in approving a meaningful campaign finance reform package this session.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. How much time remains? The PRESIDING OFFICER. There are 54 minutes remaining.

Mr. DODD. I yield 15 minutes to my colleague from Massachusetts, Senator KERRY.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I thank the ranking member of the Rules Committee, I join my colleagues in opposing the Hagel amendment, and I do so reluctantly on a personal level, but not on a substantive level. I have enjoyed working with the Senator from Nebraska on many issues. I respect and like him.

I regret to say that the amendment he brings to the floor today is simply not reform. I should say that again and again and again. It is not reform. It is not reform.

You don’t have reform when you are institutionalizing for the first time in history the capacity of soft money to play a significant role in the political process, when the McCain-Feingold goal and objective, which I support, is to eliminate altogether the capacity of soft money to play the role that it does in our political process. It goes in the exact opposite direction.

I will come back to that in a moment because I want to discuss for a moment where we find ourselves in this debate and really underscore the stakes in this debate at this time. Last night, I voted with Senator WELLSTONE, together with other colleagues who believe very deeply in a bright-line test and in the capacity to have a constitutional method by which we even the playing field. I regret that some people who oppose the bill also chose to vote with Senator WELLSTONE because they saw it, conceivably, as a means of confusing reform and creating mischief in the overall resolution of this issue which Senator FEINGOLD and Senator MCCAIN have brought before the Senate.

Let me make it clear to my colleagues, to the press, to the public, and to people who care about campaign finance reform, the next few votes that we have on this bill are not just votes on issue, they are votes on campaign finance reform. They are votes on McCain-Feingold itself. There will be a vote on the so-called severability issue which, for those who don’t follow these debates closely, means that if one issue is found to be unconstitutional, we don’t want the whole bill to fall. So we say that a particular component of the bill will be severable from the other components of the bill, so that the bill will still stand, so that the reforms we put in on soft money, or the reforms we put in on reporting, or the reforms we put in on the amounts of money that can be contributed, would still stand even if some other effort to have reform may fail because it doesn’t pass constitutional muster.

Now, opponents of this bill, specifically for the purpose of defeating McCain-Feingold, specifically for the purpose of creating mischief, will come to the floor and say: We don’t want any change. They are votes on campaign finance reform. They are votes on McCain-Feingold itself. There will be a vote on the so-called severability issue which, for those who don’t follow these debates closely, means that if one issue is found to be unconstitutional, we don’t want the whole bill to fall. So we say that a particular component of the bill will be severable from the other components of the bill, so that the bill will still stand, so that the reforms we put in on soft money, or the reforms we put in on reporting, or the reforms we put in on the amounts of money that can be contributed, would still stand even if some other effort to have reform may fail because it doesn’t pass constitutional muster.

Now, opponents of this bill, specifically for the purpose of defeating McCain-Feingold, specifically for the purpose of creating mischief, will come to the floor and say: We don’t want any change. The whole bill if one component of it is found unconstitutional, which defeats the very purpose of trying to put to a test a new concept of what might or might not pass constitutional muster. It is not unusual in the Senate for legislators, many of whom are lawyers, to make a judgment in which they believe they have created a test that might, in fact, be different from something that previously failed constitutional tests.

In this case, however, we are trying to find a way to create a playing field that is fair, Mr. President. Fair. Many people in the Senate legitimately believe that it is not fair to have a limitation on corporations and unions, but then push all the money into a whole series of unregulated entities that will become completely campaign oriented and, in effect, take campaigning out of the hands of the candidates themselves. They won’t be regulated at all, which is precisely what the bill does.

That is what Senator WELLSTONE and I and others were trying to achieve last night—a fairness in the playing field. I understand why Senator FEINGOLD and
Senator McCaIN object to that. I completely understand it. They want fairness. They understand that this is important to the playing field, but they have tried to cobble together a fragile coalition here that can hold together and pass campaign finance reform.

Some people suggest they would not be part of that fragile coalition if indeed they were embrace this other notion of a fair playing field. However, the Senate is the Senate. It is a place to deliberate, a place for people to come forward and put their ideas, legislatively, before the judgment of our colleagues.

Last night, the Senate worked its will, albeit, as in any legislative situation, with some mischief by some people who seek to defeat this. But we are in a no worse position today than we were before. On the amendment passes last night, because if we defeat the notion that this should be non-severable, we can still go out of the U.S. Senate with legislation and we still can put this properly to test before the Supreme Court, which is, after all, the business of our country.

That is the way it works. Congress passes something, and the Supreme Court decides whether or not it is, in fact, going to meet constitutional muster.

That said, I believe it is vital for us to proceed forward on these next votes with an understanding of what is at stake. The Hagel amendment would gut McCain-Feingold. Effectively, the vote we will have this morning will be a test of whether or not people support the notion of real campaign finance reform and of moving forward.

Let me say a few words about why the amendment Senator Hagel has offered really breaches faith with the concept of reform.

The Hagel amendment imposes a so-called cap on soft money contributions of $60,000. That would be the first time in history the Congress put its stamp of approval on corporate and union treasury funds being used in connection with Federal elections. The Hagel amendment would legitimize soft money, literally reversing an almost century-long effort to have a ban on corporate contributions and the nearly 60-year ban on labor contributions. That is what is at stake in this vote on the Hagel amendment.

The Hagel amendment would institutionalize a loophole that was not created by Congress, but a loophole that was created when we were seeking to do in the Senate today is reduce the impact of money on our elections.

I will later today be proposing an amendment that I know is not going to be adopted, but it is an amendment on which the Senate ought to vote, which is the best way to really separate political contributions from the money. I will talk about how we will do that later. It is a partial public funding method, not unlike what we do for the President of the United States.

George Bush, who ran for President, did not adhere to it in the primaries, but in the general election he took public money. He sits in the White House today partly because public funding supported him. Ronald Reagan took public money. President Bush’s father, George Bush, took public money.

They were sufficiently supportive of that system to be President of the United States, and we believe it is the cleanest way ultimately to separate politicians from the money. That is why we have a cap of $10,000 to do in the McCain-Feingold bill. It does not go as far as some would like to go, but it may be the furthest we can go, given the mix in the Senate today. It seeks to reduce the role of influence of money in the American political process.

The Hagel amendment would actually undo that and reverse it. It would enable a couple to contribute $120,000 per year. $240,000 per election cycle, to the political parties. In the end, the Hagel amendment would allow a couple to give more than $500,000—half a million dollars—per election cycle to the political parties in soft money and hard money combined.

We have heard the statistics. Less than one-half of 1 percent of the American population give even at the $1,000 level. Let me repeat that. Less than one-half of 1 percent of all Americans give even at the $1,000 level, and here is the Hagel amendment which seeks to have a cap of $60,000 per couple to the rich, and the only rich, being able to influence American politics by putting $500,000 per couple into the political system. That increases the clout of people with money, and it reduces the influence and capacity of the average American to have an equal weight in our political process.

Looked at another way, the amendment would allow five senior executives from a company to give $60,000 per person, $300,000 of soft money annually. That could be combined with an additional $60,000 straight from the corporate treasury. That is hardly the way to get money out of politics.

Even with its attempted cap of soft money, the Hagel amendment leaves open a gaping loophole through which unmonitored soft money can still flow. It does nothing to stop the State parties from raising and spending unlimited soft money contributions on behalf of Federal candidates.

It is absolute fantasy to believe the State parties are not, as a result of that, going to become a pure conduit for the money that flows in six-figure contributions from the corporations or the labor unions or the wealthiest individuals.

It simply moves in the wrong direction. It codifies forever something we have restricted and prevented. It is the opposite of reform. It undoes McCain-Feingold, and I urge my colleagues to keep this reform train on its tracks. We need to complete the task, and we must turn away these efforts to overburden this bill or to directly assault its fundamental provisions.

I yield back whatever time remains to the manager.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield to my friend and colleague, the distinguished Senator from Tennessee, 10 minutes.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise in support of the Hagel amendment and would like to take a few minutes to paint the larger picture of where we are in campaign finance and show the critical importance, I believe, of adopting this amendment today, especially in light of what I hope to have a chance to do later this week, which is to talk a little bit more about the effects of the McCain-Feingold legislation.

I stress now the absolutely critical importance of adopting the Hagel amendment really for three reasons. I will come back to these charts because they give an overall perspective that I found very useful in talking to my colleagues and in talking to others to understand the complexities of campaign finance and the critical importance of maintaining a balance between Federal or hard money and soft or non-Federal money.

The Hagel amendment really does three things: No. 1, it gives the candidate more voice; yes, more amplification of that voice. I think that is what bothers most people. If we look at the trend over the last 20 years, that individual candidate, Joe Smith, over the years has had a voice which stayed small and has been overwhelmed by the special interests, the inside money coming in, the unions, to where his voice has gotten no louder.

There is nothing more frustrating than to be an individual candidate and feel strongly about education, health care, the military, and say it on the campaign trail, but have somebody else giving a wholly different picture because you have lost that voice over time. The Hagel amendment is the only amendment to date that addresses that loss of voice over time.

No. 2, disclosure. Most people in this body and most Americans, I believe, understand the critical importance of increased disclosure today. What makes people mad is the fact that
money is coming into a system and no- 
body knows from where it is coming. In 
fact, what happened in past elections is 
the amount of money that came from 
overseas. It comes through the system 
and flows out, and nobody knows where it 
is going or who is buying the ads on 
television. How do you hold people ac- 
countable?

Those are what really make people mad: No. 1, the candidate has no voice; No. 2, the lack of accountability of dol- 
ars coming into the system and out of the 
system.

Does that mean we have to do away with 
the system? I do not think so. We have 
to be very careful how we mod- 
e
erize it and reform it, but let us look 
at the candidate’s voice and let us look 
at disclosure.

The fundamental problem we talked 
about all last week, money in politics— 
is it corrupt, is it bad, is it evil? I say 
no, that is not the problem. I come 
back to what the problem is—the can-
didate, the challenger, the incumbent 
does not have the voice they had his- 
torically.

Let me show three charts. They will 
be basically the same format. It is 
pretty simple. There are seven funnels 
that money, resources, can be chan- 
eled through in campaign financing. I 
label the chart “Who Spends the 
Money?” I will have these seven fun- 
els on the next three charts.

First, I have Joe Smith, the indi- 
vidual candidate who is out there cam-
paigning. I said his, or her, voice over 
time has been diminished. Why? Be- 
cause you have all of these other fun- 
els—the issue groups: We talked about 
the Sierra Club, the NRA, the hundreds 
of issue groups that are out there right 
now spending and overwhelming the 
voice of the individual candidate.

Why does the individual candidate 
not have much of a voice today, rela- 
tively speaking? We see huge growth in 
these three funnels—corporations, 
unions, and issue groups—but we have 
contained for 26 years, since the mid-
1970s, how much this individual can- 
didate can receive from an individual 
or from a PAC. We have contained the 
voice but have seen explosive growth in 
certain spending.

What makes the American people 
mad is when they see money across the top. Indi- 
vidual candidates is one way for money to come to the system; political action 
committees is a very effective way. 
The parties in the box, the Republican 
Party, the Democratic Party, and 
other parties can raise money two 
ways: Federal dollars and non-Federal 
dollars. Notice all of this money in the 
yellow and green is “disclosed.” The 
American people want to know where 
the money comes from and where it goes. 
This is all disclosed. There is con- 

However, the explosive growth has 
ocurred in corporations, unions, and 
issue groups. The problem—and the 
American people are aware of this, and 
we have to fix it—there is no disclo- 
sure. Nobody knows from or to where 
money is coming and going. I should 
add there is money coming into the 
system from overseas and China. We 
have to address disclosure.

The contribution limits right now 
are not directly put to the individual candidates. An individual can only give so much to 
an individual candidate. A PAC can 
only receive so much and give so much.

With the party hard money, the Fed- 
eral money, again, there are contribu-
tion limits. Some people argue, as Sen- 
ator HAGEL argues: Let’s fix this and 
address the disclosure issue. The Hagel 
amendment does that. Let’s address 
contributions limits; instead of stop-
ning here with individual candidates, 
PACS and party hard money, extend it 
so that all of the party, the hard and 
the soft money, has contribution lim-
its.

I said I will use the seven funnels 
from the chart. Money flows into the 
system at the top and goes out of it 
below, the problem being the individual candidates do not have much of a voice.

The next chart looks complicated, 
but it is useful for understanding from 
where the money comes. I show how 
money flows into the funnel. On the 
left side of the chart, the funnels are 
the same. There are seven ways money 
goes to the political system. The prob-
lem is the individual candidate’s voice 
has not been amplified in 25 years. We 
have to fix that, and we can, through 
the Hagel amendment.

Individuals can give to individual 
candidates. PACs can give to individual 
candidates, such as Joe Smith out there. Party hard money, the Repub-
lican Party, the Democratic Party, 
independent, they can give to indi-
vidual candidates, and that is the only 
way an individual candidate can re-
ceive money to amplify his or her 
voice.

PACs can receive money from indi-
viduals, but they can also receive 
money, or be set up by corporations 
through sponsorships, by unions 
through sponsorships, and issue groups 
can establish PACs.

I happen to be chairman of the Na-
tional Republican Senatorial Com-
mittee, and I can receive money as part 
of the senatorial committee from 
PACS, from individuals, party non-Fed- 
eral money from individuals, but also 
corporations, unions, and issue groups 
can give party soft money.

Corporations receive money from 
earnings, and unions receive money from 
union dues. We tried to address 
this. I think it needs to be addressed.

Now straight to the Hagel amend- 
ment. There is not enough of a voice 
here. Contribution limits probably are 
too narrowly applied, and we need to 
move them over.

No. 3, we don’t have enough in terms 
of disclosure. This is what the Hagel- 
Breaux amendment does and why it is 
absolutely critical to maintain balance 
in the system.

Next, disclosure and no disclosure. In 
this area, the Hagel amendment in-
creases disclosure by requiring both 
television and radio media buys for po-
litical advertising to be disclosed. You 
would be able to know who, on channel 
5 in Middleton, TN, purchased ads and 
for whom they purchased those ads. 
Again, much improved disclosure on 
this side.

Contribution limits: Party soft 
money had no contribution limits. 
Under the Hagel amendment, there is a 
cap, a limit on how much an entity 
contributes to the Republican Party or 
to the Democratic Party or to the Re-
publican Senatorial Committee or to the 
Democratic Senatorial Committee. The 
contribution limits have been ex-
tended.

Third, and absolutely critical if we 
agree that the individual candidate’s 
voice has been lost by this input on the 
right side of my diagram, we absolu-
tely must increase the hard dollar 
limits, how much individuals can give 
individual candidates and how much 
PACs can give individual candidates. It 
has not increased in 26 or 27 years, 
since 1974. It has not been increased 
for inflation. If it is adjusted for infla-
tion, you come to the numbers that Senator 
HAGEL put forward, the $3,000.

It increases the voice of the indi-
vidual candidate. If you increase the 
voice of the individual candidate, you 
return to that balance where the can-
didate Joe Smith out there all of a sud-
den has more of a voice, again, with 
contribution limits.

An additional advantage is a chal-
lenge out there or an incumbent will 
have to spend less time. Now it re-
quires so much money to amplify that 
voice of the candidate, it is simply 
cannot be afforded. The Hagel amend- 
ment increases disclosure by requiring 
both individuals and PACs to have 
what they are spending on television and radio media buys for Political advertising to be fully and 
immediately disclosed.

In summary, I urge support of the 
Hagel amendment because it addresses 
the fundamental problems we have in 
our campaign system today. Not that 
money in and of itself is corrupt or 
even corrupting, but the fact is that 
the individual candidate does not have 
sufficient voice. The Hagel amendment 
raises those limits from both individ-
uals and PACs. It addresses the issue of 
soft money coming into the party sys-
tem by capping soft money given by 
both individuals as well as other enti-
ties coming into the system at a level 
of $60,000. It improves disclosure by re-
quiring television and radio media buys 
for political advertising to be fully and 
immediately disclosed.

I urge support of this amendment. I 
know it will be very close. I hope this
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placement of balance, this understanding of balance, will in turn attract people to support this amendment.

The Presiding Officer. The Senator from Connecticut.

Mr. DODD. If the Chair will notify me when 10 minutes expires,

I say to my friends from Tennessee, his chart looks like a chart made up by a heart surgeon. It looks like a pulmonary tract following various arteries and capillaries.

Let me repeat what I said last evening to my friend from Nebraska. In the Senate, over a 2-year term in the House, literally forced to raise thousands of dollars every day in your cycle to compete effectively in today’s political environment then you believe as I do that we must move to put some breaks on this whole money chase.

It has been pointed out in my State, the small State of Connecticut, you have to raise something like $10,000 almost daily in order to raise the money to wage an effective defense of your seat or to seek it as a challenger. In California, in New York, the numbers become exponentially higher. I happen to subscribe to the notion that politics is suffering from a lack of money, then the Hagel amendment or various other proposals that will be offered are your cup of tea. I think that is the way to go. If you truly think there is just not enough money today backing candidates seeking public office, truly you ought to vote for this amendment or amendments like it. If you believe, as I do as many Members on this side that there is too much money already in politics or not.

If you subscribe to the notion that the system has become awash in money, with candidates spending countless hours on a daily basis over a 6-year term in the Senate, over a 2-year term in the House, literally forced to raise thousands of dollars every day in your cycle to compete effectively in today’s political environment then you believe as I do that we must move to put some breaks on this whole money chase.

There is a fundamental disagreement here. Aside from the mechanics of the amendment and how much hard money is raised and how much soft money you cap and who gets disclosed or not disclosed, it seems to me to be an underlying, fundamental difference in not only this amendment but others that have been considered and will be considered. That underlying difference is whether or not you believe there is too much money already in politics or not.

If you subscribe to the notion that politics is suffering from a lack of money, then the Hagel amendment or various other proposals that will be offered are your cup of tea. I think that is the way to go. If you truly think there is just not enough money today backing candidates seeking public office, truly you ought to vote for this amendment or amendments like it. If you believe, as I do as many Members on this side that there is too much money in the process—that the system has become awash in money, with candidates spending countless hours on a daily basis over a 6-year term in the Senate, over a 2-year term in the House, literally forced to raise thousands of dollars every day in your cycle to compete effectively in today’s political environment then you believe as I do that we must move to put some breaks on this whole money chase.

The hard money provisions are also deeply disturbing to me. Here we are going to say that no longer is a $1,000 per election limit the ceiling. We are going to raise that per election limit.

Under the Hagel amendment, the individual hard dollar limit for contributions to candidates has been increased to $3,000 per election. This means an individual may contribute $6,000 per election cycle. A couple could contribute double, or $12,000 per election cycle.

Let me explain this to people who do not follow the minutiae of politics. All my colleagues and their principal political advisers know this routinely. Their charts look like a chart I would like to make some campaign contributions. As long as such contributions are voluntary, then those individuals may contribute their own limit, all the way up to the maximum of $6,000 per year.

So here we are going from $1,000 or $2,000—because the ceiling is really not $1,000, it is a $2,000 contribution in previous contributions to both a primary or general election—and we are now going to pump this up to $6,000 per year. Basically, that is what it works out to be. It could also be $12,000 per year for a couple. How many people get to make these amounts of contributions?

I find this stunning that we are talking about raising the limit because we are just impoverished in the process. It is sad how it has come to this, that we are hurting financially. A tiny fraction of the American public—it has been pointed out less than one-quarter of 1 percent—can make a contribution of $1,000 per election. Last year, 1999–2000, there were some 230,000 people out of a nation of 280 million who wrote a check for $1,000 as a contribution for a campaign; a quarter of a million out of 280 million people actually made contributions for $1,000.

There were about 1.2 million people across the country who gave $25,000 annual limit. That is the present cap, by the way under current law.

Let me go to the second case. Under present law, you can give a total of $25,000 per year. Again, I apologize to people who have been out there actually people out there who write checks for $25,000 to support Federal candidates for office. Understand, we think this is just too low. This is just.now going to apply it to the most affluent Americans. Those contributors who want more access and more control in the political process will get the benefit of the consumer price index. That, to me, is just wrong-headed and turn

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too low. We are struggling out here; I want you to know that. We are impoverished. We need more help. So $25,000 from that in excess of what an average family makes as income a year to raise a family. And our suggestion is there is too little money in politics. We spend more money on potato chips, I am told.

The PRESIDING OFFICER. The Senator has to do is slow down the cost and look for better means by which we choose our candidates and support them for public office.

This is about as important a debate as we will have. I know the budget is coming up. I know health care and education are important, but this is how we elect people. This is about the basic institutions that represent the people of this Nation. We are getting further and further away from average people, and they are getting further and further away from us.

I urge my colleagues to reject this amendment and support the McCain-Feingold proposal. It is not perfect, but it is a major step in the right direction. I urge rejection of the amendment.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I yield to my friend and colleague, the original cosponsor of this amendment, 10 minutes to the senior Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I thank my colleague from Nebraska for yielding me time. I rise in strong support of the Hagel amendment to the McCain-Feingold bill.

Let me make two points this morning in reference to two arguments on the side that opposes the Hagel amendment.

The first argument I have heard on the floor by my colleagues and friends is that somehow the Hagel amendment institutionalizes soft money going to political parties, as if it makes it legal or something.

I would say to people who make that argument: where have you been? Both political parties receive huge amounts of unrestricted, unrestricted money in terms of amounts that can be given to both political parties.

I have in my hand a list. The first page is of soft money contributors to Democrats in our Democratic Senate Campaign Committee, and the second page lists over 100 soft money contributors to the National Republican Senatorial Campaign Committee. There is no other body, which would list all the soft money contributors to the House’s respective political committees. The same is true for the National Democratic Campaign Committee and the National Republican Committee.

The Hagel amendment restricts their ability to do what they are doing to $60,000 a year. Now, you don’t think that is going to be one large restriction on the current practice which is legal under the Supreme Court decision? You bet it is.

Let me give you an example of what is occurring now without the Hagel amendment. On my side of the aisle, just to the Senate Campaign Committee. In the last cycle, the American Federation of State and County Municipal Employees gave our side $1,350,000. On the Republican side in relation to soft money going to their campaign committee, Freddie Mac gave them $670,250. Philip Morris gave them $670,000. The House gave them $1,015,250. On our side, the Service Employees International Union gave us $1,015,250.

So the arguments somehow that the Hagel bill institutionalizes or legitimizes or makes legal the concept of soft money contributions to political parties is nonsense. What it does do is restrict it for the first time by an act of Congress to no more than $60,000 contributions. Every one of the contributors shown on these two pages is substantially in excess of $60,000. In other words, they are getting paid at the rate of $100,000. They do not even bother to list them below $100,000. There are two pages of over 100 soft money contributions currently going to the political parties to do voter registration, to do party-building activities, get-out-the-vote activities. For the first time an effort by Congress will say that they cannot give $1,350,000 to Democrats and they cannot give $60,000 to the Republican Senate Campaign Committee; they are limited to $60,000 for party-building activities.

So the concept that somehow the Hagel legislation makes something legitimate that is not legal already is simply nonsense. It is already legal. The concept that somehow this legislation institutionalizes or legitimizes soft money going to Federal elections. Nothing could be further from the truth. I get deeply upset by people in the press reporting this issue when they say that somehow the debate is over eliminating soft money in Federal elections. It does not do that. It limits it only to the political parties that can best use the money in a fair and balanced manner.

The list behind me, which has been floating around for several days now—and I think it has caught the attention of many of our colleagues—is a list of advocacy groups that are not restricted by the soft money contributions that will be able to continue to be spent right up to the election—unrestricted, unreported, and are not affected in any way by this so-called soft money ban.

You all remember some of the names on this list because you have seen them time and again on the airways in your States attacking you. And not being able to respond to these types of groups is the real fallacy of this legislation. Do you remember Charlton Heston? Do you remember “Moses” campaigning against many people on my side of the aisle, through the National Rifle Association? Well, if the McCain-Feingold bill passes, they would still be on the air; they would still have Charlton Heston, and they would still be attacking Democrats for their support of gun control. They could not be affected by the legislation that is working its way through the Senate. They use soft dollars. If anyone thinks somehow prohibiting Members from helping them raise money is going to have an effect on them, believe me, it will not. They have plenty of sources without anybody helping them. They have enough money to continue to run the ads, primarily against Democrats who support gun control.
Do you remember the “Flo” ads on Medicare, Citizens for Better Medicare? Old Flo was there almost daily going after people without telling what they thought was an appropriate Medicare reform bill and Medicare modernization. They will continue to have Flo on television. Flo will continue to be supported by soft money dollars, unrestricted, in any amount.

Do you remember Harry and Louise? The Health Insurance Association of America would totally be unaffected by the McCain-Feingold bill. They would continue to do their ads right up to the election.

Believe me, anyone who has the idea that 60 days before the election is going to adversely affect their activities has not been around very long. These groups do not wait until 60 days before the election. They start 2 years before an election. They are on the air in many of our States right now, today, going after incumbents that they do not like. They are unrestricted in how they can raise their money or how much they can spend. They don’t care too much what happens 60 days before an election because their damage is already done. They will spend a year and 10 months beating you up. The only groups that are able to help in responding in kind is our State parties and our national parties.

So my argument is simple. No. 1, the McCain-Feingold bill does not restrict soft money where it should be restricted: Special interests, single interest organizations, which could continue to operate, going after candidates every day right up to an election. I know that most of these groups also do not have a lot of moderates. By definition, special interest groups generally are not moderate-type organizations. They seem to be the hard-core positions of both of our parties.

Therefore, moderate Members who find themselves in the center of the political spectrum do not have any of these groups that are going to be out there defending their positions of moderation on particularly controversial issues. But the extreme wings of both of our parties, in many cases, will continue to be out there using unlimited amounts of soft money.

If we are talking about Members being somehow beholding to these organizations, if you have these groups on your back for 2 years, see if they do not have an affect on how you vote and what your positions are going to be, particularly if the only groups that can help you in order to defend your position are the State parties which will not have a level playing field and the same ability to run ads. These groups are not keeping with what the American people want to see.

Therefore, my point is that the Hagel bill is a legitimate compromise. No. 1, it restricts the amount of soft money to $60,000 that can go to parties. That is a major restriction to both of our parties over what we currently are getting in terms of the millions from individual playing field and individuals that the Hagel amendment would dramatically bring down to a more reasonable amount.

Secondly, I think it is incredibly unfair. It creates a very serious unlevel playing field and individuals that the Hagel amendment would dramatically bring down to a more reasonable amount.

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finance reform in the last several years, largely because I believed the legislation that was on the floor was not campaign finance reform. I do believe now that the Hagel amendment brings to the floor the kind of reasonable and appropriate adjustment in the campaign finance law that fits and is appropriate for the political process.

Just for a few moments, I will address some of the comments of my colleagues from Connecticut a few moments ago, when, in a rather emotionally charged way, he suggested that the political process is awash in money. I only can judge him by his statement, but I have to assume that the perspective he has offered is from a 1974 view.

If you step back into 1974 and look forward into the year 2000, that judgment can be made. This is the kind of person candidate X or candidate Y has played go to the polls on election day whether and responsible judgments when they the public knows and can make valid and how that money gets reported so point of view.

What we are trying to do is to adjust those rules in a right and responsible fashion that brings clarity to the process, that reflects the fact that you cannot run a 2002 campaign in 1974 dollars or cents, for that matter. You cannot reach back and tell any candidate a century and expect that you can find the goods and services that you once purchased back then as something you will employ now in the political process.

So when the Senator from Connecticut gets so excited about the money that is in politics, why don’t we be more concerned about directing it and clarifying it instead of trying to step back a quarter of a century to buy the goods and services that he bought then and that I bought then for the political process that have gone up by at least 25 or 30 percent in the interim?

Let me talk for a few moments on disclosure. Without question, disclosure can be made, and the Hagel amendment can bring to the floor the kind of responsibility that is clear and clean.

There is nothing wrong with that. What is wrong or what needs to be adjusted is how that money is directed and how that money gets reported so the public knows and can make valid and responsible judgments when they go to the polls on election day whether candidate X or candidate Y has played by the rules and is the kind of person they would want serving them in public office.

I do believe that is what the Hagel amendment offers. It offers to shape and control and disclose in the kind of legitimate and responsible way that all of us should expect, and that is important to the credibility of the political process.

It is tragic today when politicians malign politicians and suggest that there is corruption and evil in the system. Not all of us are perfect, but about 99 percent of us try to play by the rules. We are judged by those rules. For any one of us to stand in this Chamber and suggest that the system is corrupt and therefore, if we are in it, we are also corrupt or corruptible is a phenomenal stretch of anyone’s imagination and should not happen. It is too bad it does happen. Only on the margin has it happened in the past. Usually those individuals who fail to play by the rules ultimately get destroyed by those rules.

What we are trying to do is to adjust those rules in a right and responsible fashion that brings clarity to the process, that reflects the fact that you cannot run a 2002 campaign in 1974 dollars or cents, for that matter. You cannot reach back and tell any candidate a century and expect that you can find the goods and services that you once purchased back then as something you will employ now in the political process.

I do believe that is what the Senator from Connecticut meant, but what he alleges is that there is all of this money out there when, in fact, it is the money that comes to the system based on what the system has asked for and what it believes it needs to present the right and responsible political point of view.

There is nothing wrong with that. What is wrong or what needs to be adjusted is how that money is directed and how that money gets reported so the public knows and can make valid and responsible judgments when they go to the polls on election day whether candidate X or candidate Y has played by the rules and is the kind of person they would want serving them in public office.

I do believe that is what the Hagel amendment offers. It offers to shape and control and disclose in the kind of
into politics and have all of us more dependent upon these big givers, heavy hitters, on what some people call the "fat cats" of this United States? It doesn't strike me that this represents reform. I think it really represents more deform. And I am not trying to be caustic, but I just think this proposal on the floor of the Senate now is a great step backward. I hope my colleagues will vote against it.

Finally, I realize that with the proposal of my good friend from Nebraska, one individual would be authorized—if you are ready for this—to give a total of $270,000 in hard and soft money to a national party in an election cycle—$270,000? People in the Town Talk Cafe in Willmar, MN, scratch their heads and say: That is not us. We can't contribute $270,000 to a party in one cycle. We can't contribute $1,000, going to $2,700. Let's look at campaign inflation, which has been much greater than the CPI for almost everything else. For a 50-question poll, over the last 26 years, the cost has increased 150 percent. The cost of a 30-second commercial, over the last 26 years, has increased 500 percent. The cost of a first-class stamp, over the last 26 years, has increased 240 percent. The cost of a $2,700 television commercial, over the last 26 years, has increased 240 percent. The cost of a McDonald's hamburger, over the last 26 years, has increased 600 percent. The cost of a first-class stamp, over the last 26 years, has increased 500 percent. Meanwhile, the number of voters candidates have to reach—which is the way they charge for TV time—has gone up 42 percent over the last 26 years.

Back in 1974, when this bill was originally passed, the Federal Election Campaign Act, we had 141 million Americans in the voting age population. In 1998, it was 200 million in the voting age population. An individual's $1,000 contribution back in 1980 to a $1.1 million campaign represented only .085 percent of the total. That was the average cost of a campaign in those days. If the contribution limits had been tripled to the last 26 years, for inflation since 1974, an individual's $3,000, which would have been allowed had we allowed indexation initially, to the average $7 million campaign would have been only .04 percent of the total—less as a percentage of the campaign than it was 26 years ago. There is no corruption in that.

In addition to that, raising the contribution limits on hard money gives challengers a chance. They typically don't have as many friends and supporters as we do. To compete, they have to pool resources from a much smaller number of people. One of the big winners, if we indexed the hard money limit, would be challengers. The contribution limit is increased a time of 50-cents-a-gallon gasoline and 25-cent McDonald's hamburgers.

This is absurd. That is the single biggest problem we need to deal with. Michael Malbon, one of the professors active in this field, said:

We expected thousand-dollar contributors to include many lobbyists who would favor incumbents. That is not what we found. In Senate races in 1996 and 2000, 70 percent of the thousand-dollar contributions went to non-incumbents.

With regard to constitutionality, let me say again that I am not wild about limiting the party's ability to speak while allowing the outside special interest groups to use large, unregulated, undisclosed contributions to drown out the voices of parties and candidates.

There is a legitimate constitutional question as to whether the courts will uphold restrictions on the ability of political parties to engage in free speech.

Ultimately, however, I believe that Hagel-Breaux is far more likely to be upheld than McCain-Feingold.

First, and most importantly, McCain-Feingold completely bans party soft money from corporations and unions. The Hagel-Breaux compromise, however, only places a cap on party soft money from unions and corporations, thus leaving unions and corporations with a meaningful avenue for supporting America's political parties.

There is a significant qualitative and constitutional difference between a ban and a cap. For example, the Supreme Court in Buckley upheld a contribution cap in the 1974 law. The legacy of Buckley is reasonable caps, not bans. A cap permits the right to speak. A ban completely forecloses the right to speak. I would argue that we should have neither. But, if you have to choose one, then the lesser restriction
has a far greater chance of being upheld under first amendment analyses.

In short, there is clearly a constitutional difference between a reasonable cap and a total ban. It is the difference between prohibition and moderation. I submit to my colleagues that corporations and unions participating in American politics and supporting our great parties is a virtue, not a vice. It may be wise—as Senators HAGEL and BREAUX suggest—to moderate that influence, but it is certainly unwise to prohibit it.

Let me touch on one other point—a myth, really. We have heard some in the Senate argue that corporations and unions have been banned from politics for the better part of the 20th century. No myth could be more pervasive or more untrue. Corporations and unions have never been banned from participating in politics in America. Anyone who knows the history of labor unions will tell you that the unions have been and continue to be one of the most significant players in American politics. Regardless of what you think of the labor unions, what they are doing today with non-Federal money is not illegal activity. I hear speaker after speaker on the other side get up and directly imply that labor unions are somehow doing something illegal by participating in politics. I may disagree with the unions on some of their issues, but I will firmly and proudly defend their right to participate in politics. The often-repeated and implicit statement that big labor is engaging in illegal activity by participating in politics is just plain wrong, and, that implicit and pervasive allegation should stop.

There is absolutely nothing in the Tillman Act or the Taft-Hartley Act that prohibits corporations and unions from giving to political parties. This is a gross misstatement and misreading of the plain language of well-established law.

Of course, the Hagel-Breaux compromise—unlike McCain-Feingold—seeks a constitutional middle ground on regulating outside groups by requiring that files on ad buys be available for public inspection. This increases accountability and makes funding disclosure and membership lists of outside groups who dare to speak out on public issues in proximity to elections. The McCain-Feingold, Snowe-Jeffords approach has been struck down as recently as last year by the Second Circuit Court of Appeals. I commend my colleagues for recognizing the boundaries of the first amendment's guaranty of free speech and free association.

Finally, unlike McCain-Feingold, Hagel-Breaux recognizes that there is not only a first amendment, there is a tenth amendment. The tenth amendment limits the Federal Government's powers to mandate and dictate to States. McCain-Feingold tramples the tenth amendment almost as vigorously as it does the first.

For example, McCain-Feingold would tell State and local parties that they must follow Federal law and Federal contribution and expenditure limits for a whole host of activities in years where there happens to be a Federal candidate on the State or local ballot.

Let me give you an example: Under McCain-Feingold, if the Sioux City Republican Party decided next year that it wanted to register voters in the final 4 months before election day to increase turnout for the Sioux City sheriff's race, then it would have to pay for the voter registration with money raised under strict Federal contribution limits. The same was true if the Iowa legislature wanted to print up buttons and bumper stickers that said “Vote Republican” to increase turnout for the local jailer's race. The Sioux City Republicans would have to operate under Federal law on contribution limits.

Hagel-Breaux, on the other hand, avoids understanding the varied and diverse role of political parties at the national, State and local level and avoids such massive, overbearing, and unwise Federal regulation.

Finally, the Hagel-Breaux compromise provides a rational justification for its limits. The Hagel-Breaux compromise takes the exact contribution limits upheld by the Supreme Court in Buckley and adjusts those limits for a quarter-century of inflation. I believe there is a good chance that the courts would view that sensible rationale as reasonable and constitutional.

In closing, let me say that I am not wild about this legislation, but I think it seeks and finds a middle ground, a third way for Senators on both sides of the aisle to come together and move forward in the spirit of bipartisan compromise. I commend my colleague from Nebraska and my colleague from Louisiana for their willingness to step into the breach.

Mr. DODD. Mr. President, I yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank my good friend from Connecticut. Let us start with a few basic truths. We are supposed to have limits. They have been completely evaded, destroyed by the soft money loophole. The current law says no individual is supposed to give more than $1,000, or give more than $25,000 in a year totally, and because of the soft money loophole, there are no limits. That is a given. The question then becomes: Do we want to close the soft money loophole?

It seems to me, unless we close this soft money loophole, we are going to destroy public confidence in the election process in this country, and the cynicism which exists and the impact and effect of large money on politics is simply going to grow.

How do we close the soft money loophole? In McCain-Feingold we close it. We simply end the soft money loophole, not just for national parties, but also to make sure that Federal officials and officeholders and candidates do not raise money for State parties in a way to avoid our new prohibition. That is missing from the Hagel amendment.

We have to be clear on that critical point because we have seen charts which say: Look, we are going to reduce the amount of soft money in the campaigns because we are going to put a cap on the amount of soft money. Putting aside the facts that this goes exactly opposite the principles in McCain-Feingold and puts aside the fact that Hagel then would enshrine soft money into our national law, it also means that unless you close the possibility and end the possibility of Federal candidates, Federal officeholders and national parties simply raising money for State parties in Federal elections, you leave the loophole open.

What the Hagel amendment does is shift the loophole. It does not close it. It continues to allow Federal officeholders, Federal candidates, and national parties to raise the money for State campaigns and State parties that will in turn continue to use that money in attack ads and in so-called sham issue ads. It does not close the soft money loophole, it shifts the soft money loophole.

That is simply not good enough. That is not campaign finance reform. That is sham reform.

The other thing it does, relative to hard money limits, is it raises the hard money limits to $75,000 per year per individual which means that a couple can give in a cycle of 2 years $300,000 in hard money contributions. That is not reform. That simply says that big money, big bucks, and big contributions will continue to be solicited by those of us who are in office, those of us who seek office, and those of us who are in the national parties. That means that the role of big money in these campaigns is going to continue.

I close by quoting something the Supreme Court said in the Missouri case, in the Shrink Missouri Government PAC case a year or two ago. This is what the Supreme Court said about the appearance of impropriety, the appearance of corruption created by big contributions:

While neither law nor morals equate all political contributions, without more, with bribes, the Supreme Court spoke in Buckley of corruption inherent in a regime of large individual financial contributions to candidates for public office as a source of concern "almost equal" to corruption. The public interest in countering that perception was, indeed, the entire answer to...
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the overbreadth claim raised in the Buckley case. This leads to the con-
tception of impropriety unanswered, and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic govern-
ance. Democracy involves the faith that people have faith in those who govern, and that faith is bound to be shattered when high offi-
cials and their appointees engage in activi-
ties which arouse suspicions of malfeasance and corruption."

I thank the Chair, and I thank my good friend from Connecticut.

Mr. DODD. Mr. President, I yield 5 minutes to the Senator from Florida, Mr. GRAHAM.

The PRESIDING OFFICER. The Sen-
ator from Florida.

Mr. GRAHAM. Mr. President, in 1971 when the Senate last visited this issue in earnest, it did so with every belief that the legislation that would be pro-
duced would end abuses of our Federal electoral system. It helped for a time until loopholes came to light and new abuses surfaced.

In every series of actions on this issue, there have been unintended and unexpected consequences. I want to talk about one of those consequences, and that is the effect that the current Federal campaign finance law has had on American politics.

It has converted American politics by requiring and facilitating a funda-
mental alteration in the conduct of campaigns. It takes candidates into the shadows—the closeted shadows—of an office dialing for big dollars and the flickering shadows of a television studio spending those big dollars on self-
serving or, more frequently, attack ads disparaging the opponent.

What is given up by going into the shadows? What is given up is the public's open participation in the per-
cipal purposes of a political campaign. Let me suggest three of those purposes.

First, a purpose of a political cam-
paign is to establish a contract be-
tween the candidate and the voters as to what is expected once elected.

I suggest this contract is especially important in our form of government.

We do not have a parliamentary gov-
ernment, where, when the people be-
lieve that the party elected has drifted away from its commitment, they can overturn that government and install a new government.

We are all elected for a fixed term, so it is important that as the candidate gives up the proc-
cess of the development of the relation-
ship between citizen and candidate, there is a clear understanding of what that candidate is going to do if he or she is elected.

That contract development is largely abrogated by the process of focusing the campaign exclusively on raising money in order to support 30-second television ads.

Finally, a purpose of a political cam-
paign is to test the aptitudes, the char-
acter of the candidate should he or she be elected.

I believe one of the most telling statements of what kind of a person one would be in office is how they conduct themselves as a can-
idate. Do they make quality decisions in public, under pressure? Do they ex-
ercise self-discipline? The kind of peo-
ple they surround themselves with in the campaign will be a telling com-
mentary on the kind of people they are likely to surround themselves with in office.

Again, what do we learn about the character and aptitude of a candidate if all we see is their own self-financed and self-produced TV ads? The public is telling us of its disgust with the move of the campaigns from the sunshine to the shadow. The American voters are shouting, particularly young voters. How are they shouting? They are shouting by their nonparticipation. Ever since the Constitution was amended to allow 18-year-old to vote, the message of those 18-year-old voters has gone down at every Presidential election. If that is not telling us what the newest generation of American citizens has to say about the current process, we are deaf.

The Hagel amendment would in-
crease the torrent of money into poli-
tics. It would increase the time and ef-
fort spent on raising and spending money on television ads. It would ac-
clude the slide of public involvement and interaction in a political cam-
paign. We need to reject this amend-
ment and adopt the legislation offered by Senators McCain and Feingold.

Mr. ALLARD. Mr. President, I should offer an amendment that says: on page 3, between line 27 and line 28, insert the following of this Act, the starboard deck chairs of the R.M.S. Titanic shall be moved to the port side, and vice versa.

Because if we step back and examine the campaign finance issue, I believe that in the end all this legislation af-
fecting details of the campaign finance system is doing just that rearranging deck chairs on the Titanic. If I can just stretch this metaphor a bit farther, the iceberg looming out there in front of us is not soft money, or disclosure re-
quirement, or compulsory union dues, but rather the simple fact that our fed-
eral government is so bloated and in-
trusive that Americans are desperate to find ways to affect it’s actions.

If the government rids itself of special interest funding and corporate subsidies, then it will be less of an exception to any attempts to buy influence through donations. A simplified tax code, state regulation flexibility, free markets, local education control—these are less government approaches to problems that would also lower the desperate need for influence.

I am not alone in that belief. The Colorado Springs Gazette ran an editorial on Thursday, March 22 saying that “The best way, and the constitu-
tional way, to limit campaign con-
tributions is to reduce government itself, and thus the need interests have to manipulate government to their ad-
vantage.”

That editorial is proof that perhaps this side of the aisle better understands the cost instead of all the individual trees we keep getting caught up by here on the Senate floor. They know that all we are doing is addressing sympto-
matic, not causal, problems.

There are two reasons why McCain-
Feingold is ineffective. One of those reasons is the United States Supreme Court, and I will address that later.

The other reason speaks to the futility of these alleged reforms—these various deck chair amendments. That reason is human nature. Even if we could con-
stitutionally ban soft money, human nature dictates that people whose in-
terest, both financial and otherwise, are constantly and severely being abused or threatened by our 1.9 trillion in federal spending will continue to seek to influence the government, some out of just basic self defense.

In the Eighties the complaint was against the PACs. In the Nineties and now, the complaint is against soft money. Even if there is a constitu-
tional soft money ban, there will be something else later. What needs to be done is to address the problem, not try and hide the effect of the problem. But,
since we are here, moving our chairs around, I must say that I favor certain chair arrangements. And so do my constituents.

Then Denver Rocky Mountain News, for instance, ran an editorial during the last Congress in response to the passage of the Shayes-Meehan bill, expressing the belief that soft money campaign contributions are a form of political expression and, as such, are protected by the First Amendment. In the editorial they use an example of an average citizen who might decide to distribute leaflets against a city pot hole problem. If this hypothetical citizen is stopped from doing so by a city council, it would be a clear-cut violation of freedom of speech. The editorial then goes on, correctly, to explain that the difference between this simple form of election activity control and the kinds contained in McCain-Feingold is merely a degree of professionalism. Donors who want to give to the Republican National Committee or the Democrat National Committee are expressing their political views. As the Supreme Court has ruled, political spending equals political expression. Attempting to completely ban this political expression, however distasteful some might find soft money, is an attempt to stifle activities protected by the First Amendment. And so it is our duty as legislators to find a better way.

Let me explain also that I feel that a soft money ban is biased. It might just be coincidental that the McCain-Feingold has 34 Democrat co-sponsors and 6 Republican ones, but it might also have something to do with the fact that a ban on party soft money will ultimately benefit Democrat candidates over Republican ones. If political parties are curbed, the Democrats already over Republican ones. If political parties are curbed, the Democrats already have a cohesive constituency ready and able to step up and assume party functions. Organized labor is just that—coordinated people ready to work. They are also ready to spend. I don’t begrudge the Democrat National Committee this labor and funding base, but it is unbalanced and blatantly partisan in its attempt to shield this type of spending—which has been done in amendment after amendment on this floor—while attacking its counterbalancing force, the areas where the Republican National Committee instead has the advantage.

I have cosponsored Senator HAGEL and LANDRIEU’s legislation because it shared some aspects of what I have previously supported in campaign finance reform. The bill calls for increased disclosure, aspects of which we have embraced here already. Sunshine is a strong disinfectant. The bill calls for an increase to campaign donor limits. Hard money is called for a reason and so we should encourage as much campaign spending as feasible to move into that category, where the rules are tighter and more defined.

The Hagel-Landrieu legislation is one of the best deck chair arrangements before us, I urge its passage.

Mr. President, today I rise in support of the Hagel amendment to the McCain-Feingold campaign finance reform bill. This legislation is similar to legislation that I introduced in each of the last two Congresses, “The Constitutional and Effective Reform of Campaigns Act,” or “CERA.” My bill has proven to be a good faith effort to strike middle ground in this important debate and offered an alternative to the bills that have been debated before the full Senate in the past. The principal points in my bill were enhanced disclosure, increased contribution limits, a cap on soft money and paycheck protection. Senator HAGEL’s amendment does much of the same. It establishes a framework for future work.

As Chairman of the Rules Committee during the 105th Congress, I had the honor of presiding over at least twelve hearings on campaign finance reform. My legislation was a result of these two years of hearings, discussions with numerous experts and colleagues, and the result of over two decades of participating in campaigns and campaign finance debates.

It is well documented the growth of soft money in recent years is an issue of public concern. The $80,000 soft money cap found in the Hagel amendment addresses the public’s legitimate concern over the propriety of large soft money donations while allowing the political parties sufficient funds to maintain their headquarters and conduct their grassroots effort.

In addition to the issue of soft money, there is the issue of raising the hard money caps. Politicians spend too much time fundraising at the expense of their legislative duties. For incumbents, and, for both incumbents and challengers, at the expense of debating the issues with voters. The current individual contribution limit of $1,000 has not been raised, or even indexed for inflation for over 20 years. This situation requires candidates to spend more and more time seeking more and more donors. The Hagel amendment triples the individual contribution limits to $3,000 and indexes that limit for inflation. My campaign finance legislation contained the exact same provision.

These are issues that I believe can be solved in a bipartisan fashion. I look forward to working with my colleagues to enact meaningful campaign finance reform, and I encourage my colleagues to support the Hagel amendment as a mechanism to reach bipartisan consensus on campaign finance reform.

The PRESIDENTIAL OFFICER. The Senator from Nebraska.

Mr. President, please notify me when I have used 5 minutes of the remaining time.

Mr. President, as I have listened this morning and throughout the days of last week about the dynamics of campaign finance reform, I believe it is well summarized in a piece that appeared in the New York Times on Sunday. I will read part of that piece because it does strike to the essence of real reform of campaign finance.

Joel Gora, general counsel to the New York Civil Liberties Union and Peter Wallison, a fellow at the American Enterprise Institute, wrote this thoughtful op-ed in last Sunday’s New York Times. This is some of what they had to say:

Despite all the noise about campaign finance reform soft money is not the monster it’s made out to be. By definition, it consists solely of contributions to political parties for such things as party building, getting out the vote and issue advertising; it cannot be used for direct support of candidates. But eliminating soft money contributions to parties sacrifices other consequences that I believe are fundamental to our democratic system.

Political parties are groups with broader interests, more intertwined with the electoral process. Banning soft money denies parties the rights that we would not think denying to other interest groups.

The National Abortion Rights Action League can attack the Republican Party with money it raises from any source and in any amount; the National Rifle Association can attack the Democratic party with the same unlimited resources; however, if soft money is eliminated, neither political party will have the resources to counter these attacks.

There is also the free-speech guarantee of the First Amendment. Can there be any doubt that the core of the Constitution’s protection of free speech and a free press is to inform the electorate? The McCain-Feingold bill goes beyond even limiting contributions. It actually prohibits speech.

There are no real winners in this situation, but there are real losers—the voting public. And so said the New York general counsel to the New York Civil Liberties Union.

Mr. Gora said it well.

In these final minutes of debate, I go back to the basics that brought us here. We are here to reform our campaign finance system. My friends from Arizona and Wisconsin have offered one alternative. I believe it is the wrong approach. Their intentions are good, but the unintended consequences of their legislation would weaken our political system at the point where it should be the strongest. The McCain-Feingold bill would not open the process to more people; it would restrict the process to those who can afford to play outside the process.

What do we gain by weakening the vital dynamic institutions of the political process, the political parties, the one group of institutions that is accountable to the American people and the only institution that will help a challenger take on an incumbent?

We here are about this body in the last few days about incumbent protection, a lot of incumbent protection debate and amendments passed to protect our jobs.
My bipartisan colleague and I have offered an alternative. It is real reform. It will fix our campaign finance system. It will not go to greater, more accountable, more responsible.

Our amendment provides more disclosure. It limits soft money. It increases the ability of individuals to participate by increasing the outdated 1974 limits on soft money. My goodwill, where all my colleagues in 1974 when this terrible corrosive corrupting factor of $1,000 was out there? I went back and read that debate. I was in Washington in 1974. There were Members of this body today who voted for that. Not a peep was made in 1974 about any corrupting influence. This is the same dollar amount. So how is that bad or how is that some way more corrupt?

We face serious questions today. Are we going to reform our campaign finance system? I think we can. I encourage my colleagues to vote for this amendment that amends the McCain-Feingold bill.

Mr. DODD. Parliamentary inquiry: The opponents have 8 minutes remaining?

The PRESIDING OFFICER. Your side has 8 minutes remaining.

Mr. DODD. I yield 3 minutes to the Senator from Rhode Island. I believe Senator THOMPSON of Tennessee would like to be heard and we will close with 3 minutes from the Senator from Arizona, just to inform my colleagues of the remaining allocation.

Mr. REED. Mr. President, I rise in opposition to the Hagel amendment. I respect Senator HAGEL immensely and compliment him for his efforts, but I think it is the wrong direction for campaign finance reform. The core of our debate about campaign finance reform is to restore the confidence of the American people in our political system—to make them believe, as we hope they once did, that their vote is the most significant aspect of a Federal election. Today I fear they believe their vote is less important than the contributions of special interests or economic elites.

The Hagel amendment would amplify significantly the bankrolling of economic elites in elections by raising the limits on contributions that these individuals can make.

I think it is very important to point out today the limits on contributions are only reached by approximately one-ninth of 1 percent of our country’s citizens. This infinitesimal fraction of individuals are donating significant amounts of money to political campaigns. This does not represent, as a result, this effort to raise the limits, an attempt to reach out to the broad spectrum of American voters. It would, in fact, increase and enhance the role of a very small minority of America.

That is not the direction we should take for campaign finance reform. We should not increase the amount of dollars going to the system. We should create a system in which people again believe their vote rather than any contribution by a special interest or a wealthy American, is the most important part of our system.

The other aspect of the Hagel amendment which is troubling is the institutionalization of soft money. His proposal allows wealthy individuals to donate $60,000 per calendar year to a political party, congressional campaign committee of a national party and others. This institutionalization once again exacerbates the role of money in campaigns and once again focuses away from the individual voter to the very wealthy contributor.

I think it is the wrong direction to take. As I said, the perception of our constituents and that this system is not working for them. I yield the floor.

Mr. DODD. I yield 2 minutes to my colleague from Wisconsin.

Mr. FEINGOLD. I focus for a moment on the State party loophole and address the new provisions of the Hagel amendment concerning party soft money. I also want to respond to the argument that the new provisions of the Hagel bill are necessary because the McCain-Feingold bill will starve the parties or will, in their minds, federalize State elections. These charges are just untrue.

I talked yesterday about the Hagel amendment legitimizing and sanctioning the soft money system. I was referring primarily to the $600,000 cap on corporate, labor, and individual soft money contributions. The same can be said about the State soft money loophole and even more so after the argument Senator HAGEL made in his amendment before he offered it yesterday. The amendment codifies the FEC’s allocation rules used for soft money expenditures by the State party. The FEC currently requires expenditures on certain activities including get-out-the-vote and voter registration efforts to be paid for with a combination of hard and soft money. What the Hagel amendment does is write these allocation formulas into law. It takes the soft money system started in the States and makes it permanent.

We support the kinds of activities for which soft money now pays. It is not that we think get-out-the-vote or voter registration activities are somehow corrupt. Quite the contrary, we believe these activities are extremely important to the health of our democracy. But the approach of the McCain-Feingold bill is to get more hard money to the States, not to allow soft money to live on.

Senator MCCAIN and I strongly support vital political parties at both the State and national level. What we don’t support is using unlimited soft money from corporations, unions, and wealthy individuals to elect Federal candidates.

The McCain-Feingold bill doubles the amount of hard money an individual can give in hard money to state and local parties—to $10,000 per year, or $20,000 per cycle. That is a little-noted provision in our bill. To hear the Senator from Nebraska tell it, you would think that we were looking to severely restrict party activity in the States. Far from it.

All our bill says is that when a State party is spending money on Federal elections, it has to be hard money. That includes voter registration activities within 120 days before a Federal election. We all know that voter registration in States helps Federal candidates. Likewise, get out the vote activity and generic campaign activity—this is some of the activities Federal candidates are on the ballot. Those kind of activities, regardless of how laudable they are and how much we want to encourage them, assist Federal candidates in their election campaigns. I believe that they should be paid for with Federal money. Obviously, so should public communications that refer to a clearly identified federal candidate and support or oppose a candidate for that office.

Does that mean that we are trying to weaken the parties? Not at all. We simply ensure that soft money raised by the states cannot be spent on federal elections. As I have said, to leave that State soft money loophole wide open cannot be considered reform. And at this point I would remind my colleagues that both parties consistently raise more hard money than soft money. It is not true that if you can’t spend soft money on an activity, that we are somehow shutting down State party activities. The idea is that we somehow shut down State party activities because they must now use hard money for certain activities—those connected to Federal elections—is simply untrue.

My colleagues might recall that the parties did just fine without a significant amount of soft money for many years. In the 1984 election cycle, soft money accounted for roughly 5 percent of the total receipts for the political parties, and voter turnout in the 84 elections was 53 percent. In the 2000 cycle, soft money accounted for 40 percent of the parties’ receipts, and voter turn out was 51 percent. Soft money does not get out the vote any better than hard money. Soft money doesn’t provide some kind of magic bullet that States need to conduct get out the vote activities, or other activities surrounding Federal elections. The States just need adequate funds to conduct those activities, and McCain-Feingold makes sure that they have the money—we double the amount of hard money an individual can give to a state
party and increase the aggregate annual limit a commensurate amount.

We want to help state parties maintain a vibrant partisanship. And there are plenty of activities where States can spend whatever soft money they might raise through their State party. We don’t attempt to exert any control over what a State party spends on election activities that are purely directed at State elections. But we do say—a million dollar contribution to the party from Philip Morris, or the AFL-CIO, or Roger Tamraz, or Denise Rich has the appearance of corruption, whether the money is used for phony issue ads attacking candidates, or voter registration.

Mr. DODD. Senator Thompson of Tennessee was going to try to get to the floor but is unavoidably detained. He would could consent amendment on constitutional grounds.

Mr. President, what time remains now?
The PRESIDING OFFICER. Two minutes 50 seconds.

Mr. DODD. The remaining time I yield to my colleague from Arizona, the author of the McCain-Feingold bill.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAiN. Mr. President, I appreciate the hard work and sincere conviction that my friend—my dear friend and comrade—the Senator from Nebraska has invested in his amendment.

I would, as always, prefer to be on the same side of the fight with him, as we have been so many times in the past, and as we will be again. He is a man of honor and a patriot. I admire him and consider his friendship to be a treasure of inestimable value to me. And whatever faults I might have as a human being, as a Senator, as a gentleman, I could never be fairly said of me that I was ungrateful to men and women of character who have honored me with their friendship.

I should also acknowledge that there are provisions of Senator Hagel’s amendment that I could support, or that, at least, could provide the basis for bipartisan negotiations. The Senator’s broadcast provision, for instance, merits support. And I believe there are ways that Democrats and Republicans could come together to address Senator Hagel’s central concern about making sure that our legislation does not weaken the two political parties even more than, what I believe, is the case today.

But recognizing both the Senator’s hard work and sincere concern, I must oppose this amendment. I must oppose it because it preserves, indeed, it sanctions the soft money loophole that has made a mockery of current campaign finance law, and which has led directly to the many, outrageous campaign finance scandals of recent years that have so badly damaged the public’s respect for their government, and for those of us who are responsible for protecting the public trust.

As I said in my opening statement, I believe it is a fact that contributions from a single source that run to the hundreds of thousands of dollars are not healthy to a democracy. And I believe that conviction is broadly shared by the people whose interests we have sworn an oath to defend. My friend’s amendment would allow this terribly damaging flaw in our current system to remain. It would, in fact, sanction it.

Thus I cannot support it. Even if every other provision of our bill were to be struck down by the opponents of campaign finance reform, along with all the good work done by both sides last week in reaching compromises on related issues, even if it were all to fail, the ban—the huge unregulated six and seven figure checks that come from corporations and unions, from Democrats and Republicans, from Denise Rich and Roger Tamraz—a ban on soft money, while imperfect reform, or comprehensive reform would still be good service by this body toward alleviating the appearance of corruption that afflicts our work here.

A cap of $120,000 per individual per campaign, along with absolutely no limits on soft money used by state parties for the benefit of candidates for federal office, will do little to address this problem. In fact, and I say this with the greatest respect and affection for my friend, it will do nothing but give this much abused system the Senate’s stamp of approval.

Mr. President, at the end of debate, I will move to table the Hagel amendment, and I urge all my colleagues to join me in opposing it.

Mr. McCONNELL. Am I correct that the Senator from Nebraska has the floor and I ask unanimous consent I be allowed to make a further parliamentary inquiry?

The PRESIDING OFFICER. Will the Senator yield for a parliamentary inquiry?

Mr. DODD. I thank the Chair and I ask for the regular order.
Mr. REID. If the Senator will yield for another parliamentary inquiry, and that would be simply—

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. MCCONNELL. I believe the time has basically run out. I think the Chair has explained there would be three votes, each subject to a tabling motion should the Senator from Nevada—

Mr. REID. Mine has to do with scheduling, if the Senator will yield for that. Mr. MCCONNELL. I yield for that sole purpose.

Mr. REID. We have our party conferences at 12:30. If we have three votes, that will not work. I am wondering what the Senator’s idea is.
The result was announced—yeas 60, nays 40, as follows: *(Roll Call Vote No. 51 Leg.)

**YEA—60**

Akaka  Dorgan  Lincoln
Baucus  Durbin  Lugar
Bayh  Edwards  McCain
Biden  Ensign  Mikulski
Bingaman  Feingold  Miller
Boxer  Feinstein  Murray
Byrd  Feulner  Nelsen (FL)
Cantwell  Graham  Reed
Carnahan  Harkin  Reid
Carper  Hollings  Rockefeller
Chafee  Inouye  Sarbanes
Cleland  Jeffords  Schumer
Clinton  Johnson  Snowe
Conrad  Kohl  Stevens
Corzine  Kennedy  Specter
Collins  Kerry  Stabenow
Conrad  Kohl  Stevens
Cortizo  Landrieu  Thompson
Daschle  Lempty  Torricelli
Dayton  Levin  Wollstone
Dodd  Lieberman  Wyden

**NAY—40**

Allard  Prist  Nelsen (NE)
Allen  Gramm  Nickles
Bennett  Grassley  Roberts
Bond  Gregg  Santorum
Breaux  Hagel  Sessions
Brownback  Hatch  Shelby
Bunning  Helms  Smith (NH)
Burns  Hatchenson  Smith (OK)
Campbell  Hatchinson  Thomas
Craig  Inhofe  Thurmond
Crapo  Kyl  Voinovich
DeWine  Lott  Warner
Domenici  McConnell  Warner
Enzi  Murkowski  Warner

The motion was agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, just to notify the Chamber, the next amendment to be offered will be by Senator KERRY of Massachusetts.

I ask unanimous consent that the recess be extended until the hour of 2:30 p.m. today.

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

**RECESS**

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:30 p.m.

Thereupon, at 1:15 p.m., the Senate recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. INHOFE).

**BIPARTISAN CAMPAIGN REFORM ACT OF 2001**—(continued)

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from the State of Oklahoma, suggests the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I am very pleased at the progress we have made. We have disposed of a number of amendments. I think we have had a level of debate with which Americans are pleased, as are certain Members of the Senate, by the significant participation that has taken place.

We really only have two major issues remaining. One is the issue of severability, which is, if there is a constitutional challenge to this legislation, if one part fails, whether or not all of it falls. The other is the hard money issue, with lots of negotiations and discussions going on as I speak.

It was agreed at the beginning we would spend 2 weeks on this issue, and that was my understanding. It is now my understanding that there are some Members who think perhaps we would not move on to this bill. I am committed to moving to final passage.

As I have said before, it is not the 2 weeks that counts; it is the final disposition of this legislation which I think not only but the American people deserve.

As I say, we have disposed of the major issues with the exception of two. Therefore, in regard to further consideration of the bill before the Senate, I ask unanimous consent that first-degree amendments be limited to 10 each for the proponents and opponents of the bill; that relevant second-degree amendments be in order, with 1 hour for debate per second-degree amendment; and after all amendments are offered, the bill be immediately advanced to third reading for final passage, with no intervening action or debate.

Mr. MCCONNELL. Reserving the right to object, and I will object, let me say to my friend from Arizona, he knows, and we worked on it together, the consent agreement under which we took up this legislation scripted the beginning of the bill. It did not script the end.

The Senator from Arizona made very plain from the beginning he wanted this to end in an up-or-down vote. It may well end in an up-or-down vote, but the consent agreement did not determine that, and it would not be possible to get consent to structure the end at this time.

Let me say this to my friend from Arizona. I agree with him the only big issues left are the hard money limits and the nonseverability question. I do not think it is likely we would go beyond Thursday night, in any event.

However, Mr. President, to the unanimous consent request, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I appreciate the support of Senator from Arizona. It is hard for me to understand now, with just 2 full days, 2½ days, why we wouldn’t, as is our practice around here once we have considered a lot of amendments and a lot of proposals, as we reach the end, narrow down amendments. One, then, has to wonder whether we would reach final resolution of this issue with an up-or-down vote. There are some Senators who now question that.

So I will be back with another unanimous consent request, and if that is not agreeable, then one can only draw the conclusion that there is an objection to a final disposition of this issue and that, obviously, would be something we would have to then consider.

I want to make perfectly clear again what I said at the very beginning, and I will. I was the CONGRESSIONAL RECORD when the unanimous consent was entered into with this distinguished majority leader. No matter how long it takes, as long as I can maintain 51 votes, we will not move to other legislation until we dispose of this legislation. For years we were blocked. For years we were not allowed to have this process which we now all agree has been valuable and helpful. But we need to take it to a final vote. I will be back with further unanimous consent requests so that we can fully bring this issue to closure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I join in the remarks of the Senator from Arizona. I am pleased to see the distinguished majority leader on the floor, whom I have heard say on a number of occasions with regard to this process that he would not support a filibuster or an approach that would involve preventing us from getting to final passage on this bill. I appreciated those assurances, and I assume they still hold.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Let me make it clear once again, there would have been no consent agreement at all had the end been dictated by the agreement. I fully understood from the beginning that was the desire of the Senator from Arizona to press for an up-or-down vote at the end of this debate. No one has been more aggressive than he has. Had it not been for the Senator from Arizona, we would not have been on this issue at all, at this point, which would have been my preference given the fact we have an energy crisis in the country, we have a stock market that is in trouble, and, frankly, I am somewhat stunned that we have spent 2 weeks on this issue.

Having said that, we have been on this issue because of the tenacity of the Senator from Arizona. The consent agreement was entered into because of
the tenacity of the Senator from Arizona. But let me assure the Senate it was not just the Senator from Kentucky who would not have agreed to a consent agreement that dictated how this debate ends. So that is why I objected, not just for myself but for others.

It could well be that in the next day or so I will have a different view of that. But there are important votes yet to be cast, and I am sure we will be consulting—the Senator from Arizona and I—on the end game as we move along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator Dodd has worked tirelessly with the Senator from Kentucky. He spent long hours here. I think we are arriving at a point where perhaps this evening or tomorrow sometime we can get a finite list of amendments. We have been working on that. We have a number of people on both sides who believe very strongly in their amendments and would not want to be told they are not important.

I have virtually been with my friend from Wisconsin on every vote we have taken this past 10 days. I think the leadership from Senator Feingold, with his partner, the Senator from Arizona, has been exemplary. But the fact is, we have spent a lot of time on this bill. I do not expect at this time we should rush on some program to suddenly end it. As I said, there are a number of people who believe very strongly in their amendments and would not want to be told they are not important.

As I said, I think one way we can expedite things is to come up on both sides with a finite list of amendments and have that locked in. I hope to have that, after conferring with the leader and Senator Dodd, at the earliest possible date.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me just comment before I introduce an amendment and start the process of the clock.

With respect to the question of how this issue finishes, I hope the leader on the other side, and those who oppose this, will not move back from what I think was an understanding by most people who entered into that agreement that we were in fact going to have an opportunity to come to final resolution on this bill.

Obviously, if we are deprived of that, then I suspect many of us are going to try to find every opportunity the Senate presents us over the course of the next months. There is a long schedule yet ahead of us. It would be a waste of the time of the Senate and an insult to the process to somehow try to sidestep an appropriate, complete, and total resolution on this bill. I believe we have in the last days. I think everybody has moved in good faith in an effort to present the amendments that represent bona fide efforts to improve campaign finance. But I certainly will join with a number of other colleagues. I am confident, if there is some sidestepping procedural effort to deprive us of the appropriate voting conclusion. We will tie up the Senate, I am confident, for some period of time in an effort to try to resolve it.

AMENDMENT NO. 148

Mr. KERRY. Mr. President, I send an amendment to the desk on behalf of myself, Senator BIDEN, Senator WELLSTONE, and Senator CANTWELL. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

Senator from Massachusetts [Mr. KERRY] for himself, Mr. BIDEN, Mr. WELLSTONE, and Ms. CANTWELL, proposes an amendment numbered 148.

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

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

The text of the amendment is printed in today's Record under "Amendments Submitted."

Mr. KERRY. Mr. President, this amendment is one that I think Senator BIDEN, Senator CANTWELL, Senator WELLSTONE, and I understand is not going to pass today. I hate to say that. I regret to say that. But it is a vote that we ought to have in the Senate. It is a vote that, in our judgment, represents the best chance we could achieve in the context of campaign finance reform. It is steps beyond Senator McCain and Senator Feingold, both of whom, I might add, have great sympathy for it notwithstanding the fact that they know, if it were to pass, you would have a very different mix in terms of what they began with as sort of a legislative agreement, if you will. I know Senator Feingold is a strong supporter nevertheless.

What we are proposing is something the Senate has visited before. We have voted on this before. In fact, the Senate in 1994 passed, by a vote of 52-46, a campaign reform bill. It never got out of the Senate in 1994. This particular one fell victim to the House of Representatives and to the delay of the schedule. Nevertheless, it reflected the willingness of colleagues in the Senate to embrace a partial funding by the public, a partial match funding in order to reduce the dependency of politicians on getting outside, becoming supplicants in their search for funds.

This is, in effect, translating to the Senate races the same principle that has been in place and has been used, even through the current election for President of the United States, in our national elections. It is a partial funding bill, will address the extraordinary amounts of money that are in our campaigns today.

We bring this particular amendment because this effort of campaign finance reform is not just to create a regulation on how much money you can raise in a particular request from a particular person, not just an effort to put limits on. There is a larger purpose that brings us here. That purpose is to undo the appearance of impropriety that comes with the linkage of money to the fact of getting elected, the act of getting elected. Most people in the Senate who have been here for awhile have watched colleagues sometimes squirm in discomfort because questions have been raised about those linkages.

We have had investigations, both of the Senate, of the Ethics Committee, and of outside groups, that have often been investigated at the way in which we are forced to raise money. I think most people in any honest assessment would be prepared to say when somebody sitting on a particular committee has to go out and raise money from people who have business before that committee, or when someone in the Senate has to ask for money from people who have legislative interests in front of them on which they will vote, there is almost an automatic cloud. It is not something we define for ourselves, it is something that is defined by the system itself. It is there whether we like it or not.

I do not think there is one of us in the Senate who has not been asked at one time or another: Gee, did those people who contributed to you somehow—and how have an influence on the way you voted? For most people in the public, it is a natural connection. If people see the milk industry, or the insurance industry, or the banking industry, or the farmers, or the truckers—you could name any group. I am not being pejorative in naming any of those I named. Name any interest in America that conglomerates its money, and then look at the people who are elected, and you have an automatic connection, like it or not, of the money and the election process.

When you measure the fact that most of America does not contribute, most of America does not have the money to contribute—we have one-half of 1 percent of the people in this country who give the $1,000 donations. I think all of the soft money in this country was given by about 800 people in the last election cycle. Think of that—800 people put in $280 million giving tens of millions of dollars to affect the political process.

Most of the average citizens sit there and say: I can only afford $10, or maybe...
BYRD reminded us in our caucus a few minutes ago that a republic is not in the best interests of those who oppose campaign finance reform. So the question is, Do we have the guts, do we have the courage to come here and fight for real campaign finance reform that affords a more even playing field?

Is it a perfect playing field? The answer is no. We do not do that. But we can try to make it fair so a lot of people can get involved in the process.

Let me share with my colleagues this idea that we are submitting to the Senate today comes from a group of business leaders. This is not an idea that has been created by some sort of interest group that might arouse the normal suspicions of those who oppose campaign finance reform. This idea has been put together by a group called the Committee for Economic Development. Over 300 business leaders have endorsed this proposal. They include top executives of Sara Lee, Nortel Networks, State Farm, Motorola, Bear Stearns, American Management Systems, Hasbro, MGM Mirage, Guardsmark, Kaiser Permanente, Prudential, Salomon Smith Barney. They also include retired chairs or CEOs of AlliedSignal, Bank of America, GTE, International Union, United Auto Workers, General Foods, Monsanto, Time, CBS, Fannie Mae, Dow Chemical, and B.F. Goodrich.

I suppose the question might be asked, Why would CEOs, why would business leaders who presumably want corporations themselves be so interested in supporting a campaign finance mechanism that includes some public funding?

The reason is, these are the corporate entities that keep getting asked to contribute and contribute and contribute, that keep feeling as if they are dragged into a process that they themselves know is not in the best interests of the democracy of our country.

We are supposed to be, as Senator BYRD reminded us in our caucus a few minutes ago, a republic. A republic means we are people who represent the people who elect us—not the money that puts us here, the people who elect us.

The question is, Are we prepared to pass a campaign finance reform regime that distances us, to the maximum degree possible, from the fundraising and special interests that lines the pockets of our candidates and puts them at a disadvantage in being elected to represent the people?

I can afford $15 or $20 or $50. But they know; they sort of say to themselves: Boy, my $50 is not going to do much to alter the $50,000 from some big, large interest, et cetera. They feel powerless and they turn off the system. They go away. They look at the system and they say: It doesn’t represent me.

I don’t know how many of my colleagues have stepped up to ask, but why is it that a majority of the Senate is made up of millionaires? Are we representative of the United States of America as a group? The answer is no. But most people cannot afford to run for office, particularly for the Senate. So the question is, Do we have the guts, do we have the courage to come here and fight for real campaign finance reform that affords a more even playing field?

Is it a perfect playing field? The answer is no. We do not do that. And I understand that. But we can try to make it fair so a lot of people can get involved in the process.

Given what we have already passed in the last two election cycles. When you compare the amounts that would be provided to candidates under this formula, it demonstrates that in only three races in the last cycle would you not have had enough money under this formula to be able to meet what happened in those races. The spending limit formula in 29 States would have provided candidates with more money than they had to go out and hock the system in order to be able to run. In an additional seven States, the formula would have brought candidates within $500,000 of $1 million, plus 50 cents, times the number of voters in that particular State.

We did an analysis of the last two election cycles. When you compare the amounts that would be provided to candidates under this formula, it demonstrates that in only three races in the last cycle would you not have had enough money under this formula to be able to meet what happened in those races. The spending limit formula in 29 States would have provided candidates with more money than they had to go out and hock the system in order to be able to run. In an additional seven States, the formula would have brought candidates within $500,000 of $1 million, plus 50 cents, times the number of voters in that particular State.

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Given what we have already passed in McCain-Feingold with respect to lowest unit charges, in effect, this formula would allow people to be able to spend more, if not the same, because they would be able to get more media buy for the dollars spent; and that result would be that they would be, in fact, greatly advantaged by this kind of formula.

What they also allow them to do is: If a candidate is not able to raise up to their limit, we allow the parties, through their hard money contributions, to be able to make up the difference to that candidate, much as they do today through the section 441(a)(d) contributions.

The virtue of this particular approach is that it does the most that we believe we can do to separate candidates from the fundraising process, to reduce the threat that big interests have posed to question the large contributions. We would still allow contributions up to the amounts of McCain-Feingold. So if that amount remains $1,000 in the primary and $1,000 in the general election, you can still raise it, but you only get credit for the first $200 toward your match. That means you would be encouraged to go out and bring people into the system for low-donor-amounts of contributions.

In every other regard we stay with McCain-Feingold. We want to see the ban on the soft money. We want to see the increased scrutiny, increased transparency, but we are trying to provide people with an ability to avoid the extraordinary arms race of fundraising that takes place in this country and to begin to restore every American’s confidence that we are not in hock to the interests that support the campaigns.

There is a reason for having to do that. I remember when I was chairman of the Democratic Senatorial Campaign Committee in 1988. As Chairman, I refused to take soft money back in 1988. We did not take any soft money in the committee. That was the last year the campaign committee took any soft money because they could not in order to compete. From that time until now, we have seen this extraordinary growth in the amount of soft money being raised, so that there was almost 5% billion of soft money in last year’s campaigns. Think about that—an extraordinary amount.

But for 1992, the Republican Party raised $164 million in hard money, $45 million in soft money; this year, $204 million jumped to $278 million in hard money; and it went from $45 million to $120 million in soft money. And this year, it went from the $278 million to $477 million in hard money; and the $120 million went up to $244 million in soft money. This is so far off the inflation or any legitimate costs with respect to campaigning, it is insulting. The only way we are going to end that is to put in place a system where we bring Americans back into the process of contributing smaller amounts of money.

It is interesting that corporate contributions outnumbered the amount of small and union contributions by 15 to 1. Americans are currently looking at a political system that is effectively a corporately subsidized, corporately supported system. If you were the leader of any corporation in America—there are a few who are making a different decision—some of them have decided spontaneously they are simply not going to contribute, but unfortunately, an awful lot of them still decide: I can’t be left behind. I can’t suffer the vagaries of the system unless I can influence it, unless I can influence the process. So most of them, answerable to their board of directors and their shareholders, as a result, play the system as hard as they can.

Most of them, most of them, will also tell you privately, they pray and hope the Senate will have the courage to change that system because they don’t like it any more than many of us do.
The one thing we are going to hear from the opponents—and you can hear it right now—will be that politics that are really good right now is different little phrases: “It is not the Government’s money; it is your money. You deserve a refund.” That is a quick, easy hit. People get applause. Everybody feels good and they forget about the fact that there are a whole lot of other issues.

We are going to hear them say: Gee whiz, politicians shouldn’t depend on the public treasury to run for office. They are going to say this is welfare for politicians, “welfare for politicians” because somehow the Federal Government contributes. Ronald Reagan was elected using this Federal money. George Bush, in 1988, was elected using this money. Even the current President Bush was elected using Federal money. Countless numbers of candidates have run using Federal money.

It is not welfare for politicians. What it is is protection for politicians. That is what they say. They are afraid of a system which allows the average American to have a full voice. They are afraid of a system which requires them to go out and do anything except play sweetheart with a whole bunch of givers who give them big amounts of money so they can just swamp the average person who wants to run for office.

The fact is, if you analyze the amount of Federal dollars that are wasted and spent only because those interests are able to get the laws they want and ride roughshod over a broader consumer interest, there are billions upon billions of dollars that are spent as a result of the current system.

What this represents is liberty money for people in this country, freedom, the ability to be able to cut the cord of the system we have today and free themselves to be able to go out and have a fair system in which Americans can have confidence. Most Americans, if they were presented with that argument fair and square, would say: That is precisely what I want. I am willing to pay a $400, $500 amount to cover the cost of elections in this country in order to guarantee that people are free from the kind of special interest process today.

Moreover, you might see a lot more of your Senator and your Congressman because they wouldn’t have to travel all around the country on weekends and weeknights to raise money from fundraisers in States everywhere other than their own.

It doesn’t make sense. That is what this is an effort to try to achieve. I hope my colleagues will think hard about that in the middle of the Watergate scandal, to try to take polluting influence out of the system—I don’t think there is an easy cut or that tax cut or vote for or against something, that they have as much influence on me as it somebody who walks in having contributed $10,000 to my campaign through two PAC contributions. I wonder what the American people think. I wonder do they think their voice is as easily heard as the rest of those folks.

The thing that has surprised me over the years that I have been pushing this idea, along with others, is that we who hold public office aren’t tired of this, aren’t worried, why it doesn’t bother us, whether we are lily pure or not, why it doesn’t bother us being associated with the notion that what we do is a consequence of the financial influence placed upon us.

For example, I don’t think there is one person who likes the fact that no one can—and I am a pro-labor Senator—question my pro-labor votes because labor gives me any money. They don’t. I can stand up and say I like the feeling at home that when I am for something that maybe not all my constituents like, but labor likes, nobody can use the argument that I have been bought off by labor because the following labor groups got together and contributed to him X PAC money.

A lot of Senators who talk about being lily white and pure accept PAC money. That is OK. But the only reason I don’t is I don’t like looking at my constituents and them thinking that I have taken a position because somebody contributed to me. That just bothers me. That just bothers my independence. There may come a day I have to take PAC money. I may run against somebody who raises $5 million in PAC money and I don’t think I can’t do it. I have to have it to compete. But I don’t accept it simply for my own gratification. I love walking into a meeting with a businessperson, or a
business organization, or labor organization, and deciding for or against them based on the merits and never having to talk about money. I feel liberated. It is my sort of self-imposed, tiny victory against this system that I rail against all the time.

What has surprised me is why people of this body would not want limits on spending. Do you think the majority of us like traveling two-thirds of the way across the country to sit down at a fundraiser in the home of somebody who is going to ask us stupid questions, who may be an absolute idiot, and is going to raise us $20,000, and we have to sit there and listen. Now I'll have everybody who has ever done a fundraiser for me saying, "Is he talking about me?" If anybody likes that, you probably should be doing something else because you can't be that bright.

So I don't get this. I don't get it. I don't get why we haven't gotten to the point that just for our own living standard, so that we don't have to get on planes at 7:30 at night and sit in an airport, and then miss it, and 47 thank you notes why we could not be there and apologize and set a new date, and you miss your kid's first communion, or you miss your daughter-in-law's birthday, or something because you are out raising money. I don't think anybody sitting in here has any idea how much of our time is spent raising money. The more scrupulous you are about how you raise it, the more hurdles you place in your way to make sure everybody knows that you are clean and you are not like what people think you are, the harder it is—the harder it is.

We all do it. We all sit here and say, 'wait a minute now; we just voted on a bill that only some of the people who are going to be there. I didn't go to that fundraiser now. It will look like I did it for the wrong reason. I don't want them thinking that is why I did that because that is not why I did that. All Members here are moral, decent people. The irony is, this place, in terms of personal rectitude is probably squeakier than any Congress in the last 200 years because of all the disclosure rules. That is the irony. You used to have a person standing at a desk right over there—one of the leading Senators in history—who would write letters to the railroad company saying, "By the way, I just defeated a thing that would have hurt you. Send more money or I won't do it next time." The money that was being sent was in his pocket.

When I ran for the Senate in 1972 and won, there were no limits on what you could spend or what could be given to you. My goodness, you would think by now these people, their money. I would be dumbfounded if any Member of this body was taking money under the table or doing anything illegal. They are the cleanest bunch I have dealt with. Yet we are viewed as being among the dirtiest bunch. Why? Because we are associated with all this money.

My mom had an expression when I was a kid. I would say, "Mom, can I go hang out on the corner by Buffington's with the rest of the guys?" She would say, "Those guys get in trouble." And I would say, "But I won't." She would look at me and say, "Joe, if it walks like a duck and quacks like a duck and looks like a duck, it is a duck." I used to say, "What does that have to do with anything?" She would say, "Those boys down there are not good boys. When you hang with them, even if you are not doing anything wrong, you are going to be presumed to be." What happens now when anybody within earshot, not holding public office, spending has gone up eightfold. When you have a billion plus dollars spent on elections, the conclusion to the American people is that if it looks like it is corruption, sounds like it is corrupt, it appears to be corruption, then it is probably corrupt.

So this has always amazed me. I would have thought by now that we would be so afraid of being burned by our association, unintentionally, with unsavory notions, causes, or people, through contributions, that we would say let's get out of this. I will tell you this. I want to be a politician." I am not allowed to reference the gallery, but I bet if I looked at their expressions right now, they would all have the same expression: Oh, no, no, you don't want to do that. Why, when in fact they have more honest men and women in the business now than have ever been in it? The likelihood of people doing untoward things relative to financial gain is almost unheard of now. When you have a billion plus dollars spent on elections, the conclusion to the American people is that if it looks like it is corruption, sounds like it is corrupt, it appears to be corruption, then it is probably corrupt.

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State of Delaware, that means one could not spend more than $1.3 million. In a State such as Illinois, where there are 9 million potential voters, one could spend $5.5 million.

I will not go through all the detail beyond that except to say that our amendment also includes a provision to counter those last-minute sham ads that have become all too common in the closing weeks of campaigns. Our amendment says if your campaign is a victim of one of those drive-by sham ads, you will receive additional public funding to enable you to respond to keep you in the game.

I have been calling for public financing for congressional campaigns for a very long time, since 1973, my first year in this body. I thought Watergate would have been enough to take us to the brink of trying to do something serious about campaigns. We did make some initial progress until the Supreme Court ruling in Buckley v. Valeo which set everything on its head, and now here we are back again.

The time has come, as my old math teacher would say, to work the problem and to stand at the blackboard until we come up with an answer that will pass the test of public confidence. The amendment we are offering today I think passes that test, and I urge all of my colleagues, for once and for all, to do something that really will impact upon who can run, their ability to stay in the game, the ability to compete and reengender some confidence in the American people.

My closing remark is this: We have gotten to the point, as my friend from Massachusetts pointed out, of businesspeople dreading this funding process because they get held up for some initial progress. Beyond that, we have reached a point where they have had to become so brazen in the way in which we raise money, those who used to contribute to us who never were brazen in return are now equally brazen, suggesting they want to know more about what we will do before they give us the money.

It is a bad system. This could go on for a long time to change it. I have no hope that it is likely to be adopted this time, but someday—someday—it will, and I suspect it will only after some serious major scandal occurs. I want to make sure for my own safety’s sake I am recorded on the right side of this argument again so no one misunderstands what I think we should be doing.

I thank my friend for his leadership, and I thank him for yielding the time he has. I yield back whatever time is remaining.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MCCONNELL. Mr. President, I thank the Senator from Delaware for his comments. As he said, he started this crusade back when he was elected in 1972. We had a high water mark in the Senate when we actually passed it. We also had 49 votes at one point in time. We know we are not at that high water mark today for a lot of different reasons.

It is very interesting what the Senator just said about business-people. I cited the types of business-people who support this—major executives of major companies in the country. Here is what they said when they announced it:

As business leaders, we are . . . concerned about the effects of the campaign finance system on the economy and business. . . . A vibrant economy and well functioning business system will not remain viable in an environment of real or perceived corruption, which will erode confidence in government and business. . . . In addition, the pressures on businesses to contribute to campaigns because their competitors do so will increase. We wish to keep abreast of the marketplace, not in the political arena.

I applaud these business leaders for recognizing the truth that a lot of the opponents of reform refuse to acknowledge.

The fact is that even the Supreme Court in the cases we so often cite—Buckley v. Valeo, Colorado, and others, all of those cases—talks about the legitimate right of Congress to try to curb the perception of corruption which they acknowledge on the Supreme Court is a component of trying to have good campaign finance reform.

What they have deemed to be constitutional, they have deemed to be constitutional partly making the judgment that it was necessary to combat that concept of corruption.

Moreover, I point out to my colleagues, sometimes we all know Congress does not do what the American people think it should do or want it to do, but the American people want us to put together a better system. A national survey conducted by the Mellman Group in April last year found that by a margin of 68 percent to 19 percent, voters favored a proposal that eliminates private contributions, sets spending limits, and gives qualifying candidates a grant from a publicly financed election fund.

In other words, every time the Congress votes against public funding, the Congress is explicitly denying what the majority of the American people want, which is the capacity to separate the people they elect from the fundraising process.

That same survey found that 59 percent of voters agree that we need to make major changes to the way we finance elections. But perhaps the most telling statistic was the fact that overwhelming majorities think special interest contributions affect the voting behavior of Members of Congress.

Eighty-seven percent of voters believe that money impacts Members of Congress, with 56 percent expressing the belief that it affects Members a lot. We ought to want to do something to eliminate that perception and to restore people’s confidence in this institution.

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

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, assuming all the time is in both sides, when would the vote occur?

The PRESIDING OFFICER. At 5:55 p.m.

Mr. McCONNELL. This should be such an easy vote that I don’t think I will need all my time. I will withhold it for the moment to see how many speakers there are on the other side. Suffice it to say, that taxpayer funding of elections is about as unpopular as voting to raise congressional pay.

We have the most complete poll ever taken. This is the real thing. April 15, when taxpayers get an opportunity to check off on their tax return the diversion of $3 to the Presidential campaigns and to help subsidize the conventions. It doesn’t add to their tax bill just diverting $3 of their tax money to politics.

The high water mark of the checkoff was back in 1980 when 29 percent of taxpayers checked off. Last year it was 12 percent. In fact, the lack of taxpayer interest in checking off some of the tax dollars already owed to this cause, the drop off was so alarming that in the early 1990s when the opposition party controlled the House, the Senate, and the Presidency, they upped the check-off from $1 to $3, so fewer and fewer people could check off more money.

Clearly, this is an idea that is overwhelmingly unpopular with the American people. We had a vote the other day on the Wellstone amendment. The Wellstone amendment gave States the option of having taxpayer funding of elections of congressional races. It was defeated 64–36. Maybe you could have argued on that vote that it wasn’t really a vote for taxpayer funding of elections because it only gave to States the option—the option—to have taxpayer funding of elections, yet only 36 Members of the Senate supported that.

This is the real thing before the Senate now. This is not giving any State the option to have a taxpayer-funded system. This is the real thing. Taxpayer-funded elections for Senate races.

I have been somewhat chagrined and mystified that we have spent 2 weeks on the whole subject we have been on when the stock market is tanking, we have an energy crisis in this country. What are we doing in the Senate? We are talking about campaign finance reform. At the very least, the underlying bill didn’t have taxpayer funding of elections in it, but there have been first one, and now the second effort to add that to this underlying bill.

So I don’t think the American people would be particularly amused if they
were paying any attention to this debate, which they are not— I don’t think they would be particularly amenable to finding out what we are doing while we have these emerging problems in our country of energy and the stock market.

The argument over taxpayer funding of elections is a blast from the past. This debate over taxpayer financing is an idea whose time has come and gone. One of the huge victories on my side of this debate that we can savor is that reformers gave up on the horrible notion of taxpayer subsidies of candidates some years ago. That is, most of them. We still have some people offering these amendments, and that is what is before the Senate at the moment.

It may surprise some of the people who are watching C-SPAN that we actually have had taxpayer financing of Presidential elections since 1976. This system has squandered over 1 billion tax dollars. In the 2000 Presidential race alone, candidates kicked in $226 million; 30 million of those dollars went toward the conventions in Philadelphia and Los Angeles. Fun weeks for those of us who were privileged to attend, but most taxpayers could surely come up with a better use of their tax dollars than underwriting political conventions.

Proponents of using taxpayer money for political campaigns get very creative in devising their polling questions so they can get results suggestive of some reservoir of support for this notion.

First off, they never refer to the money as the “taxpayers money.” You will never see that in a polling question asked by a proponent of using tax money for buttons and balloons and TV commercials. They always call it “public funding,” sort of like a public beach, public park, or public parking, leaving out the fact that the money is being in the margins on their tax returns. Last year’s forms, 11.8 percent checked “yes.”

As I said earlier, at its peak popularity in 1989, less than 30 percent checked “yes.” Imagine the results if the checkoff on the 1040 tax forms which allows filers to divert $3 from the U.S. Treasury to the Presidential election campaign funds—remember, this is money they already owe: If you ever change the law to make people actually cough up an additional $3, this fund would disappear entirely. It would be gone with the wind. It would be out of here. We would have to appropriate dollars to make up for the zero balance in this fund—nearly 90 percent of Americans choose not to check yes to the use of taxpayer dollars for Presidential elections. Last year’s forms, 11.8 percent checked “yes.”

We haven’t even gotten to another essential part of this whole issue. The Supreme Court does not allow us to just provide tax funding to the good guys. The Republicans and the Democrats. No, if you are going to provide tax dollars for campaigns, you can’t constitutionally limit those taxpayer-funded schemes to the Republicans and to the Democrats—which is all of us in here. No, the Reform Party, Ralph Nader’s Green Party, and everyone else would like to get it, which is people such as us who are Republicans or Democrats. We can’t do that. It has to be crafted in such a way that the funds are not unreasonably denied to people who aspire, regardless of their ideas or present circumstance, such as being in jail—their present circumstance—you cannot unreasonably deny them their opportunity to have their say with our tax money.

I do not know how much more debate is needed on this idea from the past. But, not knowing yet, I will just retain the amendments for any time for the moment. How much is that?

The PRESIDING OFFICER. The Senator from Massachusetts.
Mr. KERRY. Mr. President, I listened with interest to my colleague from Kentucky. I listened to him label this as an idea that he supported, and I am interested in that because it always struck me that the idea of the past was the perception of corruption of the Congress. The idea that ought to be passed is the notion that unlimited funds and unlimited influence in the system corrupt and corrode the system.

If you were to ask the American people what they would like to see be the idea of the past, they would resoundingly, overwhelmingly tell you, as they have in every indication in the country, that they want us separated from these large sums of money.

It is no surprise my opponent comes to the floor and derides the concept of public funding as some sort of thing from the past which doesn't command a lot of votes. I understand that. I know we are not coming to the floor from a great position of strength. But we have to start from somewhere again on this effort.

We once passed it in the Senate, and we passed it once because it was the right thing to do and it was a good idea. I believe that the judgment made by those Senators who were then here is not now out of date; it is not now outmoded; it is not a judgment of the past. It was sound thinking. Once again, this body will one day come to understand that we need to separate ourselves from this money.

Senator McCAIN above all set a standard for making clear that this is an idea of now, not of the past. My colleague does not even support campaign finance reform. He doesn't think McCain-Feingold ought to pass, let alone this amendment that a fringe candidate or a fringe candidate such as a Lyndon LaRouche may get a couple of million dollars to run for office. That is the price in America of having a system that is free from special interests. That is the price.

The fact is, none of us can choose and pick who the candidates are. My colleague from Kentucky just acknowledged he does not know how this bill is structured. Maybe it would help him if he understood to some degree that it is structured in a way that not just anybody can run under this bill. You do not get the public funding unless you raise some money, and you can only raise some money if you have some kind of base of support. You only get some funding for the larger numbers of people to support you. So presumably there is a reflection in how much money you would ultimately get that is a reflection of what kind of candidate you are—whether you come with legitimacy or you do not come with legitimacy; otherwise, you are not going to get much.

Second, contrary to what my friend from Kentucky said, we do not mandate this on anybody. If you do not want to do this, you do not have to do this. If you are more content to go out and raise millions of dollars from all the interests, go do it. This system is only for those who choose to live by the limits. But the one differential would be involved if some multiplicity of candidates—all of you, one or someone wants to go out and court all the other interests and get $50,000, $150,000 at a whack, and have ads run that are completely outside of what even the 1974 election reforms tried to achieve. We are driving through the largest loophole we have ever seen in this process. I regret to say that began in 1996—not before. But the fact is, we have ads run under the guise of being issue ads that everybody knows are directed to either tear down someone's character or argue against their election. They are completely outside the mainstream of the election, except to the degree that they have a profound impact on it.

What we are really talking about is whether or not you want to have a voluntary system where, if somebody is spending those extraordinary amounts of money, you get to raise an additional amount by virtue of the public system.

I do not expect somebody who does not believe in any kind of campaign finance reform, who thinks we ought to have more money in the system, not less, and who equates money exclusively with the participation in the debate, it is an addition to McCain-Feingold, who equates money with legitimacy or you do not come. Money is utterly irrelevant to the amount by virtue of the public system. People want prescriptive power, health maintenance organizations to be accountable to them. They want to know a doctor will make a medical decision about their potential illness or real illness if they have one. What Senator McCAIN so aptly showed it is that what he did was he connected the dots for people. People want prescription drugs in Medicare. People want health maintenance organizations to be accountable to them. They want to know a doctor will make a medical decision about their potential illness or real illness if they have one. What Senator McCAIN did was show them the reason they do not get a lot of these things that they want is that the money managers to completely cloud the issues and real choices.

Americans are subjected to this cacophony of funding which, frankly, crowds out even the voices of the candidates themselves in many cases. That is what this is about, a voluntary system that will free them, their time and their energy, to focus on the issues of the people.

What are my colleagues so afraid of? What are they afraid of? That another candidate might have the voluntary choice to decide to do this? They don't have to do it. What are they afraid of? There is far more taxpayers' dollars spent and wasted as a result of the campaign system we have today than this system would cost any American.

Senator McCAIN always talks about an aircraft carrier being built that the Navy did not ask for. That aircraft carrier alone would fund 10 years of election cycles under this bill—that one alone. How many different examples are there of things that get passed because money in politics, not because the voice of the American people asked for it?

He talks about the $3 checkoff. Yes, he is right. The $3 checkoff has diminished. Has but anybody in America been asked to participate? Has anyone in America had any kind of public input suggesting to them that if they were to check off, they could have a system that is perception-corruption free? The answer is no. We do not advertise. We do not ask accountants to suggest to their clients that they ought to check it off. There has been no effort whatsoever to try to bring Americans into the process of participation.

I will tell you, for most Americans who look at the system the way it is today, it is no wonder they do not check it off because they have no sense of the connection of that system to the potential that they would be participating in something that actually works and that is free and clear from the kind of cloud they see today.

I know the Senator from Washington wants to speak. How much time would the Senator like?

Mr. President, I yield 5 minutes to the Senator from Washington.

The PRESIDING OFFICER (Mr. Brownback). The Senator from Washington.

Ms. CANTWELL. Mr. President, I will be short.

I am in support of my colleagues and in support of the Kerry-Biden-Wellstone-Cantwell amendment. I want to make three points today about this amendment.

First, as you have heard earlier in the debate, it is an addition to McCain-Feingold. We are trying to ban soft money, limit out of control issue ads, and increase disclosure on independent expenditures. But we also want to give candidates the opportunity to try a system that will free them, their time and their energy, to focus on the issues of the people.

Second, counter to some of the things that have been said on the floor...
today, this is a system that is supported by whom? Not just a few Members of the Senate; it is supported by businesses across America because they know our decision-making process is flawed. And this will only grow if this amendment is defeated, and we will see this organization and its supporters back again.

The third point that I would like to make is that this is in the best interest of the taxpayers. Do not be fooled. The discussion has been that if you vote for public financing, that is a vote for the public’s paying for this process. That somehow it is going to cost them in their pocketbook. Somehow it is going to cost them in some measure of public funding. That is a very reasonable way, while at the same time giving the opportunity to get their message out and to participate in the system as they so wish.

I have learned a lot in the last few years about how deep the cynicism in Washington is when it comes to discussing campaign finance reform. I am deeply committed to overcoming that cynicism and getting a whole generation of young people to take up this torch and change this system as opposed to thinking that government today is not working but its time of reform.

But until we craft a campaign system with a shorter, more intensive campaign period, funded with finite and equal resources available to candidates, we will not govern well. Instead, the American public will be subjected to the kind of campaigning, the kind of special interest ads deluging them in their living rooms with the discussions, not by the candidates, but by these interest groups of what your choices in America should be.

I am saying follow the money back to the citizens of this country. Not until we have freed candidates from the time and energy drained from dialing for dollars will we improve the political discourse, play down the dominance of polls, and render the attack-driven, negative 30-second spots ineffective.

I think that day will come. I hate to wait until we have Internet voting, and an information age where citizens will look at all the candidates who have paid to find out exactly, in great detail, what their Senators and Members have been working on. I hope we can get it done sooner than that.

I commend Senator KERRY and the other sponsors—Senators BIDEN and WELLSTONE for their long-term vision on this issue because it is a vision that is headed in the right direction and it has articulated a better vision for campaign finance reform.

This amendment would make a real difference in how campaigns in this country are conducted. I hope, as the CED and Members join in this effort, we can reach a bipartisan consensus to take a step forward in curbing the spending and improving the participation in our campaign system in America.

I yield back the remainder of my time.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I yield myself a moment that I need, and then I will yield to my colleague.

Mr. President, I thank the Senator from Washington for her support and for her comments and her understanding of the implications of this debate.

Let me point out to colleagues—and I emphasize—this does not change McCain-Feingold at all. No. 1, it embraces everything that is in McCain-Feingold. No. 2, it is purely voluntary. But, importantly, colleagues should note, 23 States in this country already have some form of public funding.

In the last few years, several States—Maine, Vermont, Massachusetts, I think Arizona—have moved to embrace something called Clean Elections, which have an even lower threshold than what I am supporting today. I support the Clean Elections. Senator WELLSTONE and I have been advocating the coming in and with something that has broader bipartisan support, where businesses across the country—350 major business leaders and corporations—say: We have had enough of this other system. Here is what we think is fair that encourages small contributions, encourages citizen participation, and provides some measure of public funding.

So I think the trend with the public in America is to move in this direction. I think that further counters the idea that this is some sort of idea.

This is passing in States, and inevitably it is going to continue as a grass-roots State movement where, once again, Washington, unless we change, is going to be not leading but following the American people.

How much time would the Senator from Connecticut like?

Mr. DODD. Ten minutes.

Mr. KERRY. I yield 10 minutes to the distinguished manager of the bill.

Mr. DODD. Ten minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for up to 10 minutes.

Mr. DODD. Mr. President, I ask unanimous consent that I be added as a co-sponsor to this amendment.

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

Mr. DODD. Mr. President, I commend my colleague from Massachusetts, Senator BIDEN, Senator WELLSTONE, and our new Member, Senator CANTWELL, I didn’t hear Bill what the statute, but I listened to several of them. I was impressed with their astuteness and their level of articulation in support of this proposal.

This amendment, as my colleague from Kentucky knows, is not going to pass. We don’t have the votes for this amendment. The Senator from Massachusetts was fully aware of that at the moment he stood up and offered the amendment. Unfortunately, that is the case. So it doesn’t diminish the rationale or reason for offering the amendment and asking our colleagues to consider it and informing the American public about the value this amendment offers.
March 27, 2001

CONGRESSIONAL RECORD—SENATE 4615

Let me step back a little and make two points. The details of this amendment have already been discussed. I think my colleagues are of one view in awareness of specifically how the amendment would work. It is a partial public financing program. As the Senator from Massachusetts has pointed out, some 23 States—almost half of the States—have adopted or are considering adoption of this approach. The trend lines are clearly in this direction.

We are not alone in the world. Most sophisticated allies of ours, the most sophisticated democracies, industrialized nations around the globe, have also adopted partial public financing, not asking people to contribute more in taxation but a part of what they have contributed to support the underlying efforts of sustaining democratic institutions.

Let me make two points that have some value. One is, the reason this is necessary is that the Supreme Court has ruled that money is speech. Justice Stevens argued in a minority opinion back in 1974 that money was property, not speech. I agree with Justice Stevens. But he was of the minority view when the Court ruled on Buckley v. Valeo. For that simple conclusion that money is speech, we have been running this process out over the years where our ability to have some limitations on the amount of dollars that are spent and raised in seeking Federal office is significantly jeopardized because of the constitutionality of such provisions.

In the absence of having some public financing, we have had now for some 25 years public financing of our Presidential elections. Every single candidate for the Presidency, every prevailing candidate for the Presidency—beginning with Gerald Ford through Ronald Reagan to George Bush and 2, Bill Clinton—has taken public money. No greater conservative than Ronald Reagan took public money to run for the Presidency because, under that scheme, we could limit to some degree the amount that would be spent.

I know we have spent a lot of money on races. I hate to think of what the cost would have been in the absence of the public financing arrangement which every candidate has accepted, almost without exception, since 1976.

What the Senator from Massachusetts and those of us who are supporting his efforts are suggesting is that if it has worked fairly well in Presidential contests, if it is working fairly well in 23 States, if it is working fairly well in major democracies around the world, is it such a radical idea to slow down the money chase of multimillion-dollar campaigns to try something along the lines the Senator from Massachusetts is suggesting? I think not.

This is a modest proposal. In the absence of the constitutional amendment that our friend from South Carolina offered, which would say that money is not speech and amend the Bill of Rights—which many of our colleagues are already aware of—that I support him out of frustration because I don’t know of any other means by which we can begin to try to slow down this exponentially growing foot race to gather the millions of dollars to run for Federal office—in the absence of that, this is the only other way I know that we are really going to make some difference in what is a growing and serious problem in this country, where the cost of running for public office is going way beyond the means and reach of average citizens.

As Senator KERRY has pointed out—I don’t recall exactly the numbers, but roughly several hundred thousands of face yesterday, with the dollar average Senate race 25 years ago to around $7 million today—the cost has gone from some $400,000 to $7 million in the last 25 years, with no end in sight. How many Americans can even think about running for the Senate or the House of Representatives, where the factor of increase is almost the same?

This amendment is necessary. It is a reasonable one and one that is worthy of support.

The second thing I will mention about this: I heard my good friend from Kentucky talk about the diminishing response of the public to the checkoff system on the 1040 forms that has gone from a high of 29 percent down to some 12 percent. That is troubling. I believe it has less to do with the fact that there is a checkoff on public financing for Presidential races than the fact that those of us in public life are so devaluing public service that we demean it. We ridicule it. We attack each other every year.

I am surprised there is any support left. If you were to transfer what we do to each other in the public debate in this country to the private sector, you would destroy most competing businesses.

Someone once drew the analogy of comparing what would happen to McDonald’s or Burger King if they engaged in campaign advertising to compete, as each other, competing for market share, with what we do as Democrats and Republicans in competing with each other for the right to represent them in public office. Someone suggested not only would they destroy each other, they would destroy franchised food.

If you look at campaign advertising, the attacks we wage against each other, the personal degradation we attach to and associate with our political opponents and so forth that we have so devalued public service and the public life of elected office that the public has become understandably disgusted with the condition of politics in America. We have no one to blame for that but ourselves. In no small measure, it has occurred because of the rising amount of dollars that are spent being convinced by political consultants that the best way to win office is not to convince anyone of the merits of your argument but if you can convince people that your opponent is somehow not worthy of even consideration for the office, let alone that his ideas or her ideas may lack substance, then you can win a seat in the Congress of the United States.

Thus we see, as we did last year, where, of the 200 million eligible voters in America, only 50 percent voted; 100 million Americans cast their ballots for the Presidency of the United States, a decision that was made by a handful of votes in one State; and 100 million of our fellow citizens did not even show up on election day, where a tiny fraction, had they shown up in one State, would have resulted in a different outcome than what occurred as a result of the results that occurred in the State of Florida.

I suspect that a good portion of that 100 million didn’t show up because they forgot or because they had something else to do that day.

I suspect a substantial portion didn’t show up because they are disgusted with the process; they are sick and tired of coming into September and October after an election year and you can’t turn on a single bit of programing without some mudslinging going on, attacking of one another, blistering one another. Whether it is through our own ads, or the ads of outside groups just trying to destroy the reputations of people seeking public life, I suspect that has more to do with the declining numbers of people checking off on the 1040 forms, the resource to support Presidential public financing.

One of the reasons McCain-Feingold deserves support, in my view, is because there is some hope that this will put the brakes on, slow this down enough so we don’t have an unending exponential growth of dollars pouring into the coffers of candidates and groups out there in and year into, destroying not only the candidates, but the public’s confidence in a political system that has contributed greatly to this great Nation over 200 years.

For those reasons, I applaud what the Senator from Massachusetts has offered. It is a worthwhile effort. I regret that he has to even go this route, but in the absence of it there is not much hope that we can do anything else in terms of getting our country down. For those reasons, I support this amendment and urge its adoption.

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

The PRESIDING OFFICER. The Senator from Massachusetts controls 18 minutes 30 seconds.

Mr. KERRY. Let me begin by thanking the Senator from Connecticut. He
Mr. KERRY. Mr. President, I thank the Senator from Minnesota. He is one of those who doesn’t just talk about these things; he really practices it. Everybody in the Senate respects the depth of his commitment to reform and the principles that guide him in politics. I am very pleased to have him as a cohort in this endeavor.

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

The PRESIDING OFFICER. The Senator from Massachusetts controls 11 minutes.

Mr. KERRY. Mr. President, we are nearing the end of this debate. I will take a couple minutes to summarize a few thoughts. I will then reserve the remainder of the time. I understand Senator McCain may be coming to the floor.

I emphasize to my colleagues that this is voluntary. It is absolutely voluntary. No one is mandated to live by this or to accept it. It simply gives candidates an option of being able to choose a different way of trying to be elected to high public office. It does so in a way that maximizes the effort to pull our fellow citizens who have less amounts of income, who have less capacity to influence the system into participating.

It encourages small contributions. It provides a match only for the contribution up to $200. Therefore, if you want to raise a large sum of money or even receive a large sum of money from the Federal Government, you have to include a lot of people in your campaign.

What it does ultimately is end the extraordinary spiral of higher and higher amounts of money governing the elections in our country, the staggering increases of each election.

When I first ran for office, it was about $2.5 million or $3 million. My campaign was $13 million. That is why we see so many millionaires running, so many self-funded campaigns.

What we try to do is allow an adjustment against the self-funded candidate. We do not preclude a millionaire who wants to run for office and spend his or her money from doing so. There is no restraint whatsoever on somebody who doesn’t have the million dollars of cash that is so available to people who can also be heard in American politics.

Most Americans would like to see a Senate that is more reflective of America, that has more people who have varied experiences and who reflect the life and real concerns and aspirations of our Nation.

It is important for us to move to reflect that Americans have a right to elect Senators the same way they elect the President of the United States: by freeing them from the extraordinary burden of having to raise these large sums of money from those most interested in what we do, when we do it, and how we do it.
I do not know one colleague who had an advertisement run against them or who lost funds at $1,000 per person because they voted for this in 1994 or because they voted for this in 1986. I do not ever recall it being raised in campaigns in this country.

The notion of voting for a voluntary system for people to participate in an election, the same way we elect the President of the United States, that would somehow trip them up in their reelection, is absurd and completely unproven in the process. I reserve the remainder of my time.

The PRESIDING OFFICER. Who seeks time?

Mr. DODD. Mr. President, I suggest the absence of a quorum and ask that the time be charged against both sides.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. McCONNELL. Mr. President, there is no particular need to prolong this debate. I want to make a couple of observations.

It has been suggested that because Republican candidates accepted taxpayer funds to run for President, that is somehow an endorsement. It is noteworthy that President Reagan always checked "no" proudly on his tax return on the notion of using taxpayer funding for Presidential elections. The reason he accepted the money is because he really did not have a choice, as a practical matter, since the contribution limit was set at $1,000. All of his advisers told him there was simply no way, not enough time to pool together enough funds for a primary person to opt out of the Presidential system.

President Reagan, were he able to observe the last election, would have been proud that our now President, George W. Bush, was able, during the primary season where there is enough time to reach large numbers of $1,000 and-under donors, to refuse to accept the spending limits and the taxpayer funding prior to the convention.

Knowing the President as I do, if there had been enough time between the convention and the general election to have avoided taking taxpayer funds, I am confident he would then, too.

The problem is, when you have a contribution limit of $1,000 a person, and your convention ends around August 1, there is just not enough time to pool together enough resources to run for President.

It is not appropriate to suggest that the Republican Presidents, at least the two I have mentioned, endorse the idea of taxpayer funding of elections; certainly not for House and Senate races.

The other point I want to make is there was some suggestion that large segments of the business community—these were discussions about the underlying bill—that large segments of the business community were supporting McCain-Feingold. That is clearly not the case. I am only aware of one fragment that supports the underlying bill. All the major business organizations oppose the bill: the Chamber of Commerce, the National Association of Manufacturers, the National Association of Business PACs, and BIPAC, which is widely known. All the mainline business organizations oppose McCain-Feingold, and any suggestion to the contrary is not accurate.

I do not know who else may want to speak against the amendment. I know Senator Feingold probably supports the principle but opposes the amendment and wants to speak.

I see Senator THOMPSON is here. We have not had a lot of speakers on this side. I think it is because just about everyone on this side has their mind on this amendment. Does the Senator from Tennessee want to speak against the amendment?

Mr. THOMPSON. No.

Mr. McCONNELL. Mr. President, is Senator Feingold going to speak against the amendment? How much time does he need?

Mr. FEINGOLD. Ten minutes.

Mr. McCONNELL. I yield 10 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for up to 10 minutes.

Mr. FEINGOLD. Mr. President, I was candid with the Senator that I would be opposing the amendment even though I agree with the principles, and I will use some of my time to speak about the bill generally.

I think the amendment offered by the Senator from Massachusetts is absolutely the right policy. I have always believed completely in public financing, and the mechanism proposed in this amendment is the way we should go.

I have also taken note of the enormous amount of interest around the country in moving toward public financing in a number of States. Senator KERRY is right; this is a new beginning on this issue. It is not an old issue that has died. It is a rebirth that is occurring across the country, and the Kerry-Biden amendment is an important step in that direction.

When Senator MCCAIN and I began this process, coming to the final stages of trying to debate this bill, we agreed we would vote together on all amendments to make sure we show we are unified and that this will continue to be a bipartisan issue. So it is particularly important to me to have to vote against this amendment, but it is not because I do not think it is the wave of the future and the ultimate solution to this problem.

All the McCain-Feingold bill does is close an enormous loophole that has made a mockery of our campaign finance system. It is the idea and principle behind the Kerry amendment that is ultimately the direction we have to go as a country in campaign finance reform, I hope we can get started on it the day after we get this bill through. I would like to talk about one other issue to which the Senator from Washington, Ms. CANTWELL, alluded. The time has come to talk about commonsense and conventional wisdom in the business community. It is common sense to declare our campaign finance system is broken and needs to be fixed. It is conventional wisdom, however, to say members of the business community must surely and monolithically oppose changes to the campaign finance reform system that has made influence available to them.

The common sense is right, but the conventional wisdom is wrong. Let us take a look at three items in last week's news.

First, we see the release of a list of names of 307 of our most prominent business leaders who have pledged their support for the campaign finance proposals of the Committee for Economic Development. CED is an organization of prominent business leaders which has endorsed the McCain-Feingold bill and issued its own proposal that includes a soft money ban. This list of business leaders is a who's who of America's commerce. It includes CEOs and current or former top executives from Dow Chemical, Sara Lee, Motorola, Goldman Sachs, FMC, Prudential, and dozens of others.

Here is what CED President Charles Kolb had to say:

As reform nears, the inside-the-beltway cottage industry is scrambling to oppose action, but this list provides real evidence that a growing number of business leaders want reform. They don't fear reform, but think it's desperately needed. They are the leading funders of campaigns, and they're tired of being hit-up for ever-increasing amounts of cash. They know the system—or lack of one—is hurting the business community and our democracy.

I ask unanimous consent that this list of business leaders and the accompanying release be printed in the Record, following my remarks.

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

(See Exhibit 1.)

Mr. FEINGOLD. Business leaders have common sense and they are changing the conventional wisdom about the need for real campaign finance reform.

Look at the second item, the results of a poll of hundreds of senior executives conducted for CED. In the poll, corporate leaders were asked whether they support legislation that would increase the soft money ban to $500 million or more overwhelmingly supported the provisions of our bill, including strong support for a soft money ban.
The poll, conducted for CED by the respected Tarrance Group included these findings: three in five top business executives back a soft money ban; 74 percent say business leaders are pressured to make big contributions. Half said they “fear adverse consequences’’ if they refuse to contribute; more than 80 percent said that corporations give soft money for the purpose of influencing the legislative process. And 75 percent say that their contributions work—it gives them an edge in shaping legislation; 78 percent of business leaders agreed that the current system is ‘‘an arms race for cash that continues to get more and more out of control’; and 71 percent of executives in big companies say that all of these big dollar contributions are hurting their corporate image.

Business leaders believe that they are victims of a system that allows them to be shaken down. When asked why their companies give, the most frequent answer, from 31 percent, was ‘‘to avoid adverse legislative consequences’’ Twenty-three percent say it is to buy access to the legislative process.’’

As a result, a full three-fifths of senior business executives said that they support a complete ban on soft money. That number was about the same, 57 percent, even in those companies that have been recent soft money givers. Those findings are grim but they shouldn’t surprise anyone who has thought about the political environment businesses in America now face. Business leaders have had enough. They have abandoned the conventional wisdom about the benefits of this corrupt system, and they are beginning to lead the call for reform. I ask unanimous consent that a release summarizing the results of this poll be printed in the Record following my remarks.

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

(See Exhibit 2.)

Mr. FEINGOLD. A piece on the op-ed page of Monday’s Washington Post entitled ‘‘Why this Lobbyist Backs McCain-Feingold.’’ It was written by Wright Andrews, a long-time lobbyist, and a successful lobbyist, who has used this system to the advantage of his clients, but has finally said: ‘‘enough is enough.’’ According to the conventional wisdom, Mr. Andrews is an unlikely advocate for reform. Not long ago, he was the president of the American League of Lobbyists, so it is fair to say that he was the lobbyists’ lobbyist, but he seems to be a man of common sense as well, and there is what he had to say. He writes:

[A]s a Washington insider, I know that on the campaign front, things have mushroomed out of control. . . . I know that lobbyists, legislators and the interests they represent increasingly operate in a legislative environment dominated by the campaign finance process, and its excesses are like a cancer eating away at our democratic system.

Mr. Andrews has put his finger on something. This system, especially soft money, maintains everybody who is involved with it. Big money changes hands, things get done in Washington, and the American people think it is only common sense to conclude that corruption abounds. Mr. Andrews seems to understand the American business community now understands, that the appearance of corruption is just as bad for our democracy as actual corruption, because the American people don’t see the difference. Mr. Andrews candidly admits that he and his friends have twice had their names in a list of the people within the system, to get legislative results. He continues:

Campaign-related contributions, and expenditures at today’s excessive levels increasingly have an influence on certain legislative actions. Unlimited ‘‘soft’’ money donations and ‘‘issue ad’’ expenditures in particular are making a joke of contributions and are tainting some of the wealthiest interests far too much power and influence.

I ask unanimous consent that Mr. Andrews’ op-ed be printed in the Record following my remarks.

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

(See Exhibit 3.)

Mr. FEINGOLD. This last quote from a Washington lobbyist is common sense and the new, emerging conventional wisdom. These three items make a few things clear. The old conventional wisdom about the opposition of the business community to real reform is wrong, and it is giving way to the conventional wisdom about reform. To those who will strive on this floor to beat back the reform America demands, I say, listen to these business leaders who are saying that they realize that the corrupt system in place does not serve their interests, or our country’s. Listen to the corporate executives who say they are tired of the constant fund-raising and the feeling that they are being shaken down. Listen to this veteran lobbyist, and others like him, who are at the center of the current system and can’t stand its rot-ten influence any longer. And if you oppose reform, listen to the common sense of the American people who today can take heart that the old conventional wisdom about the chances for reform is passing away, along with your remaining allies in this fight.

I can’t think of anything more illustrative of the very issue that the U.S. Supreme Court asked us to consider in these situations. Is there an appearance of corruption? When the business leaders and the CEOs of this country believe they are being shaken down and that they are being intimidated into giving these contributions, at a bare minimum, this is the appearance of corruption that the U.S. Supreme Court has identified as the basis for legislative action in this area.

EXHIBIT 1

TOP EXECUTIVES AND CIVIC LEADERS BACK PLAN THAT INCLUDES SOFT-MONEY BAN

As the Senate begins to debate campaign finance reform, the Corporate Development (CED) today sent every Senator the names of 307 prominent business and civic leaders who have endorsed its sweeping reform plan, which includes a soft money ban. About 100 new executives have joined the effort since the Senate last considered reform in October 1999. ‘‘As reform nears, the inside-the-beltway cottage industry is scrambling to oppose action,’’ said CED President Charles Kolb.

‘‘But this list provides real evidence that a growing number of business leaders want reform. They don’t fear reform, but think it’s desperately needed. They are the leading funders of campaigns, and the terror of being hit up for ever-increasing amounts of cash. They know the system—or lack of one—is hurting the business community and our democracy.’’

The endorsers include top executives of Sara Lee, John Hancock Mutual Life Insurance, State Farm, Prudential, HAB Block, ITT Industries, Monsanto, FMC, Hasbro, the MONY Group, Chubb, Goldman Sachs, Boston Properties, and Salomon Smith Barney. They also include the retired chairmen or CEOs of Deloitte Touche Tohmatsu, AlliedSignal, Bank of America, GTE, International Paper, Union Pacific, General Foods, Monsanto, Fannie Mae, Dow Chemical, Texaco, FMC, and BFGoodrich.

Other prominent Americans on the list include a former vice President, former Republican Secretaries of Defense, Treasury, and Labor, a former Senator and Republican National Committee Chairman, and a former Securities and Exchange Commission Chairman.

CED, the leading business group advocating reform, has offered the legislation offered by Senators John McCain and Russ Feingold, which the Senate will debate next week. The CED proposal calls for a ban on soft-money contributions, individual contribution limits (to $1,000), partial public financing for congressional races, and voluntary spending limits.

‘‘Business executives support reform in roughly the same numbers as the rest of the nation’s voters,’’ Kolb said, pointing to a poll of top corporate executives of the nation’s largest corporations that the Tarrance Group conducted on behalf of CED last year. According to the survey, 78 percent support reform, and 60 percent back a soft-money ban. (Importantly, 57 percent of those from companies that recently made soft-money contributions support a soft-money ban.) Many business leaders have called the current system a ‘‘shakedown’’ and half of the poll respondents said they fear adverse legislative consequences if they don’t give.

EXHIBIT 2

FIRST-EVER CORPORATE POLL RESULTS—SENIOR BUSINESS EXECUTIVES BACK COMPETITIVE FINANCE REFORM

POLL OF BIG-BUSINESS LEADERS SHOWS SUPPORT FOR SOFT-MONEY BAN, OTHER REFORMS MAY BE NEAR AND PUTTING ACROSS ARE TOP REASONS FOR CORPORATE GIVING

Senior executives of the nation’s largest businesses overwhelmingly say the nation’s
campaign finance system is "broken and should be repaired," perhaps even with a soft-money ban, according to the first-ever survey of business leaders' views on political fundraising, which was released today. The main reasons corporate America makes political contributions are fear of retribution and to buy access to lawmakers. Nearly three-quarters (74 percent) say pressure is placed on business leaders to make large political donations. Half of the executives said their colleagues "fear adverse consequences," and 73 percent said they turn down requests for contributions.

The survey provides new evidence to demolish the myth that corporations support the current campaign finance system. It was conducted by The Tarrance Group for the Committee for Economic Development (CED), a non-partisan research and policy group that has emerged as the business community's leading voice for campaign finance reform.

By a more than four-to-one margin, respondents believe corporate America's image is in "shackles," and more and more out of control," with 43 percent strongly agreeing with that statement. Two-thirds (66 percent) said fundraising burdens are reducing competition in congressional races and the pool of good candidates. And 71 percent say stories about big-dollar contributions are hurting corporate America's image.

Today's levels of political contributions and expenditures are undercutting the integrity of our legislative process. I know that lobbyists, legislators and the interests they represent are unprincipled sleazeballs who, in effect, use great sums of money to bribe a corrupt Congress.

I am not well-meaning. But millions of Americans are also generally honest, hard-working and well-meaning. But millions of Americans are convinced that lobbyists and the interests they represent are unprincipled sleazeballs who, in effect, use great sums of money to bribe a corrupt Congress.

I nonetheless think the time has come to demolish the myth that corporations support the current campaign finance system. It was conducted by The Tarrance Group for the Committee for Economic Development (CED), a non-partisan research and policy group that has emerged as the business community's leading voice for campaign finance reform.

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influence on certain legislative actions. Unlimited "issue ads" expenditures in particular are making a joke of contribution limits and are allowing some of the wealthiest interests far too much power and influence.

Moreover, the ability of legislators to do their work is being reduced by the demands of today’s campaign finance system. Many, especially senators, now must devote enormous amounts of time to fundraising.

Any significant new campaign finance limits that Congress adopts will have to survive certain challenges in the Supreme Court. If Congress carefully crafts legislative restrictions, the court will, I believe, uphold responsible limits by following reasoning such as it used in the Nixon v. Shrink Missouri Government PAC case, in which it noted that “the prevention of corruption and the appearance of corruption” is an important interest that can offset the interest of unfettered free speech.

Some lobbyists continue to support the present campaign finance system because their own abilities to influence decisions, and their economic livelihoods, are far more dependent on using political contributions and expenditures than on the merits of their causes. Others feel strongly that virtually no campaign contribution and expenditure limits are permissible because of the First Amendment’s protections. And some, like me, believe additional restraints on campaign finance are required and allowable if properly drafted.

As to those in the last category, I invite and encourage them to work with me in Lobbyists for Campaign Reform, a coalition to urge Congress to pass meaningful campaign finance reform, with the basic McCain-Feingold provisions.

Mr. FEINGOLD. Mr. President, I yield the floor.

Mr. MCCONNELL. I am not aware of any more speakers on this side.

Mr. KERRY. I will be brief and then I will yield back my time.

I thank the Senator from Wisconsin notwithstanding that he has to oppose my amendment. I understand why. I appreciate where he is in his position that he made, and I particularly appreciate the remarks he made about the CED and the business leaders who support what I am attempting to do this afternoon.

I will answer quickly. I always enjoy my exchanges with the Senator from Kentucky. He is very good at what he does. He certainly is one of the best in this body at making arguments. However, I must say I am a bit taken aback by the notion that President Bush made a judgment not to take the Federal money, or to take the Federal money because he didn’t have time to raise the other money. He raised $100 million in $1,000 contributions and Senator MCCAIN suspended his campaign in March.

The notion that President Bush, between March and the August convention, did not have an opportunity through his rather formidable fundraising to ask everybody for $1,000 who gave almost $100 million in order to find the $46 million necessary for the general election or some larger amount if he wanted to live by it is absurd without merit. Everybody in this country who raises money knows he has the ability to raise $1,000 contributions at the same $100 million worth of people who had invested in his nomination and who would not have quit on him and who would have wanted him elected President.

Likewise with President Reagan, the exact same circumstances existed. He took the money because the money was there, but also because Americans knew that is the way they expect to elect their President in the general election. I don’t think you could have sustained the arguments that would have been made in the face of campaign finance reform advocates across the country who believe they don’t want a President who, during the general election, is going to take that kind of money and be subjected to what we are subjected to here on an annual basis. There is an enormous distinction here and it needs to be made.

I yield back the remainder of my time.

Mr. MCCONNELL. Mr. President, I sum it up, this is an amendment about the taxpayer funding of congressional elections, about as unpopular with the American people as voting for congressional pay raises. We have the most expensive poll ever taken on any issue on this subject every April 15 when our taxpayers in this country get an opportunity to divert $3 of the taxes they already owe into a fund to pay for the Presidential election and for the conventions. The resounding number, 88 percent, choose not to divert money, although it doesn’t add to the tax bill. They choose not to divert tax dollars into this discredited system during which one out of four of the tax dollars goes to lawyers and accountants trying to comply with the act and, of course, in recent years, more money spent by outside groups and the political parties in issue ads than the amount of money spent in the course of the campaign.

Finally, let me say at the risk of being redundant, you can’t restrict tax dollars to the Republicans and the Democrats, as we have learned in the Presidential system which has provided $340 million dollars to Lenora Fulani and to Lyndon LaRouche who got tax dollars to run for President while in jail. This is going to provide funding for fringe candidates for Congress and for the Senate all over America. Any crackpot who wakes up in the morning and looks in the mirror and says, “ Gee, I think I see a Congressman,” is going to have hope under this that he will receive tax dollars to help finance his campaign.

Let me just say for the information of all Senators, the next amendment will be offered on our side of the aisle by the Senator from Tennessee, Mr. THOMPSON, who is present and prepared to offer his amendment as soon as this vote is concluded.

An amendment to an amendment to an amendment. Mr. President, the vote will occur on the Amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Mr. President, at this point I yield back the remainder of my time. The PRESIDING OFFICER. The question then is on agreeing to the amendment.

Mr. KERRY. Mr. President, I ask for the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second? Is there a sufficient second.

The clerk will call the roll. The PRESIDING OFFICER (Mr. Smith of Oregon). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 30, nays 70, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—30

Akaka
Allen
Baucus
Bayh
Bennett
Bond
Baucus
Brownback
Burns
Campbell
Carnahan
Cleland
Collins
Conrad
Craig
Crapo
DeWine
Daschle
Dodd
Durbin
Edwards
Ehrenberg
Enzi
Feingold
Feinstein
Frist
Gingrich
Gramm
Greene
Hatch
Helms
Hutton
Inhofe
Jeffords
Johnson
Kohn
Kyl
Landrieu
Lott
Lugar
McCain
Mikulski
Miller
Mikulski
Nelson (FL)
Nelson (NB)
Nickles
Roberts
Saxton
Schumer
Sessions
Shelby
Smith (NH)
Smith (OK)
Snowe
Specter
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner
Wyen

NAYS—70

Allard
Allen
Baucus
Bayh
Bennett
Bond
Baucus
Brownback
Burns
Campbell
Carnahan
Cleland
Collins
Conrad
Craig
Crapo
DeWine
Daschle
Dodd
Durbin
Edwards
Ehrenberg
Enzi
Feingold
Feinstein
Frist
Gingrich
Gramm
Greene
Hatch
Helms
Hutton
Inhofe
Jeffords
Johnson
Kohn
Kyl
Landrieu
Lott
Lugar
McCain
Mikulski
Miller
Mikulski
Nelson (FL)
Nelson (NB)
Nickles
Roberts
Saxton
Schumer
Sessions
Shelby
Smith (NH)
Smith (OK)
Snowe
Specter
Stevens
Thomas
Thompson
Thurmond
Voinovich
Warner
Wyen

The amendment (No. 148) was rejected.

Mr. DODD. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. LOTT. Mr. President, I just consulted with Senator Daschle, the managers of the legislation, and all interested parties. We believe the best way to proceed tonight is to go ahead and have the next amendment laid down, which is the Thompson-Collins amendment, and that be debated tonight for whatever time is necessary, 2 1/2 hours.

We will come in in the morning at 9:15, have 30 minutes of debate equally divided, and have the next recorded vote about 9:45 a.m.

I ask unanimous consent that the Senate proceed to the Thompson-Collins amendment and, following the debate tonight, there be 30 minutes equally divided for closing remarks tomorrow beginning at 9:15 a.m., to be followed by a vote on or in relation to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I do not disagree except to say it is the intention to have a Feinstein second-degree amendment immediately following the vote which will be to table the Thompson amendment. It is my understanding that is perfectly agreeable with the author of the amendment to have that vote on a second-degree amendment as well.

I ask to amend the unanimous consent request that, following that vote, a Feinstein second-degree amendment be in order.

Mr. DODD. I object to that. Let me explain if the leader will yield. We are going to debate the Thompson amendment, there will be a vote on the Thompson amendment, and tomorrow get a better sense rather than push beyond that.

Mr. LOTT. Mr. President, I say to the Senator from Arizona, I hope he will do that because it will give everybody a chance to talk through everything tonight. In the morning, a whole new strategy may exist on the Senator's behalf or somebody else's behalf.

If we can withhold that now, I assume that is the direction we are going to go, but I think the managers want to have some further discussion about it.

Mr. McCAIN. Mr. President, I have to say that will be our intention in the event the Thompson amendment is not tabled, and I have discussed this with the author, the amendment and many others, and unless there is some reason for not doing so, I hope that will be agreeable.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. DODD. Reserving the right to object, the only request before the Chair is that posed by the majority leader?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Reserving the right to object, I ask the majority leader to give us a general overview, those who have been waiting patiently to offer amendments, as we are going into Wednesday and Thursday of the second week. Are we going to continue on this bill as long as there are amendments to be offered?

Mr. LOTT. There are some additional amendments I understand Senators would want to offer. I don't have a finite list. I don't know whether there are 2 or 3 or 10. The Senator may want to consult with the manager on that side. I don't know that there are more than a couple—I just don't know.

Mr. DODD. We have 21 amendments.

Mr. DURBIN. My inquiry is, there is no understanding that we are going to end this debate on Thursday night or Friday, we are going to continue until we finish the job?

Mr. LOTT. We are enjoying this immensely and we don't want to rush to finish this at a reasonable hour tomorrow. But if that is the will of the Senate, we may want to consider that.

Mr. DURBIN. I do not object.

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

Mr. LOTT. In light of the agreement, the next vote is at 9:45 a.m. on Wednesday. I yield the floor.

AMENDMENT NO. 149

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

The PRESIDING OFFICER (Mr. Voinovich). The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. Thompson], Mr. Nickles, and Mr. McConnell, proposes an amendment numbered 149.

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

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

The amendment is as follows:

(Purpose: To modify and index contribution limits)

On page 37, between lines 14 and 15, insert the following:

SEC. 1. MODIFICATION OF CONTRIBUTION LIMITS.

(a) INCREASE IN INDIVIDUAL LIMITS.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended—

(1) in subparagraph (A), by striking "$1,000" and inserting "$2,500";

(2) in subparagraph (B), by striking "$20,000" and inserting "$40,000"; and

(3) in subparagraph (C), by striking "$50,000" and inserting "$75,000".

(b) INCREASE IN AGGREGATE INDIVIDUAL LIMIT.—Section 315(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended—

(1) in subparagraph (A), by striking "$35,000" and inserting "$75,000";

(2) in subparagraph (B), by striking "$15,000" and inserting "$17,500"; and

(b) in subparagraph (C), by striking "$50,000" and inserting "$50,000".

(c) INCREASE IN MULTICANDIDATE LIMITS.—Section 315(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended—

(i) by inserting "(A)" before "At the beginning;" and

(ii) by adding at the end the following:

"(B) Except as provided in subparagraph (C), in any calendar year after 2002—

(i) a limitation established by subsection (a), (b), (d), or (h) shall be increased by the percent difference determined under subparagraph (A); and

(ii) each amount so increased shall remain in effect for the calendar year. If any amount after adjustment under the preceding sentence is not a multiple of $500, such amount shall be rounded to the next closest multiple of $500 (or if such amount is a multiple of $250 (and not a multiple of $500), such amount shall be rounded to the next highest multiple of $500)."

"(B) In the case of limitations under subsection (a), each amount increased under subparagraph (B) shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election;" and

(B) in paragraph (2)(B), by striking "means the calendar year 1974" and inserting "means the calendar year 1974 and calendar year 2001;"

(2) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to calendar years after 2002.

Mr. THOMPSON. Mr. President, I think it would be appropriate at this time to remind ourselves why we are here and to remind ourselves of the need for changing the current system under which we operate in terms of financing campaigns for Federal elections. It has to do with large amounts of money going to small amounts of people.

We have seen over the centuries problems with large amounts of money going to elected officials or people who...
would be elected officials. That is the basis behind the effort to ban soft money from our system.

We have gone from basically a small donor system in this country where the average person believed they had a stake, believed they had a voice, to one of extremely large amounts of money, where you are not a player unless you are in the $100,000 or $200,000 range, many contributions in the $500,000 range, occasionally you get a $1 million contribution. That is not what we had in mind when we created this system. It has grown up around us without Congress really doing anything to promote it or to stop it.

I think we are on the eve of maybe doing something to rectify that situation. Many Members are tired of picking up the paper every day and reading about and being a part of the issues, the implication, of course being clear, that money talks and large amounts of money talk the loudest.

Of course, that is a reflection on us. It is a reflection on us as a body. As the money goes up, the cynicism goes up, and the number of people who vote in this country goes down. That is not a system of which we are proud. That is not a system that many want to continue.

I read a few days ago about the problems our friends in France are having with their own big money scandal. I read in the newspaper where the French are saying their politics have become Americanized—meaning it is now a system of tremendously large amounts of money.

We learned in 1996 that the President of the United States can sit in the Oval Office and coordinate these large amounts of money on behalf of his own campaign. So the issue of whether or not making these large contributions of the State party ever reaches the benefit of the candidate is a moot issue. We know certainly that it does.

If we are able to do something about this soft money situation, where is this money that is in the system going to go? I suggest we have seen the beginning of the phenomenon in electoral politics that will continue unabated, and that is the proliferation of independent groups, nonprofit groups, what have you, buying television ads in our system.

I think it is protected almost entirely by the first amendment. There are some modest restrictions one can make, but basically it is protected by the first amendment and it will continue and there is nothing we can do about it even if we wanted to. I am not sure we ought to. We ought to be subject to discussion and criticism and robust debate.

Having said that, if we get rid of the soft money, it is going to go someplace—a good deal of it, anyway. Are we going to go back to the hard money system? It is going to be necessary that sector be there even more or are we going to allow the candidate, himself or herself, to have some voice in their own campaign? It will go to all these outside groups unless we do something about the hard money limits. Of course, we all know what we are talking about, but I hope the American people understand we created a system of so-called hard money, which is the legitimate money that we decided people ought to be able to contribute to Federal candidates for campaigns.

Everybody knows it takes money. It takes large amounts of money, it takes more and more money, and we will see in a few minutes how much it really takes.

We said for an individual in one cycle or in one campaign, $1,000 individual limit. That was back in 1974 when we passed that law. We had other limits for other activities. Individual contributions to parties we capped at $20,000; individual contributions to PACs, $5,000; aggregate individual limit of $25,000 a year. That has been the system we operated under since 1974.

The soft money phenomena was very small until the mid-1990s and the system worked pretty well.

It has all changed now. The soft money is there in droves. The independent groups are out there energized with their own big money scandal. I read an article recently by Mr. Michael Malbin, a professor of political science in the State University of New York at Albany. He called it the soft money phenomena was very small until the mid-1990s and the system worked pretty well.

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There is a chart showing the average cost of winning a Senate seat in this country back to 1976. I wish we had 1974 numbers because it would probably be $400,000 or $500,000. We know in 1976 it was $600,000. In 1978, it came up to $1.2 million. The cost in the last election cycle that we had in 2000, the average cost of winning a Senate seat was over $7 million.

That includes one or two very expensive seats and that boosts the number up, but they count, too.

The last cycle, in 1998, was about $1.5 million. So about any way you cut it, in 1998, it was up about tenfold increase since 1974, of the cost of the election. That is the cost of everything; consultants, television is the biggest part of it, per-
nonincumbent Senate candidates, while having little impact on the House.

He pointed out that since 1974 and we increase it to the $1,000 limitation that we have operated with since 1974 and we increase it to $1,000 limitation that we have operated under since 1974 and we increase it to $2,500, I think that makes it closer to what inflation would bear, and it is substantially less than an inflation increase.

McCain-Feingold would shut off one source of soft money, the banning of donations, without putting anything in its place.

I suggest we put something in its place. That is the amendment that Senator TORRICELLI and Senator NICKLES and I have submitted. We take that $1,000 limitation that we have operated under since 1974 and we increase it to $2,500. I think, frankly, that is my primary motivation. I believe so strongly that we must make some meaningful increase in the hard money limit that I want to pare mine down to something that is substantially less than an inflation increase.

So, in real dollars, if we pass my amendment, we will be dealing with less than the candidate dealt with back in 1974 with his $1,000, not to mention the fact that all of the expenses have skyrocketed.

Individual contributions will go from $20,000 to $40,000; aggregate individual limits would go from $25,000 to $50,000 aggregate individual limits. People say $50,000, that is a lot of money. That is not $50,000 going to one person; that is $50,000 aggregate, going to all candidates.

Look at the tradeoff. Again, what I said in the very beginning about the reason we are here: large amounts of money, hundreds of thousands of dollars going to or on behalf of particular candidates. Here the individual candidate would only get $2,500 for an election. In terms of the aggregate amount, what is wrong with several $2,500 checks made out to several candidates around the country, if a person wanted to do that? No one candidate is getting enough money to raise the question of corruption. I think the more the merrier. In that sense, more money in politics is a good thing. We have more people reach the threshold of credibility sooner and let them have a decent shot at participating in an election and not have a system where you do not have a chance unless you are a multimillionaire or a professional politician who has been raising money all of his life and has his Rolodex in shape that he can move on, up, down the line.

So I doubled most of these other categories except for the contributions to PACs. If we move from the current $5,000 a year to $7,500 a year. On PAC contributions to parties, we move from $15,000 a year to $17,500 a year; PAC contributions to PACs, $5,000 to $7,500. There are modest increments. I don’t know the exact percentage—less than half increase.

Some would say, I assume, that though we are not even coming close to keeping up with inflation, and even though prices are skyrocketing for everything that we buy connected with the campaign, that going from $1,000 to $2,500 is too rich for their blood. But I must say for those who read any of the articles, any of the treatments that have been out recently by scholars and thoughtful commentators and others, they have to see a pattern that must convince them that they should take a second look at taking such a position.

There is an article recently by Stuart Taylor in the National Journal, saying that increasing these hard money limits to $2,000 or $3,000 is certainly an appropriate thing to do. There is no commentator, there is no writer, there is no reporter with more respect in this town and hardly in the country than David Broder. Mr. Broder wrote recently that raising it to $2,000 or even $3,000 would be an appropriate thing to do. There is a corruption issue there. There is no appearance issue there. That is what we need to keep in mind. We are not just talking about money. Money is not the same in one category as it is in the other. And most of it is not necessarily all bad, if you are giving a little bit to various candidates around the country. Let’s not get so carried away in our zeal to make a candidate receive $25,000 or $250,000 from one individual, and they cannot understand how a candidate is not going to be influenced by receiving that kind of money.

He said what we need to do is raise the amount so that it is not so high that we have that kind of improper influence appearance, but raise it high enough to give them a decent chance; and to him, at that point, it was $5,000. Well, that is closer to $20,000 today.

Before a subcommittee in March of 1973—on March 8, 1973—there was discussion between Senator Beall and Senator George McGovern, former Presidential candidate. Senator Beall said:

(In Maryland, we don’t have any limit on the total amount that you might spend in an election but we do limit contributions to $2,500.

This is, of course, the amount I am suggesting today.

Senator McGovern said:

I favor that, Senator. I think there should be an individual limitation. I have proposed that in no race should it go beyond $5,000 by a single individual.

So Senator McGovern was at $3,000, and Senator Bentsen was way above what I am proposing. Again, his $3,000 would be $10,000, $12,000 today.

Coming on further in the Watergate year, 1973, Senator Bentsen, former Senator from Texas, former Secretary of the Treasury, said:

I believe my $3,000 limit walks that fine line between controlling the pollution of our political system by favor seekers with money to spend and overly limiting campaign contributions to the point that a new man simply does not have a chance.

On the vote to amend the Proxmire amendment with the Bentsen amendment, Senator Mondale and Senator Bentsen voted yes. Senator Mondale and Senator Bentsen voted for a $3,000 individual limit which, again, is—what?—$10,000 or so today.

On the vote which carried to adopt the amendment, both Senator Mondale and Senator McGovern voted yes. Senator Cannon summarized the contribution limit provisions, as amended by Bentsen’s amendment, and stated: The maximum of $3,000 individual contributions to congressional and Presidential candidates is what is in the bill, and the overall limit is $100,000. That is 100,000 1974 dollars. This is in the wake of Watergate that they were having this discussion at these amounts.

On March 28, 1974—after Watergate—which is the year that the last significant legislation in this area was passed, Senator Hathaway proposed an amendment to increase the amounts from $3,000 to $6,000 that organizations may contribute. During the debate, Senator HOLINGS—our own Senator HOLINGS—said:

I... support limiting the amount that an individual can contribute to a campaign, and while I personally favor a $1,000 ceiling, I would agree to a compromise that would set $5,000 as the maximum for Senate and House races and $3,000 in Senate and House races.
Again, that is substantially above what we are talking about today.

Senator Hathaway said: [The President (President Nixon) advocated a $15,000 limitation. It seems to me the $3,000 for individuals and $6,000 for a group limitation, being considerably below the amount recommended by the President, is realistic.]

The Hathaway amendment carried, and, again, Senator McGovern voted in favor. Again, it is substantially above what we are talking about today.

Finally, in June of 1974, the Watergate Committee issued its final report. That is a committee I spent a few days and weeks assisting in the writing. Recommendation No. 5 of the Watergate Committee report:

The committee recommends enactment of a statutory limitation of $3,000 on political contributions by any individuals to the campaign of each Presidential candidate during the prenomination period and a separate $3,000 limitation during the post-nomination period.

And the report also states: [The limit must not be set so low as to make private financing of elections impractical.]

That had to do with Presidential elections. The Watergate Committee did recommend substantially above what we wound up with regard to Presidential elections. What would they have recommended 25 years later with inflation—knowing then what we know now, and that expenses were going to go up tenfold? The amounts would be much, much higher.

I say all of this to make one simple point. The increase in the hard money limits is long overdue and very modest. By trying to be holier than thou—and no one has fought for McCain-Feingold like I have—by underestimating the problem, we have only made it worse. When I first ran for political office—the first office I ever ran for—it just seemed to me that something was wrong with a system that took that much money, and it was a whole lot easier to raise money once you got in, and once a big bill came down the pike that everybody was interested in.

In private life you get a little uneasy about things such as that. I was not used to it. So I signed on. I became a reformer. And I have gone down to defeat many times because of it. So I take a back seat to no one in wanting to change the system so we can have some pride in it again.

But I am telling you, by keeping this hard money limit so low, we are hurting the system. We are going to wind up with $1,000 instead of $2,000. We are not careful, worse than what we have now. That is how important I think the increasing of the hard money limitation is.

There is another question that we should ask ourselves. I heard one of the commentators refer to this last Sunday. I had not thought about it, frankly, but it makes a lot of good sense. It is a good question. And that is, wait a minute, we just passed a so-called rich, wealthy candidate’s amendment. I do not think it is unconstitutional. But the amendment I think is a legitimate one. Everyone is fearful of the prospects of running against a multi-millionaire who can put millions of dollars in of their own money. So what was adopted was an amendment that says, if the candidate puts in money, you can raise your limits to $2,000, $3,000, $4,000, $5,000, $6,000. You can take $6,000 from one person, I believe is what we wound up with. Let me ask you, if the $2,500 that I am proposing is corrupting, what about the $6,000 you are going to be using against the rich guy?

The fact that you are running against a rich guy is not going to make you any more or less susceptible to corruption, if that is the issue. How can we pass an increase for ourselves based on what somebody else is spending against us, if we are concerned about the corruption issue, unless we acknowledge that those levels of dollars are not a corruption problem? It is something considerably lower than that, such as $2,500, I suggest.

The amendment also has the benefit of being clearly constitutional. We have had a constitutional issue with regard to just about every aspect of this bill that has been brought up so far. We will not have a constitutional issue with this amendment. There is no question that we can increase the hard money limits. The constitutional issues have always been whether or not we could reduce the hard money limits. I urge the Senate not to be so afraid to do something that is long overdue, and to not try to wear the mantle of reform to the extent that we wind up creating more harm than the noble purpose of reforming it into something that is more terrible result and have a situation where amendments such as mine are defeated and we go ahead and pass McCain-Feingold and do away with soft money and wind up with a hollow victory, indeed, as we see the candidate is unable to fend for himself, candidates who want to run can’t afford to raise the money to run on the one hand and all the independent groups doing whatever they want to do in triple figure amounts in the system—that would be worse—and inflation continuing to increase and seeing that $1,000 limit continue to dwindle, dwindle down below the $300 that it is today.

I suggest to those who want to come in at some lower limit that we not simply nibble away at this problem, that we face up to it, do what we need to do, index these dollars, do what we need to do so we don’t have to revisit this again. Several years ago, it would have been easy to get on with our business. In a practical sense, look how long it has taken us to get here. It has taken us since 1974 to get here for these 2 weeks. A lot of blood has been split on the floor just to get here and get this debate. It may be another 25 years before we have another debate such as this. Let’s come up with some reasonable amount, index it for inflation, so we don’t have to go through this again because, in fact, we probably won’t go through this again and nothing will be done about the proliferation of the independent ads and the independent outside groups as that goes on and on and on, and our puny little hard money limitation, the most legitimate, the most disclosed, the most limited part of our whole system continues to dwindle and dwindle and dwindle. That would be a bad result and a hollow victory indeed.

Mr. President, I urge the adoption of the amendment and yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Wisconsin, Mr. FEINGOLD. Mr. President, I rise in opposition to the Thompson amendment.

The fact is, the Senator from Tennessee was one of the very first persons to get involved in the McCain-Feingold effort. I am grateful for the years of hard work he has put into our effort to try to reform the campaign finance system. We have always had a disagreement about this issue but a polite disagreement. Now the issue is finally joined.

I understand many Members of this body believe it is appropriate to raise the hard money limits. I have said many times that there must be some flexibility on this issue. I have said, half seriously and half kiddingly, that I am willing to go up as much as $1,000 per election for the individual limit. I prefer we not even do that.

When I say that, of course, at this point in the difficult process of bringing a bill together, it really means that is as far as I am willing to go, as much as I regret it. This is an area that now has to be opened to negotiation, and there have already been several days of discussions about this subject. That said, I don’t think a significant increase in the limits is warranted.

In the 2000 election, according to Public Citizen, roughly 232,000 people gave $1,000 or more to Federal candidates. That is just one-tenth of 1 percent of the voting-age population. An elite group of donors don’t just dominate the soft money system, frankly; they actually dominate the hard money system as well. To most Americans, $1,000 is a lot of money. That is when an individual can give to a single candidate $1,000 in the primary and then another $1,000 in the general election. If we talked about average Americans getting a tax cut for that amount of money, we would say $2,000 is a very sizable tax cut. Somehow when we talk about the same sum in the context of political giving, we act as if this is a small figure.
As I have said, I understand that raising the hard money limits does have to be part of the package of anEditing debate, even though I am reluctant to do so. If we can agree on an increase that doesn’t jeopardize the integrity of the McCain-Feingold bill as a whole, I will support it.

I am afraid that this amendment, well-intended as it is, simply raises the limit too high by raising the individual limit to $2,500 and by doubling the other contribution limits, including the aggregate limit, the total amount that people give. That is why I must oppose this amendment and urge my colleagues to oppose it as well.

I understand that because this bill bans soft money, those of us who would prefer to leave the limits at their current level may have to compromise. I say to all my colleagues, let’s very seriously. We should carefully consider any measure that increases an individual limit by 150 percent is just not a compromise we should make. Such a small number of Americans can afford to give what the limits even allow now—quite often it is given the nickname of “maxing out,” giving the maximum—that a vote to increase the individual limit to $2,500 does mean putting more power in the hands of an even more concentrated group of citizens, and few Americans have the wherewithal to give those kinds of contributions.

A recent study by Public Campaign found that Senate incumbents in 2000 raised on average nearly three times as much as their challenges did from donors of $1,000 or more. It is likely that raising the hard money limit will give incumbents an even bigger advantage than they already have now. So whatever increase we might support, we need to consider that aspect of this very seriously. We should carefully consider what it does to the incumbent’s advantage, which I am afraid is already so strong in our Federal elections. I am afraid the Thompson amendment does just that.

On this point, the Supreme Court has said Congress may legislate in this area in order to address the appearance of corruption. There is another appearance that is important here, and that is how the bill we are trying to craft as a whole appears to the public at large. That is very important. This bill started out, with the good help of the Senator from Tennessee, as a straightforward effort to ban soft money and address the phony issue ad problem.

We quickly added an amendment that raised individual limits when a candidate faces a wealthy opponent on the first day of the debate. Now we are looking at a doubling of most of the contribution limits for all campaigns. If we keep going in this direction, as others have suggested, someday the bill will start to look as if it is aimed at raising limits and really protecting incumbents rather than addressing the problem of corruption. We need to pay attention to that perception because our goal here is to reestablish the American people’s trust in government, not to drive them further away.

I am afraid the Thompson amendment doesn’t just increase the individual limit to 150 percent; it doubles every other important hard money limit as well. For example, the aggregate of what an individual can give to individual candidates would increase from $25,000 a year to $50,000 a year. So in the course of an election cycle, a couple—if there happens to be a couple involved—could give $100,000 in contributions. Now I was just talking about how $2,000 is a lot of money to most Americans. Well, $100,000 is, of course, a staggering sum to most people. I think it is too high to have the name “reform.”

This bill is about lessening the influence of money on politics. It is not about increasing it. If we are going to raise the limits at all, we must do everything we can to act in good faith with all the American people, not that tiny number of people who can afford to open up their checkbooks and max out the candidate. We have to do everything we can to look out for the Americans who could not even dream of writing a $1,000 check to a candidate, no matter how much they supported what that candidate stood for.

Although I know important negotiations are underway, this is why raising the limits has to give this body pause, because every time we act to empower the wealthy few in our system, we really do a disservice to our Nation. I believe the soft money ban in this bill does a great service to the Nation by ending a system that allows completely unlimited contributions from corporations, unions, and individuals to all candidates. It does not ban soft money, but that ban helps empower the average voter in this country, and that is why it is the centerpiece, the bottom line, the reason to be of the McCain-Feingold bill.

With this bill, we are getting rid of hundreds of millions of unregulated dollars. So I am willing to consider a modest increase in regulated dollars. But this amendment goes too far. I oppose raising the hard money limit 150 percent when only one-ninth of 1 percent of the voting-age population gives $1,000. Increasing this figure by 150 percent would give an unprecedented new level of access to those who would continue to max out under the new limit.

I must urge my colleagues to oppose this amendment. I do hope the Members of this body can work together to reach an increase that will be palatable to both sides of the aisle. I mean that sincerely. If we can’t come to an agreement, this bill will be seriously jeopardized, and we will have nothing to show for our efforts in the course of this debate. I have never been more proud to be a Member of the Senate. I say to my colleagues that we have come too far to let this reform debate stall, even over an issue as tough as this one.

I hope we can come to an agreement on this issue that I can support. Until that time, I do have to oppose the Thompson amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. THOMPSON. What does the Senator from Virginia need?

Mr. ALLEN. Ten minutes.

Mr. THOMPSON. I yield 10 minutes to the Senator from Virginia.

Mr. ALLEN. Mr. President, and Members of the Senate, I rise in support of the Thompson amendment. I have listened to the debate on this issue for the last several days, and I have listened to the many different points of view expressed here. There is quite a spectrum of opinion. On one side of the spectrum, there are those—and they had 40 votes—who want to limit First Amendment rights and, instead, voted for a Constitutional amendment to do just that. I actually commend the Senator from South Carolina, Mr. Hollings, for at least recognizing that many of these proposals, including the McCain-Feingold bill, have the effect of restricting First Amendment rights, which is part of the Bill of Rights. Nevertheless, that is their view.

On that side of the spectrum, there are also those who want the taxpayers to pay for elections, which would be the result if you actually limited First Amendment rights. They honestly believe that is the approach to take. I find myself on the other end of the spectrum, as one who believes very much in the Bill of Rights. After all, it was first authored by George Mason in the Virginia Declaration of Rights. I think the First Amendment, as well as all of the Bill of Rights, is very important. I believe that what we ought to have is more freedom: the maximum amount of individual freedom, and the maximum amount of accountability and honesty in elections, and having contributions made voluntarily as opposed to being taken out of tax money.

All the various amendments that have been offered today, and probably will be offered in the next few days, have as their purpose various restrictions or subterfuges to these two different points of view.

I have been a candidate for statewide office in Virginia twice. Last year, I ran statewide for the U.S. Senate under the Federal election laws. I also ran for Governor statewide, obviously, under Virginia’s laws that are based upon the principles of freedom. In my view, the current Federal election laws are overly restrictive. They are bureaucratic, antiquated, and they are contrary to the principles of individual freedom, accountability and, of course, contrary to the concepts of honesty.

I have been working on an amendment with the Senator from Texas, Mr.
GRAMM, on what we call the Political Freedom and Accountability Act. I don’t know if we will offer that amendment, but I do believe the possibility exists that the Senate will be asked to consider an amendment; to his and my chagrin, because I consider the professor someone very knowledgeable on this subject. Nonetheless, I am trying to advocate greater freedom and greater accountability.

What I am trying to do is make sure that in this debate we are advancing the ideas of freedom of exchange of ideas, freedom of political expression and increasing participation to the maximum degree possible. And equally important are the concepts of accountability and honesty. First, the issue of freedom. The current laws and limits are clearly out of date. There is no one who can argue that those laws, the current restriction on direct contributions to candidates, are anything but completely antiquated and out of date. Let’s take some examples. When TV reporters ask me what kind of reforms do I want, I tell them greater freedom, greater accountability, and to get these Federal laws up to date. I ask the TV reporters: Will you please, in your reporting of this issue, say what it cost to run a 30-second ad in 1974 when these laws were put into effect versus what you charge today for a TV ad?

Well, I am never home enough to watch TV anymore since I have joined the Senate, so maybe they told us. Nevertheless, we did our own research. The average cost of just producing a 30-second ad in Indiana has increased seven times, from $1,000 to $28,000. The cost of stamps—because we do send mailings out increased. The cost of a first-class stamp in 1974 was 10 cents. Today, it is 44 cents, and rising. So that is over three times as much.

The cost of airing a 30-second television advertisement per 1,000 homes has escalated from $2 in 1974 to $11 in 1997, that is fivefold increase.

Candidates are today running in larger districts than in 1974, as there are more people in congressional districts, obviously, than before. There are more people in the United States of America. The voting-age population increased from 141 million in 1974 to over 200 million in 1998.

The reality is that the limits in the Thompson amendment don’t even catch up with the increase in costs.

The Thompson amendment is a very modest approach of trying to get the Federal election laws more in line with what are happening on the ground.

The accountability and honesty aspect of this amendment is important because I think the current situation has improper disclosure; very poor disclosure and subterfuge. As far as disclosure is concerned, one can get a contribution of $1,000 on July 2, and it is not disclosed until late October. Under the current law, I very much agree with the efforts of the Senator from Louisiana, Ms. LANDRIEU, to get more prompt disclosure, and that needs to be done.

The contribution limits also force a greater use of soft money. People are all so upset about soft money going to political parties. Why is that being done? Because the cost of campaigns are increasing for all those demographic features and facts I just enunciated. The fact is, you need more money to run campaigns to get your messages out.

If an individual desired to part with $5,000, which is right much money for most people, but they believe so much in a candidate that they want to give $5,000, right now they would have to give it over $300 to the state. That would be disclosed, maybe belatedly but it would be disclosed. Then they would have to give $4,000 to a political party that would run ads, run mailings, whatever they would do to help that candidate.

The point is that $4,000, in this example, would not have the same accountability. It would not have the same scrutiny. Fred Smith may be a controversial character. It is one thing for him to give $1,000 and then $4,000 to the party, but it is all $5,000 to candidate B and you say: Gosh, candidate B has gotten all this money from Fred Smith. But really it only shows up as $1,000 because the rest has gone to the Democratic Party or the Republican Party or some other organization. Therefore, you are losing that accountability and the true honesty in a campaign that you want to have and the scrutiny that a candidate should have for getting contributions from individuals.

It is my view that we need to return responsibility for campaigns to the candidates. We are getting swamped. At least we were swamped—and I know this was not unique to Virginia last year—with these outside groups that are contributing to our campaigns. Mr. President, $35 million, at least the best we can determine, was spent not just by the Democratic Party running ads contrary to my campaign or Republicans running ads in favor of my campaign or in opposition to my opponent, but these independent expenditures—handgun control, attack TV ads, donor undisclosed, TV ads, radio ads, voter guides, donors undisclosed; pro-abortion groups, dirty dozen ads against us—all these ads and they are all undisclosed. There are people all upset with this. That is part of free expression. It would be nice if there would be a constitutional way to disclose these individuals, but that is apparently unconstitutional.

The point is, you end up having to answer those ads. People think: You want to do all sorts of sordid things I don’t want to do, but in spite of you having to get the money to make sure you are getting your positive, constructive message out or setting the record straight.

With these limits, you end up having to raise money through political parties to combat these ads which, as much as I did not like them, they have a right to do. And I will defend the rights of these groups or any other groups to run those ads and have their free expression and political participation.

The point of the Thompson amendment is people are allowed to contribute more directly to a candidate. The candidate is held more responsible and the record is kept. We expect that you can get more direct contributions, it alleviates, negates, and diminishes the need to be using political parties as a subterfuge or a conduit to get the money you need to set the record straight.

Current Federal laws in many cases—one says: Look at how wonderful they are. It is amazing to me people think that, but nevertheless that is their view. They are so unaccountable in so many ways, and by limiting hard dollars, so to speak, or direct contributions, you are back with PACs.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. ALLEN. May I have an additional 5 minutes?

Mr. THOMPSON. I yield an additional 5 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. I thank the Senator from Tennessee. I think the contribution limits definitely create a dependency on soft money, thereby the corollary logically is that by increasing the direct contributions on hard limits, it decreases the necessity. It is pure common sense logic, at least for those of us who have run under a system of freedom such as that in Virginia.

The other matter is contribution limits also prohibit candidates, except those with personal wealth, from acquiring a stake from which to launch a campaign. We went through this whole debate about what happens when you have millionaire candidates and there by raise the limits for those candidates, and so forth. Gosh, if you did not have any limits, you would not have to worry about this.

Again, at least the amendment of the Senator from Tennessee addresses that in that we want to encourage more political participation in speech rather than limiting it. We ought to be promoting competition. We ought to be promoting freedom and a more informed electorate, which we would get.
with the amendment of the Senator from Tennessee. We want to enable any law-abiding American citizen to run for office.

Had the current limits been in place in 1968, Eugene McCarthy never would have been able to mount his effort against President Johnson.

Today’s system has failed to make the elections more competitive. The current system hurts voters in our Republic by forcing more and more committees and contributions and political activists to operate outside the system where they are unaccountable and, consequently, more irresponsible and less honest.

I, of course, want to repeal the hard limits, but nevertheless, by increasing these limits, we can open up the political system. Challengers need to raise a great deal more money quickly to have any real chance of success. The current system, with its very stringent limits, prevents a challenger from raising the funds he or she needs, and I saw that in 1993 when I was running for Governor.

One may say: Gosh, this is all wonderful theory from the Senator from Virginia. You can look at Virginia as a test case of freedom and accountability. People say, sure, they have plenty of disagreements between the legislative and executive branch and between Democrats and Republicans, but you have honest Government in Virginia. If there is anybody giving large contributions, I want you to be careful with it in trying to get a large contribution. Indeed, it may not be worth the bad press you get for accepting a large contribution.

Again, if you look at Virginia—which has a system where we have no contributions, or better disclosure, Virginia right now has a Governor whose father was a butch. His predecessor was a son of a former football coach. The predecessor to that Governor was a grandson of slaves. Virginia’s system gives equal opportunity to all. Virginia has a record of which we can be proud.

The amendment of the Senator from Virginia before he leaves the floor, I hope he adds me as a cosponsor to the office. Gosh, this is all wonderful theory from the Senator from Virginia about the Virginia law.

As I understand the situation in Virginia, and correct the Senator from Kentucky if he is wrong. Virginia almost never has a situation where candidates cannot get enough money to run.

Mr. ALLEN. You can have that situation if you are not credible.

Mr. McCONNELL. If you are not credible, you do not. The two parties are well funded. The candidates, if they are credible, are well funded. They are able to raise enough money to get their message across because they are not stuck under the 1974 contribution limit.

In fact, as the Senator from Virginia was pointing out, it has produced rather robust competition with minimal or no accusations of corruption; is the Senator from Kentucky correct?

Mr. ALLEN. The Senator from Kentucky is correct and there are no limited contributions from corporations, which I am not arguing at this point, but it is purely on Jeffersonian principles of freedom and disclosure and honesty.

Mr. McCONNELL. In fact, what a candidate does in Virginia is weigh, knowing the contribution will be disclosed, the perception of whether or not the candidate should accept the large contribution, knowing full well it will be fully disclosed and people can make of it what they will. Is that essentially the way it works in Virginia?

Mr. ALLEN. The Senator from Kentucky is saying that there is illegal money. Every dime is out in the open for everybody to see. The Thompson amendment increases the individual level from $1,000 to $2,500. That increase, if you look back to 1974, doesn’t even keep up with inflation.

The amendment increases the hard money limits, hard money representing what individuals can contribute. Every dime of hard money is disclosed and reported. No one has alleged, that I am aware of, that this is corrupt money, that this is illegal money. Every dime is out in the open for everybody to see. The Thompson amendment increases the individual limit from $1,000 to $2,500. That increase, if you look back to 1974, doesn’t even keep up with inflation.

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contributed that money? We had a lot of Senate races last year and, the Democrats received around $21 million in these special joint committees last year. And we would like to say, is this the right way to raise and spend money? Does it make sense to do it that way? I don't think so. But with hard money, every single dime is out there for everybody to see in every single instance.

I think the Senator's amendment makes great sense. I hope my colleagues agree.

Some say we need to look for a compromise on this amendment. Senator THOMPSON has already compromised. His original amendment basically kept everything up with inflation, growing the aggregate limit from $25,000 to $75,000. His amendment now is at $50,000.

The limits on giving to parties goes from $20,000 to $40,000. Don't we want to strengthen parties? My friend and colleague has made a good point: parties are healthy to the system. Senator THOMPSON's amendment allows individuals to increase contributions to parties. We should keep party contributions and allow parties to grow.

If we are going to ban soft money, we should allow some increases in hard money. I think that is what the amendment we have before the Senate would do.

I thank my friend and my colleague from Tennessee for offering this amendment. I think it is an important amendment. I urge my colleagues: Isn't this a good improvement over the existing system?

I think it is. I urge the adoption of the amendment when we vote on it tomorrow morning.

I yield this floor.

Mr. MCCONNELL. I ask the Senator from Tennessee if I could have 7 or 8 minutes.

Mr. THOMPSON. I yield 10 minutes to the Senator from Kentucky.

Mr. DODD. Could I be heard at some point?

Mr. MCCONNELL. I will wrap it up really fast.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. I want to commend the Senator from Tennessee for his amendment. It certainly begins to deal with what I think is the single biggest problem in the system today, and that was the failure to index the hard money contribution limit set back in 1974 when a Mustang cost $2,700.

As may have been said by the Senator from Tennessee and others, the average cost of a 50-question poll has increased from about $5,000 to $13,000 over the last 25 years. The average cost of producing a 30-second commercial has increased from $4,000 to approximately $28,000 over the last 26 years. The cost of a first-class stamp was 10 cents in 1974 and today it is 34 cents. The cost of airing a television advertisement per 1,000 homes has increased from over $2 in 1974 to $11 in 1997. Meanwhile, the number of voters candidates must reach has increased 42 percent since 1974.

The voter population in 1974 was 140 million; today it is 200 million. We have produced a scarcity of funds for candidates to reach an audience. In 1980, the average winning Senate candidate spent a little over $1 million; in 2000 the average winning candidate spent a little over $7 million, an almost sevenfold increase. An individual's $2,000 contribution to a $1,000,000 campaign in 1980 amounted to .17 percent of the total. If the contribution limits were tripled for this last election to adjust for inflation since 1974, the average individual $6,000 contribution to the average $7 million campaign would have been only 0.08 percent of the total. A $60,000 contribution to an average winning Senate campaign in 2000 would be only .83 percent of the total.

What this all adds into, there is no potential for corruption, none based on the 1974 standard, if the amendment of the Senator from Tennessee is adopted. If no one in 1974 thought those limits at that time, based upon the cost of campaign activity at that time, was corrupting, why in the world would the Senator's amendment, which is even less than the cost of living increase—why in the world would anybody say that this has even the appearance of corruption? Certainly not corruption or even the appearance of corruption in today's dollars?

It also important to note that these low contribution limits are the most tough on challengers. Challengers typically do not have as many friends as we incumbents. They are trying to pool resources from a rather limited number of supporters in order to compete with people who can afford it. The single biggest winners in the increase in contribution limits in hard dollars would be challengers.

Challengers already took a beating here on this floor when we took away all of this money from the parties earlier today. We have taken away 40 percent of the budget of the Republican National Committee and the Democratic National Committee. We have taken away 35 percent of the budget of the Republican Senatorial Committee and the Democratic Senatorial Committee. Parties: The only entity out there that will support challengers.

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So it is with some sense of—again on a personal level, I would like to be supporting his amendment because I am very fond of him. People might understand those inclinations. But, unfortunately, I disagree with my colleague on this amendment. I will explain why.

I always love this story. When they asked Willy Sutton why he robbed banks, I always loved his answer. He said, 'That's where the money is.' That is why he robbed banks. We are taking banks away. We are not talking about this amendment is we are going to end up gravitating to where the money is. That is what we do. Our staffs and consultants and advisers and people who help raise money will tell you: Look, we have so much time in a day, so much time before the reelection or election campaigns. So if you have an hour to spend, we are going to spend the time going after those large contributors. It doesn't take a whole lot of knowledge to know that you do not go after the ones who can give as much. Instead, you go after the ones who can give more.

My concern is not so much that this number goes up and that people who can afford it are going to have greater access and greater influence. What is not being said here is very troubling to me. We are moving further and further in the direction of seeking the support and backing of those who can afford to write a check for $2,500. But, make no mistake, a check like that is not robbing banks, I always loved his answer. He said, 'That's where the money is.'
current law, an individual may contribute a $1,000 per election or $2,000 with $1,000 going to the primary and another $1,000 going to the general election. If we are talking about amendments being offered, Senator Hagel’s proposal contained a $3,000 per election, Senator Feinstein is proposing $2,000 per election, while there are still others talking about $1,500 per election. Those numbers are really not a final number. A more accurate number is a doubling of the per election number to reflect one limit for the primary and another for the general, with the potential of yet another limit for a special or runoff election. So every number you read, has the automatic potential to double with respect to the individual contribution to candidates per election.

I know very few cases where Members have gone after the $1,000 contribution and not ended up with the $2,000. That, after all, is how it works. Because, as a practical matter, you can give $1,000 before the primary and $1,000 for the general election. So when we talk about limits here of $1,000 or $1,500 or $2,000 or $2,500, do a quick calculation and double the amount. That is the general formula that an individual can contribute to a candidate per election.

My friend from Tennessee proposes a $2,500 per election limit that individuals can give to candidates. This number may also double to $5,000, because that individual can write $2,500 for the primary and $2,500 for the general election.

You do not have to have a primary, just as long as there was some potential contest within your own party for the nomination. Such a potential contest allows you to get that additional $2,500 limit.

But it goes even beyond that. Frankly, people who can write a check for $2,500 probably can write a check for $5,000. If you can afford to give someone $2,500, there is a good likelihood your pockets are deep enough to write the check for $5,000. Under current law, each spouse has his or her own individual contribution limit. So that $2,500 becomes $5,000. If your spouse is so inclined—and they usually are—the $2,500 under the Senator proposal then becomes $5,000 per election. As a couple, the total they can give is now up to $10,000 per election.

Every single Member of this Chamber knows exactly what I am speaking about with respect to fundraising practices because as a candidate for this body many have done exactly what I have described. The general public may not follow all of this. That is how it is done. When you get that person who is going to give you $250 contribution for the primary, you always say: Can’t you give me $2,500 for the general as well? In addition you say—Wouldn’t Mrs. Jones or Mr. Jones also be willing, as well, to write those checks reflecting the maximum individual contribution limit per election?

Under this proposal, we are talking about potentially a total of $10,000 per couple as opposed to the current levels of $2,000 or $4,000 per election, if you will, if both husband and wife contribute. That is a pretty significant total increase.

My colleague quickly answers that his stamps have gone up, the price of television spots have gone up. I know that these costs have increased. But so has the population of the country and the number of people who can write $1,000 checks.

In 1974 there were not a tremendous number of people who could write a check for $1,000 to a candidate. Today the pool of contributors who can give $1,000 is much larger. Last year there were almost a quarter of a million people who wrote checks for $1,000. That is not a small amount of people: 235,000 people wrote checks for $1,000 to support Federal candidates for office.

But what we are doing here by raising these amounts? We are moving further and further and further away from the overwhelming majority of Americans. I would like to see the average American participate in the electoral process of the country. I would like to see them contribute that $25 or $50 or $100, $200 to a candidate or party of their choice. However, given the average cost of a Senate race today or a House race—the numbers of my colleague from Tennessee suggests of around $7 million, and a House race around $800,000 a congressional district. I do not see many campaigns that are going to bother any longer with that smaller donor.

It is the de facto exclusion of more than 99 percent of the American adult population who could support, financially, the political process in this country, that worries me the most. I am worried about us getting overly concentrated on only those who can afford to write the large, maximum checks to campaigns. But I am more worried that we are getting ourselves further and further and further removed from the average citizen. The Americans who could not dream, in their wildest dreams, about writing a check for $2,500, let alone $10,000 to support a candidate for the Senate or the House of Representatives. They couldn’t dream about doing that. They may be making decent salaries and incomes so they are not impoverished. But the idea of writing out a $10,000 check or any such checks that we would allow if this amendment is adopted is beyond the average American’s imagination.

To me, that ought to be beyond ours as well. However, where we appear to be going is where the money is. That is what Willy Sutton said, and that is what we are saying. We are going to spend our time on that crowd because that is the most efficient use of our time with respect to fundraising. A phone call to Mr. and Mrs. Jones who can afford to make this kind of a contribution are going to get our attention. We are not interested in that individual who may be making $30,000, $40,000, $50,000, $60,000, $70,000, or $100,000 a year, with two or three kids, paying a home mortgage, trying to send kids to college. We are not interested, really, because they cannot even begin to think about contributions like this.

That is the danger. That is the danger. I am really not overly concerned—although it bothers me—over this concentration of wealth and the access that comes with it by adopting this amendment. That bothers me.

What deeply troubles me—what deeply troubles me—is that this institution gets further removed from the overwhelming majority of Americans. Their voices become less and less heard. They become more faint. They are harder to hear. They are harder to hear because we are getting further and further away from them since their ability to participate is being diminished.

One of my colleagues—Mr. Wellstone, Will the Senator yield for a question?

Mr. DODD. I would be happy to yield.

Mr. WELLSTONE. I don’t want to break up the rhythm of what the Senator is saying. It is very powerful. I do not think I can say it as well as you. I would like to ask you one or two questions.

In this debate I don’t believe I had really heard your formulation before. We talk about big money, corruption, not individual wrongdoing; some people have too much access. You just used the word ‘‘exclusion.’’

There was a young African American man today with whom I spoke. He was talking about Fannie Lou Hamer, a great civil rights leader. By background, Fannie Lou Hamer was the daughter of poor sharecroppers.

This is a question of inclusion. If you take the caps off, and you are relying on people who can afford to make these kinds of contributions, he was basically saying, this almost becomes a civil rights issue because it is a question of whether or not people who do not have the big bucks will be able to participate in the political process, will be able to be there at the table.

I ask the Senator, is this part of what concerning you that you are getting away from representative democracy and many people are going to feel more and more excluded as we now rely on bigger and bigger dollars?

I have three questions. And I will not take any more of your time. Is that what you are talking about?

Mr. DODD. That is part of it. I said, we are concentrating on who can give
Mr. DODD. Sorry. So that was 1993. It is $400,000 in 1976—Is that right?
Mr. THOMPSON. It is $600,000.
Mr. DODD. So $600,000 in 1976, and $7 million in the year 2000. I tried to do some quick math—and I could be cor-
rected of course—but if you extrapolate from that and go to the next 10 years, to the year 2010, we are buying into the notion that there is nothing we can do to stop it but believes it is in their interest. It is part of their responsibility of citizen-
ship to support the political process of this country and to support our democratic institutions.

What I am deeply troubled about—I am bothered by the raising of the con-
tribution limits because of where I think it takes us, where it is ulti-
ately going.

Mr. WELLSTONE. Right.
Mr. DODD. If you take the numbers of my friend from Tennessee, I think it is $400,000 in 1976—Is that right?
Mr. THOMPSON. It is $600,000.
Mr. DODD. So $600,000 in 1976, and $7 million in the year 2000. I tried to do some quick math—and I could be cor-
rected of course—but if you extrapolate from that and go to the next 10 years, to the year 2010, we are buying into the notion that there is nothing we can do about this. It is just going to keep get-
ting more expensive, guys.

So we are going to make it a little easier for you to reach the levels of $13 million. I think that is about where we go in 10 years if the trend lines are accurate and continue.

I realize there can be changes here because it is not a perfect trend line. But if you take where it was 10 years ago, I think in about 1990 it was $1.16 million—
Mr. THOMPSON. That was 1993.
Mr. DODD. Sorry. So that was 1993. It has doubled. It is roughly about the same. We may be talking about roughly $12 or $13 million in 10 years.

So as we raise the bar to make it easier for us to get up there, we are shrinking the pie of people who can contribute. Getting smaller and smaller and smaller are the number of people who can write these kinds of contributions. Make no mis-
take about it, that is where the money is. That is where we are going to go. You are holding that for future fund-
raising events. You might do it because it is good politics. Maybe it will pay for the hotdogs and chips, and so forth, but you are not going to have a fundraiser

Mr. DODD. I suggest more of the lat-
ter. I didn't get to that part of the amendment yet, but the Senator from Minnesota is correct.

I have a hard time saying this and keeping a straight face. Today, and for the last number of years, you could give up to the limit of $25,000 per cal-
endar year to Federal candidates. There were 1,200 people in America last year in part of the national campaign, including the Presidency, the entire House of Representatives and one-third of the Senate, who wrote checks con-
tributions of $25,000 per candidate. I think it was 1,238 Americans to be exact.

But now we are saying—This is too tough. This is a real burden. These poor people out there, they are upset about this. We have to do something for these folks. This is average citizens that they have an aggregate limit for each individual of $25,000. We are going to double that cap.

We are going to say to them—the ag-
gregate limit is now $50,000 per indi-
vidual per calendar year. As I have sug-
gested, as a practical matter, a hus-
band and wife have their individual limits. If you can write a check for $50,000, I will guarantee that the couple can write checks totaling $100,000 in aggregate limits.

My colleague from Minnesota is correct. This is the softening of hard money. I don't know of anybody who keeps personal accounts—I am not talking about candidates no. I am talk-
ing about the average citizens. If they have a bank account at the Old Union Savings and Trust, or whatever it is, then they have their soft account and their hard account. I don't know of any-
body, particularly average citizens, who segregates their own wealth in that way. They write checks for politicians. They are told they have to send this to the soft money non-Federal account or instead to the hard-money Federal ac-
count. But the average citizen is not going to keep money nor accounts that way. When they are writing checks for $100,000 and we say, ‘‘That could be all hard money,’’ we make the contributor dizzy. They get nervous when you start telling them about soft and hard money. Money is money.

The fact is, it is too much money in the political process. The average cit-
izen who hears about this throws up his hands. They shake their heads in utter disgust. They must think, what are these people thinking about. How disconnected can they be from the peo-
ple of their States and their constitu-
encies. It is not understandable to the average American if we can't keep a straight face and suggest that raising the maximum aggregate annual limits from $25,000 to $50,000 per year, which could total $100,000 per year per couple.

Mr. THOMPSON. Will the Senator yield on that point?
Mr. DODD. I am happy to yield.
Mr. THOMPSON. Does the Senator realize that the $50,000 he is concerned

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and how much they can give. Every time we raise the bar on the limits, then we are also expanding the number of people who are going to contribute, not, contribute their financial support. We are not even seeking their financial support, only their votes. I think there is inherently a danger in that.

I think it is a positive thing, by the way, that people write that check out for $5 and $10 and $20 contributions. In some ways, it can be more significant because sometimes that $10 or $25 check from someone who is trying to make ends meet. It is a greater sac-
ifice in some ways than it is for some of the people I know who write checks for $1,000 or $2,000 or $10,000. That $10,000 in the context of their overall wealth is a smaller percentage than the person making that $5 or $10 con-
tribution who really, really, really, really, really, really wants to do it but believes it is in their interest. It is part of their responsibility of citizen-
ship to support the political process of this country and to support our democratic institutions.

What I am deeply troubled about—I am bothered by the raising of the con-
tribution limits because of where I think it takes us, where it is ulti-
ately going.
During the 1999–2000 election cycle, the people every year, when you should actually write these checks. Basically we disregard most of the other contributors. If you think we are heading in the right direction, then you ought to support this amendment. If you think this is getting us dangerously close to the point where fewer and fewer people are going to participate in the process, then you should oppose this amendment. I remind my colleagues that in the national Presidential race last year, one out of every two eligible adult voters did not show up at the polls. Despite the fact we spent over $1 billion in congressional races, not to mention what was spent on the Presidential race, one out of every two eligible adult voters of this country went to the polls. There is a reason for this statistic.

I suggest in part it is because people are feeling further and further and further removed from the body politic. If you will, the body politic of our own Nation is being pulled further and further by excluding the average American. They do not believe they have the ability to have some say in politics. Their voices are being drowned out. Average Americans are further and further removed from being involved in the decision making process of who will represent them. That worries me deeply. That is what troubles me about this amendment.

For those reasons, I will oppose the amendment when the vote occurs. I urge that others see if we can’t find some configuration. I am still hopeful. I say to the Senator from Tennessee, that maybe some configuration here that can be founded. There are a couple of numbers I didn’t address, such as PACs, the individual and local parties limit, the national parties limit. I don’t really disagree with my colleague regarding where he has come out on those numbers. In fact, he could even move them around a little more. I accept that.

The number I have objected to is the aggregate annual limit of $50,000 per calendar year. There has been another number suggested by our colleague from California. There is a possibility of a one-time limit. I do not see how we can get the exponential growth of the cost of campaigns and not get us even further removed from the average citizens’ ability to participate in the process financially and otherwise.

I put that on the table for whatever value it may have. I hope there is something we can do. I commend my colleague. I mentioned how fond I am of him personally and what a contributor he has made very good suggestions in this amendment. While I disagree with some basic points, there are elements with which I do not disagree. I commend him for that and want to be on record in support of those efforts he has made.

My colleague from New York has arrived. I don’t know what my colleague from Tennessee wants to do.

Mr. THOMPSON. Mr. President, I will make a couple comments first. I thank my friend from Connecticut, who is eloquent, as usual, in his advocacy. Clearly, what we are trying to do is reach a balance where we have limits that are high enough for people to run decent campaigns, and allow challengers in large States such as California, Texas, and others to have a decent chance to get a campaign off the ground, so you don’t have to be a multimillionaire or a professional politician in order to have a shot. That is what we are doing—trying to get it up enough so they have a fighting chance, while not getting so high that we have a danger of corruption, or appearance of corruption. I don’t really detect that we are in that ballpark yet.

There is some talk that increasing the aggregate individual limits from $25,000 to $50,000 is somehow outrageous. But I don’t think that the ability to give several contributions, let’s say, of $2,500 around the country is going to corrupt anybody. No one person is receiving all this money. No one person is receiving more than $2,500. So you don’t have a corruption issue there. And why we are doing something on behalf of democracy by limiting the number of potential candidates out there who can get $2,500 kind of escapes me; plus the fact that in 1974, after the Watergate scandal, when everyone was rather sensitive, shall we say, about these issues and we addressed these issues they came up with a $1,000 limitation, which would be $3,500 today. They came up with this $25,000, which—

I am going to round it off 3 times—would be $75,000 today.
My colleagues heard my reference to Senators of the past, Democratic Senators and Republican Senators, many of whom wanted to go higher than what we are talking about today. My colleague is correct that I have scaled mine down because I had the temerity and audacity to think there was a chance that we could index this to inflation and have basically a little less than inflation. But let’s round it off and say basically we can have the same dollars they had in 1974, right after the scandal of the century, when people were most receptive and responsive to this. But I found that was not to be the case. I don’t think that would have flown. Certainly, Senator Hagel’s amendment today did not fly. So I came back and said: OK, let’s move down from inflation, move down from 1974 dollars, go to $2,500. There is no corner here. And these other limits, too, let’s double some of them. We don’t double all of them. But let’s do something that will enhance McCain-Feingold, my friends.

As you know, I have supported McCain-Feingold from the beginning through thick and thin. My colleagues talk as if McCain-Feingold has already passed and that the scourge of soft money has totally left us. That is not the case.

Mr. SCHUMER. Will my colleague yield for a question?

Mr. THOMPSON. Yes.

Mr. SCHUMER. I thank my friend. I have respect for him and I know his commitment to reform is so real. I want to ask him a question because I have a concern. I would not go as high as $2,500. I can support a $2,000 raise. But that doesn’t bother me very much. It is the aggregate limit that bothers me.

A minute ago, my friend from Tennessee who, I repeat, I have such respect for, said it is not going to one party. It is silly to quibble over $500, if I may say, Mr. President. Yes.

Mr. SCHUMER. I thank my colleague from New York. Now, however, they do—much of the aggregate limits didn’t go to one person. They didn’t in 1974; they do now. If my friend from Tennessee had just decided to raise the individual limits and kept the party limits the same, I would not have much of an argument with him. But if, as I believe $2,000 is the right amount and he has an amendment for $2,500. But it seems to me that under the new cases and under my friend’s bill, somebody could donate $40,000 per year to the national party. Let’s do that for 6 years, and thereby get $240,000 back to their candidate.

One other point, and I will ask my friend to comment. If the Supreme Court in the second Colorado case rules that the limits that the national party can give to the candidate, which is now 2 cents per voter age person per State, or per district in the House—but if they rule, as many think they will, to eliminate those limits, then it would not just be three or four people giving $240,000. It could be unlimited numbers of people giving $240,000 to the national party, which then gives it back to the candidate, with complete coordination allowed.

So, frankly, even though I know this was not the intent of my friend from Tennessee, I shudder to think that the party limits would go up. And unless there were provision in my friend’s bill that would not allow that to happen—and I think with Supreme Court ruling it would be difficult to prevent—I think this would be a giant step backward, not because of simply raising the limits but because of all the new ways—I will be introducing tomorrow an amendment that tries to deal with the 441(a)(d) problem. But I say to my friend—and this is not his fault—that even if McCain-Feingold were to pass as is, if the Supreme Court rules that the 441(a)(d) limits go, then maybe we will accomplish a 10-percent improvement in campaign labor exchanges. True, you could not give more than whatever—you could not give $500,000 or a million, but you would not accomplish much.

The reason I am so worried about the amendment of my friend from Tennessee is it makes it even easier; instead of saying $180,000 that somebody could give in a Senate cycle, or $50,000 in a House cycle, they could give $400,000 in a cycle and, again, without those limits, out the window everything goes.

I just ask my colleague from Tennessee, am I wrong in thinking that now with the new Supreme Court decisions the aggregate limits are such that they do allow just what my friend from Tennessee said he didn’t want the aggregate limits to do, which is give lots of money—call it hard or soft, whatever—to one campaign? I thank him for yielding and will give him a chance to answer.

Mr. THOMPSON. Mr. President, I respond first by saying that, based on my recollection, I disagree with his analysis of the Colorado case. I do not believe the Colorado case would allow coordination. I believe coordination would run afoul in the amounts we are talking about, would run afoul of the hard money limits. Coordination would deem it as a hard money contribution, and therefore that is not allowed.

When it comes to the issue of an individual contributing to a State party and having that earmarked for some particular candidate, again, I think you get into a coordination problem.

I am somewhat amazed with this alchemy going on here. This piddling increase that does not even keep up with inflation has doubled, tripled, quadrupled, and now we are up into the stratosphere. A couple is automatically doubled. Are we assuming the husband is going to tell the wife it’s her concern or is the wife going to tell the husband what to do? I am not prepared to assume that. I do not think my friend from New York is either.

Mr. SCHUMER. It depends on the family.

Mr. THOMPSON. I think the Senator from New York might agree that we should not automatically double whatever the head of the household might want to do politically.

Let us get back within the realm of reason. Clearly, the real world being what it is, there is certainly a risk of some things going on in terms of parties being individuals at the expense of other candidates. I do not think you can stop that.

My point is that the areas about which we are talking are infinitesimal compared to the problem we are supposed to be addressing. We are concentrating on the tail of the elephant instead of the elephant or we are concentrating on the tail of the donkey instead of the donkey. We are talking about hard money, incremental increases that do not amount to very much in terms of the increase but are very significant in terms of their being hard dollars instead of soft because it is not union money, it is not corporate money, if they are hard dollars to start with. I think we can agree that would be progress.

Again, yes, the world has changed. Perhaps people have gotten more clever. They have gotten attorney generals who will give them interpretations they like, and things of that nature, but when the people addressed this back in 1974, they were talking about much more buying power than we are talking about today.

Again, my colleagues are assuming they have soft money. That is the situation in the bank, and now we are talking about the details. I suggest that what my amendment will do is strengthen McCain-Feingold and ultimately make it something that will be more likely to pass the Senate, more likely to pass the House, and more likely to be signed by the President of the United States.
I am trying to help my friends, as I always have, with regard to this issue. I want to look at what is going to happen if we do not make some progress in this hard money area. I am encouraged to hear my friend from Connecticut say he is willing to talk about it, and obviously I am, too, but I have been doing all the coming down and I have not seen much come up.

If we do not make some progress with regard to this area, we are going to create a situation where we have eliminated soft money, and we have impoverished the hard money side of the equation. Both parties have neglected the hard money side of the equation, the side that used to be predominant, by far, in terms of running these campaigns.

We are going to eliminate soft money, have an impoverished hard money situation and have these independent groups continue doing what they have been doing more and more.

People are going to react to this. That will not work. That will not work in my estimation. I want to get rid of soft money. I am tired of reading all these stories about the money pouring in and this vote on this major issue is going to go one way because the Democrats got this money and another way because the Republicans got that money. I am tired of all that.

I am telling my friends, if we do that and nothing else, we are going to wind up with a disfigured system that is worse than what we have today, and we will be back on the floor and all regulations will be taken off.

There is sentiment out there that I think will be energized under a few years of the system I just described, and we will be back here and people will be able to make the arguments that we tried this, we tried that, candidates can no longer compete, and instead of having 98-percent reelection in the House, we will have 100 percent. They cannot get any higher than that. Challengers will not have a prayer, especially in the larger States. The independent groups will double, triple, and quadruple their buys in all of our States. Everybody will be running our campaigns except ourselves, and these are just the incumbents. The challengers will have no prayer at all.

That, I say to my colleagues, will result in a reaction that none of us want, a reaction to take off absolutely all the limits. I say some of us—none of us on the reform side of this issue want. I had to stop and remind myself that some of my colleagues think that would be a jolly good idea, which makes my point, that we are not as far away from that possibility as we might think.

In summary, I say to my friend from New York and to my other colleagues on this issue with whom I have worked side by side, it boils down to this: $5,000—let’s say you double it to take care of the primary and the general election. Somebody can contribute $5,000.

Mr. President, $5,000 is different than $100,000; $5,000 is different than $500,000; $5,000 is different in every way quantitatively and qualitatively from $1 million. That is what we ought to be concentrating on, but in order to get rid of those large dollars, we have to give a candidate an even chance of running so he is not totally dependent on that soft money and he is not even totally dependent on his party and having somebody in Washington dole out the checks and decide which one of the potential challengers has a chance and which one does not.

Hopefully, at the end of this, we will have an opportunity to adopt this amendment and still be open for further discussion.

I reiterate, this amendment strengthens the cause. This amendment strengthens the cause; it does not weaken the cause. The fact that someone cannot contribute to the limits we might raise to that point I say there are plenty of people who cannot contribute to the $1,000 limit we have today. We have diminished their freedom when we raise it to $1,000, recognizing you have to have some money to run.

If somebody can give $200, do we diminish their freedom? Are we causing their levels of cynicism to rise because we had a $1,000 limit? If we have a $2,500 limit, there will be some people who can give $1,000 or $500 or $700. Maybe not the full amount. The fact that you can give the full amount does nothing to my freedom or to my citizenship because I cannot at the present time give as much as you can.

As long as we live in a free country, if we can coordinate with the candidate after candidate, it cannot be done. We cannot coordinate with the amendment of my friend from Tennessee, and that is the raising of the aggregate limits. Under the current limits, there is complete coordination allowed by the Supreme Court when a national party contributes to the candidate's candidature. There is total coordination allowed. Under his proposal, a candidate could give to that national party $40,000 a year—this is not $1,000 or $2,000 but $40,000 a year. In the Senate, which is 6 years, that is $240,000. Assume for the sake of argument the spouse is of a different political persuasion, $240,000 under the Thompson amendment going directly to one candidate that could not be done, and over and over again if the 441(a)(d) limits go to candidate after candidate after candidate.

There is a serious problem with the amendment of my friend from Tennessee. It is not the raising of $1,000 to $2,500. It is the huge raise of the aggregate limits. We all know right now people raise money for their campaigns in $20,000 units, the maximum allowable to a party. It is limited by the 441(a)(d) expenditure limits. 2 cents a voter. Those are likely to go in a month or two. Once they go, it won’t matter, for most contributors, the contributors of wealth, whether the limit is $1,000 or $2,000 or $3,000; they can give to the candidate of their choice $40,000; $40,000 to the national party, again, constitutionally protected by the United States Supreme Court. That national party can coordinate with the candidate.

This is not a minor increase. That is not simply a rate of inflation increase. That is undoing a large part of eliminating soft money.

My friend from Tennessee talks about it being hard money. The way I
thought about it, a large amount of individual money that goes to a candidate, whether it is funneled through a party or goes directly to a candidate, is what we are trying to prevent. You can call it hard money, but $10,000 is awfully soft hard money.

The amendment is a serious mistake under present law. But the only saving grace in that couldn’t be done very often because there are limits on how much the party can give each candidate. I repeat, if the 441(a)(d) limits are eliminated, which many think they will be, then we have gone amok. And we will go doubly amok with the amendment of my friend from Tennessee.

This is not about raising the limits from $1,000 to $2,500. That is the least of it. If the Senator from Tennessee were good enough to keep all the other limits in place and just raise the individual limit to $2,500 or even raise the PAC limit to $7,500, I would have an argument. But it would be an argument against the current system. When he doubles the amount of money that can be given to national party committees from $20,000 to $40,000, he makes it a heck of a lot easier—call it soft, call it hard—for large amounts of money to be channeled directly to individual candidates.

If I were a well-to-do person who wanted to aid a campaign, I wouldn’t give $1,000 directly to the candidate. I wouldn’t give $2,500 directly to the candidate. I would give $40,000 to the Senate Republican committee, to the Senate Democratic committee and they, then, could coordinate with the candidate I liked and give them all that money.

What are we talking about? The Senator from Tennessee keeps going back to 1974. We go back to 1974. We go back to 1974. We go back to 1974. We go back to 1974. We have had all sorts of consultants who have found ways around the law. The aggregate limit in 1974 seemed rather benign. It said, OK, you can only give to 25 candidates at $1,000 a head. The aggregate limit in 2001 is pernicious because the combination of court rulings and figuring out ways around the law have allowed all of that money to be channeled to an individual candidate.

I yield to the Senator from Minnesota.

Mr. THOMPSON. Mr. President, I simply say the issue has been joined. My position is my friend from New York is incorrect in terms of the law, his interpretation of the law in terms of a donor’s legal right to coordinate or direct the direction of his contribution to a particular candidate. I do not think that is a correct interpretation of the law.

For anyone concerned about that, perhaps the Senator from New York and I can get together and hash this out tonight or in the morning, but I did want to state that issue. We have a disagreement on that.

I ask unanimous consent the Senator from Utah be given 10 minutes.

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

Mr. BENNETT. Mr. President, as I listened to the Senator from New York give a hypothetical circumstance, I am reminded of a statement that I was taught by a lawyer. As the Chair and my colleagues know, I am unencumbered by a legal education, so I have to defer to those who have been to law school, but I am told that one of the factors in law school they teach is hard cases make bad law.

The Senator from New York has described a theoretical, highly unlikely, hard case. If we were to legislate entirely on the basis of that theoretical circumstance, we would make bad law. As I pointed out, the Senator from Minnesota go on at great length about how few people give in these upper ranges. For the Senator from New York to be talking about many people giving $40,000 to many candidates and the face of the actual circumstance and experience of which the Senator from Minnesota talks.

As I say, I cannot comment on the legality of the cases that have been cited. But as an outside observer, listening to it, I simply say we had a theoretical hard case which would, if we followed it, make bad law.

Let me comment on why I am in favor of the Thompson amendment. As the Senator from Tennessee indicated earlier, I am one who would be delighted to see all limits disappear for a variety of reasons that I have stated over the years about campaign finance and its challenges.

Let me run through a historic demonstration of why the green bars on the Senator’s chart keep going up. I got chastised in the press the other day for quoting Founding Fathers and talking about the Founding Fathers—as if they were irrelevant.

Quite aside from the philosophy, there is much we can learn from the Founding Fathers because every one of them was a very practical, very real politician. They had to run for election, too. They understood the political process. As I pointed out, George Washington won his elections by buying rum punch and ginger cakes for the assembled electorate. That is how they did it in those days. James Madison refused to do it and got defeated. So this issue is not new.

But when they were writing the Constitution, George Washington, as the President of the Constitutional Convention, never spoke except when he recognized one or the other delegates to the convention—except on one issue and that issue was how big congressional districts should be. The original proposal was that a congressional district should represent 50,000 people. The motion was made; no, let’s cut that down to 30,000 people.

George Washington stepped from his chair as President of the Constitutional Convention to endorse the idea that it be cut down to 30,000 because, he said, a Representative has too much to do if he has to represent as many as 50,000 people. That is just too big for a congressional district.

So it was written into the original Constitution, 30,000, with, of course, the understanding that Congress could change that. I now come from the State that just by 800 people missed getting a congressional seat in the last redistricting. Our State has the largest congressional districts, therefore, of any in the country—roughly 700,000 people per congressional district.

So if you want to talk about inflation in campaigns, go for a House campaign that, in George Washington’s day, had to go for a population of 30,000 people. Today, where the seat represents 700,000 people—more than 20 times increased.

So it is not just inflation of money; it is inflation of challenge to meet that many people. How do you do it? You do not do it shaking hands. You do not do it speaking to Rotary Clubs and Kiwanis Clubs. You do not do it by holding town meetings. The only way you can reach 700,000 people for a congressional seat, and much more in many Senate seats, is to buy time. That is the only way you can do it. There is no other physical way to let the people of your State know who you are, unless you are an incumbent who has already had 6 years of free publicity, a sports hero—and we are getting more and more of those in Congress and some of them are pretty good Members of Congress, but they would not be Members if they had not had their names emblazoned on the front pages of the papers, a circumstance that is worth millions.

If somebody wants to start from scratch, run from obscurity, they have to raise a lot of money because they have not been on the sports pages and they have not been on the front pages. They have not had all the free exposure. If they are not wealthy, they have to raise a lot of money. Raising money becomes harder and harder to do if you have a limit on the amount you can raise that does not grow with inflation and does not grow with the number of people in your district.

The days when Abraham Lincoln and Stephen Douglas could go around the State of Illinois and hold debates where thousands of people would come and stand in the Sun for 3 hours listening to them are over. We do not have that kind of attention being paid to politics today.

When I run a campaign ad, I do not have to just compete with my opponent. We talk as if all the campaign advertising is between two opponents.
When I run a campaign ad, it has to compete with the Budweiser frogs. It has to cut through all of the other ads that are out there that will cut it out as far as public attention is concerned. I can’t just say here is where I am, and put my ad up and my opponent says here is where I am and put his ad up because people are turning off the ads. They are going to the kitchen for a sandwich while the commercials are on. I have to have so many that I cut through the clutter of all the competition that has nothing to do with politics. And that means I have to raise a lot of money.

It becomes harder and harder to do that if the limits do not grow, either with inflation in money or with inflation in the population I represent or with inflation in the amount of competition active that we have.

In my first race, we bought ads on all of the network stations, and I thought we were reaching the public. Then my ad adviser came to me and said we were getting killed in the ad war. I said: What do you mean? What are we doing wrong?

He said: You are not on cable and your opponent is on cable.

I hadn’t thought about cable. I don’t have cable in my house. So we had to buy ads on cable.

The number of outlets keeps increasing and the number of challenges to meet those outlets keeps going up. Yet we stick with a limit of the amount we can raise in the face of all of these increases.

So it only makes sense to index the amount we spend, not only to inflation of dollars but index to the inflation of the challenge that we face in spending those dollars to reach the voter because you get less and less bang for your buck, even if the number of bucks goes up according to monetary inflation.

I support this amendment. It is only common sense. It will not lead to the kind of theoretical disaster about which the Senator from New York talks. It will only make it possible, slightly easier, for challengers to get a little traction against incumbents. I still think it is not easy enough and I quote again the primary example of a challenger who took on an incumbent and knew he had an advantage, which was Eugene McCarthy in 1968, who went to New Hampshire against an incumbent President and won enough votes in the New Hampshire primary to cause Lyndon Johnson to resign the race and announce he would not run.

Understand how he did that; that is how McCarthy did that. He got five people to give him $100,000 each. So he went to New Hampshire with a war chest of $500,000 in 1968. In today’s money, that is $2 million or more. Under today’s rules, he could not begin to do that. Under today’s rules, for him to raise $100,000, he would have to go to 100 different people and do that five times over. His chances of getting that done would be very slim.

So I endorse this amendment. I am happy that this occasion of campaign finance reform to finally be in agreement with my friend from Tennessee on something relating to this bill. I hope we reject all of the theoretical arguments and live in the real world where this amendment makes enormous good sense.

The ACTING PRESIDENT pro tempore, the Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 10 minutes in opposition.

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

Mr. LEVIN. Mr. President, first, let me say I know how much Senators THOMPSON and COLLINS believe in campaign the public will lose confidence in of the two real stalwarts of trying to help us get rid of the soft money loophole. So this is a disagreement in which I take no particular pleasure, to put it mildly. They have been some of my strong supporters for campaign finance reform.

I do not agree with their amendment. The limits that are created are way too high, and it is going to create some of the same problems that the soft money loophole has created in terms of the size of the contributions that will be permitted. It will not be through unregulated money, the soft money loophole, but it will be through regulated increases in the total aggregate amounts which are simply too high to create public confidence that we are doing the right thing, that we are not selling access to ourselves for large amounts of money, that we are not accepting contributions of large amounts of money from people who have significant business in the Companies and Congress.

We are at an important moment in the Senate’s consideration of this bill. It is a point where we are going to have to decide whether we are going to hold the line on real reform, which not only means eliminating the soft money loophole, which I think we are on the verge of doing, but also in terms of putting some reasonable, modest limits on contributions so we do not have aggregate contributions that are so large that they undermine confidence in the electoral process. They could lose confidence, whether we call it soft money or hard money, if the amounts which flow into these campaigns, either directly or indirectly, are too large.

We become addicted to large sums of money. It is easier to raise a large sum of money from a few people than it is to raise a small sum of money from many people. That is how we get started on soft money. That is why it is called soft money. And that is why regulated money is called hard money.

It is hard to raise money with real limits. But now that we are close to banning soft money—hopefully—to going cold turkey on the enormous contributions that the soft money loophole has let us raise from a small number of individuals, now I am afraid we are going to be looking around for other opportunities to raise large sums of money.

It is like a smoker who wants to quit who looks under the sofa cushions for a cigarette they may have dropped 3 months ago. We are looking around for someplace to still get large contributions.

The categories for the amount of money that an individual can give to a party and the aggregate that an individual can give in any 1 year to candidates, parties, and PACs looks to be a very large pot of money. We have to resist the temptation—that is what it professionally makes at least $200,000 a us—to raise the aggregate limits to sums which to the average American seem horrendously large.

The Thompson-Collins amendment doubles the limits for parties and the yearly aggregate, so that an individual, under the Thompson-Collins proposal, can give as much as $300,000 in a cycle. That is $50,000 a year to the parties and candidates and PACs that the individual supports. So a couple could give $200,000 over 2 years, and it can be solicited all at one time—from you, from me, from a Member of the House, from the President, the Vice President, and the political parties—because what is before us would raise the hard money limits.

It means that any of us can solicit the amounts of money which are under that aggregate or within the aggregate. That would mean, if this amendment passes, we could call up a couple and say: Can you contribute $200,000 in this cycle to our party and to the candidates we are supporting?

It is too big an amount. It puts us in a position which I believe we should not be in, which is to be competing in this arena for large contributions, which have undermined public confidence in the electoral process.

Too often when these large contributions have been what is being solicited—in the past with soft money, the unregulated money, but now if this amendment passes up to $300,000 a cycle per couple in hard money, usually we have gotten into the sale of access, the open, blatant sale of access. Nothing hidden about that.

Just a couple of examples—one from each party because this is a bipartisan problem.

First, for a Democratic National Committee trustee, which is shown on the board before us—this is for a $50,000 contribution or raising $100,000—a contribution to two events with the President, two annual events with the Vice President, an annual trade mission where the trustee is invited to “join Party leadership as they travel...
abroad to examine current and developing political and economic trends.

And, by the way, this same thing was used in the Reagan administration—visiting foreign dignitaries at the highest level. So this is not, again, a partisan issue. It is the sale of access for huge amounts of money. And the larger the amount of money that we permit to be solicited, that worse, it seems to me, the appearance is when access is so open and blatantly sold for that contribution.

That is what the temptation is. There is nothing illegal about this. I think it is shocking. I do not know how we can stop this kind of open sale of access to ourselves for large amounts of money. If we are going to increase hard limits, hard money contributions to the same extent as we see on these boards, when soft money was being used at this level of contribution to tempt people to make contributions in exchange for that access.

Another invitation to a Senatorial Campaign Committee event: This one promised that large contributors would be offered "plenty of opportunities to share [their] personal ideas and vision with" some of the top leaders and Senators. And then this invitation read the following: Failure to attend means "you could lose a unique chance to be solicited, the worse, it seems to me, the appearance is when access is so open and bluntly sold for that contribution.

One more: It is, of course, the worse, it seems to me, the appearance is of impropriety, which is what we are trying to stop.

Mr. President, I ask unanimous consent that I be yielded 1 additional minute.

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

Mr. LEVIN. Mr. President, the Supreme Court has held very explicitly, in Buckley v. Valeo, that large contribution limits can create the appearance of impropriety and that Congress has the right to stop that appearance of wrongdoing, that appearance of corruption, as the Court put it, which can be created by the solicitation of large amounts of money by people in power from constituents who have business before them. The amounts of money which we are talking about in this amendment are enormous.

We should not be tempted. It is easier to raise money in these large amounts—we all know that—but we should not be tempted. If we are so tempted, we would be on the one hand closing the whole loophole but on the other hand creating the same problem by lifting hard money limits to such a level that the same inappropriate appearance is created by the solicitation of contributions of this size.

I commend our friends and colleagues. Senators Thompson and Collins. They have been staunch supporters of reform. It seems awkward being on the other side from them on an amendment in this area, but I think it is a mistake to adopt this amendment. I hope we will reject it.

Mr. ROCKEFELLER. Mr. President, this morning I was unavoidably detained for longer than expected at a doctor’s appointment. Because of that appointment I would have voted on the Hagel amendment to the McCain-Feingold bill. My vote would not have changed the outcome on this amendment. I would have voted to table.

Mr. BAUCUS. Mr. President, my responsibility to the people of the State of Montana require that I be in Montana during the President’s visit to my State. However, because campaign finance reform is such an important issue, I would like to submit this statement in lieu of the testimony that the following had I been present in the Senate today.

On the Hollings constitutional amendment. I voted for this amendment in the 105th Congress, and I would have voted for it again in the 106th. This amendment would ensure that Congress had the ability to combat the influence of money on the voting process.

On the Wellstone amendment. I would have voted for this amendment. I think it is a step in the right direction because it does not single out one group and reduce its ability to communicate with the voters. This amendment will create a more level playing field with regards to issue advertisements.

MORNING BUSINESS

Mr. THOMPSON. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. HARKIN. Mr. President, I applaud today’s release of the Surgeon General’s report, “Women and Smoking.” It provides us with important information and recommendations to support our efforts to reduce smoking among women and prevent girls from starting the deadly habit. The results are disturbing and make it clear that we have a responsibility to combat the epidemic of smoking and tobacco-related diseases among women in the United States and around the world.

What the report makes clear is that we have been witness to an unprecedented tobacco industry marketing campaign targeted towards young women and girls. The consequences of this marketing campaign are staggering. From 1991 to 1999, smoking among high school girls increased from 27 to 34.9 percent. Since 1968, when Philip Morris introduced Virginia Slims, the rate of lung cancer deaths in women has skyrocketed. In fact, lung cancer has surpassed breast cancer as the leading cause of cancer death in the United States, accounting for 25 percent of all cancer deaths among women.

I am pleased that Secretary Thompson was able to join Dr. Satcher this morning to release the Surgeon General’s report. It signals the Bush administration’s willingness to aggressively pursue policies and legislation to combat tobacco use among our children.

In particular, the report demonstrates the need for meaningful regulation of tobacco products by the Food and Drug Administration. Today, tobacco companies are exempt from the most basic health and safety oversight of their products. Consumers know more about what is in their McVitie’s Digestives than what is in their cigarettes. Tobacco companies are not required to test additives for safety or tell consumers what is in their products. Nothing prevents them from making misleading or inaccurate health claims about their products.

This lack of regulation impacts women as tobacco companies aggressively target young girls through marketing campaigns linking smoking to weight loss and women’s rights and progress. For example, one of the most famous ads directed at women was Lucky Strike’s “Reach for a Lucky Instead of a Sweet.” A recent Virginia
March 27, 2001

CONGRESSIONAL RECORD—SENATE

Mr. DURBIN. Mr. President, as we celebrate National Women’s History month, I pay tribute to the countless contributions made by women, past and present, those heralded and those unknown to most, who have advanced the rights of women and enriched our Nation’s history.

The advancement of women in the last century has been nothing short of remarkable. At the beginning of the last century, women generally did not have the right to vote or own property. They could not hold most occupations, participate in the armed forces, or aspire to political office. But as long ago as 1872, a little known milestone in the fight for women’s equality was achieved by the courageous actions of an Illinois woman.

Ellen Martin of Lombard, IL, understood her legal entitlements in the late 1800s, but had the vision, the wit, and the determination to transcend the barriers around her. In the Presidential election of 1872, almost 50 years prior to the passage of the 19th Amendment, Martin and fourteen other Lombard women marched to the polls and demanded their right to vote. At the time, Lombard, IL, was governed by its local charter of incorporation, which inadvertently stated that “all citizens” rather than “all male citizens” had the right to vote.

Armed with a law book and her spectacles, Martin asserted her “citizenship” and demanded a ballot. Allegedly, the election judges were so shocked by the demand that one gentleman actually “fell backward into a flour barrel.” Ironically reminiscent of this year’s unusual election, the votes of those 15 courageous women were extensively debated in the courts. But eventually, those 15 votes became the first votes ever counted in Illinois in an American Presidential election.

Ellen Martin refused to be held down by the social and political mores of the day. She had the courage to challenge and collapse the barriers that attempted to restrict her. And for her efforts, she won a small but important victory. Of course, it was not until 1920 that women’s fundamental right to vote was expressly protected by the Constitution.

I am a cosponsor. That bill would have mandated the teaching of women’s history in K-12 classes. Only by recognizing the authentic contributions of women will educators be truly faithful to our national heritage.

Today, women play a central role in the Nation’s political and economic arenas. I am privileged to work with 13 other Senators who provide powerful examples to young women across the Nation. At the State level, women currently hold 27.6 percent of the statewide executive offices across the country and 22.4 percent of State legislative positions. As Susan B. Anthony pointed out in 1897, “There never will be complete equality until women themselves help to make laws.” Women’s representation in politics is not yet equal, but their increasing prominence signals a step in the right direction.

However, despite their strong presence in the workforce, women continue to earn less than men in this country. For every dollar a man earns, women on average earn only 73 cents. In Illinois, the wage gap is even larger: For every dollar a man earns, women earn only 69 cents. This wage gap persists despite the passage of the Equal Pay Act over three decades ago. Although the gap continues to shrink, the progress is painfully slow, shrinking by a rate of less than a penny a year. In order to facilitate the closing of this gap, I urge my colleagues to consider Senator DASCHLE’s Paycheck Fairness Act, S. 77, of which I am a cosponsor. That bill would strengthen the enforcement mechanisms of the Equal Pay Act as well as recognize employer efforts to pay wages to women that reflect the real value of their contributions. The wage disparities between men and women have endured for far too long. We must approach the problem pro-actively and demand results.

The dedication of March as Women’s History Month provides an excellent opportunity to celebrate the many contributions of women that have shaped our history as well as the powerful influence that women continue to exert not only as business leaders and politicians, but also as mothers, teachers, neighbors and vital members of the community. But as we “Celebrate Women of Courage and Vision,” let us not forget the battles that lie ahead for women as they continue to struggle for full equality. As Alice Paul, a female attorney in the early 1900s, eloquently
noted: “Most reforms, most problems are complicated. But to me there is nothing complicated about ordinary equality,” he wrote. “It allows the simple principle of equality to guide us, as we strive to make history in further advancing the rights of women.”

SMALL BUSINESS ENERGY EMERGENCY RELIEF ACT

Mr. KOHL. Mr. President, yesterday the Senate approved S. 295, the Small Business Energy Emergency Relief Act of 2001. This bill will provide needed assistance to small businesses and farmers that have suffered direct and substantial economic injury caused by significant increases in the prices of heating oil, propane, kerosene, or natural gas.

Specifically, I would like to thank the Chairman and Ranking Member of the Small Business Committee, Senator KIT BOND and Senator JOHN KERRY, for their willingness to include an amendment sponsored by Senator HARKIN that would help farmers offset the surging costs of fuel. Farmers in my state and throughout the country have been negatively impacted as a result of high energy prices on farm income, due not only to the costs for fuel farmers need to run their equipment but also the increases in costs for fertilizer, which is made from natural gas.

Earlier this year, the spot price for natural gas had increased 400 percent from the year before. The Department of Energy is predicting that natural gas rates this winter will be at least double last year’s levels. The most recognizable impact of this price spike has been on heating costs. However, many in the agriculture community are concerned with the impact of these spiking fuel costs on agricultural producers, since natural gas is the major component of nitrogen.

I am pleased that the Chairman and Ranking Member of the Small Business Committee agreed to include the Farm Energy Relief Act to allow the Secretary of Agriculture to declare a disaster area in counties where a sharp and significant increase in the price of fuel and fertilizer has caused farmers economic injury and created the need for financial assistance. That determination would allow farmers to be eligible for USDA’s emergency disaster loans for losses arising from energy price spikes. I believe this determination will provide much-needed relief to many of our producers who are also facing depressed prices for their commodities.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, March 26, 2001, the Federal debt stood at $5,733,865,076,837.79. Five trillion, seven hundred thirty-three billion, eight hundred ninety-five million, seventy-sixthousand, eight hundred thirty-third dollars and seventy-nine cents.

Five years ago, March 26, 1996, the Federal debt stood at $5,066,588,000,000. Five trillion, sixty-six billion, five hundred eighty-eight million.

Ten years ago, March 26, 1991, the Federal debt stood at $3,452,738,000,000. Three trillion, four hundred fifty-two billion, seven hundred thirty-eight million.

Fifteen years ago, March 26, 1986, the Federal debt stood at $1,982,410,000,000. One trillion, nine hundred eighty-two billion, four hundred forty million.

Twenty-five years ago, March 26, 1976, the Federal debt stood at $600,274,000,000. Six hundred billion, two hundred seventy-four million, four hundred thousand.

As friends and colleagues gather to honor Lieutenant Colonel David’s retirement from the U.S. Air Force, I would like to join inextend his birthday wishes to him my heartfelt congratulations. Indeed, the State of Rhode Island is very proud and fortunate to have had a native of Warwick, RI represent us so well. I join with all Rhode Islanders in expressing thanks to Lieutenant Colonel David for the wonderful job he has done.

In closing, I am pleased to offer my very best wishes to Lieutenant Colonel David for happiness and fulfillment in his new endeavors. His contributions certainly will be remembered for generations to come.

IN HONOR OF COMMUNITY FOOD RESOURCE CENTER

Mr. LEAHY. Mr. President, it is my honor and pleasure to inform my fellow Senators that this year marks the 21st anniversary of Community Food Resource Center, a New York City organization that has been a leader in the fight for improved nutrition and combating food insecurity. CFRC’s first project in 1980 was a school breakfast campaign. Since then, CFRC has been instrumental in shaping and promoting child nutrition programs. Because of CFRC’s efforts, for example, New York City became the first major city to implement universal school meals on a large scale.

I became familiar with CFRC because of my work on the Senate Agriculture, Nutrition, and Forestry Committee. I have come to admire and respect the organization and its dedicated staff, and I feel honored to have had the chance to work with them. Whatever the issue, I can always count on CFRC to focus on the needs of those whose voices are rarely heard in the Capitol.

I would like to highlight just a few of CFRC’s many innovative programs. Its Community Kitchen of West Harlem provides meals to more than 600 people nightly. Its CookShop program encourages schoolchildren to eat more fruits and vegetables. Its senior dinner programs use school cafeterias after hours to provide nutritious meals, social activities and an intergenerational program.
The bonds that join the United States and Greece extend back to the founding of our country. When drafting our Constitution, our forefathers recognized the ideals of liberty and the spirit of ancient Greece. Inspired by our own struggle for independence, Greece followed forty-five years later with its own struggle for independence. By celebrating this day, we pay tribute to those Greek men and women who have made the ultimate sacrifice in defense of the common cause of freedom. The United States has been able to proudly call Greece an ally in every major international conflict of the last century.

Those Americans that claim Greek heritage can be proud of the contributions made by their ancestors. The many Greek sons and daughters who have come to the United States have served honorably in all walks of American life. Greek culture continues to flourish in American cities, thus contributing to the rich ethnic diversity of our country. It is with great honor that I commemorate the celebration of Greek independence. I look forward to the continuing cooperation and lasting relationship between the United States and Greece.

DR. JOHN R. ARMSTRONG AND THE JOHN R. ARMSTRONG PERFORMING ARTS CENTER

Mr. LEVIN. Mr. President, I rise to congratulate the L'Anse Creuse Public Schools and their Superintendent, Dr. John R. Armstrong, for the opening and dedication of their beautiful new performing arts center. The L'Anse Creuse Public Schools have appropriately chosen to name this state of the art facility the John R. Armstrong Performing Arts Center in recognition for all Dr. Armstrong has done to support the arts, not only as Superintendent of the L'Anse Creuse School District, but also as a teacher and principal.

Dr. John R. Armstrong has served his community, state, and country in countless ways. Since graduating from Bowling Green University thirty-four years ago, he has been a dedicated teacher and administrator in the L'Anse Creuse Public Schools. However, Doctor Armstrong's passion for education and youth has led him to take an active role not just in the school system, but in his community. He has held leadership positions in many civic organizations and institutions that seek to advance educational causes such as Director of the Kellogg Math/Science Grant Program at Selfridge Air National Guard Base. In addition, Dr. Armstrong has been a board member of the Mt. Clemens YMCA, the Mt. Clemens Art Center, the Macomb Literacy Project and the Traffic Safety Association of Macomb County.

Dr. Armstrong has worked extensively to increase funding for his school district. He has presided over several capital campaigns and bond proposals that have allowed this growing school district to provide an environment in which learning can flourish. While Dr. Armstrong has been superintendent, student achievement has soared, as evidenced by the fact that student's in his school district have improved their test scores on the Michigan Education Assessment Program, the PSAT, SAT and ACT at a rate that has exceeded the county, state and national averages.

Just as importantly, Dr. Armstrong has worked to promote life-long learning opportunities that realize that education should not be confined within classroom walls. To that end, he has fostered cross-cultural exchanges, a cooperative art and design program with General Motors and a dialogue on issues between students and senior citizens. In addition to supporting life-long learning for others, Dr. Armstrong has led by example. Since coming to the L'Anse Creuse School District, he has earned several teacher certificates, a master's degree and a doctorate in education.

The L'Anse Creuse School District can take pride in the opening of their new auditorium, and Dr. Armstrong can take pride in his long and honorable service to the students of not only the school district but of all Michigan. I hope my colleagues will join me in saluting both the L'Anse Creuse School District and Dr. John R. Armstrong for their contributions to their community and the State of Michigan.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING COVERING CALENDAR YEAR 2000

MESSAGE FROM THE PRESIDENT—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

To the Congress of the United States:

Pursuant to section 19(3) of the Public Telecommunications Act of 1992 (Public Law 102–356), I transmit, with the report of the Corporation for Public Broadcasting covering calendar year 2000.

GEORGE W. BUSH

REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA—MESSAGE FROM THE PRESIDENT—PM 15

The PRESIDING OFFICER laid before the Senate the following message
from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1704, the President submits a report, pursuant to law, the report of a rule entitled “Clinical Chemistry and Clinical Toxicology Devices; Classification of B-Type Natriuretic Peptide Test System” (Docket No. 00P–1675) received on March 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–1174. A communication from the Acting Assistant Secretary for Defense Operations, transmitting, pursuant to law, a delay of the report on the plan to close the Peterson and Yuba Installing Sites, together with an accompanying report; which was referred to the Committee on Armed Services.

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1165. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled “Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Stock Issuances” (RIN3052–AB91) received on February 22, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1166. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (Docket No. FEMA–B–7499) received on March 16, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–1167. A communication from the Assistant Secretary for Budget and Programs, Office of the Secretary of Transportation, transmitting, pursuant to law, the report on the Federal-Aided Commercial Activities Inventory for 2000; to the Committee on Governmental Affairs.

EC–1168. A communication from the Assistant Director for Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of the Commission’s report under the Government in the Sunshine Act for calendar year 2000; to the Committee on Governmental Affairs.

EC–1169. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Devices; Reclassification of the Shoulder Joint Metal/Polymer/Metal Non-

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EC-1191. A communication from the Deputy Assistant Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Conocephalum Minutum Strain CON/M/91–08; Exempting the Requirements of the Fish and Wildlife Conservation Act” (FR 7722) received on March 23, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1192. A communication from the Deputy Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Payment for Nursing and Allied Health Education: Delay of Effective Date” (RIN0993–AK22) received on March 19, 2001; to the Committee on Finance.

EC-1193. A communication from the Deputy Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Payment for Nursing and Allied Health Education: Delay of Effective Date” (RIN0993–AE79) received on March 19, 2001; to the Committee on Finance.

EC-1194. A communication from the Chief of the Regulations Unit, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Amended Procedure for Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise” (RIN1515–ACB2) received on March 23, 2001; to the Committee on Finance.

EC-1195. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled “Department of Energy Cooperative Research and Development Agreements” (DOE O 483.1 and DOE M 483.1) received on March 23, 2001; to the Committee on Energy and Natural Resources.

EC-1196. A communication from the Assistant General Counsel for Regulatory Law, Office of Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Department of Energy Cooperative Research and Development Agreements” (DOE O 483.1 and DOE M 483.1) received on March 23, 2001; to the Committee on Energy and Natural Resources.

EC-1197. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Adjustment of Status to That Person for Permanent Residence; Temporary Removal of Certain Restrictions of Eligibility” (RIN 1115–AF91) received on March 23, 2001; to the Committee on Judiciary.

EC-1198. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, United States Agency for International Development, transmitting, pursuant to law, a report concerning Egypt’s economic achievements and challenges from 1999 through 2000; to the Committee on Foreign Relations.

EC-1199. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-1200. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, the annual report concerning the United States Government and its Activities with the New Independent States of the Former Soviet Union for Fiscal Year 2000; to the Committee on Foreign Relations.

EC-1201. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background of international agreements, other than treaties, to the Committee on Foreign Relations.

EC-1202. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the report on the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001; to the Committee on Armed Services.

EC-1203. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the annual report on Contin- gent Liabilities Under Chapter 453 Aviation Insurance Program; to the Committee on Armed Services.

EC-1204. A communication from the Principal Deputy Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, the report of a rule entitled “Faculty Safety” (DOE O 420.1) received on March 23, 2001; to the Committee on Armed Services.

EC-1205. A communication from the Assistant Secretary of Defense, Reserve Affairs, transmitting, pursuant to law, a report on the Angel Gate Academy Program; to the Committee on Armed Services.

EC-1206. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Capacity Authority Programs” (DOE O 440.1) received on March 23, 2001; to the Committee on Armed Services.

EC-1207. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled “Distribution of Funds” (RIN1507–ACD2) received on March 26, 2001; to the Committee on Appropriations.

EC-1208. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Amended Procedure for Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise” (RIN1515–ACB2) received on March 23, 2001; to the Committee on Finance.

EC-1209. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1210. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC-1211. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-1212. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under a contract in the amount of $50,000,000 or more to Belgium; to the Committee on Foreign Relations.

EC-1213. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1214. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1215. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1216. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1217. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1218. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1219. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1220. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1221. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1222. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.

EC-1223. A communication from the Acting Assistant Secretary of Legislative Affairs, transmitting, pursuant to law, the report of a rule entitled “Farmland Industries, Inc. v. Commissioner” received on March 26, 2001; to the Committee on Finance.
Budget, Office of Federal Financial Management, to the Committee on Governmental Affairs.

EC-1224. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the Inspector General for the period April 1, 1999 through March 31, 2000; to the Committee on Governmental Affairs.

EC-1225. A communication from the Chief Financial Officer, Export-Import Bank of the United States, transmitting, pursuant to law, the annual report of the Office of Inspector General for the period January 2001; to the Committee on Governmental Affairs.

EC-1226. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on March 14, 2001; to the Committee on Governmental Affairs.

EC-1227. A communication from the District of Columbia Auditor, transmitting, a report entitled “Analysis of the First Quarter Cash Budget Request for the Revised Fiscal Year 2001 Revenue Estimate”; to the Committee on Governmental Affairs.

EC-1228. A communication from the Managing Director, National Transportation Safety Board, transmitting, pursuant to law, the report by the Federal Aviation Administration’s Federal Register, for the period April 1, 1999 through March 31, 2000; to the Committee on Government Affairs.

EC-1229. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the annual report of the Office of Inspector General for 2000; to the Committee on Governmental Affairs.

EC-1230. A communication from the Acting Administrator and Chief Executive Officer of the Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the report on the system of internal accounting controls and financial controls for 2000; to the Committee on Governmental Affairs.

EC-1231. A communication from the Acting Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Pacific Ocean Management Plan, Bay Area Air Quality Management District” (FRL6954–9) received on March 26, 2001; to the Committee on Environment and Public Works.


EC-1233. A communication from the Acting Administrator of the National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revocation to Federal Register, Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Orono, Maine)” (Docket No. 00–236) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

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EC-1245. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Emergency Rule; Request for Comments on Measures to Protect Salmonids in the Upper Sacramento River, Upper Klamath River, and Lower Klamath River” (RIN0648–ZA77) received on March 27, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1246. A communication from the Acting Assistant Administrator of the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry: Notice of Solicitation for Applications” (RIN0648–ZA09) received on March 27, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1247. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (New Orleans, Louisiana)” (Docket No. 00–242) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1248. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Orono, Maine)” (Docket No. 00–242) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1249. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (New Orleans, Louisiana)” (Docket No. 00–188) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1250. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Lead, South Dakota)” (Docket No. 00–235) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1251. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (New Orleans, Louisiana)” (Docket No. 00–188) received on March 23, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1252. A communication from the Chief of the Office of Regulations and Administration, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Regatta Regulations; (Including 3 Regulations Pertaining to Limitations on Boat Traffic in the Bering Sea)’’ (RIN0656–AI15) received on March 28, 2001; to the Committee on Commerce, Science, and Transportation.
EC-125. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations (Including 3 Regulations)" (RIN2115-AE47) (2001–0021) received on March 26, 2001, to the Committee on Commerce, Science, and Transportation.

EC-124. A communication from the Chief of the Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations (Including 49 Regulations)" (RIN2115-AE47) (2001–0005) received on March 26, 2001, to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. HELMS for the Committee on Foreign Relations.

Grant S. Green, Jr., of Virginia, to be an Under Secretary of State (Management).

The above nomination was reported with the recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HAGEL (for himself, Mr. BINGAMAN, Mr. LUAR, and Mr. LIEBERMAN):

S. 621. A bill to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself, Mr. BROWNBACK, Mr. GRAHAM, and Mr. BINGAMAN):

S. 622. A bill to amend titles V, XVIII, and XIX of the Social Security Act to promote tobacco cessation under the medicare program, the medicaid program, and maternal and child health services block grant program; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. DASCHEL, Mr. KENNEDY, and Mr. SANDERS):

S. 623. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a 50 percent credit against income tax payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Finance.

By Mr. GREGG (for himself and Mrs. HUTCHISON):

S. 624. A bill to amend the Fair Labor Standards Act of 1938 to permanently extend the work opportunity credit and the welfare-to-work credit, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. DASCHEL):

S. 628. A bill to amend the Internal Revenue Code of 1986 to provide a rebate of a portion of the Federal budget surplus in 2001; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. CONRAD, Mr. DORGAN, Mr. DURBIN, Mr. ROCKEFELLER, Mr. REID, and Mr. LEVIN):

S. 629. A bill to amend the Internal Revenue Code of 1986 to provide a refund of individual income taxes in 2001 and to establish a 10 percent rate bracket beginning in 2001, and for other purposes; to the Committee on Finance.

By Mr. BURNS (for himself, Mr. WYDEN, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. TORGICELLI, Mr. BREAUX, and Mr. MUKOWSKI):

S. 630. A bill to prohibit senders of unsolicited commercial electronic mail from divulging the source of their messages, to give consumers the choice to cease receiving a sender’s unsolicited commercial electronic mail messages, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER:

S. 631. A bill to provide for pension reform, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 632. A bill to reestablish a final rule promulgated by the Administrator of the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. HUTCHISON (for herself and Mr. ROCKEFELLER):

S. 633. A bill to provide for the review and management of airport congestion, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DOUD:

S. 634. A bill to amend section 2007 of the Social Security Act to provide grant funding for additional Enterprise Communities, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 170. At the request of Mr. REID, the name of the Senator from New Jersey (Mr. TORGICELLI) was added as a cosponsor of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 177. At the request of Mr. AKAKA, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 177, a bill to amend the provisions of title 19, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 205. At the request of Mrs. HUTCHISON, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes.

S. 258. At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of annual screening pap smear and screening pelvic exams.
At the request of Ms. Snowe, the name of the Senator from South Carolina (Mr. Hollings) was added as a cosponsor of S. 264, a bill to amend title XVIII of the Social Security Act to expand coverage of bone mass measurements under part B of the Medicare program to all individuals at clinical risk for osteoporosis.

At the request of Mr. Johnson, the name of the Senator from Virginia (Mr. Allen) was added as a cosponsor of S. 278, a bill to require health care coverage to retired members of the uniformed services.

At the request of Mr. Thompson, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 263, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes and to allow the State and local income tax deduction against the alternative minimum tax.

At the request of Mr. Reid, the name of the Senator from Delaware (Mr. Carper) was added as a cosponsor of S. 338, a bill to protect amateur athletics and combat illegal sports gambling.

At the request of Mr. Ensign, the names of the Senator from Oregon (Mr. Smith) and the Senator from Utah (Mr. Hatch) were added as cosponsors of S. 338, supra.

At the request of Mr. Campbell, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of S. 344, a bill to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.

At the request of Mr. Dorgan, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

At the request of Mr. Dorgan, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of S. 363, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

At the request of Mr. Dorgan, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of S. 364, a bill to amend the Internal Revenue Code of 1986 to expand the applicability of section 179 which permits the expensing of certain depreciable assets.

At the request of Mrs. Hutchison, the names of the Senator from South Carolina (Mr. Thurmond) and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of S. 403, a bill to improve the National Writing Project.

At the request of Mrs. Hutchison, the names of the Senator from Massachusetts (Mr. Kennedy) and the Senator from Maine (Ms. Collins) were added as cosponsors of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

At the request of Mr. Murrkowski, the name of the Senator from Oklahoma (Mr. Inhofe) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

At the request of Mr. Schumer, the names of the Senator from Illinois (Mr. Durbin) and the Senator from Louisiana (Ms. Landrieu) were added as cosponsors of S. 458, a bill to amend the Internal Revenue Code of 1986 to make higher education more affordable, and for other purposes.

At the request of Mrs. Feinstein, the name of the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 468, a bill to provide for increased access to HIV/AIDS-related treatments and services in developing foreign countries.

At the request of Mr. Hagel, the names of the Senator from Virginia (Mr. Warner), the Senator from Louisiana (Mr. Breaux), the Senator from Illinois (Mr. Durbin), and the Senator from Massachusetts (Mr. Kerry) were added as cosponsors of S. 466, a bill to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per child expenditure for programs under part B of such Act.

At the request of Mr. Domenci, the name of the Senator from Arkansas (Mr. Hutchinson) was added as a cosponsor of S. 472, a bill to ensure that nuclear energy continues to contribute to the supply of electricity in the United States.

At the request of Mr. Graham, the name of the Senator from Missouri (Mrs. Carnahan) was added as a cosponsor of S. 501, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

At the request of Mr. Campbell, the name of the Senator from North Dakota (Mr. Dorgan) was added as a cosponsor of S. 534, a bill to establish a Federal interagency task force for the purpose of coordinating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as "mad cow disease") and foot-and-mouth disease in the United States.

At the request of Mr. Harkin, the name of the Senator from South Carolina (Mr. Hollings) was added as a cosponsor of S. 548, a bill to amend title XVIII of the Social Security Act to provide enhanced reimbursement for, and expanded capacity to, mammography services under the medicare program, and for other purposes.

At the request of Mr. Santorum, the name of the Senator from Arkansas (Mr. Hutchinson) was added as a cosponsor of S. 563, a bill to amend the Social Security Act to require Social Security Administration publications to highlight critical information relating to the future financing shortfalls of the social security program, to require the Commissioner of Social Security to provide Congress with an annual report on the social security program, and for other purposes.

At the request of Mr. Dodd, the name of the Senator from New Jersey (Mr. Corzine) was added as a cosponsor of S. 565, a bill to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes.
At the request of Mr. Sessions, the name of the Senator from Arkansas (Mr. Hutchinson) was added as a co-sponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

At the request of Mr. Roberts, the name of the Senator from Illinois (Mr. Fitzgerald) was added as a co-sponsor of S. 599, a bill to amend the Omnibus Trade and Competitiveness Act of 1988 to establish permanent trade negotiating and trade agreement implementing authority.

At the request of Ms. Stabenow, and the Senator from Michigan (Mr. Torricelli) was added as a co-sponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving Social Security pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

At the request of Ms. Mikulski, the name of the Senator from New Jersey (Mr. Torricelli) was added as a co-sponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving Social Security pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

At the request of Ms. Mikulski, her name was added as a co-sponsor of S. 619, a bill to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

By Mr. Durbin (for himself, Mr. Brownback, Mr. Graham, and Mr. Bingaman), a bill to amend titles V, XIX, and XIX of the Social Security Act to promote tobacco cessation under the medicare program, the medicaid program, and maternal and child health services block grant program; to the Committee on Finance.

Mr. Durbin. Mr. President, I rise today to introduce legislation that expands treatment to millions of Americans suffering from a deadly addiction: tobacco. I am pleased to have Senators Brownback, Bingaman, and Graham of Florida join me in this effort. The Medicare, Medicaid and MCH Smoking Cessation Promotion Act of 2001 will help make smoking cessation therapy accessible to recipients of Medicare, Medicaid, and the Maternal and Child Health, MCH, Program.

We have known long ago that cigarette smoking is the largest preventable cause of death, accounting for 29 percent of all deaths in this country. It is well documented that smoking causes virtually all cases of lung cancer and a substantial portion of coronary heart disease, peripheral vascular disease, chronic obstructive lung disease, and cancers of other sites. And the harmful effects of smoking do not end with the smoker. Women who use tobacco during pregnancy are more likely to have adverse birth outcomes, including babies with low birth weight, which is linked with an increased risk of infant death and a variety of infant health disorders.

Still, despite enormous health risks, 48 million adults in the United States smoke cigarettes, approximately 22.7 percent of American adults. The rates are higher for our youth, 36.4 percent of all 12-year-olds. In Illinois, the adult smoking rate is about 24.2 percent. Perhaps most distressing and surprising, data indicate that about 13 percent of mothers in the United States smoke during pregnancy.

Today, the Surgeon General released a new report that documents the health effects for women who smoke. Women now represent 39 percent of all smoking related deaths in the United States each year, more than double the percentage in 1965.

More than 21 percent of women in my state of Illinois smoke. Lung cancer is the leading cancer killer among women surpassing breast cancer in 1987, and smoking causes 87 percent of lung cancer cases. In fact, lung cancer death rates among women increased by more than 400 percent between 1960 and 1990. And smoking among girls is on the rise as well. From 1991 to 1998, smoking among high school girls increased from 27 to 34.3 percent.

There is no doubt that smoking rates among women and girls are linked to targeted tobacco advertising. The Centers for Disease Control and Prevention's National Health Interview Survey showed an abrupt increase in smoking initiation among girls around 1967, about the same time that Philip Morris and other tobacco companies launched advertisements for brands specifically targeted to women and girls. Six years after the introduction of Virginia Slims and other such brands, the rate of smoking initiation of 12-year-old girls increased by 110 percent.

The report released today echoes this concern, highlighting the targeting of women in tobacco marketing. Between 1995 and 1998, expenditures in the United States for cigarette advertising and promotion increased from $4.90 billion to $6.73 billion. In 1999, these promotional expenditures leaped another 22 percent, to a new high of $8.24 billion.

As a result, we are not only paying a heavy health toll, but an economic price as well. The total cost of smoking in 1993 in the U.S. was about $102 billion, with over $50 billion in health care expenditures directly linked to smoking. The Centers for Disease Control and Prevention reports that approximately 43 percent of these costs were paid by government funds, primarily Medicaid and Medicare. Smoking costs Medicare alone more than $12.9 billion per year. According to the American Lung Association, my state of Illinois spends $2.9 billion each year in public and private funds to combat smoking-related diseases.

Today, however, we also know how to help smokers quit. Advancements in treating tobacco use and nicotine addiction have helped millions kick the habit. While more than 40 million adults continue to smoke, nearly as many receive government assistance for a variety of longer, healthier lives. In large part, this is because new tools are available. Effective pharmacotherapy and counseling regimens have been tested and proven effective. The Surgeon General's 2000 Report, Reducing Tobacco Use, concluded that "pharmacologic treatment of nicotine addiction, combined with behavioral support, will enable 10 to 25 percent of
users to remain abstinent at one year of posttreatment.”

Studies have shown that reducing adult smoking through tobacco use treatment pays immediate dividends, both in terms of health improvements and cost savings. Creating a new non-smoker reduces anticipated medical costs associated with acute myocardial infarction and stroke by $47 in the first year and by $853 during the next seven years in 1995 dollars. And within four to five years after tobacco cessation, quitters use fewer health care services than continued smokers. In fact, in one study the cost savings from reduced use paid for a moderately priced effective smoking cessation intervention in just three to four years.

The health benefits tobacco quitters enjoy are undisputed. They live longer. After 15 years, for every 1,000 quitters, death for ex-smokers returns to nearly the level of persons who have never smoked. Male smokers who quit between the ages of 35 and 39 add an average of five years to their lives; women gain three years. Even older Americans over age 65 can extend their life expectancy by giving up cigarettes.

Former smokers are also healthier. They are less likely to die of chronic lung diseases. After ten smoke-free years, their risk of lung cancer drops to as much as one-half of that of those who continue to smoke. After five to fifteen years the risk of stroke and heart disease for ex-smokers returns to the level of those who have never smoked. They have fewer days of illness, reduced rates of bronchitis and pneumonia, and fewer health complaints.

New Public Health Service Guidelines released last summer conclude that tobacco dependence treatments are both effective and effective relative to other medical and disease prevention interventions. The guidelines urge health care insurers and purchasers to include counseling and FDA-approved pharmacotherapies as a covered benefit.

Unfortunately, the federal government, a major purchaser of health care through Medicare and Medicaid, does not currently adhere to its own published guidelines. It is high time that goal be matched by one for effective tobacco use treatment payments. The Medicare, Medicaid, and MCH Smoking Cessation Promotion Act of 2000 improves access to and coverage of smoking cessation treatment therapies in four primary ways.

First, our bill adds a smoking cessation counseling benefit to Medicare. By 2020, 12.1 million of the U.S. population will be 65 years of age or older. It is estimated that Medicare will pay $800 billion to treat tobacco-related diseases over the next twenty years. In a study of adults 65 years of age or older who received advice to quit, behavioral counseling and pharmacotherapy, 24.8 percent reported having stopped smoking six months following the intervention. The total economic benefits of quitting after age 65 are not shown. Due to a reduction in the risk of lung cancer, coronary heart disease and emphysema, studies have found that heavy smokers over age 65 who quit can avoid up to $4,592 in lifelong illness-related costs.

Second, our measure provides coverage for both prescription and non-prescription smoking cessation drugs in the Medicaid program. The bill eliminates the provision in current federal law that allows states to exclude FDA-approved smoking cessation therapies from coverage under Medicaid. The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 11(a)(6) of Public Law 106–554), is amended—

(a) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by section 105(b) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 11(a)(6) of Public Law 106–554), is amended—

(1) in subparagraph (U), by striking “and” at the end;

(2) in subparagraph (V), by inserting “and” at the end;

(3) by adding at the end the following new subparagraph:—

“(W) counseling for cessation of tobacco use (as defined in subsection (ww));”;

(b) SERVICES DESCRIBED.—Section 161 of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by section 105(b) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 11(a)(6) of Public Law 106–554), is amended by adding at the end the following new subsection:—

“Counseling for Cessation of Tobacco Use

(ww) The term ‘counseling for cessation of tobacco use’ means the services described in subparagraph (A);”;

“(1)(A) Counseling for cessation of tobacco use for individuals who have a history of tobacco use;

(2) For purposes of subparagraph (A), the term ‘counseling for cessation of tobacco use’ means diagnostic, therapy, and counseling services for cessation of tobacco use which are furnished—

(i) by or under the supervision of a physician; or...
“(ii) by any other health care professional who is licensed to furnish such services under State law (or the State regulatory mechanism provided by State law) of the State in which the services are furnished, as would otherwise be covered if furnished by a physician or as an incident to a physician’s professional service.

“(C) The term ‘counseling for cessation of tobacco use’ does not include coverage for drugs or biologicals that are not otherwise covered under this title.”

“(c) Payment and Elimination of Cost-Sharing for Counseling for Cessation of Tobacco Use.—

(1) Payment and Elimination of coinsurance.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(b)), as amended by section 223(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Pub. L. 106–554), is amended—

(A) by striking the “and” before “(U)”; and

(B) by inserting before the semicolon at the end the following: “; and counseling for cessation of tobacco use (as defined in section 1861(ww))”.

(2) Elimination of coinsurance in outpatient hospital settings.—The third sentence of section 1833(a)(2)(A) of the Social Security Act (42 U.S.C. 1395cc(a)(2)(A)) is amended by inserting after “1861(a)(10)(A)” the following: “, with respect to counseling for cessation of tobacco use (as defined in section 1861(ww))”,.

(3) Elimination of deductible.—The first sentence of section 1833(b) of the Social Security Act (42 U.S.C. 1396b(c)) is amended—

(A) by striking “and” before “(G)”; and

(B) by inserting before the period the following: “, and (G) such deductible shall not apply with respect to counseling for cessation of tobacco use (as defined in section 1861(ww))”,.

(4) Effective date.—The amendments made by this section shall apply to services furnished on or after the date that is 1 year after the date of enactment of this Act.

SEC. 4. Promoting Cessation of Tobacco Use under the Maternal and Child Health Services Block Grant Program.

(a) Quality Maternal and Child Health Services Including Cessation Counseling and Medications.—Section 501 of the Social Security Act (42 U.S.C. 701) is amended by adding at the end the following new subsection:

“(c) For purposes of this title, the term ‘maternal and child health services’ includes counseling for cessation of tobacco use (as defined in section 1861(ww)), any drug or biological used to promote tobacco cessation, and any health promotion counseling that includes information on how to quit tobacco and the risks related to tobacco use.”

(b) Effective date.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of enactment of this Act.

By Mr. ROCKEFELLER (for himself, Mr. DASCHLE, Mr. KENNEDY, and Mr. SARBANES), a bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to improve access to health insurance and Medicaid benefits for individuals ages 55 to 65, to amend the Internal Revenue Code to allow a 50 percent credit against income tax for payment of such premiums and of premiums for certain COBRA continuation coverage, and for other purposes; to the Committee on Finance.

March 27, 2001
TITLE I—ACCESS TO MEDICARE BENEFITS FOR INDIVIDUALS 62-TO-65 YEARS OF AGE


(a) In General.—Title XVIII of the Social Security Act is amended—

(1) by redesignating section 1859 and part D as section 1859A and part E, respectively; and

(2) by inserting after such section the following new part:

"PART D—PURCHASE OF MEDICARE BENEFITS BY CERTAIN INDIVIDUALS AGE 62-TO-65 YEARS OF AGE

Sec. 1859A. Program benefits; eligibility.

"(a) Entitlement to Medicare benefits for enrolled individuals.—

(1) In general.—An individual enrolled under this part to the same benefits under part A or enrolled under part B.

(2) Definitions.—For purposes of this part:

"(A) FEDERAL OR STATE COBRA CONTINUATION PROVISION.—The term ‘Federal or State COBRA continuation provision’ has the meaning given the term ‘COBRA continuation provision’ in section 2739(d)(4) of the Public Health Service Act and includes a comparable State program, as determined by the Secretary.

"(B) FEDERAL HEALTH INSURANCE PROGRAM DEFINED.—The term ‘Federal health insurance program’ means any of the following:

"(i) Medicare.—Part A or part B of this title (other than by reason of this part).

"(ii) Medicaid.—A State plan under title XIX.

"(iii) FEHBP.—The Federal employees health benefit program under chapter 89 of title 5, United States Code.

"(iv) TRICARE.—The TRICARE program (as defined in section 1072(7)) of title 10, United States Code.

"(v) ACTIVE DUTY MILITARY.—Health benefits under title 10, United States Code, to an individual as a member of the uniformed services of the United States.

(b) Enrollment periods.

(1) Individuals 62-to-65 years of age.—In the case of individuals eligible to enroll under this part under section 1859(b)—

"(i) Initial enrollment period.—If the individual is eligible to enroll under such

"(ii) Annual enrollment period.—If the individual is enrolled under this part in a prior year, the individual may enroll under such part during the annual enrollment period described in subsection (b); and

"(iii) Continuation or conversion.—The individual may continue or convert coverage described in paragraph (1) or (2) to coverage described in paragraph (3).

"(iii) Continuation or conversion.—The individual may continue or convert coverage described in paragraph (1) or (2) to coverage described in paragraph (3).
section for January 2002, the enrollment period shall begin on the first day of the month and shall end on February 28, 2002. Any such enrollment before January 1, 2002, is conditioned upon compliance with the conditions of eligibility for January 2002.

(3) Limitation on Payments.—No payments may be made under this title with respect to the expenses of an individual enrolled under this part unless such expenses were incurred by such individual during a period which, with respect to the individual, is a coverage period as defined in this section.

(4) Termination of Coverage.—(1) In General.—An individual’s coverage period under this part shall continue until the individual satisfies the eligibility requirements of section 1859, the first day of such month of eligibility.

(2) Effective Date of Termination.—(A) Notice.—The termination of a coverage period under paragraph (1) shall take effect as of the first day of the month in which the individual becomes entitled to benefit under part A or enrolled under part B (other than by reason of this part).

(3) Establishment of Premium Areas.—For purposes of this part, the term ‘premium area’ means such an area as the Secretary shall specify from time to time as being appropriate for the purposes of this part.

(4) Determinants of Actuarial Present Values.—The actuarial present values described in paragraph (3) shall reflect—

(A) the estimated probabilities of survival at ages 62 through 84 for individuals enrolled during the year;

(B) the estimated effective average interest rates that would be earned on investment of premium payments under this part during the period in question.

(5) Payment of Deferred Premium for Individuals Covered After Attaining Age 65.—(A) In General.—The Secretary shall provide for the payment and collection of the base monthly premium, determined under section 1859(b)(1)(A), for the age (and age cohort, if applicable) of the individual involved and the premium area in which the individual principally resides, in the same manner as for payment of monthly premiums under section 1859(b), except that, for purposes of applying this section, any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed a reference to the Medicare Trust Fund established under section 1859D.

(6) Period of Payment.—In the case of an individual who participates in the program established by this title, the base monthly premium shall be payable for the period commencing with the first month of the individual’s coverage period and ending with the month in which the individual’s coverage under this title terminates.

(7) Payment of Deferred Premium for Individuals Covered After Attaining Age 65.—(A) In General.—In the case of an individual who is covered under this part for a month pursuant to an enrollment under section 1859(b), subject to subparagraph (B), the individual is liable for payment of a deferred premium.
premium in each month during the period described in clause (1) or (2) of section 1859A(d)(1)(A), subject to clause (2), the amount of the deferred premium otherwise established under this paragraph shall be pro-rated (not to exceed) by the number of months of coverage under this part under such enrollment compared to the maximum number of months of coverage that the individual would have had if the enrollment were not so terminated.

(1) Rounding to 12-Month Minimum Coverage Periods.—In applying clause (1), the number of months of coverage (if not a multiple of 12) shall be rounded to the next highest multiple of 12 months, except that in no case shall this clause result in a number of months of coverage exceeding the maximum number of months of coverage that the individual would have had if the enrollment were not so terminated.

(2) Periodic Payment.—The period described in this paragraph for an individual is the period beginning with the first month in which the individual has attained 65 years of age and ending with the month before the month in which the individual attains 85 years of age.

(3) Collection.—In the case of an individual who is liable for a premium under this subsection, the amount of the premium shall be collected in the same manner as the premium for enrollment under such part is collected under section 1840, except that any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed to be a reference to the Medicare Early Access Trust Fund established under section 1859D.

(4) Application of Certain Provisions.—The provisions of section 1840 (other than subsection (b)) shall apply to premiums collected under this subsection in the same manner as they apply to premiums collected under part B, except that any reference in such section to the Federal Supplementary Medical Insurance Trust Fund is deemed a reference to the Trust Fund established under section 1859D.

SEC. 1859D. Medicare Early Access Trust Fund.

(a) Establishment of Trust Fund.—(1) In General.—Thereby created on the books of the Treasury of the United States a trust fund to be known as the ‘Medicare Early Access Trust Fund’ (in this section referred to as the ‘Trust Fund’). The Trust Fund shall consist of such gifts and bequests as may be made as provided in section 201A(k) and such amounts as may be deposited in, or appropriated to, such fund as provided in this title.

(2) Premiums.—Premiums collected under section 1859D shall be transferred to the Trust Fund.

(b) Incorporation of Provisions.—(1) In General.—Subject to paragraph (2), subsections (b) through (l) of section 1841 shall apply with respect to the Trust Fund and this title shall be applied in the same manner as they apply with respect to the Federal Supplementary Medical Insurance Trust Fund and part B, respectively.

(2) Merit and Consumer References.—In applying provisions of section 1841 under paragraph (1)—

(A) any reference in such section to this part is construed to refer to this part D;

(B) any reference in section 1841(h) to sections 1840(d) and in section 1841(i) to sections 1840(b)(1) and 1842(g) are deemed references to comparable authority exercised under this part D; and

(C) any reference in section 1841(g) to this Trust Fund under section 1859A is amended by striking ‘Medicare Early Access Trust Fund’ and inserting ‘Medicare Early Access Trust Fund established by title XVIII’ and inserting ‘, the Federal Supplementary Medical Insurance Trust Fund, and the Medicare Early Access Trust Fund established by title XVIII’.

(3) Section 1820(1) of such Act (42 U.S.C. 1395x–2(1)) is amended by striking ‘part D’ and inserting ‘part D’.

(4) Part C of title XVIII of such Act is amended—

(A) in section 1851(a)(2)(B) (42 U.S.C. 1395w–21(a)(2)(B)) by striking ‘1859(b)(3)’ and inserting ‘1859(b)(3)’;

(B) in section 1851(a)(2)(C) (42 U.S.C. 1395w–21(a)(2)(C)), by striking ‘1859(b)(2)’ and inserting ‘1859(b)(2)’;

(C) in section 1852(a)(1) (42 U.S.C. 1395w–22(a)(1)), by striking ‘1859(b)(3)’ and inserting ‘1859(b)(3)’;


(5) Section 1853(c) of such Act (42 U.S.C. 1395w–23(c)) is amended—

(A) in paragraph (1), by striking ‘or (7)’ and inserting ‘, (7), or (8)’;

(B) by adding at the end following: “(8) Adjustment for Early Access.—In applying this subsection with respect to individuals entitled to benefits under this title, the Secretary shall provide for an appropriate adjustment in the Medicare Choice Program, to the extent authorized under section 1859A of this title, in order to reflect the fact that the beneficiaries served under such part and the population under parts A and B.”;

(c) Other Conforming Amendments.—(1) Section 1381(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ‘1859(b)(3)” and inserting ‘1859(b)(3)”.

(2) Section 602(2)(D)(II) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)) is amended by inserting “(not including an individual who is so entitled pursuant to enrollment under section 1859A)” after “Social Security Act”.

(B) Section 2202(2)(D)(II) of the Public Health Service Act (42 U.S.C. 300b–2(2)(D)(II)) is amended by inserting “(not including an individual who is so entitled pursuant to enrollment under section 1859A)” after “Social Security Act”.

(c) Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986 is amended by inserting “(not including an individual who is so entitled pursuant to enrollment under section 1859A)” after “Social Security Act”.

(b) Benefits for Displaced Workers.

(1) General Access to Medicare Benefits for Displaced Workers 55 TO 62 YEARS OF AGE.

SEC. 201. Access to Medicare Benefits for Displaced Workers 55 to 62 Years of Age.

(a) Eligibility.—Section 1859 of the Social Security Act, as inserted by section 101(a)(2), is amended by adding at the end the following new subsection:

“(c) Displaced Workers and Spouses.—(1) Displaced Workers.—Subject to paragraph (3), an individual who was, at the time the individual entered the program, eligible for benefits under part A or part B for the month in which the individual was so entitled pursuant to enrollment under section 1859A after “Social Security Act”.

(b) Additional Benefits for Displaced Workers 55 to 62 Years of Age.

(1) Eligible for Unemployment Compensation.—The individual meets the requirements relating to period of covered employment and conditions of separation from employment to be eligible for unemployment compensation (as defined in section 85(b) of

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(ii) LOSS OF EMPLOYMENT-BASED COVERAGE.—Immediately before the time of such separation of employment, the individual was covered under a group health plan on the basis of employment, and, because of such loss, is no longer eligible for coverage under such plan (including such eligibility based on a spouse’s employment under a Federal State COBRA continuation provision) as of the last day of the month involved.

(iii) PREVIOUS CREDITABLE COVERAGE FOR AN INDIVIDUAL—The individual described in this clause is an individual described in paragraph (1)(C)(ii) because the individual loses coverage described in clause (ii); and

(iv) PREVIOUS CREDITABLE COVERAGE FOR A MONTH—The individual described in clause (ii) for a month described in clause (iii) could have had coverage under such section for January 2002, the enrollment period shall begin on November 1, 2001, and shall end on February 28, 2002. Any such enrollment before January 1, 2002, is conditioned upon compliance with the conditions of eligibility for January 2002.

(v) SUBSEQUENT PERIODS.—If the individual fails to enroll to such section under paragraph (1)(C) shall take effect on the date on which the individual is first eligible to so enroll (or reenroll) and shall end four months later.

(vi) TERMINATION BASED ON AGE.—

(A) AGE 65.—Subject to clause (ii), the individual attains 65 years of age.

(B) AGE 65 AND ABOVE.—If the individual is a member of a separate age cohort under paragraph (1)(B), in a premium area is equal to 165 percent of the average, annual per capita amount estimated under paragraph (1) for the continuation of enrollment of individuals who have attained 60 years of age and a separate cohort for individuals who have attained 60 years of age.

(C) GEOGRAPHIC ADJUSTMENT.—The Secretary provides for adjustments under subsection (b)(2).

(D) BASE ANNUAL PREMIUM.—The base annual premium is the annual per capita amount estimated under paragraph (1) for the cohort described in subsection (b)(2).

(E) PRO-RATION OF PREMIUMS TO REFLECT COVERAGE DURING A PART OF A MONTH.—If the Secretary provides for coverage of portions of a month under section 1859A(c)(2), the Secretary shall pro-rate the premiums attributable to such coverage under this section to reflect the portion of the month so covered.

(F) ADMINISTRATIVE PROVISIONS.—Section 1859B of such Act, as so inserted, is amended by adding at the end the following:

(2) the individual loses coverage described in such clause as of the last day of the month in which the individual attains 62 years of age, unless the individual has enrolled under this part pursuant to section 1859A(c)(3).

(3) the individual loses coverage described in such clause as of the first day of the month in which the individual attains 62 years of age, unless the individual has enrolled under this part pursuant to section 1859A(c)(3).
order to continue entitlement to benefits under this title after attaining 62 years of age.

“(2) ARRANGEMENTS WITH STATES FOR DETERMINATIONS RELATING TO UNEMPLOYMENT COMPENSATION ELIGIBILITY.—The Secretary may provide for appropriate arrangements with States for the determination of whether individuals in the State meet or would meet the requirements of section 1556(c)(1)(C)(i).”

(e) CONFORMING AMENDMENT TO HEADING TO PART.—The heading of part D of title XVIII of the Social Security Act, as so inserted, is amended by striking “62” and inserting “55.”

TITLE III—COORDINATION PROTECTION FOR EARLY RETIREES

Subtitle A—Amendments to the Employee Retirement Income Security Act of 1974

SEC. 301. COBRA CONTINUATION BENEFITS FOR CERTAIN RETIRED WORKERS WHO LOSE RETIREE HEALTH COVERAGE.

(a) ESTABLISHMENT OF NEW QUALIFYING EVENT.—

(1) IN GENERAL.—Section 603 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1163) is amended by inserting after paragraph (6) the following new paragraph:

“(7) The termination or substantial reduction in benefits (as defined in section 607(7)) of group health plan coverage as a result of a plan change or termination in the case of a covered employee who is a qualified retiree.”.

(2) QUALIFIED RETIREE; QUALIFIED BENEFICIARY; AND SUBSTANTIAL REDUCTION DEFINED.—Section 607 of such Act (29 U.S.C. 1167) is amended—

(A) in paragraph (3)—

(i) in subparagraph (A), by inserting “except as otherwise provided in this paragraph,” after “means,”; and

(ii) by adding at the end the following new subparagraph:

“(D) SPECIAL RULE FOR QUALIFYING RETIREES AND DEPENDENTS.—In the case of a qualifying event described in section 603(7), the term ‘qualifying retiree’ means a qualified retiree and any other individual who, on the day before such qualifying event, is a beneficiary under the plan on the basis of the individual’s relationship to such qualifying retiree.”; and

(B) by adding at the end the following new paragraphs:

“(D) QUALIFIED RETIREE.—The term ‘qualified retiree’ means, with respect to a qualifying event described in section 603(7), a covered employee who, at the time of the event—

“(A) has attained 55 years of age; and

“(B) was receiving group health coverage under the plan by reason of the retirement of the covered employee.

“(1) SUBSTANTIAL REDUCTION.—The term ‘substantial reduction’—

“(A) means, as determined under regulations of the Secretary and with respect to a qualified beneficiary, a reduction in the average actuarial value of benefits under the plan (through reduction or elimination of benefits, an increase in premiums, deductibles, copayments, and coinsurance, or any combination thereof), since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee (or, if later, January 6, 2001), in an amount equal to at least 50 percent of the total average actuarial value of the benefits under the plan as of such date (taking into account an appropriate adjustment to permit comparison of values over time); and

“(B) includes an increase in premiums required to an amount that exceeds the premium level described in the fourth sentence of section 602(3).”.

(b) DURATION OF COVERAGE THROUGH AGE 65.—Section 602(3)(A) of such Act (29 U.S.C. 1162(3)(A)) is amended—

(1) in clause (ii), by inserting “or 603(7)” after “603(6)”;

(2) in clause (iv), by striking “or 603(6)” and inserting “603(6), or 603(7)”;

(3) by redesignating clause (iv) as clause (vi);

(4) by redesigning clause (v) as clause (iv) and by moving such clause to immediately follow clause (iii); and

(5) by inserting after such clause (iv) the following new clause:

“(V) SPECIAL RULE FOR CERTAIN BENEFICIARIES IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—In the case of a qualifying event described in section 603(7), in the case of a qualified beneficiary described in section 607(3) who is not the qualified retiree or spouse of such qualified retiree, the following special rule applies:

“(I) the date that is 36 months after the date of the qualifying event; and

“(II) the date that is 36 months after the date of the qualifying event.”.

(c) TERMINATION IN CASE OF TERMINATION OR SUBSTANTIAL REDUCTION OF RETIREE HEALTH COVERAGE.—Section 602(1) of such Act (29 U.S.C. 1162(1)) is amended—

(1) by striking “The coverage” and inserting the following:

“(A) in general.—Except as provided in subparagraph (B), the coverage; and

(2) by adding at the end the following new subparagraph:

“(B) CERTAIN RETIREES.—In the case of a qualifying event described in section 603(7), in applying the first sentence of subparagraph (A) and the fourth sentence of paragraph (3), the coverage offered that is the most prevalent coverage option (as determined under regulations of the Secretary) continues under coverage (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence. In the case of a qualified beneficiary such other coverage option as may be offered and elected by the qualified beneficiary involved.”

(d) INCREASED LEVEL OF PREMIUMS PERMITTED.—Section 602(3) of such Act (29 U.S.C. 1162(3)) is amended by adding at the end the following new sentence: “In the case of an individual provided continuation coverage by reason of a qualifying event described in section 603(7), any reference in subparagraph (A) of this paragraph to ‘102 percent of the applicable premium’ is deemed a reference to ‘125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option offered to in paragraph (1)(B)”.

(e) NOTICE.—Section 606(a) of such Act (29 U.S.C. 1166) is amended—

(1) in paragraph (4)(A), by striking “or (6)” and inserting “or (6), or 603(7)”;

(2) by adding at the end the following:

“The notice under paragraph (4) in the case of a qualifying event occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.”

(f) NOTICE OF TERMINATIONS AND REDUCTIONS.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act.”

Subtitle B—Amendments to the Public Health Service Act

SEC. 311. COBRA CONTINUATION BENEFITS FOR CERTAIN RETIRED WORKERS WHO LOSE RETIREE HEALTH COVERAGE.

(a) ESTABLISHMENT OF NEW QUALIFYING EVENT.—

(1) IN GENERAL.—Section 2233 of the Public Health Service Act (42 U.S.C. 300bb–3) is amended by inserting after paragraph (5) the following new paragraph:

“(6) The termination or substantial reduction in benefits (as defined in section 2232(6)) of health plan coverage in the case of a plan change or termination in the case of a covered employee who is a qualified retiree.”

(2) QUALIFIED RETIREE; QUALIFIED BENEFICIARY; AND SUBSTANTIAL REDUCTION DEFINED.—Section 2232 of such Act (42 U.S.C. 300bb–8) is amended—

(A) in paragraph (3)—

(i) in subparagraph (A), by inserting “except as otherwise provided in this paragraph,” after “means,”; and

(ii) by adding at the end the following new subparagraph:

“(J) SPECIAL RULE FOR QUALIFYING RETIREES AND DEPENDENTS.—In the case of a qualifying event described in section 2232(6), the term ‘qualified beneficiary’ means a qualified retiree and any other individual who, on the day before such qualifying event, is a beneficiary under the plan on the basis of the individual’s relationship to such qualified retiree and

(B) by adding at the end the following new paragraphs:

“(5) QUALIFIED RETIREE.—The term ‘qualified retiree’ means, with respect to a qualifying event described in section 2232(6), a covered employee who, at the time of the event—

“A) has attained 55 years of age; and

“(B) was receiving group health coverage under the plan by reason of the retirement of the covered employee.

“(6) SUBSTANTIAL REDUCTION.—The term ‘substantial reduction’—

“A) means, as determined under regulations of the Secretary of Labor and with respect to a qualified beneficiary, a reduction in the average actuarial value of benefits under the plan (through reduction or elimination of benefits, an increase in premiums, deductibles, copayments, and coinsurance, or any combination thereof), since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee (or, if later, January 6, 2001), in an amount equal to at least 50 percent of the total average actuarial value of the benefits under the plan as of such date (taking into account an appropriate adjustment to permit comparison of values over time); and

“B) includes an increase in premiums required to an amount that exceeds the premium level described in the fourth sentence of section 2032(b).”

CONGRESSIONAL RECORD—SENATE

March 27, 2001
Subtitle C—Amendments to the Internal Revenue Code

SEC. 321. COBRA Continuation Benefits for Certain Retired Workers who Lose Retiree Health Coverage.

(a) Establishment of New Qualifying Event.

(1) In general.—Section 4980B(f)(3) of the Internal Revenue Code of 1986 is amended by inserting after subparagraph (F) the following new subparagraph:

"(G) The termination or substantial reduction in benefits (as defined in subsection (g)(4) of group health plan coverage as a result of plan change or termination in the case of a covered employee who is a qualified retiree.
"

(2) Qualified retiree; qualified beneficiary; and substantial reduction defined.—Section 4980B(f)(6) of such Code is amended—

(A) in paragraph (1)—

(i) by striking "The coverage" and inserting the following:

"(A) In general.—Except as provided in subparagraph (B), and"

(ii) by adding at the end the following:

"(B) Certain retirees.—In the case of a qualifying event described in section 2203(b)(2) (in applying the second sentence of paragraph (A) and the fourth sentence of paragraph (3), the coverage offered that is the most prevalent coverage option as determined under regulations of the Secretary of Labor) continued under the group health plan (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.
"

(b) Duration of Coverage Through Age 65.—Section 4980B(f)(2)(B)(i) of such Code is amended—

(1) in subparagraph (B), by striking "or (F)" and inserting "(F), or (G)"; and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) Any combination thereof, since the date of commencement of coverage of the beneficiary by reason of the retirement of the covered employee.
"

(c) Type of Coverage in Case of Termination or Substantial Reduction of Retiree Health Coverage.—Section 4980B(f)(2)(A) of such Code is amended—

(1) by striking "The coverage" and inserting the following:

"(i) In general.—Except as provided in clause (ii), the coverage offered in the case of a qualifying event occurring on or after such date shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.
"

(d) Increased Level of Premiums Permitted.—Section 4980B(f)(2)(C) of such Code is amended by adding at the end the following new sentence: "In the case of an individual provided continuation coverage by reason of a qualifying event described in paragraph (3), any reference in clause (i) of this clause (i) of this paragraph to "102 percent of the applicable premium' is deemed a reference to 125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option referred to in paragraph (1)(B)."

(e) Notice.—Section 2203(b)(2) of such Act (22 U.S.C. 300b-6(a)) is amended—

(1) in paragraph (4)(A), by striking "or (4)" and inserting "(4), or (6)"; and

(2) by adding at the end the following:

"The notice under paragraph (4) in the case of a qualifying event described in section 2203(b)(6) shall be provided at least 90 days before the date of the qualifying event.
"

(f) Effective Dates.—

(1) In general.—The amendments made by this section shall apply to qualifying events occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.

(2) Advance notice of terminations and reductions.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act, except that in no case shall notice be required under such amendment before such date.

(V) Special rule for certain dependents in case of termination or substantial reduction of retiree health coverage.—In the case of a qualifying event described in paragraph (3)(G), in the case of a qualified beneficiary described in subsection (g)(1)(E) who is not the qualified retiree or spouse of such retiree, the later of—

(a) the date that is 36 months after the earlier of the date the qualified retiree became entitled to benefits under title XVIII of the Social Security Act or the date of the death of the qualified retiree; or

(b) the date that is 36 months after the date of the qualifying event.

"(2) Qualified retiree; qualified beneficiary; and substantial reduction defined.—Section 4980B(f)(6) of such Code is amended—

(A) in paragraph (1)—

(i) by striking "The coverage" and inserting the following:

"(A) In general.—Except as provided in subparagraph (B), and"

(ii) by adding at the end the following:

"(B) Certain retirees.—In the case of a qualifying event described in paragraph (3)(G), the coverage offered that is the most prevalent coverage option as determined under regulations of the Secretary of Labor) continued under the group health plan (or, if none, under the most prevalent other plan offered by the same plan sponsor) shall be treated as the coverage described in such sentence, or (at the option of the plan and qualified beneficiary) such other coverage option as may be offered and elected by the qualified beneficiary involved.
"

(d) Increased level of premiums permitted.—Section 4980B(f)(2)(C) of such Code is amended by adding at the end the following new sentence: "In the case of an individual provided continuation coverage by reason of a qualifying event described in paragraph (3), any reference in clause (i) of this paragraph to "102 percent of the applicable premium' is deemed a reference to 125 percent of the applicable premium for employed individuals (and their dependents, if applicable) for the coverage option referred to in paragraph (1)(B)."

(e) Notice.—Section 4980B(f)(2)(E) of such Code is amended—

(1) in subparagraph (D)(i), by striking "or (F)" and inserting "(F), or (G)"; and

(2) by adding at the end the following:

"The notice under subparagraph (D)(i) in the case of a qualifying event described in paragraph (3)(G) shall be provided at least 90 days before the date of the qualifying event.
"

(f) Effective dates.—

(1) In general.—The amendments made by this section (other than subsection (e)(2)) shall apply to qualifying events occurring on or after January 6, 2001. In the case of a qualifying event occurring on or after such date and before the date of the enactment of this Act, such event shall be deemed (for purposes of such amendments) to have occurred on the date of the enactment of this Act.

(2) Advance notice of terminations and reductions.—The amendment made by subsection (e)(2) shall apply to qualifying events occurring after the date of the enactment of this Act, except that in no case shall notice be required under such amendment before such date.
The Workplace Flexibility Act. The Workplace Flexibility Act has as its primary purpose, giving families and employers the option of choosing time off and balancing the demands of work and family. The demand for family time is significant. In fact, families today are spending close to 40 percent less time with their families and children than in the 1960s. This is an important and even critical issue to many Americans. In fact, survey upon survey has found that the issue of workplace flexibility and family time is the number one issue women want addressed.

The Workplace Flexibility Act is not a total solution, but it is an important part of the solution. It gives working families a choice. The Workplace Flexibility Act in a nutshell consists of two main provisions. The first allows employees the option of taking time off in lieu of overtime pay. The second gives employees the option of "flexing" their schedules over a two week period. In other words, employees at the Federal government have 10 "flexible" hours that they could work in one week in order to take 10 hours off in the next week. Flexible work arrangements have been available to Federal government workers since 1978. In the 1970's, 80's, and 90's federal government workers have had this special privilege. The Federal program was so successful in fact, that the President in 1993 issues an Executive Order extending it to the rest of the Federal Government that had not yet had the benefits of the program.

Yet members of the private sector do not have this option. The Workplace Flexibility Act corrects this and extends this option to all businesses covered by the Fair Labor Standards Act (FLSA). So, who are these workers who are currently covered by the FLSA but do not have the ability to exercise workplace flexibility? They are some of the hardest working Americans. Sixty percent of these workers are only a high school education. Eighty percent of them make less than $28,000. A great percentage of them are single mothers with children. They are working hard to meet their family's economic needs as well as their emotional needs. And while government cannot mandate love and nurturing, it can get out of the way and eliminate barriers to opportunities for love and nurturing. That is what the Workplace Flexibility Act does. In the subsequent weeks and months we will undoubtedly hear from some that what working families really need is more money. They need their overtime pay. That may well be true for some families, and this bill does not affect them in any way. But for other families it is the point is this—the family should have the right to choose. Washington should not decide for them which priority is important for their family.

I am one who believes in the working men and women of America and in their ability to know what is best for their families. It is time for Congress to give families what they want, and what Congress thinks they need. It's time to give working families what every Federal employee has already, workplace flexibility. I ask unanimous consent that the text of the bill and a bill summary be printed in the Record.

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

S. 624
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the "Workplace Flexibility Act".

SEC. 2. WORKPLACE FLEXIBILITY OPTIONS.

(a) COMPENSATORY TIME OFF.—Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended by adding at the end the following:

"(c)(1)(A) Except as provided in subparagraph (B), no employee may be required under this subsection to receive compensatory time off in lieu of monetary overtime compensation. The acceptance of compensatory time off in lieu of monetary overtime compensation may not be a condition of employment or of working overtime.

(B) In a case in which a valid collective bargaining agreement exists between an employer and the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law, an employee may only be required under this subsection to receive compensatory time off in lieu of monetary overtime compensation in accordance with the agreement.

(2)(A) An employee may receive, in accordance with this subsection and in lieu of monetary overtime compensation, compensatory time off at a rate not less than one and one-half hours for each hour of employment for which monetary overtime compensation is required by this section.

(B) In this subsection—

(i) The term ‘employee’ means an individual—

(I) who is an employee (as defined in section 3);

(II) who is not an employee of a public agency; and

(III) to whom subsection (a) applies.

(ii) The term ‘employer’ does not include a public agency.

(iii) An employer may provide compensatory time off to employees under paragraph (2)(A) only pursuant to the following:

(A) The compensatory time off may be provided only in accordance with—

(I) applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law; or

(ii) in the case of an employee who is not represented by a labor organization described in clause (i), a written agreement entered into between the employer and employee before the performance of the work involved if the agreement or understanding was entered into knowingly and voluntarily by
such employee and was not a condition of employment.

"(B) The compensatory time off may only be provided to an employee described in subparagraph (A)(i) if such employee has affirmed, in a written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has chosen to receive compensatory time off in lieu of monetary overtime compensation.

"(C) No employee may receive, or agree to receive, the compensatory time off unless the employee has been employed for at least 12 months by the employer and for at least 1,250 hours of service with the employer during the previous 12-month period.

"(D) An employee shall be eligible to accrue compensatory time off if such employee has not accrued compensatory time off in excess of the limit applicable to the employee prescribed by paragraph (4).

"(4)(A) An employee may accrue no more than 160 hours of compensatory time off.

"(B) Not later than January 31 of each calendar year, the employer of the employee shall provide monetary compensation for any unused compensatory time off accrued during the preceding calendar year that was not used prior to December 31 of the preceding calendar year. The compensation shall be provided not later than 31 days after the end of the 12-month period.

"(C) The employer may provide monetary compensation for an employee's unused compensatory time off in excess of 80 hours at any time after providing the employee with at least 30 days' written notice. The compensation shall be provided at the rate prescribed by paragraph (8).

"(5)(A) An employer that has adopted a policy offering compensatory time off to employees may discontinue the policy for employees described in paragraph (3)(A)(i) after providing 30 days' written notice to the employees who are subject to an agreement or understanding described in paragraph (3)(A)(ii).

"(B) An employee may withdraw an agreement or understanding described in paragraph (3)(A)(i) if the agreement or understanding was entered into knowingly and voluntarily by the employee and was not a condition of employment.

"(6)(A) An employer who provides compensatory time off under paragraph (2) to an employee shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of

"(i) interfering with the rights of the employee under this subsection to request or not request compensatory time off in lieu of payment of overtime compensation; or

"(ii) interfering with the rights of the employee to use accrued compensatory time off in accordance with paragraph (9); or

"(B) An employee who uses the compensatory time off under paragraph (3)(A)(i) shall permit the employee to elect, for an applicable workweek—

"(i) the payment of monetary overtime compensation for the workweek; or

"(ii) the accrual of compensatory time off in lieu of monetary overtime compensation for the workweek.

"(b) REMEDIES AND SANCTIONS.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended by adding at the end the following:

"(1) in addition to any amount that an employee is entitled to under section (b) for a violation of a provision of section 7, an employer that violates section 7(r)(6)(A) shall be liable to the employee affected in an amount equal to—

"(A) the product of—

"(i) the rate of compensation (determined in accordance with section (7)(b)(A)); and

"(ii) the number of hours of compensatory time off involved in the violation that was initially accrued by the employee; minus

"(B) as liquidated damages, the product of—

"(i) such rate of compensation; and

"(ii) the number of hours of compensatory time off involved in the violation that was initially accrued by the employee.

"(2) An employer shall be subject to such liability in addition to any other remedy available for such violation under this section or section 17, including a criminal penalty under subsection (a)(1) and a civil penalty under subsection (e).

"(c) CALCULATIONS AND SPECIAL RULES.—

"(1) In general.—Notwithstanding section 7(r) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(r)), as added by section 6(a), is further amended by adding at the end the following:

"(2) No employee may receive, or agree to receive, the compensation shall be paid at a rate of compensation not less than—

"(i) the regular rate received by such employee when the compensatory time off was earned; or

"(ii) the final regular rate received by such employee; whichever is higher.

"(3) No payment owed to an employee under this subsection for unused compensatory time off shall be considered unpaid monetary overtime compensation.

"(d) AN EMPLOYEE.—

"(1) In general.—Notwithstanding section 7, an employer may establish biweekly work programs that allow the use of a biweekly work schedule—

"(A) that consists of a basic work requirement of not more than 80 hours, over a 2-week period; and

"(B) in which more than 40 hours of the work requirement may occur in a week of the period, except that no more than 10 hours may be shifted between the 2 weeks involved.

"(2) CONDITIONS.—An employer may carry out a biweekly work program described in paragraph (1) for employees only pursuant to the following:

"(A) AGREEMENT OR UNDERSTANDING.—The program may be carried out only in accordance with an—

"(i) written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has chosen to participate in the program.

"(B) Statement.—The program shall apply to an employee described in subparagraph (A)(i) if such employee has affirmed, in a written statement that is made, kept, and preserved in accordance with section 11(c), that the employee has chosen to participate in the program.

"(C) Minimum service.—No employee may participate, or agree to participate, in the program unless the employee has been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period.

"(3) Compensation for hours in schedule.—Notwithstanding section 7, in the case of an employee participating in such a biweekly work program, the employer shall compensate each hour in such a biweekly work schedule at a rate not less than
the regular rate at which the employee is employed.

(4) Computation of Overtime.—All hours worked by the employee in excess of such a biweekly work schedule or in excess of 80 hours in a period that are requested in advance by the employer, shall be overtime hours.

(5) Overtime Compensation Provision.—The employee shall be compensated for each such overtime hour at a rate not less than one and one-half times the regular rate at which the employee is employed, in accordance with overtime compensation.

(6) Discontinuance of Program or Withdrawal.—(A) Discontinuance of Program.—An employer that has established a biweekly work program under paragraph (1) may discontinue the program for any reason, in accordance with any written notice of withdrawal to the employee of the employer.

(B) Withdrawal.—An employer may withdraw an agreement or understanding described in paragraph (2)(A)(ii) at the end of any 2-week period described in paragraph (1)(A), by submitting a written notice of withdrawal to the employee of the employer.

(2) Definition.—In paragraph (1), the term ‘intimidate, threaten, or coerce’ includes persuading to confer or conferring any benefit (such as appointment, promotion, or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).

(3) Basic Work Requirement.—The term ‘basic work requirement’ means the number of hours, excluding overtime hours, that an employer is required to work or is required to have an employee work or is required to account for by leave or otherwise.

(4) Collective Bargaining.—The term ‘collective bargaining’ means the performance of the affirmative obligation of the representative of the employer and the representative of the labor organization that has been certified or recognized as the representative of the employees of the employer under applicable law to meet at reasonable times and to consult and bargain in a good-faith effort to reach agreement with respect to the conditions of employment affecting such employees and to execute, if requested by either party, a written agreement incorporating any collective bargaining agreement.

(5) Prohibitions.—(A) In General.—An employer shall not interfere with, restrain, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of interfering with the rights of the employee under this section to elect or not to elect to work a biweekly work schedule.

(B) Definition.—In paragraph (1), the term ‘intimidate, threaten, or coerce’ includes persuading to confer or conferring any benefit (such as appointment, promotion, or compensation) or effecting or threatening to effect any reprisal (such as deprivation of appointment, promotion, or compensation).

(6) Basic Work Requirement.—The term ‘basic work requirement’ means the number of hours, excluding overtime hours, that an employee is required to work or is required to have an employee work or is required to account for by leave or otherwise.

(7) Overtime Hours.—The term ‘overtime hours’ is used when refect to biweekly work programs under subsection (b), means all hours worked in excess of the biweekly work schedule involved or in excess of 80 hours in the 2-week period involved, that are requested in advance by an employer.

(8) Regular Rate.—The term ‘regular rate’ means the hourly rate of pay described in section 7(e).


(iii) by striking paragraph (3);

(B) by adding at the end the following:

(4) Biweekly Work Programs.—The remedy for a violation of subsection (a) relating to the requirements of section 13A of the Fair Labor Standards Act of 1938 shall be such remedy as would be appropriate if awarded under subsection (b) or (f) of section 16 of such Act.

(5) Biweekly Work Programs.—The remedy for a violation of subsection (a) relating to the requirements of section 13A of the Fair Labor Standards Act of 1938 shall be such remedy as would be appropriate if awarded under subsections 16 and 17 of such Act.

(6) Section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ‘and section 12(c)’ and inserting ‘section 12(c), and section 13A’; and

(B) in paragraph (3), by striking ‘and section 13A’;

and

 SEC. 5. CONGRESSIONAL COVERAGE.

The authority provided by this Act and the amendments made by this Act terminates 5 years after the date of enactment of this Act.

SUMMARY OF THE WORKPLACE FLEXIBILITY ACT

SEC. 2. WORKPLACE FLEXIBILITY OPTIONS: COMP-TIME

Gives employers and employees, who have been employed for at least 12 months by the employer, and for at least 1,250 hours of service with the employer during the previous 12-month period, the option of comp time in lieu of monetary overtime compensation, at the rate of 1 1/2 hours of comp time for each hour of overtime worked.

Where a collective bargaining agreement is in place, an employer would have to work within that context in shaping 2 comp time policies.

Where there is no collective bargaining agreement in place, the employer and the individual employee would be allowed to enter into an agreement or understanding with respect to comp time. Such an agreement must be completely voluntary and must be arrived at before the performance of the work. The agreement must be affirmed in writing.

The employer is prohibited from directly or indirectly intimidating, threatening, coercing or attempting to intimidate, threaten or coerce any employee into agreeing to the comp time
section 3, bi-weekly work programs: flex-time

Gives employers and employees the option of a 2-week 80 hour work period during which, without incurring an overtime penalty, up to 10 hours could be “flexed” between the two week period. Employees could, if agreed upon by their employers, choose to work 2 weeks of 50 hours each, 50 hours in one week and 30 in another, etc. Employers would not be required to pay overtime rates (time-and-a-half) until 80 hours had been worked in 2 calendar weeks. For hours worked in excess of 80 in a 2 week period, a worker would have to be compensated either in cash or in paid comp time. The employer has agreed to a comp time option, each at not less than a time-and-a-half basis.

Like comp time, this program is completely voluntary and may not affect collective bargaining agreements that are in force.

Congress would be covered by both provisions which sunset after 5 years.

Mr. HUTCHISON, Mr. President. I rise today to join with my colleague, Senator Gramm from New Hampshire to introduce the Workplace Flexibility Act to give America’s families the kinds of choices and options they demand and deserve.

When I speak with hourly wage workers in my home state of Texas, and I ask them how they are coping with the growing and competing demands of work and family, I hear many different answers. I hear stories of parents working days and nights to pay the bills and maybe even get a little bit ahead.

Today, I urge my colleagues to respond to the growing need for workplace flexibility by supporting the Workplace Flexibility Act.

According to the Bureau of Labor Statistics, both mother and father workers outside the home in almost two thirds of American households. Moreover, 75 percent of mothers with school age children are now in the workforce, up dramatically in recent years. While the causes for this are many, including expanded work opportunities for women and a heavy tax burden on working families, the results are clear: fewer hours are spent by mothers and fathers with their children and with each other. This shrinking window of family time is weakening the essential family bond that is the bedrock of our strength as a nation.

Not only will our bill make it easier for parents to spend more quality time at home or engaged in personal or community activities, it will do so without a hit to the monthly bottom line. Since comp time and flex time are paid, workers will receive the same amount of money as they would if they did not have these options. The only difference is that this legislation will allow workers the flexibility of taking a day, a week, or even a month off once they have accumulated time in their bank.

Let me make one point very clear: the Workplace Flexibility Act expands, but does not replace the existing law requiring overtime pay for overtime work. For those employees required to work overtime, they will always have the option of receiving overtime pay at the standard time-and-a-half rate. This bill simply affords the employee additional options, upon the mutual agreement of the employee and employer.

An employer who violates this or any other provision of our labor laws would be subject to severe civil fines and possibly even prison. In fact, this bill heightens those protections by providing for quadruple damages against any employer who violates the law.

But rather than foster antagonism between labor and management, these added scheduling options have been proven both in this country and abroad to encourage greater cooperation between employees and their employers. Flexible scheduling has created win-win situations for millions of salaried and federal workers and their employers. For the first time in 50 years, America’s blue collar working men and women will be empowered to determine the course of their work week. And thereby, workers will be given greater control over the most precious asset in their lives and in the lives of their families: time.

I urge my colleagues to respond to the growing need for workplace flexibility by supporting the Workplace Flexibility Act.
Jeffords, Mr. Schumer, Mr. Chafee, Mr. Akaka, Mr. Ensign, Mr. Bayh, Mr. Biden, Mr. Ronayd, Mrs. Boxer, Mr. Breaux, Ms. Cantwell, Mr. Carnahan, Mr. Carper, Mr. Cleland, Mrs. Clinton, Mr. Corzine, Mr. Dayton, Mr. Dodd, Mr. Dorgan, Mr. Durbin, Mr. Edwards, Mrs. Feinstein, Mr. Graham, Mr. Harkin, Mr. Inouye, Mr. Johnson, Mr. Kerry, Ms. Landrieu, Mr. Levin, Mrs. Lincoln, Ms. Mikulski, Mr. Miller, Mrs. Murray, Mr. Nelson of Nebraska, Mr. Nelson of Florida, Mr. Reed, Mr. Reid, Mr. Rockefeller, Mr. Sarbanes, Ms. Stabenow, Mr. torricelli, and Mr. Wellstone):

S. 625 to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, today’s introduction of the bipartisan Local Law Enforcement Act, with 50 original sponsors in the Senate, is the first step toward passing this important legislation this year. This bill has the support of a wide range of law enforcement, religious, and civil rights organizations.

Although America experienced a significant drop in violent crime during the 1990’s, the number of hate crimes has continued to grow. In fact, according to FBI statistics, in 1999 there were 8,766 reported hate crimes committed in the United States. That’s over 20 hate crimes per day, every day.

Hate crimes are a national disgrace, an attack on everything this country stands for. They send a poisonous message that certain citizens—members of religious groups, race, ethnicity, gender, sexual orientation, disability—are second-class citizens who deserve to be victimized solely because of their race, their ethnic background, their religion, their sexual orientation, their gender or their disability. These senseless crimes have a destructive and devastating impact not only on individual victims, but entire communities. If America is to live up to its founding ideals of liberty and justice for all, combating hate crimes must be a national priority.

Yet for far too long, the Federal government has been forced to stand on the sidelines in the fight against these senseless acts of hate and violence. The bill we are introducing today will change that by giving the Justice Department greater ability to investigate and prosecute these crimes, and to help the states do so as well.

We look forward to bringing this legislation to the Senate floor for a vote in the near future.

Mr. SCHUMER of Oregon. Mr. President, I rise today to introduce with Senator KENNEDY the Local Law Enforcement Act of 2001, legislation that would add new categories to current hate crimes law. I want to keep my remarks brief, so I speak to you from the heart about hate crimes.

Many of you know I am a Republican, a conservative man of faith from a religious minority. I have known firsthand persecution and discrimination because of my faith. As a member of the Senate Foreign Relations Committee, I have seen great interest in religious freedom and fighting anti-Semitism abroad. I found that all of my colleagues have joined me in that goal in many ways. We have all asked other countries to stop hate, to stop ethnic violence and persecution of minorities. Today, I ask every Senator to take the same stand in our own country.

If it were easy to speak out against hate thousands of miles away, then it must be so that government’s first hate in your own backyard. Backyards in Wyoming—where Matthew Shepard was brutally beaten and left to die tied to a cattle fence off a lonely road. Backyards in Texas, where James Byrd, Jr., was dragged to death behind a pick-up truck. Backyards in Virginia, where Roanneke native Danny Lee Overstreet was brutally shot down in a hate crime last fall. Backyards in Alabama, where Jack Gaither was bludgeoned to death and set on fire. And backyards in Oregon, my state, where two women, Roxanne Ellis and Michelle Abdill of Medford, were killed in late 1995 because of their sexual orientation.

This hate crimes legislation sends a signal that violence of any kind is unacceptable. I look to my party and look for inclusion—a big tent approach to this issue. I hope that the President can join in this effort. I believe that given the opportunity, the White House can participate in this effort and play a significant role in the future. Further, I am committed to making sure that partisan rhetoric stays out of this legislation public law. I fear any strain of hate or homophobia, any isolationism or xenophobia in politics today, and I believe that all my colleagues share this fear.

Taking a stand against hate crimes isn’t a liberal or a conservative issue—it’s something we should all do. We can participate in this effort and play a role in the President’s effort. I hope that the President can join in this effort, I believe that this legislation is not simply supported, but actually passed and signed into law by the President.

This important legislation would enhance current hate crimes law and enable the government to offer assistance to states and localities in investigating and prosecuting bias-motivated crimes. Even with the strides we have made in combating hate crimes thus far, these crimes are still frequently under-reported and therefore go unpunished.

In California, I have seen, first-hand, the devastating impact these crimes have on victims, their families and their communities. Hate crimes divide neighborhoods and breed a sense of mistrust and fear within communities. This is why have long supported legislation aimed at protecting citizens from crimes based on races, ethnicity, religion, gender, disability, or sexual orientation.

Prior to 1990, while we knew that hate crimes existed, we had no tools to measure the number of instances in which such crimes were committed. In 1990, Congress enacted the Hate Crimes Statistics Act. Because of this law, we are now able to quantify the extent of the problem. What we found was disturbing. For the first time, data was collected and analyzed on the incidence of crime.

Mr. NELSON of Nebraska, Mr. Nelson of Florida, Mr. Reed, Mr. Reid, Mr. Rockefeller, Mr. Sarbanes, Ms. Stabenow, Mr. Torricelli, and Mr. Wellstone:}

In 1993, I sponsored the Hate Crimes Sentencing Enhancement Act of 1993, which was subsequently signed into law as part of the Violent Crime Control and Law Enforcement Act of 1994. This act increased penalties for hate

Mrs. FEINSTEIN. Mr. President, I join with my colleagues in expressing my strong support for the Local Law Enforcement Act of 2001, legislation of which I am an original cosponsor. Popularly known as the “Hate Crimes Prevention Act,” this legislation would expand current federal protections against hate crimes based on race, religion, and national origin; amend the criminal code to cover hate crimes based on gender, sexual orientation, and disability; authorize grants for State and local programs designed to combat and prevent hate crimes; and enable the federal government to assist State and local law enforcement in investigating and prosecuting hate crimes.

While past efforts to enact this legislation have received strong bipartisan support, this bill has not been sent to the President’s desk for his consideration. We must now work to ensure that this legislation is not simply supported, but actually passed and signed into law by the President.

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Mr. NELSON of Nebraska, Mr. Nelson of Florida, Mr. Reed, Mr. Reid, Mr. Rockefeller, Mr. Sarbanes, Ms. Stabenow, Mr. Torricelli, and Mr. Wellstone:}
crimes targeting individuals because of their race, color, religion, national origin, gender, disability or sexual orientation.

While current hate crime laws help us better understand the problem and penalize those who would resort to such violent acts, these laws do not extend to the thousands of people who are victimized because of their gender, sexual orientation or disability. Nor are they broad enough to help those who were not engaging in such federally protected activities as attending school, or voting, when they were victimized.

In New Jersey, for example, a mentally disabled man was tortured by eight different people at a party. The man was burned with cigarettes, beaten, choked, and then left alone in the wilderness. The teacher explained, some officials did nothing to protect the students while they were on school property. She feared for their safety, however, once the students were off school grounds. Even within the school, the teacher explained, some officials did little to create an environment of tolerance and mutual respect for the students. As a result, the bias-motivated acts committed against them often went unreported, whether they took place in the school or within their communities.

My constituent’s appeal for help on behalf of her young students amplifies the need to send a strong message of mutual tolerance and respect to our youngsters. Nearly two-thirds of these crimes are committed by our nation’s youth and young adults. In many ways, reinforcing the strength of our diverse nation must begin with our youth.

As these stories illustrate, the perpetrators of hate crimes have no respect for boundaries. They are neither confined to a particular region of the country, nor any one age group. The perpetrators of these crimes target individuals not because of what the victims have, or what they have done, but for who they are. Hate crimes are not like other crimes of violence. Their impact is pervasive.

Opponents of hate crimes legislation argue that these crimes are no different from any other crime; that they should be treated like other crimes of violence. Research by the American Psychological Association, APA, suggest otherwise. According to the APA, hate crime victims and their communities are often left with psychological wounds that run deeper and take significantly longer to heal than the wounds of victims of non-biased related crime.

Much like victims of non-biased related crimes, victims of hate crimes are likely to exhibit symptoms of depression, post-traumatic stress disorder, anxiety, high levels of anger, and a decreased sense of control. Unlike victims of non-biased related crimes, however, hate crime victims experience psychological after-effects at a much higher level. According to the APA, hate crime victims need “as much as five years to overcome the emotional distress of the incident,” compared with “victims of non-bias crimes who experience a drop off in crime-related psychological problems within two years of the crime.” The financial costs for mental health and medical treatment following an attack only add to the psychological stress of the victim.

Hate crimes pose a very real threat to the social health of the community. Individuals who live in communities where hate crimes have occurred often experience an increased sense of fear and intimidation. They also tend to feel a heightened sense of vulnerability and are much less likely to report such crimes should they occur again, for fear of retaliation. Hate crimes also breed mistrust within the community. Members of the victimized groups are likely to believe that law enforcement agencies are biased against their group and, that when needed, the law enforcement community will not respond.

In essence, hate crimes have been shown to produce deep psychological wounds in the victim. They engender a sense of disunity and division within the community, which undermines the basic tenets on which this nation was founded. The country that prides itself on its diversity, our nation cannot continue to withstand these acts of hatred and intolerance. No individual or group should be targeted for violence and no such act of violence should go unpunished.

No American should have to live in fear because of his or her perceived race, sexual orientation, ethnicity or disability. No American should be afraid to walk down the street for fear of a hate-motivated attack. No American should be deterred by intimidation from living in the home of his or her choice. And certainly, no American should be deterred from reporting a hate-based crime because they are afraid that the police will lose the will or the resources necessary to protect them.

This legislation is not only overdue, it is necessary for the safety and well-being of millions of Americans. It is necessary for the safety and well-being of millions of Americans. It is necessary for the safety and well-being of millions of Americans. It is necessary for the safety and well-being of millions of Americans.

Certainly, none of us would be willing to send the message that today, basic civil rights protections do not exist for a few and under certain circumstances. By introducing this legislation today, we are sending a signal that we are unwilling to turn a blind eye to this epidemic of hate that threatens to envelop our Nation. I urge my colleagues to join in this message by supporting the enactment of “The Local Law Enforcement Enhancement Act of 2001.”

By Mr. JEFFORDS (for himself and Mr. BAUCUS):

S. 626. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit and the welfare-to-work tax credit, for other purposes; to the Committee on Finance.

Mr. JEFFORDS. Mr. President, today I am introducing the Work Opportunity Improvement Act of 2001, which will permanently extend the work opportunity tax credit and the welfare-to-work tax credit. The bill will also modify eligibility criteria for the work opportunity tax credit, to strengthen efforts to help fathers of children on welfare find work. Over the past five years, these tax credits have played a crucial role in helping 1.5 million low-skilled, undereeducated persons dependent on public assistance enter the work force.

The work opportunity tax credit was first enacted in 1996, to provide employers with financial resources to recruit, hire, and retain individuals who have significant problems finding and keeping a job. The welfare-to-work tax credit, serving a similar purpose, was enacted the next year. Traditionally, employers had been reluctant to hire people coming off the welfare rolls, both because they tended to have less education and experience than other job candidates, and because welfare dependence was seen as fostering a poor self-image and work habits. These tax credits, however, have demonstrated that employers can be enticed to overcome their resistance to hiring less skilled, economically dependent individuals. No other incentive or training program has been nearly as successful as these tax credits in encouraging employers to change their hiring practices.

Over the past five years, government and employers have developed a partnership that has led to significant changes in hiring practices. Many employers have established outreach and recruitment programs to identify and target individuals whom employers could hire under these tax credit programs. States have made the tax credit programs more employer-friendly by continual improvements in the way the programs are administered. Still, we repeatedly hear both from employers
and State job service agencies administering the programs that continued uncertainty about the programs' future impedes participation and improvements in program administration. Making the work opportunity and welfare-to-work tax credits permanent would induce employers to expand their recruitment efforts and encourage States to commit more human and effort to further improve the programs. This, in turn, would mean that more individuals would be helped to make the jump from welfare dependency to work. Because these programs have proven so successful over the past five years, I believe they should be made permanent and am today introducing a bill to achieve this end.

In addition to making these two tax provisions permanent, my bill will address another critical concern, the work opportunity tax credit gives employers an incentive to hire individuals on food stamps between ages 18 and 24. No sound policy reason exists for not extending the tax credit's eligibility criteria to people on food stamps over age 25. Lifting the work opportunity tax credit food stamp age ceiling would mean that many more fathers of children on welfare could be hired under the credit. These individuals often face significant barriers to finding work. Increasing the age ceiling for food stamp recipients is consistent with the tax credit's underlying objectives, as many food stamp households include adults who are not working. Moreover, over 90 percent of those on food stamps live below the poverty line. My bill will include among those eligible for the work opportunity tax credit persons in households receiving food stamps, as long as they are 50 years old or younger. I believe that this will have the effect of making the credit available with respect to fathers of children on welfare who aren't otherwise eligible.

I urge my colleagues to support and co-sponsor this bill.

By Mr. GRASSLEY (for himself and Mr. GRAHAM):

S. 627. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance in preparing for long-term care, and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I rise today to introduce the Long-Term Care and Retirement Security Act. This legislation, which I sponsored in the 106th Congress with my distinguished colleagues from Florida, Senator Bob Graham and I, would ease the tremendous cost of long-term care.

The bill that Senator Graham and I are reintroducing today would allow individuals a tax deduction for the cost of long-term care insurance premiums. Increasingly, Americans are interested in private long-term care insurance to pay for nursing home stays, assisted living, or other services. However, most people find the policies unaffordable. The younger the person, the lower the insurance premium, yet most people aren't ready to buy a policy until retirement. A deduction would encourage younger people to buy long-term care insurance.

Our proposal also would give individuals or their caregivers a $3,000 tax credit to help cover their long-term care expenses. This would apply to those who have been certified by a doctor as needing help with at least three activities of daily living, such as eating, bathing or dressing. This credit would help care givers pay for medical supplies, nursing care and any other expenses resulting for family members with disabilities.

The Van Zee family of Otley, Iowa, typifies many families who would benefit from his legislation. Renee Van Zee at 55 years old has early onset Alzheimer's disease. Three years after her diagnosis, she can't feed, bathe or dress herself. Her daughter, Leanna, and her husband, Albert, are pulling out all the stops to keep Mrs. Van Zee out of a nursing home. They care for her full-time. They've found some services through Medicaid and Medicare and received a donated hospital bed. Even so, caring for Mrs. Van Zee is difficult. She can't be left alone at any time. The family's network of services is piece meal, like that of many families in similar straits. Those services could change with any change in their circumstances. The family bears considerable out-of-pocket expenses for Mrs. Van Zee's nutritional supplements. The supplements cost $4.90 for a four-pack of cans. The Van Zee consumes two or three cans a day. It's obvious how this situation affects a family's finances. Working adults quit their jobs to care for a loved one, and take on a host of new expenses at the same time.

The Long-Term Care and Retirement Security Act would help the 22 million family caregivers like the Van Zees. A $3,000 tax credit would help to pay for Mrs. Van Zee's nutritional supplements or hire an extra nurse. The legislation also would help families like the Van Zees buy long-term care insurance. Someone like Mrs. Van Zee could have bought herself insurance years ago, had it been an affordable option for her.

As it did last year, the bill that Senator Graham and I are introducing today has been endorsed by both the AARP and the Health Insurance Association of America. A companion bill sponsored by Representatives NANCY JOHNSON, KAREN THURMAN, and EARL POMEROY is pending in the House of Representatives.

An aging nation has no time to waste in preparing for long-term care, and the need to help people afford long-term care is more pressing than ever. I look forward to working with Senator GRAHAM and our colleagues in the Senate to get our bill passed into law as soon as possible.

Mr. BURNS (for himself, Mr. WYDEN, Mr. LIEBERMAN, Mr. LANDRIEU, Mr. TORRICELLI, Mr. BREAU, and Mr. MURKOWSKI):

S. 630. A bill to prohibit senders of unsolicited commercial electronic mail from disguising the source of their messages, to give consent of unsolicited commercial electronic mail messages, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 630

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE

This Act may be cited as the "Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2001," or the "CAN SPAM Act of 2001."

SEC. 2. CONGRESSIONAL FINDINGS AND POLICY.

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

(1) There is a right of free speech on the Internet.

(2) The Internet has increasingly become a critical mode of global communication and now presents unprecedented opportunities for the development and growth of global commerce and an integrated worldwide economy. In order for global commerce on the Internet to reach its full potential, individuals and entities, using the Internet and other online services should be protected from unsolicited advertising in global commerce.

(3) Unsolicited commercial electronic mail can be a mechanism through which businesses advertise and attract customers in the online environment.

(4) The receipt of unsolicited commercial electronic mail may result in costs to recipients who cannot refuse to accept such mail and who incur costs for the storage of such mail, or for the time spent accessing, reviewing, and discarding such mail, or for both.

(5) Unsolicited commercial electronic mail may impose significant monetary costs on providers of Internet access services, businesses, and educational and nonprofit institutions that carry and receive such mail, as there is a finite volume of mail that such providers, businesses, and institutions can handle without further investment. The sending of such mail is increasingly and negatively affecting the business service provided to customers of Internet access service, and shifting costs from the sender of the advertisement to the provider of Internet access service and the recipient of the unsolicited commercial electronic mail from such senders in the future, other senders provide no
such “opt-out” mechanism, or refuse to honor the request of recipients not to receive electronic mail from such senders in the future, or both.

(7) An increasing number of senders of unsolicited commercial electronic mail purposefully disguise the source of such mail so as to prevent recipients from responding to such mail quickly and easily.

(8) An increasing number of senders of unsolicited commercial electronic mail purposefully include misleading information in the message’s subject lines in order to induce the recipient to open the messages.

(9) Because recipients of unsolicited commercial electronic mail are unable to avoid the receipt of such mail through reasonable means, such mail may invade the privacy of recipients.

(10) The practice of sending unsolicited commercial electronic mail is sufficiently profitable that senders of such mail will not be unduly burdened by the costs associated with providing an “opt-out” mechanism to recipients and ensuring that recipients who exercise such an option do not receive further messages from that sender.

(11) In legislating against certain abuses on the Internet, Congress should be very careful to avoid infringing in any way upon constitutionally protected rights, including the rights of assembly, free speech, and privacy.

(b) CONGRESSIONAL DETERMINATION OF PUBLIC POLICY—On the basis of the findings in subsection (a), the Congress determines that—

(1) there is substantial government interest in regulation of unsolicited commercial electronic mail;

(2) senders of unsolicited commercial electronic mail should not mislead recipients as to the source of such mail, and

(3) recipients of unsolicited commercial electronic mail have a right to decline to receive additional unsolicited commercial electronic mail from the same source.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFFIRMATIVE CONSENT.—The term “affirmative consent” means any consent voluntarily given by a recipient to a commercial electronic mail message, means—

(A) the message falls within the scope of an express or implied permission granted by the recipient

(B) the recipient had clear and conspicuous notice, at the time such invitation or permission was granted, of—

(i) the fact that the recipient was granting the invitation or permission;

(ii) the scope of the invitation or permission, including what types of commercial electronic mail messages would be covered by the invitation or permission and what senders or types of senders, if any, other than the party to whom the invitation or permission was communicated would be covered by the invitation or permission; and

(C) the recipient has not, after granting the invitation or permission, submitted a request under section 5(a)(3) not to receive unsolicited commercial electronic mail messages from the sender of the message.

(2) COMMERCIAL ELECTRONIC MAIL MESSAGE.—The term “commercial electronic mail message” means any electronic mail message the primary purpose of which is to advertise or promote, for a commercial purpose, a commercial product or service (including content on an Internet website). An electronic mail message shall not be considered a commercial electronic mail message solely because such message includes a reference to a commercial entity that serves to identify the sender or a reference or link to an Internet website operated for a commercial purpose.

(3) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(4) DOMAIN NAME.—The term “domain name” means any alphanumeric designation which is registered with or assigned by any domain name registrar, domain name registry, or domain name registrar authority as part of an electronic address on the Internet.

(5) ELECTRONIC MAIL ADDRESS.—

(A) IN GENERAL.—The term “electronic mail address” means a destination (commonly expressed as a string of characters) to which electronic mail can be sent or delivered.

(B) INCLUSION.—In the case of the Internet, the term “electronic mail address” means an electronic mail address consisting of a user name only referred to as the “local part” and a reference to an Internet domain (commonly referred to as the “domain part”).

(C) FUNCTIONING RETURN ELECTRONIC MAIL ADDRESS.—

(A) IN GENERAL.—The term “functioning return electronic mail address” means a legitimately obtained electronic mail address, clearly and conspicuously displayed in a commercial electronic mail message, that—

(i) remains capable of receiving messages for no less than 30 days after the transmission of such commercial electronic mail message; and

(ii) has the capacity reasonably calculated, in light of the number of recipients of the commercial electronic mail message, to enable it to receive the full expected quantity of reply messages from such recipients.

(B) AN ELECTRONIC MAIL ADDRESS THAT MEETS THE REQUIREMENTS OF SUBPARAGRAPH (A) SHALL NOT BE EXCLUDED FROM THIS DEFINITION BECAUSE OF A TEMPORARY INABILITY TO RECEIVE ELECTRONIC MAIL MESSAGES, PROVIDED STEPS ARE TAKEN TO CORRECT SUCH TECHNICAL PROBLEMS WITHIN A REASONABLE TIME PERIOD.

(6) HEADER INFORMATION.—The term “header information” means the source, destination, and routing information attached to the beginning of an electronic mail message, including the originating domain name and originating electronic mail address.

(7) IMPLIED CONSENT.—The term “implied consent”, when used with respect to a commercial electronic mail message, means—

(A) within the 5-year period ending upon receipt of such message, there has been a business transaction between the sender and the recipient involving the provision, free of charge, of information, goods, or services requested by the recipient;

(B) the recipient was, at the time of such transaction or thereafter, provided a clear and conspicuous notice of an opportunity not to receive unsolicited commercial electronic mail messages from the sender and has not exercised such opportunity;

(8) INITIATE.—The term “initiate”, when used with respect to a commercial electronic mail message, means to originate such message, to procure the origination of such message, or to assist in the origination of such message through the provision or selection of addresses to which such message will be sent, but shall not include actions that constitute routine conveyance of such message.

For purposes of this Act, more than 1 person may be considered to have initiated the same message.

(11) INTERNET.—The term “Internet” has the meaning given that term in the Internet Access Service Act (Pub. L. 105-277, Div. C, Title XI, §1101(e)(3)(C)).

(12) INTERNET ACCESS SERVICE.—The term “Internet access service” has the meaning given that term in section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).

(13) PROTECTED COMPUTER.—The term “protected computer” has the meaning given that term in section 1030(e)(2) of title 18, United States Code.

(14) RECIPIENT.—The term “recipient”, when used with respect to a commercial electronic mail message, means the addressess of such message.

(15) ROUTINE CONVEYANCE.—The term “routine conveyance” means the transmission, routing, relaying, handling, or storing, through an automatic technical process, of an electronic mail message for which another person has provided and selected the recipient addresses.

(16) SENDER.—The term “sender”, when used with respect to a commercial electronic mail message, means a person who initiates such a message and whose product, service, or Internet web site is advertised or promoted by the message, but does not include any person, including a provider of Internet access service, whose role with respect to the message is limited to routine conveyance of the message.

(17) UNSOLICITED COMMERCIAL ELECTRONIC MAIL MESSAGE.—

(A) IN GENERAL.—The term “unsolicited commercial electronic mail message” means any electronic mail message that is sent to a recipient—

(i) without prior affirmative consent or implied consent from the recipient; or

(ii) to a recipient who, subsequent to the establishment of affirmative or implied consent as to subparagraph (A), has opted-out as a separate recipient with respect to each such message.

(B) EXCLUSION.—Notwithstanding subparagraph (A), the term “unsolicited commercial electronic mail message” does not include an electronic mail message sent by or on behalf of one or more lawful owners of copyright, patent, trademark, or other rights to an unauthorized user of protected material notifying such user that the use is unauthorized and requesting that the use be terminated that permission for such use be obtained from the rights holder or holders.

SEC. 4. CRIMINAL PENALTY FOR UNSOLICITED COMMERCIAL ELECTRONIC MAIL CONTAINING FRAUDULENT ROUTING INFORMATION.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

“§ 1348. Unsolicited commercial electronic mail containing fraudulent transmission information

“(a) IN GENERAL.—Any person who intentionally initiates the transmission of any
unsolicited commercial electronic mail message to a protected computer, or is accompanied by, header information that is materially or intentionally false or misleading shall be fined or imprisoned for not more than 1 year, or both, under this title.

"(b) Definitions.—Any term used in subsection (a) that is defined in section 5 of the Unsolicited Commercial Electronic Mail Act of 2001 has the meaning giving it in that section.

"(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 63 of title 18, United States Code, is amended by adding at the end the following:

"1348. Unsolicited commercial electronic mail containing fraudulent routing information.

SEC. 5. OTHER PROTECTIONS AGAINST UNSOLICITED COMMERCIAL ELECTRONIC MAIL.

(a) REQUIREMENTS FOR TRANSMISSION OF MESSAGES.—

(1) PROHIBITION OF FALSE OR MISLEADING TRANSMISSION INFORMATION.—It shall be unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message that contains, or is accompanied by, header information that is materially or intentionally false or misleading, or not legitimately obtained.

(2) PROHIBITION OF DECEPTIVE SUBJECT HEADING.—It shall be unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message with a subject heading that such person knows is likely to mislead the recipient about a material fact regarding the contents or subject matter of the message.

(3) ENFORCEMENT OF RETURN ADDRESS IN COMMERCIAL ELECTRONIC MAIL.—It shall be unlawful for any person to initiate the transmission of a commercial electronic mail message to a protected computer unless such message contains a functioning return electronic mail address to which a recipient may send a reply to the sender to indicate a desire not to receive further messages from that sender at the electronic mail address at which the message was received.

(4) PROHIBITION OF TRANSMISSION OF UNSOLICITED ELECTRONIC MAIL AFTER OBJECTION.—If a recipient makes a request to a sender, through an electronic mail message sent to an electronic mail address provided by the sender pursuant to paragraph (3), not to receive further electronic mail messages from that sender, it shall be unlawful for the sender, or any person acting on behalf of the sender, to initiate the transmission of an unsolicited commercial electronic mail message to such a recipient within the United States more than 10 days after receipt of such request.

(5) INCLUSION OF IDENTIFIER, OPT-OUT, AND PHYSICAL ADDRESS IN UNSOLICITED COMMERCIAL ELECTRONIC MAIL.—It shall be unlawful for any person to initiate the transmission of any unsolicited commercial electronic mail message to a protected computer unless the message provides, in a manner that is clear and conspicuous to the recipient, (A) identification that the message is an advertisement or solicitation; (B) notice of the opportunity under paragraph (3) to opt out of the transmission of unsolicited commercial electronic mail messages from the sender; and (C) a valid physical postal address of the sender.

(b) NO EFFECT ON POLICIES OF PROVIDERS OF INTERNET ACCESS SERVICE.—Nothing in this Act shall be construed to have any effect on the lawful operations, manner of conduct, or other provision of law, of the adoption, implementation, or enforcement by a provider of Internet access service of a policy of declining to transmit, route, relay, handle, or store certain types of electronic mail messages.

SEC. 6. ENFORCEMENT.

(A) ENFORCEMENT BY COMMISSION.—

(1) IN GENERAL.—Section 5 of this Act shall be enforced by the Commission under section 5(b) of the FTC Act. For purposes of such Commission enforcement, violations of this Act shall be treated as a violation of a rule under section 15 (15 U.S.C. 57a) of the FTC Act regarding unfair or deceptive acts or practices.

(2) SCOPE OF COMMISSION ENFORCEMENT AUTHORITY.—(A) The Commission shall prevent any person subject to the provisions of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the FTC Act were incorporated into and made a part of this section. Any person who violates section 5 of this Act shall be subject to the penalties and entitled to the judicial review provisions of the FTC Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the FTC Act were incorporated into and made a part of this section.

(B) Nothing in this Act shall be construed to give the Commission authority over activities that are otherwise outside the jurisdiction of the FTC Act.

(b) ENFORCEMENT BY CERTAIN OTHER AGENCIES.—

(1) IN GENERAL.—Compliance with section 5 of this Act shall be enforced under—

(A) section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), in the case of—

(i) national banks, and Federal branches and agencies of foreign banks, by the Office of the Comptroller of the Currency; (ii) member banks of the Federal Reserve System (other than national banks), branches and agencies of foreign banks (other than Federal branches, Federal agencies, and insured State branches of foreign banks), commercial lending companies organized as credit unions, and organizations operating under section 25 or 23A of the Federal Reserve Act (12 U.S.C. 601 et seq. and 611 et seq.), by the Federal Reserve Board; and (iii) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System) and insured State branches of foreign banks, by the Board of Directors of the Federal Deposit Insurance Corporation;

(B) section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), by the Director of the Office of Thrift Supervision, in the case of a savings association the deposits of which are insured by the Federal Deposit Insurance Corporation;

(C) the Federal Credit Union Act (12 U.S.C. 1751 et seq.), by the National Credit Union Administration with respect to any Federal credit union;

(D) part A of subtitle VII of title 49, United States Code, by the Secretary of Transportation with respect to air carriers and foreign air carrier subject to that part; and

(E) the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), except as provided in section 3 of that Act (7 U.S.C. 222, 227), by the Secretary of Agriculture with respect to any activities subject to that Act;

(f) the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.), by the Farm Credit Administration with respect to any Federal land bank, Federal land bank association, Federal intermediate credit bank, or production credit association; and

(G) the Communications Act of 1934 (47 U.S.C. 151 et seq.), by the Federal Communications Commission with respect to any person subject to the provisions of that Act.

(2) EXERCISE OF CERTAIN POWERS.—For the purpose of the exercise by any agency referred to in paragraph (1) of its powers under this Act referred to in that paragraph, a violation of section 5 of this Act is deemed to be a violation of a requirement imposed under that Act. In addition to its powers under any provision of law specifically referred to in paragraph (1), each of the agencies referred to in that paragraph may exercise, for the purpose of enforcing compliance with any requirement referred to in that Act, any other authority conferred on it by law.

(A) CIVIL ACTION.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State is affected or is threatened or adversely affected by any person engaging in a practice that violates section 5 of this Act, the State, as parens patriae, may bring a civil action in any appropriate court, or in any other court of competent jurisdiction—

(A) to enjoin that practice; or

(B) to obtain damages on behalf of residents of the State, in an amount equal to the greater of—

(i) the actual monetary loss suffered by such residents; or

(ii) the amount determined under paragraph (2).

(3) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—

(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $10 (with each separately identified violation counted as a separate violation); or

(B) $500,000.

In determining the per-violation penalty under this paragraph, the court shall take into account the degree of the violator's culpability, any history of prior such conduct, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.

(4) ATTORNEY FEES.—In the case of any successful action under subparagraphs (A) and (B), the court shall award reasonable attorney fees and costs to the prevailing party, including any party submitting an offer to settle that is later accepted.

(5) NOTICE.—(A) PRE-FILING.—Before filing an action under paragraph (1), an attorney general shall provide to the Commission a copy of the complaint.

(B) CONTEMPORANEOUS.—If an attorney general determines that it is not feasible to provide the notice required by subparagraph (A) before filing the action, the notice and a copy of the complaint shall be provided to the Commission when the action is filed.

(6) INTERVENING.—If the Commission receives notice under paragraph (4), it—

(7) AUTHORITY TO AMEND.—Nothing in this Act shall affect the power of the Commission to amend any regulations, or other provision of law, of the adoption, implementation, or enforcement by a provider of Internet access service of a policy of declining to transmit, route, relay, handle, or store certain types of electronic mail messages.
(A) may intervene in the action that is the subject of the order; and
(B) shall have the right—
(i) to be heard with respect to any matter that arises in that action; and
(ii) to file an appeal.
(7) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this Act shall be construed to preclude an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—
(A) conduct investigations;
(B) administer oaths or affirmations; or
(C) compel the attendance of witnesses or the production of documentary and other evidence.
(8) VENUE; SERVICE OF PROCESS.—
(A) VENUE.—Any action brought under paragraph (1) may be brought in the district court of any State where applicable requirements relating to venue under section 1391 of title 28, United States Code.
(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—
(i) is an inhabitant; or
(ii) maintains a physical place of business.
(9) LIMITATION ON STATUTORY PENALTY WHILE FEDERAL ACTION IS PENDING.—If the Commission or any other appropriate Federal agency under subsection (b) has instituted an administrative action for violation of this Act, no State attorney general may bring an action under this subsection during the pendency of that action against any defendant named in the complaint of the Commission or the other agency for any violation of this Act alleged in the complaint.
(d) ACTION BY PROVIDER OF INTERNET ACCESS SERVICE.—
(1) ACTION AUTHORIZED.—A provider of Internet access service adversely affected by a violation of section 5 may bring a civil action in any district court of the United States with jurisdiction over the defendant, or in any other court of competent jurisdiction, to—
(A) enjoin further violation by the defendant; or
(B) recover damages in any amount equal to the greater of—
(i) actual monetary loss incurred by the provider of Internet access service as a result of such violation; or
(ii) the amount determined under paragraph (2).
(2) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—
(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $20 (with each separately addressed unlawful message carried over the facilities of the provider of Internet access service treated as a separate violation); or
(B) $50,000.
In determining the per-violation penalty under this paragraph, the court shall take into account the degree of culpability, any history of prior such conduct, ability to pay, effect on the provider to continue to do business, and such other matters as justice may require.
(3) TREBLE DAMAGES.—If the court finds that the defendant committed the violation willfully and knowingly, the court may increase the amount recoverable under paragraph (2) up to three times the statutory penalty.
(4) ATTORNEYS’ FEES.—In any action brought pursuant to paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action, and assess reasonable attorneys’ fees, against any party.
(5) EVIDENTIARY PRESUMPTION.—For purposes of an action alleging a violation of section 5, if the recipient has submitted a complaint about a commercial electronic mail message to an electronic mail address maintained and published by the provider of Internet access service for the purpose of receiving complaints about unsolicited commercial electronic mail messages shall create a rebuttable presumption that the message in question was unsolicited within the meaning of this Act.
(e) AFFIRMATIVE DEFENSE.—A person shall not be liable for damages under subsection (c)(2) or (d)(2) if—
(1) such person has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of section 5; and
(2) any violation occurred despite good faith efforts to maintain compliance with such practices and procedures.
SEC. 7. EFFECT ON OTHER LAWS.
(a) FEDERAL LAW.—Nothing in this Act shall be construed to impair the enforcement of—
(i) State or local criminal law or any civil remedy available under such law that relates to acts of commercial electronic mail messages; or
(ii) Federal criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impair the enforcement of such criminal law or any civil remedy available under such law.
(b) STATE LAW.—No State or local government may impose any civil liability for commercial activities or actions in interstate or foreign commerce in connection with an activity or action described in section 5 of this Act that is inconsistent with or more restrictive than the treatment of such activities or actions under this Act, except that this Act shall not preempt any civil action under—
(i) State trespass, contract, or tort law; or
(ii) any provision of Federal, State, or local criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impede or impair the enforcement of such criminal laws or any civil remedy available under such laws.
(c) TIMELINESS.—Nothing in this Act shall impair the enforcement of any State or local criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impair the enforcement of such criminal laws or any civil remedy available under such laws.
(d) ACTION BY PROVIDER OF INTERNET ACCESS SERVICE.—
(1) ACTION AUTHORIZED.—A provider of Internet access service adversely affected by a violation of section 5 may bring a civil action in any district court of the United States with jurisdiction over the defendant, or in any other court of competent jurisdiction, to—
(A) enjoin further violation by the defendant; or
(B) recover damages in any amount equal to the greater of—
(i) actual monetary loss incurred by the provider of Internet access service as a result of such violation; or
(ii) the amount determined under paragraph (2).
(2) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—
(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $20 (with each separately addressed unlawful message carried over the facilities of the provider of Internet access service treated as a separate violation); or
(B) $50,000.
In determining the per-violation penalty under this paragraph, the court shall take into account the degree of culpability, any history of prior such conduct, ability to pay, effect on the provider to continue to do business, and such other matters as justice may require.
(3) TREBLE DAMAGES.—If the court finds that the defendant committed the violation willfully and knowingly, the court may increase the amount recoverable under paragraph (2) up to three times the statutory penalty.
(4) ATTORNEYS’ FEES.—In any action brought pursuant to paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action, and assess reasonable attorneys’ fees, against any party.
(5) EVIDENTIARY PRESUMPTION.—For purposes of an action alleging a violation of section 5, if the recipient has submitted a complaint about a commercial electronic mail message to an electronic mail address maintained and published by the provider of Internet access service for the purpose of receiving complaints about unsolicited commercial electronic mail messages shall create a rebuttable presumption that the message in question was unsolicited within the meaning of this Act.
(e) AFFIRMATIVE DEFENSE.—A person shall not be liable for damages under subsection (c)(2) or (d)(2) if—
(1) such person has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of section 5; and
(2) any violation occurred despite good faith efforts to maintain compliance with such practices and procedures.
SEC. 7. EFFECT ON OTHER LAWS.
(a) FEDERAL LAW.—Nothing in this Act shall be construed to impair the enforcement of—
(i) State or local criminal law or any civil remedy available under such law that relates to acts of commercial electronic mail messages; or
(ii) Federal criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impair the enforcement of such criminal laws or any civil remedy available under such laws.
(b) STATE LAW.—No State or local government may impose any civil liability for commercial activities or actions in interstate or foreign commerce in connection with an activity or action described in section 5 of this Act that is inconsistent with or more restrictive than the treatment of such activities or actions under this Act, except that this Act shall not preempt any civil action under—
(i) State trespass, contract, or tort law; or
(ii) any provision of Federal, State, or local criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impede or impair the enforcement of such criminal laws or any civil remedy available under such laws.
(c) TIMELINESS.—Nothing in this Act shall impair the enforcement of any State or local criminal law or any civil remedy available under such law that relates to acts of computer fraud perpetrated by means of the unauthorized transmission of unsolicited commercial electronic mail messages, provided that the mere sending of unsolicited commercial electronic mail messages, without more, shall not be construed to impair the enforcement of such criminal laws or any civil remedy available under such laws.
(d) ACTION BY PROVIDER OF INTERNET ACCESS SERVICE.—
(1) ACTION AUTHORIZED.—A provider of Internet access service adversely affected by a violation of section 5 may bring a civil action in any district court of the United States with jurisdiction over the defendant, or in any other court of competent jurisdiction, to—
(A) enjoin further violation by the defendant; or
(B) recover damages in any amount equal to the greater of—
(i) actual monetary loss incurred by the provider of Internet access service as a result of such violation; or
(ii) the amount determined under paragraph (2).
(2) STATUTORY DAMAGES.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the smaller of—
(A) the amount determined by multiplying the number of willful, knowing, or negligent violations by an amount, in the discretion of the court, of up to $20 (with each separately addressed unlawful message carried over the facilities of the provider of Internet access service treated as a separate violation); or
(B) $50,000.
In determining the per-violation penalty under this paragraph, the court shall take into account the degree of culpability, any history of prior such conduct, ability to pay, effect on the provider to continue to do business, and such other matters as justice may require.
(3) TREBLE DAMAGES.—If the court finds that the defendant committed the violation willfully and knowingly, the court may increase the amount recoverable under paragraph (2) up to three times the statutory penalty.
(4) ATTORNEYS’ FEES.—In any action brought pursuant to paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action, and assess reasonable attorneys’ fees, against any party.
(5) EVIDENTIARY PRESUMPTION.—For purposes of an action alleging a violation of section 5, if the recipient has submitted a complaint about a commercial electronic mail message to an electronic mail address maintained and published by the provider of Internet access service for the purpose of receiving complaints about unsolicited commercial electronic mail messages shall create a rebuttable presumption that the message in question was unsolicited within the meaning of this Act.
(e) AFFIRMATIVE DEFENSE.—A person shall not be liable for damages under subsection (c)(2) or (d)(2) if—
(1) such person has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of section 5; and
(2) any violation occurred despite good faith efforts to maintain compliance with such practices and procedures.
messages. A spammer would be prohibited from sending further messages to a consumer that has told it to stop. The bill also would prohibit spammers from using falsified or deceptive headers or subject lines, so that consumers will be able to tell where their marketing e-mails are coming from.

The bill includes strong enforcement provisions to ensure compliance. Spammers that intentionally disguise their identities would be subject to misdemeanor criminal penalties. The Federal Trade Commission would have authority to impose civil fines. State attorneys general would be able to bring suit on behalf of the citizens of their states. And Internet service providers would be able to bring suit to keep unlawful spam off of their networks. In all cases, particularly high penalties would be available for true “bad actors”—the shady, high-volume spammers who have no intention of being in a lawful and responsible manner.

Our goal here is not to discourage legitimate online communications with consumers. Senator Burns and I have no intention of interfering with a company’s ability to use e-mail to inform customers of warranty information, provide account holders with monthly account statements, and so forth. Rather, we want to go after those unscrupulous individuals who use e-mail to annoy and mislead. I believe this bill strikes that important balance.

Senator Burns and I have worked with a number of different groups in shaping this legislation, and we believe we have made real progress in addressing some concerns that were raised about the spam bill we proposed last year. We feel that the version of the bill we introduce today is a workable, common-sense approach. I am pleased that Senators Lieberman, Landrieu, Torricelli, Breaux, and Murkowski are co-sponsoring this bill today, and I look forward to working with them and the rest of my Senate colleagues to see that the bill moves forward as quickly as possible.

By Mr. VOINOVICH:

S. 631. A bill to provide for pension reform, for certain purposes; to the Committee on Finance.

Mr. VOINOVICH. Mr. President, I rise today to introduce legislation that I believe will provide for the financial future of millions of Americans, help boost this nation’s savings rate, and bolster long-term economic growth. My bill, the Comprehensive Retirement Security and Pension Reform Act, mirrors H.R. 10, legislation introduced earlier this year by my friend and fellow Ohioan, Representative Rob Portman.

It is estimated that right now, an astounding 75 million American workers have no pension plan. In other words, roughly half of America’s workers lack a key mechanism they will need in order to achieve a comfortable retirement. This situation is intolerable and must change.

In my view, we must do more to encourage more citizens to ensure their financial independence in their golden years. That’s why I strongly believe we need to enshrine in the Comprehensive Retirement Security and Pension Reform Act the increased personal savings and investment that would result from expanding pensions would reinvigorate our savings ethic, which has been eroding over recent years. Something needs to be done quickly to encourage more Americans to save and plan for their retirement and I believe the legislation I am introducing today is an important step in the right direction.

Among the important things the bill I am introducing today does is raise the maximum annual contribution to an Individual Retirement Account, IRAs, from $2,000 per individual to $5,000. The contribution limits for IRAs, which remained unchanged since 1981. Since sixty-nine percent of all IRA participants contribute the maximum, the $2,000 limit has been a barrier to encouraging Americans to save for their own retirement. If the original IRA contribution limit in 1975, of $1,500, had been indexed for inflation, it would have reached $5,353 in the year 2000. Clearly, today’s working men and women want, and are ready to, invest more for their retirement. The retirement of Congress would only let them. The time has come to raise the contribution limit.

In addition, the Comprehensive Retirement Security and Pension Reform Act includes provisions to encourage employers to offer pensions, increase participation by eligible employees, raise limits on benefits and contributions, improve asset portability, strengthen legal protections for plan participants, and reduce regulatory burdens on plan sponsors.

When the baby boomers start to retire in a few short years, this country will begin to experience a retirement tsunami unlike anything it has ever experienced. This 20-year event will put great strain on the economy and the federal budget, especially on government programs that provide services to senior citizens. One of the best ways to help prepare for this is to encourage private saving. The Comprehensive Retirement Security and Pension Reform Act is an important step in this direction and I urge my colleagues to join in co-sponsoring this legislation.

By Mr. NELSON of Florida:

S. 632. A bill to reinstate a final rule promulgated by the Administrator of the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. NELSON of Florida. Mr. President, I rise today to express my grave concern about the Bush administration’s latest decision to roll back measures designed to safeguard public health. Last Tuesday, the administration announced it would revoke the new, safer arsenic standard for drinking water and revert to the standard we have had in effect since 1942. The administration stated that the lower standard for drinking water should not go into effect because there was “no consensus on a particular safe level” of arsenic in drinking water. The administration also claims it would cost industry too much money to comply with the lower standard.

The old standard of 50 parts per billion was established almost 60 years ago—before research linked arsenic to some forms of cancer. A 1969 study by the National Academy of Sciences, a study mandated by Congress for drinking water, concluded that the current arsenic standard for drinking water could result in one additional case of cancer for every 100 people consuming such drinking water. Such a study determined that long-term exposure to low concentrations of arsenic in drinking water can lead to skin, bladder, lung, and prostate cancer. Non-cancer effects of ingesting arsenic at these levels can include cardiovascular disease, diabetes and anemia as well as reproductive, developmental, immunological, and neurological effects. In response, the Environmental Protection Agency adopted a rule that set a new standard of 10 parts per billion which the EPA deemed safe for drinking water.

This standard also has been adopted by the European Union and the World Health Organization.

Is cost a sufficient reason for reversal? No. That’s because Congress consistently has made clear that it will help states and municipalities with the funds necessary to provide their citizens with safe drinking water.

Even the Governor of Florida recognizes the health risks of arsenic. Arsenic was discovered recently in the soil in playgrounds in Tarpon Springs, Miami and Crystal River. It leached into the soil from pressure-treated wood used for park boardwalks and other outdoor structures. Last week, Gov. Jeb Bush ordered the state’s wood-treatment plant to stop using arsenic to treat wood. I commend him for that decision.

If arsenic in the soil is dangerous for children, it only stands to reason that the danger is even greater when it is found in drinking water. The administration should join the State of Florida in recognizing the danger of arsenic and restore the 10 parts per billion standard. In the meantime, I am introducing legislation to restore the federal rule containing the new, safer drinking-water standard. The American people deserve clean, safe drinking water. If the Administration won’t act, Congress must.
I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

SEC. 1. SHORT TITLE.
This Act may be cited as the "Arsenic Reduction in Drinking Water Act of 2001".

SEC. 2. DEFINITIONS.
In this Act:
(1) Administrator.—The term "Administrator" means the Administrator of the Environmental Protection Agency.
(2) Public water system.—The term "public water system" has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300j–12(h)).
(3) State.—The term "State" has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300j–12(h)).

SEC. 3. REINSTATEMENT OF FINAL RULE.
On and after the date of enactment of this Act, the final rule promulgated by the Administrator entitled "Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring" (66 Fed. Reg. 6676 (January 22, 2001)), and the amendments to parts 9, 141, and 142 of title 40, Code of Federal Regulations, made by that rule, shall have full force and effect.

SEC. 4. ASSISTANCE FOR COMPLIANCE WITH ARSENIC STANDARD.
(a) IN GENERAL.—For each fiscal year for which funds are made available to carry out this section, the Administrator, using data obtained from the most recent available needs survey conducted by the Administrator under section 1452(h) of the Safe Drinking Water Act (42 U.S.C. 300j–12(h)), shall allocate the funds to States for use in carrying out treatment projects to comply with the final rule reinstated by section 3.
(b) RATIO.—The Administrator shall allocate funds to a State under subsection (a) in the ratio that—
(1) the financial need associated with treatment projects for compliance with the final rule reinstated by section 3 for public water systems in the State; bears to; (2) the total financial need associated with treatment projects for compliance with the final rule reinstated by section 3 for all public water systems in all States.

By Mrs. HUTCHISON (for herself and Mr. ROCKEFELLER):
S. 632. A bill to provide for the review and management of airport congestion, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. HUTCHISON. Mr. President, I rise today, with my colleague Senator ROCKEFELLER, to introduce legislation that will bring real relief to the hundreds of millions of passengers that have been suffering through the dramatic increase in the number of flight delays and cancellations in our passenger aviation system.

I know that many of my colleagues are, by necessity, frequent fliers. So you know how bad it is out there and you have heard the statistics. More than twenty-five percent of the scheduled flights last year were delayed or canceled. The length of the average delay has increased, despite the extra fugitive time built into eighty-three percent of flights by the airlines to compensate for delays they know are going to occur.

Not coincidentally, the number of annual airline travelers is also rising. Between 1995 and 1999, the number of annual travelers increased nearly sixteen percent, from about 582 million to 674 million. The Federal Aviation Administration estimates that this number will increase to more than 1 billion by the end of this decade. To meet this increased demand, the number of scheduled flights has also increased.

However, there has not been a commensurate increase in the number of new aviation facilities. Only one major airport is scheduled to come on line in Denver, and only a handful of new runways and terminals have been completed to deal with the new demand. Unfortunately, the process for making capital improvements to existing airports is often painfully slow and easily derailed by well-organized groups that use every possible impediment to delay a new runway until it becomes impossibly expensive and difficult to build.

Unless we significantly expand the capacity of our aviation system, we will not be able to meet the growing demand for air travel. Air fares will skyrocket and delays will continue to spread across the system. The loss of American productivity, from millions of hours lost while sitting on an airport tarmac, will be incalculable.

Fixing the problem will call for more infrastructure and better air traffic control facilities. But we must meet the challenge now so these new runways and terminals can be ready before we have a real crisis on our hands.

Until now, most of the focus here in Congress has been on passenger service. The Commerce Committee recently reported a bill, which I cosponsored, to force airlines to live up to their promises to provide improved customer service, especially during delays and cancellations. Passenger service is critical, but the real cause of consumers’ frustration is the explosive growth in the number and length of flight delays.

The bill instructs the Secretary to develop a procedure to ensure that the approval process for runways, terminals and airports is streamlined. Federal, state, regional and local reviews would take place simultaneously, not one after the other.

In no way would this mean that environmental laws would be ignored or broken. The bill does not limit the grounds on which a lawsuit may be brought. Instead, it simply provides the community with a reasonable time line to get an answer. If that answer is “no,” then the community is free to explore other transportation options.

The bill also addresses the unfortunate practice of the airlines to overschedule at peak hours. At many airports, these schedules are so densely packed that, even in perfect weather conditions throughout the country, there is no way the airlines could possibly meet them. The result is chronically late flights.

The legislation directs the Secretary to study the options to ease congestion at crowded airports. The legislation also grants the airlines a limited anti-trust exemption, so that they may consult with one another, subject to the Secretary’s approval, to reschedule flights from the most congested hours to off-peak times.

We have all experienced flights that push away from the gate only to languish for hours on the tarmac waiting for takeoff. Even these flights are often painfully slow and easily derailed by well-organized groups that use every possible impediment to delay a new runway until it becomes impossibly expensive and difficult to build.

Our national economic health depends upon the reliability of our aviation system. If we fail to act now, that reliability will be placed in serious jeopardy.

Mr. ROCKEFELLER. Mr. President, I join today with the chairwoman of the Aviation Subcommittee in introducing the Aviation Delay Prevention Act. The bill is intended to start a dialogue about some of the solutions for reducing congestion, specifically ways to expedite airport construction, and provide a mechanism for air carriers to talk about changing flight schedules to reduce delays. This is a tough issue with no easy, simple solutions. Senator HUTCHISON and I know this law is necessary because we know that this specific piece of legislation is intended to provide a framework for a debate on how to provide a better air transportation system for travelers.

We must, though, continue our efforts to work through every issue in our efforts to enable the FAA, airports and air carriers to provide a more efficient air transportation system.

Senator HUTCHISON and I want to provide our colleagues with constructive and feasible legislative provisions that are well thought out and considered these issues.

We will hold a hearing on this bill on Thursday, eliciting testimony from the Department of Transportation, DOT, the Federal Aviation Administration, FAA, airports and airlines, as well as general aviation.

We do know we are facing an aviation system that today is overcrowded and cannot keep up with demand. Tomorrow’s demand forecasts are also daunting, with an increase in passenger traffic from about 670 million passengers to more than a billion. As we review the problems of our aviation system, I am constantly thinking and envisioning a system with twice the
number of planes, and twice the number of people traveling within the next 10 years. Today, right now, we have airports that are operating at 100% of the planes. We have terminals that need to be expanded, and runways that must be built. One thing all of us know is that without adequate runways and terminals, no one is well served.

We see it first hand as we fly around the country, as our planes are delayed, as we talk with constituents at home and here in Washington, that our aviation system is running on empty. Last year, we had to fight and claw our way to getting bills that finally provides sufficient money for the FAA to be able to build new runways and buy new equipment. We must be vigorous in ensuring that the Administration does not make cuts to these key programs, as was done with the FAIR Act and not get Administration. Knowing that it takes years to build a runway and years to develop new air traffic control systems, we cannot shortchange the system.

Last year, at the end of the Wendell H. Ford Aviation Investment and Reform Act, FAIR-21, P.L. 106-181, we set out a road map for a more businesslike Federal Aviation Administration, FAA, creating a corporate-type Board with people from non-aviation related businesses to oversee air traffic control. We created a Chief Operating Officer, COO, to run air traffic, with specific authority to focus on operations, the budget and establishing a goal-oriented ATC. In addition, we made sure that the money was provided to buy new ATC equipment to expand ATC capacity.

With respect to airports, we authorized significant increases in Airport Improvement Program monies, increases of $1.25, $1.35 and $1.45 billion over 1999 funds, $1.95 billion. We also gave airports the ability to increase their passenger facility fees from $3 to $4.50 per person. The money is there to build and expand capacity. But, nothing happens overnight and we all know it.

With the reforms of the FAA and the funding, we are on a path to change. Yet, even with that path, we are not able to keep up with demand, particularly in the short term. Secretary Mienta has already stated he wants to use the reforms of the FAIR Act and not get bogged down in an age-old debate over FAA privatization/corporatization. The Air Transport Association, ATA, has echoed this sentiment. Nonetheless, we must look at ways particularly in the near term, to provide relief to travelers, and in the longer term figure out better ways to build runways, while being cognizant of the need to be environmentally conscious.

Right now we have runway construction under way in St. Louis, Detroit-Metro, Minneapolis-St. Paul, Houston, and Orlando. Miami is set to begin construction within the next month or two as is St. Louis. Charlotte is awaiting the United-US Airways merger decision before it begins construction since the carriers will help finance the project. At other airports runway planning is ongoing. Chip Barclay, the President of the American Association of Airport Executives, in testimony before a House Committee recently noted that if we could build 50 more miles of additional runways we could solve our airport capacity problem. Fifty miles. Each of us wants them built more quickly, but changes in the laws may not expedite the current construction. Yet, we can ensure, as this bill does, that the FAA and other Federal, State and local agencies do a better job of coordinating the various environmental and planning reviews necessary before a runway is built. It is a starting point for the discussion, but by no means an end point. It has to expedite construction, within a framework upon the necessary environmental reviews.

AAAE has put out a proposal to expedite runway construction, and we will carefully evaluate it too. I have been developing my own legislation which will build upon the today and want to work with Senator HUTCHISON and other members on that bill. I have learned that this is a complicated problem, with no easy, or quick, solutions. As the legislation we introduce today is considered by the Committee, changes will be made to reflect many concerns and issues. Senator HUTCHISON and I want to work with the entire aviation community in addressing and solving this issue.

By Ms. COLLINS: S. 634. A bill to amend section 2007 of the Social Security Act to provide grant funding for additional Enterprise Communities, to provide for the use of loan accounts; and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, in 1993, Congress created the Community Empowerment Program to provide communities with real opportunities for growth and revitalization. The program challenged local jurisdictions to develop strategic plans for the future and rewarded the communities that have developed the best plans with a ten-year designation as an Empowerment Zone or Enterprise Community. Community Empowerment Program thus give communities Federal support to assist local efforts to promote economic opportunity and implement strategies designed to help communities obtain their development goals. When it authorized the program, Congress also provided, in the appropriation, the funding necessary to support the communities for the full life of the ten-year designations.

In response to the initial success of the Community Empowerment Program, Congress authorized a second round of the Enterprise Community designations in 1998, creating an additional 20 Enterprise Communities. These designations were awarded to deserving communities shortly thereafter by the Department of Agriculture.

When Congress authorized a second round of Enterprise Communities, it only appropriated funding for the program in Fiscal Year 1999. Consequently, communities have had to rely on funding added in conference to the VA-HUD appropriations bill in each of the subsequent fiscal years.

This last minute approach to funding these communities is not at all conducive to the strategic planning that the Community Empowerment Program is supposed to encourage. We cannot expect local leaders to effectively implement their plans if the Federal support they have been promised is still in question. I believe it is time for Congress to demonstrate its support for the Round II Enterprise Communities by setting aside, as it did in Round I, the funding necessary to sustain this important program.

Today, I am introducing legislation that would ensure that Congress keeps its commitment to the Round II Enterprise Communities by authorizing a one time appropriation to the States through the Social Service Block Grant program to support the remaining years of the designations. My bill, the Enterprise Communities Enhancement Act of 2001, also authorizes the States to make annual grants for each of the seven remaining years of the program of $500,000 for each of the 20 Round II Enterprise Communities. By guaranteeing funding, Congress would demonstrate its support for the work being done by these communities and provide local leaders with the assurance that Federal dollars will be available as they make their plans for the future.

The Enterprise Communities Enhancement Act will also allow for more local control over how the annual funding is used. My bill allows communities to use funds to capitalize local revolving loan accounts should community leaders deem such accounts as an important part of their economic development efforts.

I have long been a strong supporter of Empower Lewiston—the local effort that secured and is implementing the Enterprise Community designation for the city of Lewiston, Maine. Thousands of local people and businesses worked together for a year to develop a strategic plan for the city as a whole and those neighborhoods most affected by poverty. The plan includes proposals to enhance lifelong learning and employment opportunities, improve the community’s housing, and revitalize the city’s downtown.

Empower Lewiston has been able to leverage its funding by more than 5 to 1, generating more than $11 million in public and private investment in the community. Included among the projects that have been funded are investments in a local employment firm...
that created 60 new jobs and in the Seeds of Change program that enhances assistance among community residents. Looking ahead, Empower Lewiston will be developing a community resource center, working to develop safe and affordable housing, and expanding education programs that target the needs of local residents.

Empower provides a wonderful example of what the new Enterprise Communities are able to accomplish. By passing the Enterprise Communities Enhancement Act, Congress can ensure that communities such as Lewiston will have the resources they need to complete their missions and create a brighter future.

By Mr. DODD:

S. 635. A bill to reinstate a standard for arsenic in drinking water: to the Committee on Environment and Public Works.

Mr. DODD. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 635

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the "Arsenic Standard Reinstatement Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) in 1996, Congress amended the Safe Drinking Water Act (42 U.S.C. 300f et seq.) to require the Administrator of the Environmental Protection Agency to revise the standard for arsenic in drinking water;

(2) after conducting scientific and economic analysis and in accordance with the authority vested in him by law, the Administrator promulgated a final rule on January 22, 2001, promulgated a final rule to reduce the public health risks from arsenic in drinking water by reducing the permissible level of arsenic for public water systems from 50 parts per billion (.05 milligrams per liter) to 10 parts per billion (.01 milligrams per liter);

(3) the new standard would provide additional protection against cancer and other health problems for 13,000,000 people;

(4) the National Academy of Sciences has determined that drinking water containing 50 parts per billion of arsenic "could easily" result in a 1-in-100 risk of cancer;

(5) 50 parts per billion of arsenic causes a cancer risk that is 10,000 times the level of any cancerv risk that is caused by any carcinogen that the Environmental Protection Agency permits to be present in food;

(6) 10 parts per billion of arsenic in drinking water is the standard used by the European Union, Japan, and the World Health Organization;

(7) public water systems may apply for financial assistance through the drinking water State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300f-13);

(8) since 2000, the revolving loan fund program has made $3,600,000,000 available to assist public water systems with projects to improve infrastructure; and

(9) on March 22, 2001, the Administrator of the Environmental Protection Agency proposed to withdraw the pending arsenic standard that was promulgated on January 22, 2001, and due to take effect on March 23, 2001.

SEC. 3. REINSTATEMENT OF FINAL RULE.

(a) IN GENERAL.—On and after the date of enactment of this Act, the final rule promulgated by the Administrator of the Environmental Protection Agency entitled "arsenic and Clarifications to Compliance and New Source Contaminants Monitoring" (66 Fed. Reg. 6976 (January 22, 2001)), and the amendments to parts 9, 141, and 142 of title 40, Code of Federal Regulations, made by that rule, shall have full force and effect.

(b) MAXIMUM CONTAMINANT LEVEL.—The maximum contaminant level for arsenic in drinking water of .01 milligrams per liter established by the rule described in subsection (a) shall not be subject to revision except by Act of Congress.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 29—CONGRATULATING THE CITY OF DETROIT AND ITS RESIDENTS ON THE OCCASION OF THE TERCENTENNIAL OF ITS FOUNDING

Mr. LEVIN (for himself and Ms. STabenow) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 29

 Whereas Detroit is the 10th most populous city in the United States and the most populous city in Michigan;
 Whereas Detroit is the oldest major city in the Midwest, and 2001 is the 300th anniversary of Detroit's founding;
 Whereas Detroit began as a French community on the Detroit River when Antoine de la Mothe Cadillac founded a strategic garrison and fur trading post on the site in 1701;
 Whereas Detroit was named Fort Pontchartrain de l'Étoile (meaning "star") at the time of its founding and became known as Detroit because of its position along the Detroit River;
 Whereas the Detroit region served as a strategic channel of French and American Indian trade, became a British possession in 1766, and was transferred to the British by the peace treaty of 1763;
 Whereas the Detroit Native American Chieftain Pontiac attempted a historic but unsuccessful campaign to wrest control of the garrison at Detroit from British hands in 1763;
 Whereas in the nineteenth century, Detroit was a vocal center of antislavery advocacy and, for more than 40,000 individuals seeking freedom in Canada, an important stop on the Underground Railroad;
 Whereas Detroit entrepreneurs, including Henry Ford, perfected the process of mass production and made automobiles affordable for people from all walks of life;
 Whereas Detroit is the automotive capital of the Nation and an international leader in automobile manufacturing and trade;
 Whereas the contributions of Detroit residents to civilian and military production have astounded the Nation, contributed to the war effort, and been a vocal center of antislavery advocacy and, for more than 40,000 individuals seeking freedom in Canada, an important stop on the Underground Railroad; and
 Whereas Detroit is the home to the United Auto Workers Union and many labor building and service trades and industrial unions;
 Whereas Detroit has a rich sports tradition and has produced many sports legends, including; Ty Cobb, Al Kaline, Willie Horton, Hank Greenberg, Mickey Cochrane, and Sparky Anderson of the Detroit Tigers; Dick "Night Train" Lane, Joe Schmidt, Billy Sims, Dutch Clark, and Barry Sanders of the Detroit Lions; Dave Bing, Bob Lanier, Isaiah Thomas, and Joe Dumars of the Detroit Pistons; Gordie Howe, Terry Sawchuk, Ted Lindsay, and Steve Yzerman of the Detroit Red Wings; boxing greats Joe Louis, Sugar Ray Robinson, and Thomas Hearns; and Olympic speed skaters Jeanne Omelenchuk and Sheila Young-Ochochow;
 Whereas the cultural attractions in Detroit include the Detroit Institute of Arts, the Charles H. Wright Museum of African-American History (the largest museum devoted exclusively to African-American art and culture), the Detroit Historical Museum, the Detroit Symphony, the Michigan Opera Theater, the Detroit Science Center, and the Dossin Great Lakes Museum;
 Whereas several centers of educational excellence are located in Detroit, including Wayne State University, the Detroit Mercy Mercy, Marygrove College, Sacred Heart Seminary College, the Center for Creative Studies—College of Art and Design, and the Lewis College of Business (the only institution in Michigan designated as a "Historically Black College");
 Whereas residents of Detroit played an integral role in developing the distinctly American sounds of rock 'n roll, and techno; and
 Whereas Detroit has been the home of Berry Gordy, Jr., who created the musical genre that has been called the Motown Sound, and many great musical artists, including Aretha Franklin, Anita Baker, and the Winans family; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurs),

SECTION 1. CONGRATULATING DETROIT AND ITS RESIDENTS.

The Congress, on the occasion of the tercentennial of the founding of the city of Detroit, salutes Detroit and its residents, and hereby recognizes contributions to the economic, social, and cultural development of the United States.

SEC. 2. TRANSMITTAL.

The Secretary of the Senate shall transmit copies of this resolution to the Mayor of Detroit and the City Council of Detroit.

AMENDMENTS SUBMITTED AND PROPOSED

SA 148. Mr. KERRY (for himself, Mr. BIDEN, Mr. WELLSTONE, Ms. CANTWELL, and Mr. DODD) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

SA 149. Mr. THOMPSON (for himself, Mr. TORRICELLI, and Mr. NICKLES) proposed an amendment to the bill S. 27, supra.

SA 150. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 27, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 148. Mr. KERRY (for himself, Mr. BIDEN, Mr. WELLSTONE, Ms. CANTWELL,
and Mr. Dodd) proposed an amendment to the bill S. 27, to amend the Federal Election Campaign Act of 1971 to provide bi partisan campaign reform; as follows:

On page 37, between lines 14 and 15, insert the following:

SEC. 305. VOLUNTARY SPENDING LIMITS AND PUBLIC FINANCING OF SENATE ELECTION CAMPAIGNS

(a) VOLUNTARY SPENDING LIMITS.—(1) The aggregate amount of contributions received from individuals shall be increased by an amount equal to the increase in the consumer price index determined under section 315(c), for the period beginning on the date of the general election and ending on the earlier of—

(A) the date of the general election; or

(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

(b) PAYMENTS TO CANDIDATES.—(1) The limitation under subsection (a) shall be increased by an amount equal to the excess of—

(A) the expenditures made with respect to the general election of the candidate in the same election who is not certified under this subsection; and

(B) the aggregate amount of independent expenditures and disbursements for an electioneering communication (as so defined subsection 304(d)(3)) made or obligated to be made in support of another candidate or against the eligible Senate candidate, over

"(b) the expenditure limit with respect to the candidate." (2) LIMITATION.—Any increase in the expenditure limit under paragraph (1) shall not exceed an aggregate amount equal to 200 percent of the expenditure limit with respect to the candidate's full entitlement.

(c) INDEX.—(1) IN GENERAL.—The qualifying contributions received from individuals shall be rounded to the nearest multiple of $100.

(2) ROUNDING.—Each amount as increased under paragraph (1) shall be rounded to the nearest multiple of $100.

SEC. 504. BENEFITS FOR ELIGIBLE CANDIDATES.

An eligible Senate candidate shall be entitled to—

(1) payments available under section 505 for the general election period, and make or obligate to make expenditures during the election period; and

(2) an aggregate amount of increase in payments in response to certain independent expenditures, disbursements for electioneering communications of the aggregate amount of contributions received from individuals during the general election period.

The aggregate amount of increase in payments described in paragraph (1) shall not exceed an aggregate amount equal to 200 percent of the month's payment any amount that the Secretary determines to be necessary to ensure that each eligible Senate candidate will receive the same pro rata share of the candidate's full entitlement.

"(2) succeed in the Treasury a fund to be known as the Senate Election Fund.

"(2) 50 cents multiplied by the voting age population of the State in which the candidate is running for office.

"(3) 50 cents multiplied by the voting age population of the State in which the candidate is seeking election.

"(A) from an individual who is a resident of the State for which the candidate is seeking election.

"(B) in an aggregate amount of—

"(i) not less than $20; and

"(ii) not more than $200.

SEC. 505. GENERAL ELECTION EXPENDITURE LIMIT.

"(A) IN GENERAL.—The aggregate amount of expenditures that may be made by an eligible Senate candidate under this subsection is
drew the payments for an eligible Senate candidate to the Commission a declaration certifying to the Commission the amount of the payment any amount that the Secretary of the Treasury determines that there are sufficient monies in the Senate Election Fund to pay all or a portion of the funds withheld from the sums necessary to satisfy the full entitlement of all eligible Senate candidates, the Secretary shall withhold from the amount of the payment any amount that the Secretary determines to be necessary to ensure that each eligible Senate candidate will receive the same pro rata share of the candidate's full entitlement.

"(2) SUBSEQUENT PAYMENT.—Amounts withheld under paragraph (1) shall be paid when the amount of insufficient monies in the Senate Election Fund to pay or a portion of the funds withheld from the sums necessary to satisfy the full entitlement of all eligible Senate candidates, in the greatest amount.

"(2) the aggregate amount in excess of the expenditure limit with respect to the eligible Senate candidate, the Commission shall take into account only the amount of independent expenditures and disbursements described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) 50 cents multiplied by the voting age population of the State in which the candidate is running for office.

"(3) REVOCATION OF CERTIFICATION.—The Commission may revoke a certification under paragraph (1) if a candidate fails to comply with this title.

"(3) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (2), the candidate shall repay to the Senate Election Fund an amount equal to the value of benefits received under this title.

"(4) QUALIFYING CONTRIBUTION.—(1) IN GENERAL.—The qualifying contribution requirement under this subsection is met if the Senate candidate accepts an aggregate number of qualifying contributions equal to or greater than 0.25 percent of the voting age population of the State in which the candidate is running for office.

"(2) QUALIFYING CONTRIBUTIONS.—For purposes of paragraph (1), the term 'qualifying contributions' means a contribution in connection with the general election of the candidate seeking—

(A) from an individual who is a resident of the State for which the candidate is seeking election.

"(B) in an aggregate amount of—

"(i) not less than $20; and

"(ii) not more than $200.

"(3) ELIGIBLE SENATE CANDIDATES.—(A) DEFINITION.—For purposes of paragraph (1), an eligible Senate candidate is any candidate who files with the Commission a declaration certifying to the Commission the amount of the payment any amount that the Secretary of the Treasury determines that there are sufficient monies in the Senate Election Fund to pay all or a portion of the funds withheld from the sums necessary to satisfy the full entitlement of all eligible Senate candidates, in the greatest amount.

"(B) RELATION TO INCOME.—For purposes of paragraph (1)(A), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(1) IN GENERAL.—The qualifying contribution requirement under this subsection is
drew the payments for an eligible Senate candidate to the Commission a declaration certifying to the Commission the amount of the payment any amount that the Secretary of the Treasury determines that there are sufficient monies in the Senate Election Fund to pay all or a portion of the funds withheld from the sums necessary to satisfy the full entitlement of all eligible Senate candidates, the Secretary shall withhold from the amount of the payment any amount that the Secretary determines to be necessary to ensure that each eligible Senate candidate will receive the same pro rata share of the candidate's full entitlement.

"(2) SUBSEQUENT PAYMENT.—Amounts withheld under paragraph (1) shall be paid when the amount of insufficient monies in the Senate Election Fund to pay all or a portion of the funds withheld from the sums necessary to satisfy the full entitlement of all eligible Senate candidates, in the greatest amount.

"(2) the aggregate amount in excess of the expenditure limit with respect to the eligible Senate candidate, the Commission shall take into account only the amount of independent expenditures and disbursements described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.

"(2) USE OF PAYMENTS.—Payments received by an eligible Senate candidate under this subsection shall be used to make expenditures with respect to the general election period of the candidate.

"(3) ELIGIBLE SENATE CANDIDATES OPPOSED BY MORE THAN 1 OPPONENT.—For purposes of paragraph (1), if an eligible Senate candidate is opposed by more than 1 opponent in the same election, the election shall take into account only the independent expenditures described in paragraph (1)(A) of the opponent that expends, in the aggregate, the greatest amount.
Congressional Record—Senate

SEC. 507. REGULATIONS. The "Commission shall promulgate such regulations as it deems necessary to carry out the provisions of this title, including reporting requirements to enable the Commission and eligible State election authorities to determine in a timely manner the allowable increase in expenditure limits under section 503(c) and the matching amount under section 503(b) in response to certain disbursements.

SEC. 508. AUTHORIZATION OF APPROPRIATIONS. "There are appropriated to the Federal Election Commission under section 503(a) with respect to the candidate (after amendment made by subsection (a), (b), (d), or (h)) shall be increased by the percent difference determined under subparagraph (A); and (ii) each amount so increased shall remain in effect for the calendar year. If any amount under the preceding sentence is not a multiple of $500, such amount shall be rounded to the nearest multiple of $500 (and not a multiple of $500, such amount shall be rounded to the next higher multiple of $500).

(C) In the case of limitations under section (a), each amount increased under subparagraph (B) shall remain in effect for 2 years after the date of the last general election. If any amount under the preceding sentence is not a multiple of $500, such amount shall be rounded to the next higher multiple of $500.

SEC. 305. INCREASE IN PENALTIES IMPOSED FOR VIOLATIONS OF CONDUCT CONTRIBUTION BAN.

(Sec. 305) In general. Section 305(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437(a)(3)) is amended by striking "$5,000" and inserting "$7,500".

(b) Increase in aggregate individual limits. Section 305(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437(a)(3)), as amended by section 102(b), is amended by striking "$30,000" and inserting "$50,000".

(c) Increase in multicandidate limits. Section 305(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437(g)(1)) is amended by adding at the end the following:

(d) Effective date. The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

SEC. 306. EXTENSION OF BAN ON FOREIGN CONTRIBUTIONS TO ALL CAMPAIGN-RELATED DISBURSEMENTS.

(a) Prohibition on contributions by foreign nationals. Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437i) is amended—

(1) in the heading, by striking "contributions" and inserting "disbursements"; and

(2) by striking subsection (a), by striking the semicolon and inserting the following: "including any disbursement to a political committee of a political party and any disbursement for an independent expenditure.";

(b) Effective date. The amendments made by this section shall apply with respect to disbursements made on or after the date of enactment of this Act.

SEC. 307. AUTHORITY FOR COMMITTEES TO MEET.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, March 27, 2001. The purpose of this meeting will be to review the Research, Extension and Education title of the Farm Bill.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 at 9:30 a.m., in open and closed session to receive testimony from the Unified and Regional Commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for Fiscal Years 2002 and the Future Years Defense program.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony on the Marine, the Greater of $50,000 or 1000 percent of the amount involved in the violation)"; and (ii) for purposes of subsections (a) and (h), calendar year 1974 and inserting "means—

(a) increase in civil money penalty for knowing and willful violations. Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

(b) increase in aggregate individual limits. Section 309(a)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)(1)) is amended by adding at the end "or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation and is not more than the greater of $50,000 or 1000 percent of the amount involved in the violation)."

(c) increase in criminal penalty. Section 309(d)(1)(A) of such Act (2 U.S.C. 437g(d)(1)(A)) is amended by adding by inserting "or, in the case of a violation of section 320, which is not less than 300 percent of the amount involved in the violation)."

(d) effective date. The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 at 9:30 a.m., in open and closed session to receive testimony from the Unified and Regional Commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for Fiscal Years 2002 and the Future Years Defense program.

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

COMMITTEE ON ARMED SERVICES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony from the Unified and Regional Commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for Fiscal Years 2002 and the Future Years Defense program.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony on Societies Great Challenge, The Affordability of Long-Term Care.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony on Societies Great Challenge, The Affordability of Long-Term Care.

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

COMMITTEE OF RECONCILIATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, March 27, 2001 to hear testimony on Societies Great Challenge, The Affordability of Long-Term Care.

The PRESIDING OFFICER. Without objection, it is so ordered.
10:30 am to hold a Business Meeting, and immediately after that to hold a hearing.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, March 27, 2001, at 2:30 p.m., in closed session for a briefing on information warfare and other threats to critical United States information systems.

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

SUBCOMMITTEE ON FISHERIES, WATER AND WILDLIFE

Mr. McCONNELL. Mr. President: I ask unanimous consent that the Subcommittee on Fisheries, Water and Wildlife be authorized to meet on Tuesday, March 27 at 9:30 a.m. to receive testimony on water and wastewater infrastructure needs.

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

SUBCOMMITTEE ON TECHNOLOGY, TERRORISM AND GOVERNMENT INFORMATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on Tuesday, March 27, 2001, in SD226.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. I ask unanimous consent that Luke Ballman from my staff be allowed on the floor today.

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

ORDERS FOR WEDNESDAY, MARCH 28, 2001

Mr. THOMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:15 a.m. on Wednesday, March 28. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the Thompson amendment to S. 27, the campaign finance reform bill.

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

PROGRAM

Mr. THOMPSON. For the information of all Senators, the Senate will resume consideration of the Thompson amendment regarding hard money tomorrow morning. There will be up to 30 minutes of debate prior to a vote at 9:45 a.m. Following the vote, further amendments will be offered. Votes will occur throughout the day and into the evening, with the intention of completing action on the bill by Thursday evening.

Those Members who have amendments remaining should work with the bill managers as soon as possible on a time to offer their amendments.

ADJOURNMENT UNTIL WEDNESDAY, MARCH 28, 2001, AT 9:15 A.M.

Mr. THOMPSON. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

NOMINATION

Executive nomination received by the Senate March 27, 2001:

ARGEO PAUL CELLUCCI, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.
The House met at 12:30 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 295. An act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, propane, and kerosene, and for other purposes.

S. 395. An act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration.

The message also announced that pursuant to Public Law 106-554, the Chair, on behalf of the President pro tempore, appoints the Senator from Michigan (Mr. LEVIN) to the Board of Trustees for the Center for Russian Leadership Development.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

LEAGUE OF AMERICAN BICYCLISTS CONVENES FIRST BIKE SUMMIT IN WASHINGTON, D.C.

Mr. BLUMENAUER. Mr. Speaker, I came to Congress to make the Federal Government a better partner in the creating of more livable communities, communities that are safe, healthy, and economically secure. Today, transportation and energy are issues in every community across America. These problems are the results of countless individual decisions.

Mr. Speaker, this week a group of activists dedicated to making America a better place are gathering here in Washington, D.C. The League of American Bicyclists is convening the first annual Bike Summit. I would like to congratulate them on their efforts. As the spokesman for the Bipartisan Congressional Bicycle Caucus, I am happy to note that this bicycle community is coming to Washington, D.C. to make their voice heard.

Cyclists have a long and effective history of advocacy in this country. At the turn of the century, bicycling was fun, fast, convenient; and it was modern. The problem was there was no good place to ride these new-fangled contraptions. As a result, there was increasing demand for new, safe bike routes. In response, the Good Roads Movement was launched here in Washington, D.C. after a successful effort to lobby Congress for a $10,000 grant to study the possibility of a paved-road system. Well, the rest is history.

A bicycling favorite is the principal mode of transportation. While only 1 percent of Americans use bicycles as their primary mode of transportation, studies show that in communities that have good bike facilities, bike lanes and parking, that up to 50 percent of the public living within the 5- to 10-mile range will use it for commuting.

Good bicycling communities rival European communities in terms of cycling participation. Even in my hometown, rainy Portland, Oregon, we are more than double the national average. The league conference is an opportunity for us to hear once again from the bike advocates from around the country on the importance of using cycling as a means of transportation. It does not contribute to pollution or create traffic congestion. A 4-mile bicycle round trip prevents 15 pounds of air pollution, and we have in fact made huge strides with bicycle facilities. We have committed in the last 10 years almost $2 billion on 2,000 bicycle projects, far more than the $11 million that had been done the 17 previous years.

Mr. Speaker, we need to encourage people to expand these small, meaningful choices in transportation. Worried about OPEC, parking problems, a lack of exercise, simply level the playing field, give the cyclists today an opportunity. There are millions of them around the country who are waiting not only to be heard but to be given a chance to cycle safely in their communities.

Mr. Speaker, I urge Members of this Congress to take advantage of this opportunity to meet with advocates and industry representatives from their districts this week, not just in your office. Thursday night the Bike League is hosting a reception from 5 to 7 in Room 268 of the Rayburn; and on Friday, the Bicycle Caucus, the Washington Area Bicycle Association, and the League of American Bicyclists will be hosting the first Bike Caucus Ride of the 107th Congress for Members and their staff. It is a 5- to 10-mile ride. It is a perfect way to get to know your constituents and have a better feel for the community in which we work here in Washington, D.C.

Mr. Speaker, what about Members who do not have their bicycle here yet? No excuse. Contact us and we will make sure that there is a bicycle available for Members and their staff. It would be a great idea also for Members of Congress to make sure that they have renewed their membership in the bicycle caucus before somebody asks them to do so. Last year we had almost 80 Members.

Get ready to ride and have fun, but also help your own community with the serious side because cycling is important for recreation and exercising. It is a way for more children to be able to get to school on their own. It is an excellent transportation choice for communities for adults; and it is an excellent way. If we do our part, to make our communities more livable, more safe and economically secure.

TAX RELIEF THIS YEAR

The SPEAKER pro tempore (Mr. WELDSON of Florida). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to call the House’s attention to the current debate about retroactive tax cuts for all American families. Some of my colleagues may have missed some important developments over the past few days that reflect what I believe, Mr. Speaker, is a major shift in the conventional wisdom about President Bush’s tax cut proposal. Forgive me for being indelicate, Mr. Speaker, but everyone today seems to be singing the President’s tune.

Mr. Speaker, first our Democratic colleagues said that the President’s tax cut proposal was a risky scheme. My colleagues may remember last year that most of them voted against a tax cut that was just 70 percent of the total that they are now supporting as an alternative to the President’s plan. They may not want us to remember their old
position. Mr. Speaker, but the facts are plain. Their message on tax relief has definitely changed.

This weekend the President of the United States and even Senator KENT CONRAD both said, "We ought to act now on tax relief." The momentum in the political debate continues to move in their direction. Mr. Speaker, namely toward larger, retroactive tax cuts this year. Even the toughest critics of tax relief said if you are going to use tax reductions as a method for economic stimulus, you must act quickly to have any effect whatsoever. Tax cuts will be meaningless to this year's economy, Mr. Speaker, unless they take effect this year. Our faltering economy is not just about a jittery stock market. There is no need to jump up any one around here today. Everyone seems to agree with the gentleman from Arizona (Mr. FLAKE) and the Speaker's announced policy of January 1 of this year. Mr. Speaker, unless they take effect this year. Our faltering economy is not just about a jittery stock market. There is no need to jump up any one around here today. Everyone seems to agree with the gentleman from Arizona (Mr. FLAKE) and the Speaker's announced policy of January 1 of this year.

Mr. Speaker, unless they take effect this year. Our faltering economy is not just about a jittery stock market. There is no need to jump up any one around here today. Everyone seems to agree with the gentleman from Arizona (Mr. FLAKE) and the Speaker's announced policy of January 1 of this year.

Mr. Speaker, this fire is cited in the United States Almanac because it is the worst industrial fire in the history of the Nation. The fire swept through the top 3 stories of the Asch Building on the corner of Greene Street and Washington Place in New York City.

The fire swept through the top 3 stories of the building in only ½ hour. When the fire ended, 146 of the 575 Triangle factory employees had died. Not all died in the fire. Many jumped to their deaths from the 8th, 9th, and 10th floors rather than face the flames. It is cited in the U.S. Almanac because it is the worst industrial fire in the history of American industry.

Most of the Triangle factory workers were women. Most of the workers were recent European, Jewish or Italian immigrants, some as young as 11 years old. These women had come to the United States with their families to seek a better life. But the harsh realities of working in a sweatshop was their reality.

Business at the time was only concerned with the bottom line. Fire inspections and precautions were woefully inadequate. The Triangle factory had never conducted a fire drill. That building was supposed to be fireproof. There was no oversight and there certainly was no OSHA. Most of the employees were not in labor unions. There was no one there to protect them from being exploited and abused.

However, in the wake of this tragedy, people throughout the nation demanded restitution, justice, and action that would safeguard the vulnerable and oppressed. It is unfortunate that it took events such as the Triangle Fire to demand change. There were massive protests by people angry at the lack of concern and the greed that had made the Triangle fire possible.

As a direct result of this horrible fire, there was a substantial effort to alleviate the most dangerous aspects of sweatshop manufacturing in New York and throughout the nation. On February 17, 2001, the last survivor of the factory blaze, Rose Freedman, passed away at the age of 107. It is important that we not let the memory of the Triangle Fire be extinguished from our memories. It is for this reason that I have introduced House Concurrent Resolution 81 with my friend from New York, Mr. KING. This resolution recognizes the occasion of the 90th anniversary of the Triangle Fire.

In my mind, this resolution is very simple and very straightforward. I taught my students about the fire in just this manner when I taught history class. But apparently, for reasons that escape me, it is just too controversial for today. And that is a shame.

In 1911, the Triangle Fire brought attention to the many serious problems facing factory employees and paved the way for worker protection laws.

In the year 2001, we cannot even recognize the memory of the fire and its victims on the 90th anniversary. But the truth is that we are letting history repeat itself. The truth is that young workers around the world are dying needlessly in burning factories.
March 27, 2001

CONGRESSIONAL RECORD—HOUSE

4673

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

"Lord God, how different history would be if fewer people had taken your holy word seriously: “Make justice your aim.” Each day would be filled with promise and hope if all of us upon rising would make justice our aim. Without blaming anyone or without seeking applause, each day would lead to changing the world, if justice alone were our aim.

Justice itself would give balance to our daily routine, breathe contentment into our souls and set us free. Justice toward others would create a mutuality with every other person that would be fair, take us beyond expectation and codependency until we found trust and security.

Lord, if we as a people and as a Nation were to make justice our aim, how would this change our priorities? Could we change that much? In every age You alone, Lord God, take people beyond their wishful thinking and beyond themselves. You alone bring about lasting and true justice.

So, Lord God, in us and through us make justice Your aim now and forever. Amen.

THE JOURNAL

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

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

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker pro tempore’s approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair’s approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GIBBONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. RODRIGUEZ) come forward and lead the House in the Pledge of Allegiance.

Mr. RODRIGUEZ led the Pledge of Allegiance as follows:

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

SUNDAY MOTIONS FROM THE PRESIDENT

Sundry motions in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

MARRIAGE TAX PENALTY REPEAL

Mr. PITTS. Mr. Speaker, later this week, we will again vote to remove the marriage penalty from our Tax Code, and this time we have a President who will sign the bill.

Eighty-five percent of the American people want us to do this, and with good reason. Forty percent of all first marriages end in divorce, single-parent families have increased 248 percent since 1960, and the percentage of children born out of wedlock has gone from 10 to 33 percent during the same period. Mr. Speaker, we need to strengthen families in this country.

The Tax Code is not the only reason this has happened. For 30 years we had a welfare system that tore families apart. Fortunately, a Republican Congress reformed that system. We still spend $1,000 supporting single-parent families for every $1 we spend encouraging couples to marry and stay together.

Clearly, we have a lot of work to do to strengthen marriages in America. This week we will have a chance to change the Tax Code that penalizes couples for getting married in the first place. I urge all my colleagues to support this very important bill.

PASS FLAT SALES TAX AND ABOLISH IRS

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

Mr. TRAFICANT. Mr. Speaker, in 1998, Congress reformed the IRS and included two of my provisions. The first transferred the burden of proof from the taxpayer to the IRS; the second required judicial consent before the IRS could seize our property, and the results are now staggering. Property seizures dropped from 10,037 to 161 in the entire country.

The IRS had a license to steal, and they were stealing 10,000 properties a year. And if that is not enough to tax our gallbladders, the IRS is now complaining the new law is too tough. Beam me up here. It is time to tell these crybaby IRS thieves that we are going to pass a 15 percent flat sales tax and abolish them altogether.

I yield back what should be the next endangered species in the United States of America: The Internal Rectal Service.
Lewis and Holder assured. General law is carried out, but that crime with deep roots in the D.C. community, U.S. attorney a distinguished lawyer with great distinction. From prosecution, we need an extraordinary record. A new and somewhat draconian mining regulations in spite of the unforeseen economic hardships, especially in Nevada, that they would create, and in spite of the recommendations of the National Academy of Sciences study which stated that new Federal mining regulations were not necessary. Yet the previous administration went ahead, thinking it knew better than anyone else.

Well, finally, Nevadans and, may I say, all Americans can have faith that their Federal Government will not rush headlong into issuing new rules without listening to the public and to the experts. It is nice to see the American people will once again have a say in their democracy, the way our Founding Fathers had envisioned it; the proper function of our Federal Government.

APPOINT U.S. ATTORNEY WITH D.C. ROOTS

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

Ms. NORTON. Mr. Speaker, Wilma Lewis, the first woman in the history of the Nation’s capital to be U.S. attorney, is leaving the office she has served with great distinction. From prosecution of hard-core street crime to complex white-collar violations, U.S. Attorney Lewis has left an extraordinary record. She and her predecessor, Eric Holder, who went on to become Deputy Attorney General, had more in common than their background as the first African Americans to be appointed. They were both longtime Washingtonians who were also very able lawyers.

Most of the jurisdiction of the U.S. attorney here is D.C. criminal and civil law, the way our prosecutor, Mayor Williams, Council Chair Cropp, and I have written President Bush to ask that he appoint as U.S. attorney a distinguished lawyer with deep roots in the D.C. community, as Ms. Lewis and Mr. Holder had. That is the way to be sure that not only Federal law is carried out, but that crime keeps coming down, as U.S. Attorneys Lewis and Holder assured.

FAMILY CARE TAX CREDIT ACT WILL LESSEN TAX BURDEN

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

Mr. RYUN of Kansas. Mr. Speaker, providing help to families is one of the biggest reasons that I ran for Congress. I look forward to voting this week and eliminating the unfair marriage tax penalty and doubling the per-child deduction, but I believe we should do more to help families with tax relief, and I go one step further.

Mr. Speaker, that is why I have introduced the Family Care Tax Credit Act, which would lessen the tax burden on families who care for children or loved ones. Currently we give tax credits to families who pay for day care and other services, but families who have a parent taking care of their children are left on their own. My plan gives a fair and balanced approach to child care tax credits by giving help to all middle-income families with children.

Mr. Speaker, I have spoken with parents in Kansas who tell me that they would like to stay home with their children, but they simply cannot overcome the economic barriers caused by the current Tax Code. My plan would simply remove one of those barriers. I am thankful that this week we will have the marriage penalty as a past memory, but believe that we can and should do more to help families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the record is ordered, or on which the vote is objected to under clause 6 of rule XX. Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

VETERANS OPPORTUNITIES ACT OF 2001

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 801) to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers’ Group Life Insurance, and for other purposes, as amended. The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the “Veterans Opportunities Act of 2001.”
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:
Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS
Sec. 101. Increase in maximum allowable annual Senior ROTC educational assistance for eligibility for benefits under the Montgomery GI Bill.
Sec. 102. Expansion of work-study opportunities.
Sec. 103. Inclusion of certain private technology entities in the definition of educational institution.
Sec. 104. Expansion of special restorative training benefit to certain disabled spouses of surviving spouses.
Sec. 105. Distance education.
Sec. 106. Technical amendments to the Montgomery GI Bill.

TITLE II—TRANSITION AND OUTREACH PROVISIONS
Sec. 201. Authority to establish overseas veterans assistance offices to expand transition assistance.
Sec. 203. Improvement in education and training outreach services for separating servicemembers and veterans.
Sec. 204. Expansion of outreach efforts to eligible dependents.
Sec. 205. Improvement of veterans outreach programs.

TITLE III—MEMORIAL AFFAIRS, INSURANCE, AND OTHER PROVISIONS
Sec. 301. Increase in burial benefits.
Sec. 302. Family coverage under Servicemembers’ Group Life Insurance.
Sec. 303. Retroactive applicability of increase in maximum SGLI benefit for members dying in performance of duty on or after October 1, 2000.
Sec. 304. Increase in amount of assistance for automobile and adaptive equipment for certain disabled veterans.
Sec. 305. Increase in assistance amount for specially adapted housing.
Sec. 306. Revision of rules with respect to net worth limitation for eligibility for pensions for veterans who are permanently and totally disabled from a non-service-connected disability.
Sec. 307. Technical amendments.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.
Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EDUCATIONAL ASSISTANCE PROVISIONS

SEC. 101. INCREASE IN MAXIMUM ALLOWABLE ANNUAL SENIOR ROTC EDUCATIONAL ASSISTANCE FOR ELIGIBILITY FOR BENEFITS UNDER THE MONTGOMERY GI BILL.
(a) IN GENERAL.—Sections 3011(c)(3)(B) and 3012(d)(3)(B) are each amended by striking “$2,000” and inserting “$3,400”.
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of
the enactment of this Act and shall apply with respect to educational assistance allowances paid under chapter 30 of title 38, United States Code, for months beginning after such date.

SEC. 102. EXPANSION OF WORK-STUDY OPPORTUNITIES.

(a) ASSISTING IN OUTREACH SERVICES.—The second sentence of section 3485(a)(1) is amended in clause (A) by inserting before the comma ‘‘the amount of the contribution shall be determined pursuant to’’.

(b) WORKING IN MAJOR ACADEMIC DISCIPLINE.—Section 3485(c) is amended—

(1) by striking ‘‘(A) after ‘‘leading’’; and

(2) by inserting before the period the following: ‘‘; (B) to a certificate that reflects educational attainment offered by an institution of higher learning’’.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in independent study courses beginning on or after the date of the enactment of this Act.

SEC. 103. INCLUSION OF CERTAIN PRIVATE TECHNOLGY ENTITIES IN THE DEFINITION OF EDUCATIONAL INSTITUTION.

(a) IN GENERAL.—Sections 3501(c) and 3501(a)(6) are each amended by adding at the end the following new sentence: ‘‘Such term also includes any private entity (that meets such requirements as the Secretary may establish) that offers, either directly or under an agreement with another entity (that meets such requirements), a course or courses to fulfill requirements for the attainment of a license or certificate generally recognized as necessary to obtain, maintain, or advance in employment in a profession or vocation in a technological occupation (as determined by the Secretary).’’

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in courses occurring on or after the date of the enactment of this Act.

SEC. 104. EXPANSION OF SPECIAL RESTORATIVE TRAINING BENEFIT TO CERTAIN DISABILITIES, HOUSES OR SURVIVING SPOUSES.

(a) IN GENERAL.—Section 3540 is amended by striking ‘‘section 3501(a)(1)(A) of this title’’ and inserting ‘‘subparagraphs (A), (B), and (D) of section 3501(a)(1) of this title’’.

(b) CONFORMING AMENDMENTS.—(1) Section 3541(a) is amended in the matter preceding paragraph (1) by striking ‘‘(of the parent or guardian’’.

(2) Section 3542(a) is amended—

(A) by striking ‘‘parent or guardian shall be entitled to receive on behalf of such person’’ and inserting ‘‘the eligible person shall be entitled to receive’’; and

(B) by striking ‘‘upon election by the parent or guardian of the eligible person’’ and inserting ‘‘upon election by the eligible person’’.

(3) Section 3542(a) is amended by striking ‘‘the parent or guardian for the training provided to an eligible person’’ and inserting ‘‘the training provided to the eligible person’’.

(4) Section 3542(a) is amended by striking at the end the following new subsection:

(c) In a case in which the Secretary determines requires a parent or guardian to make a request for an additional contribution under section 3501(a)(1) of this title on behalf of an eligible person, the parent or guardian shall be entitled—

(1) to receive on behalf of the eligible person the special training allowance provided for under section 3542(a) of this title;

(2) to elect an increase in the basic monthly allowance provided for under such section; and

(3) to agree with the Secretary on the fair and reasonable amounts which may be charged under subsection (a)’’.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in independent study courses beginning on or after the date of the enactment of this Act.

SEC. 105. DISTANCE EDUCATION.

(a) IN GENERAL.—Subsection (a)(4) of section 3606(a) is amended—

(1) by inserting ‘‘(A) after ‘‘leading’’; and

(2) by inserting before the period the following: ‘‘; (B) to a certificate that reflects educational attainment offered by an institution of higher learning’’.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to enrollments in independent study courses beginning on or after the date of the enactment of this Act.

SEC. 106. TECHNICAL AMENDMENTS TO THE MONTGOMERY G I BILL.

(a) CLARIFICATION OF ELIGIBILITY REQUIREMENT FOR MGIB BENEFITS.—

(1) IN GENERAL.—Clause (i) of section 3011(a)(1)(A) is amended to read as follows:

‘‘(i) who (I) in the case of an individual whose obligated period of active duty is three years or more, serves at least three years of continuous active duty in the Armed Forces, or (II) in the case of an individual whose obligated period of active duty is less than three years, serves at least two years of continuous active duty in the Armed Forces; or’’.

(b) ENTITLEMENT CHARGE FOR OFF-DUTY TRAINING AND EDUCATION.—

(1) IN GENERAL.—Section 3014(b)(2) is amended—

(A) in subparagraph (A), by striking ‘‘without regard to’’ and all that follows through ‘‘subsection’’; and

(B) by adding at the end the following new subparagraph:

‘‘(C) The number of months of entitlement charged under this chapter in the case of an individual who has been paid a basic educational assistance allowance under this subsection shall be equal to the number (including any fraction) determined by dividing the total amount of such educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise be paid under subsection (a)(1), (b)(1), (c)(1), or (e)(1) of section 3015 of this title, as the case may be.’’.

(b) CONFORMING AMENDMENTS.—(1) Section 3015 is amended—

(i) in subsections (a)(1), (b)(1), (c)(1), or (e)(1) of section 3015 of this title, as the case may be.


(iii) by redesignating subsection (b) as subsection (g).’’.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on May 1, 2001.

(c) CLARIFICATION OF TIME PERIOD FOR ELECTION OF BEGINNING OF CHAPTER 35 ELIGIBILITY FOR DEPENDENTS.—

(1) IN GENERAL.—(A) Section 3512(a)(3)(B), as amended by section 112 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106–419; 114 Stat. 1830), is amended to read as follows:

‘‘(B) the eligible person elects that beginning date by not later than the end of the 60-day period beginning on the date on which the Secretary provides written notice to that person of that person’s opportunity to make such election, such notice include a statement of the deadline for the election imposed under this subparagraph; and’’.

(B) Section 3512(a)(3)(C), as so amended by such section, is amended by striking ‘‘between the dates described in’’ and inserting ‘‘the date determined pursuant to’’.

2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if enacted on December 1, 2000.

TITLE II—TRANSITION AND OUTREACH PROVISIONS

SEC. 201. AUTHORITY TO ESTABLISH OVERSEAS VETERANS ASSISTANCE OFFICES TO EXPAND TRANSITION ASSISTANCE.

Section 7722(a) is amended by inserting after the first sentence the following new sentence:
(a) PROVIDING OUTREACH THROUGH STATE APPROVING AGENCIES.—Section 3672(d) is amended by inserting "and State approving agencies" before "shall actively promote the development of programs of training on the job".

(b) ADDITIONAL DUTY.—Such section is further amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end the following new paragraph:

"(2) In conjunction with outreach services furnished by the Secretary for education and training benefits under chapter 77 of this title, each State approving agency shall conduct outreach programs and provide outreach services to eligible persons and veterans about education and training benefits available under applicable Federal and State laws."
subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the person to the Secretary and proof of good health of each person (other than a child) to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.''.

(c) TERMINATION OF COVERAGE.—(1) Subsection (a) of section 1968 is amended—

(A) in the matter preceding paragraph (1), by inserting "and insurance thereunder on any

any member of the uniformed services,''; and

(B) by adding at the end the following new paragraph:

"(5) With respect to an insurable dependent of the member, insurance under this subchapter shall cease—

"(A) 120 days after the date of an election made in writing by the member to terminate the coverage; or

"(B) if the earliest of—

"(i) 120 days after the date of the member's
death;

"(ii) 120 days after the date of termination of the insurance on the member's life under this subchapter; or

"(iii) 120 days after the termination of the dependent's status as an insurable dependent of the member.''.

(2) Such subsection is further amended—

(A) in the matter preceding paragraph (1), by striking "and such insurance shall cease—"; and inserting "and such insurance shall cease as follows:";—

(B) by striking "with" after the paragraph designation in each of paragraphs (1), (2), (3), and (4) and inserting "With";—

(C) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "thirty-one days—" and inserting "thirty days—" under this subchapter shall cease—";

(ii) in subparagraph (A)—

(I) by striking "one hundred and twenty days after" after "(A)" and inserting "120 days; and

(ii) by striking "prior to the expiration of one hundred and twenty days" and inserting "before the end of 120 days";

(iii) by striking the semicolon at the end of subparagraph (B) and inserting a period;

(D) in paragraph (2)—

(i) by inserting "thirty-one days—" and inserting "31 days, ";

(ii) by striking "one hundred and twenty days" both places it appears and inserting "120 days; and

(iii) by striking the semicolon at the end and inserting a period;

(E) in paragraph (3)—

(i) by inserting a comma after "competent au-
tority";

(ii) by striking "one hundred and twenty days" both places it appears and inserting "120 days; and

(iii) by striking ";" and "at the end and insert-
ing a period; and

(F) in paragraph (4), by inserting "insurance under this subchapter shall cease" before "120 days after " the first place it appears.

(3) Subsection (b)(1)(A) of such section is amended by inserting "(to insure against death of the member only)'' after "converted to Vet-

"ers' Group Life Insurance''.

(d) PREMIUMS.—Section 1969 is amended by adding at the end the following new subsections:

"(g)(1)(A) During any period in which a spouse of a member is insured under this sub-

chapter and the member is on active duty, there shall be paid, upon the member's death or such

other event as the Secretary may determine, insurance equal to the lesser of $8,000 or one year's

basic or other pay payable to the surviving spouse or dependents, as applicable.

"(B) During any period in which a member is on active duty, there shall be paid, upon the

member's death or such other event as the Secretary may determine, insurance equal to the lesser of $8,000 or one year's basic or other pay payable to the surviving spouse or dependents, as applicable.

(4) PAYMENTS OF INSURANCE PROCEEDS.—Section 1970 is amended by adding at the end the following new section:

"(g) PAYMENTS OF INSURANCE PROCEEDS.—Section 1970 is amended by adding at the end the following new subsection:

"(1) In the case of a policy purchased under this subchapter on the date of the dependent's death, such policy shall be paid, upon the establishment of a valid claim therefor, to the dependent or, in the event of the dependent's death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member's life under this sub-

chapter.''.

(f) CONVERSION OF SGLI TO PRIVATE LIFE INSURANCE.—Section 1968(b) is amended by adding at the end the following new paragraph:

"(1)(A) In the case of a policy purchased under this subchapter for an insurable dependent who is a child, such policy may not be converted under this subchapter.''.

(g) EFFECTIVE DATE AND INITIAL IMPLEMENTA-

TION.—(1) The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

(2) Each Secretary, concerning, acting in con-

sultation with the Secretary of Veterans Affairs, shall make such such action as ensure that during the period between the date of the enactment of this Act and the effective date deter-

mined under paragraph (1) each eligible mem-

ber (A) is furnished an explanation of the insur-

ance benefits available for dependents under the amendments made by this section;

(B) is afforded an opportunity before such ef-

fective date to make elections that are author-

ized under those amendments to be made with respect to dependents;

(C) for purposes of paragraph (2):

(i) The term "Secretary concerned'' has the mean-

ing given that in section 101(25) of title 38, 

United States Code;

(ii) the term "eligible member'' means a mem-

ber of the uniformed services described in sub-

paragraph (A) or (C) of section 1968(b)(1) of title 38, United States Code, as amended by sub-

section (b)(1)

SEC. 303. RETROACTIVE APPLICATION OF IN-

CREASE IN MAXIMUM SGLI BENEFIT FOR MEMBERS DYING IN PER-

FORMANCE OF DUTY ON OR AFTER OCTO-

BER 1, 2000.

(a) APPLICABILITY INCREASE IN BENEFIT.—

Notwithstanding subsection (c) of section 312 of the Veterans Benefits and Health Care Improve-

ment Act of 2000 (Public Law 106-419; 114 Stat. 1854), the amendments made by subsection (a) of that section shall take effect on October 1, 2000, with respect to any member of the Armed Forces who died in the performance of duty (as determined by the Secretary concerned) during the period beginning on October 1, 2000, and ending at the close of March 31, 2000, and who on the date of death was insured under the Servicemembers' Group Life Insurance program under subchapter III of chapter 19 of title 38, United States Code, for the maximum coverage available under that program.

(b) DEFINITION.—For purposes of this section, the term "Secretary concerned'' has the mean-

ing given that in section 101(25) of title 38, United States Code.

SEC. 304. INCREASE IN AMOUNT OF ASSISTANCE

FOR AUTOMOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN DISABLED VETERANS.

Section 302(a) is amended by striking "$8,000" and inserting "$9,000".

SEC. 305. INCREASE IN ASSISTANCE AMOUNT FOR SPECIALLY ADAPTED HOUSING.

Section 2802(a) is amended by adding (1) in the matter preceding paragraph (1) of subsection (a), by striking "$43,000" and inserting "$48,500"; and

(2) in subsection (b)(2), by striking "$8,250" and inserting "$9,250".

SEC. 306. REVISION OF RULES WITH RESPECT TO NON-SERVICE-CONNECTED DYS-

ABILITY FOR PENSIONS FOR VETER-

ANS WHO ARE PERMANENTLY AND TOTAL-

LY DISABLED FROM A NON-SERVICE-CONNECTED DIS-

ABILITY.

(a) IN GENERAL.—Section 1522(a)(6) is amended by adding at the end the following new

sentence: "In determining the corpus of the estate of the veteran and the veteran's spouse, if any, and the heirs of the veteran or the personal representative of the estate, the real property of the veteran and the veteran's spouse and children shall be ex-

cluded if such property is used for farming, ranching, or similar agricultural purposes.''

(b) EFFECTIVE DATES.—The amendments made by subsection (a) shall apply to payment of pen-

sions for months beginning on or after the date of enactment of this Act.

SEC. 307. TECHNICAL AMENDMENTS.

(a) Title 38, United States Code,—Title 38, United States Code, is amended as follows:

1. UNITED STATES CONGRESS—HOUSE

March 27, 2001
Military Order of the Purple Heart, Paralyzed Veterans of America, Disabled American Veterans, Amvets, American Veterans of Foreign Wars, Vietnam Veterans of America, and the Retired Officers Association, 16 organizations in all.

Mr. Speaker, we learned a great deal about what is taking place in the lives of veterans and their families. We also learned about government programs that are effective and making a difference in their lives, and about some that need to be revised and updated and reformed.

Mr. Speaker, I encourage Members and their constituents to visit the Committee on Veterans’ Affairs, Website to review the testimony presented at these hearings to learn more about these hearings and the testimony that we are currently going to review for the RECORD, that is http://veterans.gov/. It is a font of information and a great resource on veterans legislation and hearings.

Mr. Speaker, we also heard during the course of those hearings from our distinguished VA Secretary Anthony Principi on two of those occasions. We heard about his determination to make the VA a more responsive and a more effective organization. Members of the Committee on Veterans’ Affairs also told the Secretary that it is not enough that a grateful Nation recognizes its veterans and their sacrifice. The Nation that provides in excess of $47 billion, and as I said, that is likely to jump to $52.3 billion for veterans’ programs, expects the VA to be held accountable.

We need accountability to make sure that that which we pass is faithfully executed. We hope that in the future Secretary Principi will share this message with all of his employees. We really want the best bang for the buck. We want our veterans to be well served.

Today the House is considering two measures reported by the Committee on Veterans’ Affairs last week. I would like to briefly summarize the purposes of the Veterans Opportunities Act of 2001. The gentleman from Arizona (Mr. REYES), the ranking Democrat of the Subcommittee on Benefits, and the gentleman from Virginia (Mrs. Jo Ann DAVIS), a new member, for suggesting this provision in the bill.

H.R. 801 also authorizes increases in payments to families of deceased veterans for burial expenses and in amounts provided to assist seriously disabled veterans purchase cars and to fix up their homes with specially adapted devices. It also requires the VA to improve its outreach efforts so that more veterans and their families are informed about the benefits for which they qualify.

Another provision is designed to ensure that service members are fully briefed on benefits that they may qualify for before they leave the service. Before yielding to the gentleman from Illinois (Mr. EVANS), I want to express my very deep appreciation for his hard work and that of our staff and his staff and many, many Members on the bill that we are discussing today.

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

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

Mr. Speaker, I rise in strong support of H.R. 801. I commend and thank the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of the House Committee on Veterans’ Affairs for suggesting this provision in the bill. The bill also includes a provision to make the increase in life insurance coverage, which is scheduled to go into effect next Sunday, April 1, retroactive to cover the deaths of many of the service members who have tragically lost their lives since October 1 of last year.

I want to salute the gentleman from Texas (Mr. REYES), the ranking Democrat of the Subcommittee on Benefits, and the gentleman from Virginia (Mrs. Jo Ann DAVIS), a new member, for suggesting this provision in the bill.

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

Mr. EVANS. Mr. Speaker, I yield myself such time as I may consume.
Mr. Speaker, last September I introduced H.R. 5271, the Veterans’ Family Farm Protection Act. That bill made it possible for more wartime veterans and their family homes and ranches. I thank the chairman for including these provisions as section 306 of H.R. 801. This legislation will also benefit low-income veterans who seek to obtain health care from the VA.

I especially applaud the gentleman from Texas (Mr. REYES) for his leadership in mandating an Oct. 1, 2000, retroactive effective date for the $250,000 maximum benefit in the Servicemembers Group Life Insurance. The Reyes proposal would permit increased benefits to be paid under certain conditions to beneficiaries of increased benefits to be paid under Servicemembers Group Life Insurance.

2000, retroactive effective date for the

Mr. PASCRELL) and the gentleman from New Jersey (Mr. DOYLE) have been

increased benefits to be paid under Servicemembers Group Life Insurance.

2. Provide VA the authority to maintain transition assistance offices overseas.

3. Improve education and training outreach services by requiring each State Approving Agency to conduct outreach programs and provide services to eligible veterans and dependents about state and federal education and training benefits.

4. For purposes of VA’s outreach program, defines an eligible dependent as the spouse, surviving spouse, child or dependent parent of a servicemember/veteran. Require VA to ensure that eligible dependents are made aware of VA’s services through media and veterans publications.

5. Require VA to provide to the veteran or eligible dependent information concerning VA benefits and services whenever that person first applies for any benefit.

TITLE II—TRANSITION AND OUTREACH

PROVISIONS

1. Increase VA’s work-study program for veterans to improve their major academic discipline, working in state veteran homes, and helping State Approving Agencies with outreach efforts.

3. Provide VA to maintain private technology entities in the definition of educational institution.

4. Allow the disabled spouse or surviving spouse of a severely disabled service-connected veteran to receive special restorative training.

5. Permit veterans to use VA educational assistance benefits for certification programs offered by an accredited institution of higher learning by way of independent study.

TITLE III—MEMORIAL AFFAIRS, INSURANCE, AND OTHER PROVISIONS

1. Increase the burial and funeral expense allowance from $1,500 to $2,000 for a service connected veteran from $1,500 to $2,000, increase the burial and funeral expense allowance for a nonservice connected veteran from $300 to $500, and increase the burial plot allowance from $150 to $300.

2. Expand Servicemembers’ Group Life Insurance (SGLI) program to include spouses and children. Spousal coverage will not exceed $10,000, and children’s coverage will not exceed $50,000. Upon termination of SGLI, the sponsor’s policy could be converted to a private life insurance policy.

3. Make the effective date of an increase from $200,000 to $250,000 in the maximum SGLI benefit provided for in Public Law 106-419 retroactive to October 1, 2000, for a servicemember who died in the performance of duty and had the maximum amount of insurance in force.

4. Increase the automobile and adaptive equipment grant for severely disabled veterans from $8,000 to $9,000.

5. Increase the grant for specially adapted housing for severely disabled veterans from $45,000 to $48,000, and increase the amount for less severely disabled veterans from $8,250 to $9,250.

6. Revise the rule with respect to the net worth limitation of VA’s means-tested pension program by excluding the value of property used for farming, ranching or similar agricultural purposes.

Effective Date: Date of enactment except the following sections:

Sec. 306(a): Shall take effect as if enacted on November 1, 2000.

Sec. 306(c): Shall take effect as if enacted on November 1, 2000.


Sec. 307: Shall take effect as if enacted on November 1, 2000.

Sec. 302: The first day of the first month that begins more than 120 days after date of enactment.

Cost: The Congressional Budget Office estimates that H.R. 801, as amended, would increase direct spending by $46 million in 2002, $290 million in 2003, $392 million in 2004 and about $700 million over the 2002-2011 period. Direct spending also would increase in fiscal year 2003 should the bill be enacted before the end of this fiscal year. If adoption, implementing the bill would increase spending subject to appropriation by less than $500,000 a year.

Legislative History:

Mar. 21, 2001: H.R. 801 ordered reported favorably, as amended, by the Committee on Veterans’ Affairs.


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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. HAYWORTH), the chairman of our Subcommittee on Benefits.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH), the chairman of the full committee, foryielding me this time.

Mr. Speaker, I am pleased to rise today in support of H.R. 801, the Veterans Opportunities Act of 2001. H. R. 801 makes a number of improvements and expansions to VA’s benefits and services, some of which I would like to take this opportunity to briefly highlight.

With respect to educational assistance, this bill increases from $2,000 to $3,400 the maximum allowable annual Senior ROTC award for benefits under the Montgomery GI bill; expands VA’s work-study program for veteran students; provides the inclusion of certain private technology entities, such as Microsoft and Novell, in the definition of educational institution; and permits veterans to use VA educational assistance benefits for a certificate program offered by an institution of higher learning by way of independent study. H.R. 801 also enhances and clarifies VA’s outreach services to separating servicemembers, as well as the spouse, surviving spouse, children and dependent parent of a veteran, and requires VA to provide full benefits and health eligibility information to a veteran and dependent whenever that person first applies for any benefit.

Mr. Speaker, I would like to thank the gentleman from New Jersey (Mr. PASCRELL) and the gentleman from Pennsylvania (Mr. DOYLE) for working with the subcommittee on those above mentioned outreach provisions.

We also make a number of program increases, including raising the burial...
and funeral expenses for service and non-service connected veterans and increasing the plot allowance.

The automobile and adaptive grant for severely disabled veterans is increased from $8,000 to $9,000, and the specially adapted housing grant is increased from $45,000 to $48,000.

We should expand the Servicemembers’ Group Life Insurance program to include coverage for the spouse and children of a servicemember enrolled in the insurance program.

Finally, Mr. Speaker, as we all know, within the last few months, we have lost far too many servicemembers to plane crashes, training accidents and, of course, an act of terrorism at sea. Just yesterday, it appears we lost two pilots in a U.S. Army plane crash in Germany. Two F-15s are missing after taking off yesterday near Heath Air Base in the Scottish Highlands.

Mr. Speaker, sadly, I was informed this morning that one of the missing pilots could very well be from my home State of Arizona.

Last year, Congress approved legislation to increase the maximum amount of Servicemembers’ Group Life Insurance from $200,000 to a quarter of a million dollars, $250,000. Even though the bill was signed into law on November 1 of 2000, this particular provision would not have gone into effect until April 1 of this year. So the bill we are discussing today would change the effective date to October 1, 2000, for those servicemembers who died during the performance of their military duties and had previously elected the maximum insurance amount.

Mr. Speaker, I would like to take time to thank my friend, the gentleman from Texas (Mr. REYES), the ranking member of the Subcommittee on Benefits, a Vietnam combat veteran, for helping us bring this provision to the table. Credit should also be given by this House to a newcomer to this institution, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), for working with the full committee on this issue. Both of these Members deserve acknowledgment for their steadfast support to this issue and the bipartisan way in which we have worked.

Mr. Speaker, I would just note for the record how much we listen on the cable gab fests and on the Sunday shows about the need for bipartisanship. Mr. Speaker, at this time, in this place, we reaffirm the notion that those who sign on in our all-volunteer force do not check a box for partisan preference. They go not as Republicans or as Democrats but as Americans to serve our country, and today we reaffirm that.

Let me thank the ranking member of the subcommittee, the gentleman from Texas (Mr. REYES), for working with me on crafting this legislation in a bipartisan fashion, legislation which will benefit many active duty servicemembers, veterans, and dependents.

I also want to thank the gentleman from California (Mr. THOMAS) and the gentleman from Illinois (Mr. EVANS), the ranking member of our full committee, for their leadership.

Mr. Speaker, once again, for the reasons outlined in the aforementioned comments, I would urge my colleagues to support the Veterans Opportunity Act of 2001.

Mr. EVANS. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman from Illinois (Mr. EVANS), for yield me this time.

Mr. Speaker, as an original cosponsor and strong supporter of H.R. 801, the Veterans Opportunities Act of 2001, I am pleased that we are considering this bill today. H.R. 801 contains a number of important provisions advanced by Members from both sides of the aisle, as the gentleman from Arizona (Mr. HAYWORTH) stated a few minutes ago.

I want to acknowledge, first and foremost, the cooperation of the gentleman from New Jersey (Mr. SMITH) and the ranking member, the gentleman from Illinois (Mr. EVANS), as well as the subcommittee chairman, the gentleman from Arizona (Mr. HAYWORTH), in bringing this bill to the floor in its present form.

The bill will improve educational benefits, transitional assistance for separating servicemembers, and outreach to veterans and their families.

I thank the gentleman from Pennsylvania (Mr. DOYLE) and the gentleman from New Jersey (Mr. PASCRELL), my colleagues, for their tireless advocacy for improved outreach to veterans and their families.

The bill also provides benefits for the increased cost of automobiles and housing adaptations for severely disabled veterans, and it will stop eroding these benefits as the costs they are intended to cover increase year by year. The burial-related benefits increases proposed by this bill were last changed, Mr. Speaker, in 1973.

Because when benefit levels are not indexed to reflect the increased cost of the items that they are intended to pay for, veterans receive less value as each year goes by. The longer the time, the greater the loss. By indexing these benefits to changes in the cost of living, their purchasing power will be retained.

I particularly want to discuss the insurance provisions of this bill. I am very pleased that the bill incorporates my request to make the beginning of fiscal year 2001 the effective date for the increase in the maximum amount of Servicemembers Group Life Insurance from $200,000 to $250,000 for those who lose their lives during the performance of military duties.

As a Vietnam veteran, I know the dangers of combat. Recent events have shown that even military training exercises and more routine duty can result in the loss of life to our servicemembers. As I stated during the subcommittee hearing, I was particularly concerned that those who lost their lives in the terrorist attack on the USS Cole as well as those such as Specialist Rafael Olivera Rodriguez, an El Salvador native, who died in the Blackhawk helicopter crash over Hawaii, ensure that they all qualify for increased maximum benefits.

Since the Cole attack, others performing official duties have died in North Carolina, Georgia, and Kuwait. Two National Coast Guardsmen died after an accident while on patrol just this past weekend, and just yesterday two pilots died when their Army plane crashed in Germany and two Air Force pilots disappeared over Scotland with apparent loss of life.

The effective date of October 1, 2000 is intended to provide the maximum benefit of $250,000 for SGLI insured members, such as those who have lost their lives in performance of duty and who were insured for the maximum benefit at the time of their deaths. I know that the families of these military-insured members will appreciate this benefit.

I also support the provision allowing family members to be covered under the SGLI program. This is a needed improvement.

Finally, Mr. Speaker, I support the provision of excluding family farms and ranches from net worth determination for pension purposes.

Mr. Speaker, I was born on a family farm and I know the value of family farms. There are a number of small family farms today in my district. We should not ask veterans to give up their family farms in order to receive veterans’ benefits that they have earned.

I today want to urge all Members to support this bill. It is a generous bill that pays back the debt that this country owes its men and women in uniform.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS), the very distinguished chairman of the Committee on Veterans’ Affairs.

Mr. BILIRAKIS. Mr. Speaker, I thank my chairman, the gentleman from New Jersey (Mr. SMITH), for yielding me this time.

Mr. Speaker, I too support H.R. 801. This legislation makes important improvements to veterans’ benefits such as increasing the burial and funeral allowance from $1,500 to $2,000 for service-connected veterans and from $300 to $600 for nonservice-connected veterans. The bill also raises the burial plot allowance from $150 to $300.

In addition, Mr. Speaker, the legislation increases the automobile and

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adaptive equipment grants for severely disabled veterans from $8,000 to $9,000. Under the bill, specially adapted housing grants are increased from $23,000 to $48,000, and the amount for additional adaptations to the home that may be needed later in life is raised from $8,250 to $9,250.

The bill expands, as has already been indicated, the Servicemembers’ Group Life Insurance Program to cover spouses up to a maximum of $100,000 and children to $10,000; and the bill also makes another important change to the sick-leave program. It increases the amount of servicemembers group life insurance paid to the survivors of members of the Armed Forces who died in the performance of duty between October 1, 2000, and March 31 of this year. Specifically, it directs the Secretary of Veterans Affairs to increase sick-leave payments to the maximum amount of $250,000 for those who previously contracted a service accession benefit.

This increase was originally signed into law in November of 2000 as part of Public Law 106-419, but the implementation was delayed, unfortunately, until April 1, 2001; and unfortunately, a number of military personnel have been killed. As also has been raised by the gentleman from Texas (Mr. REYES) and others, a number of other military personnel have been killed in the line of duty since October 2000, including one of my constituents, Erik Larson, who was killed in a National Guard airplane crash earlier this month. While this bill will not ease the pain of losing a loved one, it will lessen the financial hardship.

And as a cosponsor of H.R. 801, Mr. Speaker, I urge my colleagues to support the Veterans Opportunities Act of 2001.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I am pleased to have the opportunity to speak on the important bipartisan piece of legislation that we have before us. I want to take this opportunity to thank the chairman of the full committee and the chairman of the subcommittee for their leadership, as well as the minority leader, as well as the gentleman from Illinois (Mr. EVANS) for his efforts, and the gentleman from Texas (Mr. REYES) also.

At a time when drastic tax cuts seem to overshadow our Nation’s priorities, it is refreshing that the House should take up the legislation that addresses our commitment to improving services to those that have made the ultimate sacrifice, our veterans.

The Veterans Opportunities Act makes improvement to key veterans’ programs. In particular, the measure makes enhancements to the veterans educational and the burial benefits that are long overdue. For those seeking assistance in pursuing higher education, the bill increases benefits under the Montgomery GI Bill to $300 to $400, and extends work-study opportunities for veteran students and extends benefits to cover independent study for qualified institutions. Without doubt, the educational benefits are instrumental in assisting the military in recruitment efforts.

Those men and women who have chosen to serve our country in uniform deserve better access to higher education; and we all recognize the importance of how the cost of education has continued to grow and continued to move forward, so it is important for us to keep pace with that.

We have come a step forward; we still have a long way to go. But I am very pleased that we are beginning to address issues and increase the amounts of the Montgomery GI Bill.

Finally, the families who face financial challenges for burying our veterans will receive some relief under H.R. 801. Burial funeral allowances will be increased by $500 to $2,000 for service-connected veterans and $300 to $500 for non-service-connected veterans.

As Congress prepares to take up the budget resolution, we should remind ourselves that our peace is a blessing. However, peace does not diminish our obligation to American veterans. It is time to take care of those and move forward. This bill begins to do that, and I want to thank the leadership on both sides for their efforts on this piece of legislation.

Once again, I want to congratulate the gentleman from Illinois (Mr. EVANS) and the gentleman from New Jersey (Mr. SMITH), the chairman of the committee, and the gentleman from Texas (Mr. REYES) for their efforts.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. DAVIS of Virginia. Mr. Speaker, I rise today in support of H.R. 801, the Veterans’ Opportunity Act of 2001. As a cosponsor of this legislation, I am proud to be able to say that this committee referred a bill that has direct support and endorsement of several veterans’ and servicemen’s organizations.

Mr. Speaker, just a few weeks ago, tragedy struck locally in my own district in the Commonwealth of Virginia. Several constituents of mine perished in the Air National Guard crash. I attended their memorial service. However, that was the hardest thing I had to face. The families of these servicemen face much harder days ahead.

I ask that the other Members of the House support H.R. 801. In the long term, this is the only way in which we will be able to assist the families of those recently perished.

Mr. Speaker, I would be remiss if I did not thank the committee and its staff for their hard work and dedication in seeing this bill brought to the floor. In particular, I would like to thank the gentleman from New Jersey...
(Mr. Smith), the gentleman from Arizona (Mr. Hayworth), and the gentleman from Florida (Mr. Crenshaw) for ensuring that my legislation was attached to this bill in the form of a friendly amendment.

Mr. Speaker, now is the time. Now is the time for the other Members of the people’s House to stand and support the families of our servicemen. Vote in support of passage of H.R. 801.

Mr. Speaker, I include the following material for the RECORD:

U.S. HOUSE OF REPRESENTATIVES.


Hon. Christopher H. Smith, Chairman, House Committee on Veterans’ Affairs, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: It is my understanding that you recently received a letter from several of our colleagues asking for your support for amending H.R. 801, the Veterans’ Opportunities Act, to include the language of H.R. 1015. As a cosponsor of both H.R. 801 and H.R. 1015, and as a member of your Committee, I am writing to add my support for this proposal.

As you are aware, Congress last year approved a $50,000 increase, to $250,000, in the maximum death benefits for families of military personnel through the Servicemembers’ Group Life Insurance (SGLI). Though the legislation was signed into law on November 1, 2000, the effective date of this increase is not until April 1, 2001. Regrettably, for many of our servicemen and their families—most notably, the 21 National Guard members killed in a plane crash earlier this month and the 17 sailors killed in the terrorist bombing of the USS Cole—this is too late.

H.R. 1015 would make a modest change in law that would bring comfort and security to the families of these brave servicemen who died in the line of duty. Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The severity of these accidents are occurring without the constant vigilance of the Armed Forces. The security of our servicemen and women risk their lives on a daily basis. The severity of these accidents serve as a reminder that liberty is not preserved without the constant vigilance of those who freely give up theirs to protect us.

The NCOA greatly appreciates your leadership on this issue and we offer our full endorsement of H.R. 1015, a bill that will help surviving family members to meet critical family needs following the tragic loss of their servicemen in recent terrorist attacks or training accidents.

Sincerely,

JO ANN DAVIS,
U.S. House of Representatives, Alexandria, VA.

John A. Shaud,
General, USAF (Ret).

Alex J. Harrington,
Director of Legislative Affairs.

DEAR CONGRESSWOMAN DAVIS: On behalf of the 13,000 members of Gold Star Wives of America, Inc., I wish to extend our support for H.R. 1015, a bill to provide for an increase in the amount of Servicemember’s Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001. However, we would like to see this amended to read October 1, 2000, and April 1, 2001 to include the surviving family members of servicemembers lost on the U.S.S. Cole.

Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The legislation is also consistent with action taken to increase SGLI after operational accidents such as the Gander, Newfoundland disaster. H.R. 1015 will ensure that survivors of the higher SGLI level during the period between passage and implementation of the increase authorized under P.L. 106-419 will now be covered.

With the increased level of operations for all members of the Armed Services, tragic accidents are occurring more frequently. From the U.S.S. Cole to the most recent crash of an Air National Guard plane, our servicemen and women risk their lives on a daily basis. The severity of these accidents serve as a reminder that liberty is not procured without the constant vigilance of those who freely give up theirs to protect us. Gold Star Wives of America Inc. greatly appreciates your leadership on this issue and we offer our full endorsement of H.R. 1015, a bill that will help surviving family members meet critical family needs following the tragic losses of their loved ones to recent terrorist attacks or training accidents.

Sincerely,

JAYSON L. SPERGEL
Executive Director.

DEAR REPRESENTATIVE DAVIS: On behalf of the enlisted men and women of the Army and Air National Guard, the Enlisted Association of the National Guard of the United States (EANGUS) wishes to thank you for introducing H.R. 1015, a bill to increase the amount of Servicemember’s Group Life Insurance paid to survivors of servicemen who died in the performance of duty recently.

Although an increase was signed into law last November, the increase doesn’t go into effect until April 1. Your bill would cover those who died in the recent tragedies and ensure that their survivors will receive the new maximum benefit.

EANGUS fully supports this bill. Thank you for your efforts on behalf of our uniformed men and women who serve their country and sometimes pay the ultimate price in that service.

Working for America’s Best!

MSG MICHAEL P. CLINE (RET),
Executive Director.

DEAR REPRESENTATIVE DAVIS: On behalf of the members of the National Guard of the United States, I wish to extend our support for H.R. 1015, a bill to provide for an increase in the amount of Servicemember’s Group Life Insurance (SGLI) paid to survivors of members of the Armed Forces who died in the performance of duty between October 1, 2000, and April 1, 2001.

Your legislation provides an important and timely correction in the implementation of the recent increase in SGLI coverage from $200,000 to $250,000. The legislation is also consistent with action taken to increase SGLI after operational accidents such as the Gander, Newfoundland disaster. H.R. 1015 will ensure that those not covered at the higher SGLI level during the period between passage and implementation of the increase authorized under P.L. 106-419 will now be covered.

With the increased level of operations for all members of the Armed Services, tragic accidents are occurring more frequently. From the U.S.S. Cole to the most recent crash of an Air National Guard plane, our servicemen and women risk their lives on a daily basis. The severity of these incidents serve as a reminder that liberty is not procured without the constant vigilance of our servicemen.

The members of the National Order of Battlefield Commissions greatly appreciate your leadership on this issue and we offer our full endorsement of H.R. 1015, a bill that will help surviving family members meet critical needs following the tragic losses of their loved ones to recent terrorist attacks or training accidents.

Sincerely,

ROBERT C. EVANS,
Washington Representative.

Mr. EVANS, Mr. Speaker, I yield 51⁄2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL, Mr. Speaker, let me begin by thanking the gentleman from New Jersey (Mr. SMITH), for including part of the Veterans Right to Know Act in the legislation we are considering today. The leadership and dedication of the chairman of the committee to our veterans over the last 20 years has improved the lives of veterans across the United States.

Let me extend my gratitude to the gentleman from Illinois (Mr. EVANS), our ranking member, for his support of this legislation. The two of us have set the proper tone for bipartisanship, which should be recognized, along with the subcommittee folks, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Texas (Mr. REVELS), and also thank them for inviting us to testify before the subcommittee.

This legislation I am so proud to be a part of, the first piece of veterans legislation to reach the House floor. Mr. Speaker, I would like to speak in support of that portion which both the chairman and ranking member spoke of before, part of the Veterans Right to Know. This legislation makes great strides in improving benefits and outreach to our veterans and their dependents. We also would like to acknowledge important provisions in the legislation that were based on the gentleman from Pennsylvania’s (Mr. DOYLE) outreach legislation. We worked together to ensure that every veteran has the benefits they deserve, and we will continue this work in the future.

As we prepare to move to the next bill, to quite frank, the lack of information available to veterans and their families about their benefits and services that they are eligible for has reached crisis proportions. In a recent national survey conducted by the Department of Veterans Affairs, it was indicated that less than half of the veterans contacted were aware of what benefits they were eligible for. We cannot accept that on the floor of the House, in the House of the people.

A survey I conducted in my 8th Congressional District, the 8th Congressional District of New Jersey, showed that over half of those answering had no understanding of their benefits, no one had ever reached out to them, no confidence in the VA to deliver the information in the first place. These veterans signed a contract when they went into the service to defend us; and as a veteran I say this, and I know the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) feel the same way. Well, what happened to this contract when they left the service? What happened to the people and
their families who now many times after death are going to the VA and saying gee, we did not know this, we did not yield.

This is a sacred covenant America has with its veterans, one that we must keep. Too often our Nation’s heroes are not adequately informed as to what benefits they are entitled to receive or how to claim those benefits. Everyone in this Congress will agree that this is simply unacceptable. Veterans across America and I are grateful to the gentleman from New Jersey (Mr. SMITH) for his Veterans’ Opportunities Act. It includes a portion of legislation, title II, section 205, which will inform veterans about benefits and health care services. We are not doing veterans any favor, Mr. Speaker. This is our obligation.

The gentleman from New Jersey’s measure also includes the portion of legislation that would require the VA to assist widows and survivors of veterans by informing them at the time of a burial request or application for life insurance proceeds about the full array of dependent benefits.

Today is a victory for veterans everywhere, but it is just the beginning. The plan that I have asked for, and hopefully will finally be enacted, would specify how the VA will identify veterans who are not enrolled or registered with the VA for benefits or services and require that the VA consult with the veterans services. How can we talk to the veterans about what they are eligible for if we do not start at the grass-roots of the organization that the gentleman from New Jersey (Mr. SMITH) spoke of before? All of those organizations, the Veterans of Foreign Wars, American Legion, the Disabled American Veterans, the Jewish War Veterans, et cetera, Vietnam Veterans, Disabled Veterans, if we do not talk to them, how can we really fulfill this covenant that we are talking about here?

Abraham Lincoln spoke of his responsibility in his second inaugural address saying, “We must care for him who shall have borne the battle and for his widow and for his orphan.”

Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) for doing America proud.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I again want to thank the gentleman from New Jersey (Mr. PASCRELL) for his very kind remarks and for his donation to the bill, particularly as it relates to informing our service members.

Mr. Speaker, I yield the remaining 2 minutes to the gentleman from Illinois (Mr. KIRK), my good friend and colleague.

Mr. KIRK. Mr. Speaker, I thank the gentleman for yielding time to me. Mr. Speaker, I would say, first of all, talk about hitting ground running, as the new chairman of the Committee on Veterans’ Affairs, the gentleman is bringing this legislation so quickly to the House floor. When I described this legislation at my recent veterans’ town hall meeting in north Chicago, Illinois, it got a standing ovation and is strongly supported. For us, hitting the ground running on veterans’ issues is, I think, a crucial in paying our debt to the greatest generation for what they gave to our country.

Mr. Speaker, if there was a veterans caucus here in the Congress, including the veterans of Bosnia, Kosovo, and Operation Northern Watch in Iraq, I would be it. As a veteran of the most recent conflicts, we pay homage to those who served before us in much more difficult and arduous conflicts.

I have to really give my thanks to those men and women who introduced me and educated me on the importance of veterans’ care: Larry Jenkins of the APEG, shop steward in north Chicago; Johnny Allen, our Lake County Veterans Assistance Commission member; Al Pate, our very able director of the north Chicago VA Medical Center.

I want to strongly feel about the need for bipartisan cooperation, and really hail the gentleman from Illinois (Mr. EVANS) for his leadership on this issue. For us in the north Chicago VA medical system, we really need this health care. We really need to expand benefits in the way that H.R. 801 outlines, in order to pay a debt that is owed for all of the freedoms that we enjoy.

We know, and the current data shows, that the children of military families overwhelmingly are those who sign up to provide the new duty, so the children of the men and women who protect us now will be those who protect us in the future. Making sure that we honor the debt and promise that we gave to them under President Lincoln’s mandate is a crucial thing for me in my service here.

I want to salute the gentleman from New Jersey (Chairman SMITH), and urge all Members to support this legislation.

Mr. LANGEVIN. Mr. Speaker, today I rise in strong support of the Veterans’ Opportunities Act. I commend our veterans who have made such significant sacrifices to preserve this Nation, and our Congress for their steadfast effort to fulfill the promises we have made to our veterans and their families, and extend my sincere thanks for including portions of H.R. 336 as part of H.R. 801.

Throughout my six years on the Veterans Affairs Committee, I have been a strong supporter for protecting the viability, and ensuring the longevity of, the Department of Veterans Affairs. My primary concern has always been to improve veterans access to quality health care services and to insure they are delivered in a timely manner. But my focus on the need to provide appropriate support for the veterans health care programs has never clouded my awareness about the important roles that adequate support for VA construction projects and medical research play in addressing this concern in a serious, thoughtful, and effective manner. This is to say that we should always be mindful of how the Department works as a whole and be cautious about characterizing an issue as having just one facet or affecting just one type of individual. In my view, only if we remain sensitive to, and forthcoming about, how we can best implement changes to current practices to better serve the veterans community can we truly fulfill the mission of the Department of Veterans Affairs.

I yield that note of the first hand experiences relayed to me by members of the Veterans’ Widows International Network (VWIN) when they visited my office a few years ago. At that time, members of the Network detailed personal difficulties they had encountered and strongly advocated for the establishment of dedicated informational outreach services for surviving spouses and dependents of deceased veterans within the Department of Veterans Affairs. For those of you...
who are unfamiliar with this organization, VWIN was established in 1995 and has dedicated itself to reaching out to veterans' widows to transform them into providers of benefits for which they might qualify, to provide them with a point of contact for processing their claims, and to keep them abreast of changes. The Network has done an admirable job in this respect, but if you are like me you are probably wondering why the Department isn't providing these services. There are a whole host of challenges that the Department could argue that preclude them from improving adequate access to, and the timely processing of, such information, including the assertion that they are already doing a good enough job in this respect. But that just isn't good enough and that is why Congress should make it a priority to pass H.R. 801, as well as both H.R. 336 and H.R. 511 in their entirety.

The heart of both H.R. 336, The Surviving Spouses to Dependants Outreach Enhancement and Veterans Casework Improvement Act, and H.R. 511, The Veterans Right to Know Act, is a belief grounded in the idea that one of our most basic responsibilities is to provide veterans and their family members with information about benefits to which they might be entitled. Indeed, the success of any initiative embarked upon sound levels of awareness and prudent oversight measures.

As such, I fully support the Veterans Opportunities Act, because it finally addresses the issue of "means testing" veterans' agricultural possessions.

My district, many farmers are land rich, but lack liquid assets to readily pay for health care services at the Department of Veterans Affairs.

H.R. 801 will greatly assist in remedying this problem, and allow them the opportunity to access the VA Health Care system without being penalized.

In addition, I am pleased that this bill finally addresses the issue of allowing veterans to use their GI Bill education benefits for certain private technology entities.

This expansion of benefits will allow veterans to receive benefits for certain certifying type courses that have previously not been recognized.

As a result, veterans can now pursue non-traditional educational programs that usually require intensive study and certification.

This will ultimately level the playing field for veterans by allowing them to compete in the high-tech environment.

Lastly, this bill will increase the burial benefits for both service-connected and non-service-connected veterans.

This is truly important! World War II veterans are dying at a rate of a thousand a day.

Many of these World War II veterans are living on fixed incomes, and the high costs of burying these veterans places a financial burden on their surviving spouses and families.

Mr. Speaker, this bill and its provisions are long overdue.

Again, I thank the Chairman and the Ranking Member for giving this bill such quick consideration—early in the 107th Congress.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 801, The Veterans Opportunity Act. The bill provides for essential benefits related to retirement privileges that our veterans desperately need. I am pleased that the legislation has swiftly come before the House for consideration.

H.R. 801 expands and increases payout amounts for several Veterans Affairs Department (VA) death and retirement benefits and extends coverage under the Service Members' Group Life Insurance program to dependent children.

The bill reflects a strong consensus in America that our veterans simply need to be taken care of. The legislation increases from $2,000 to $3,400 the maximum allowable annual ROTC award for benefits under the Montgomery GI bill; expands the VA's work-study program for veterans who are students; includes certain private technology entities as education institutions; allows a disabled spouse or surviving spouse of a severely disabled service-connected veteran to receive special restorative training; permits a veteran to use VA educational assistance benefits for a certificate program offered by an institution of higher learning by way of independent study; and provides for other needed necessities.

The measure contains other much-needed reforms. For instance, the bill expands the Service Members' Group Life Insurance (SGLI) program to include spouses and children. Upon termination of the SGLI, the policy could be converted to a private life insurance policy. Finally, the bill makes such changes retroactive to October 1, 2000, for service members killed in the line of duty.

Mr. Speaker, I urge my colleagues to support this important measure for our veterans.

The SPEAKER pro tempore. The question is on the motion to suspend this bill and expand the GI Bill effect to allow for educational benefits for veterans.

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that the House suspend the rules and pass the bill. H.R. 801, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 801, as amended.

General leave.

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules.

VETERANS HOSPITAL EMERGENCY REPAIR ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules...
and pass the bill (H.R. 811) to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of renovating, and updating patient care facilities at Department of Veterans Affairs medical centers, as amended. The Clerk read as follows:

H.R. 811

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Hospital Emergency Repair Act”.

SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS FOR PATIENT CARE IMPROVEMENTS.

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs is authorized to carry out major medical facility projects in accordance with this section, using funds appropriated for fiscal year 2002 or fiscal year 2003, pursuant to section 3. The cost of any such project may not exceed $25,000,000, except that up to two projects per year may be carried out at a cost not to exceed $30,000,000 for the purpose stated in subsection (c)(1).

(2) Projects carried out under this section are not subject to section 8104(a)(2) of title 38, United States Code.

(b) TYPE OF PROJECTS.—A project carried out under subsection (a) may be carried out only at a Department of Veterans Affairs medical center and only for the purpose of—

(1) improving a patient care facility;

(2) replacing a patient care facility;

(3) renovating a patient care facility;

(4) updating a patient care facility to contemporary standards; or

(5) improving, replacing, or renovating a research facility or updating such a facility to contemporary standards.

(c) PURPOSE OF PROJECTS.—In selecting medical centers for projects under subsection (a), the Secretary shall select projects to improve, replace, renovate, or update facilities to achieve one or more of the following:

(1) Seismic protection improvements related to patient care (in the case of a research facility, patient or employee safety).

(2) Fire safety improvements.

(3) Improvements to utility systems and ancillary services (including such systems and facilities that may be exclusively associated with research facilities).

(4) Improved accommodation for persons with disabilities, including barrier-free access.

(5) Improvements at patient care facilities to specialized programs of the Department, including the following:

(A) Blind rehabilitation centers.

(B) Inpatient and residential programs for severely mentally ill veterans, including mental illness research, education, and ancillary centers.

(C) Residential and rehabilitation programs for veterans with substance-use disorders.

(D) Physical medicine and rehabilitation activities.

(E) Long-term care, including geriatric research, education, and clinical centers, adult day care centers, and nursing home care facilities.

(F) Amputation care, including facilities for prosthetics, orthotics programs, and sensory aids.

(G) Spinal cord injury centers.

(H) Traumatic brain injury programs.

(I) Women veterans’ health programs (including particularly programs involving privacy and accommodation for female patients).

(J) Facilities for hospice and palliative care programs.

(d) REVIEW PROCESS.—(1) Before a project is submitted to the Secretary with a recommendation that it be approved as a project to be carried out under the authority of this section, the project shall be reviewed by a board within the Department of Veterans Affairs that is independent of the Veterans Health Administration and that is constituted by the Secretary to evaluate capital investment projects. The board shall review each proposal to determine the project’s relevance to the medical care mission of the Department and whether the project improves, renovates, repairs, or updates facilities of the Department in accordance with this section.

(2) In selecting projects to be carried out under the authority provided by this section, the Secretary shall consider the recommendations of the board under paragraph (1). In any case in which the Secretary selects a project to be carried out under this section that was not recommended for such approval by the board under paragraph (1), the Secretary shall include in the report of the Secretary under section 4(b) notice of such selection and the Secretary’s reasons for not following the recommendation of the board with respect to that project.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) General.—(1) It is hereby authorized to be appropriated to the Secretary of Veterans Affairs for the Construction, Major Projects, account for projects under section 2—

(1) $250,000,000 for fiscal year 2002; and

(2) $290,000,000 for fiscal year 2003.

(b) LIMITATION.—Projects may be carried out under section 2 only using funds appropriated pursuant to the authorization of appropriations in subsection (a), except that funds appropriated for advance planning may be used for the purposes for which appropriated in connection with such projects.

SEC. 4. REPORTS.

(a) GAO REPORT.—Not later than April 1, 2003, the Comptroller General shall submit to the Committees on Veterans’ Affairs and on Appropriations of the Senate and House of Representatives a report evaluating the advantages and disadvantages of congressional authorization for projects of the type described in section 2(a) through general authorization as provided by section 2(a), rather than through specific authorization and the cost applicable under section 8104(a)(2) of title 38, United States Code. Such report shall include a description of the actions of the Secretary of Veterans Affairs during fiscal year 2002 to select and carry out projects under subsection (a).

(b) SECRETARY REPORT.—Not later than 120 days after the date on which the site for the final project under section 2 is selected, the Secretary shall submit to the committees referred to in subsection (a) a report on the authorization process under section 2. The Secretary shall include in the report the following:

(1) A listing by project of each such project selected by the Secretary under that section, together with a prospectus description of the purposes the project was intended to serve, the estimated cost of the project, and a statement attesting to the review of the project under section 2(c), and, if that project was not recommended by the board, the reasons the board did not follow the recommendation of the board.

(2) An assessment of the utility to the Department of Veterans Affairs of that authorization process.

(3) Such recommendations as the Secretary considers appropriate for future congressional policy for authorization of major medical facility construction projects for the Department of Veterans Affairs.

(4) Any other matter that the Secretary considers to be appropriate with respect to oversight by Congress of capital facilities projects of the Department of Veterans Affairs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Committee on Veterans’ Affairs, I rise in strong support of this legislation, H.R. 811, as amended, the Veterans Hospital Emergency Repair Act.

This bill would authorize the Secretary of Veterans Affairs to carry out urgently needed medical facility construction projects over the next 2 fiscal years, and would authorize appropriations of $250 million in fiscal year 2002 and $300 million in fiscal year 2003 for those projects.

I will briefly discuss the bill, and then would ask our distinguished chairman of the Subcommittee on Health, the gentleman from Kansas (Mr. MORAN), to provide a detailed expansion explanation. He has done a great deal of work on this bill.

On March 1, 2001, Mr. Speaker, I introduced the Veterans Hospital Emergency Repair Act with our ranking member, the gentleman from Illinois (Mr. EVANS), and a number of our colleagues, including the gentleman from Kansas (Mr. MORAN).

We are concerned, Mr. Speaker, that the flow of appropriated funds for VA construction programs, at one time in the hundreds of millions of dollars every year, in recent years slowed to barely a trickle, and then bottomed out last year.

No funding was provided through the appropriations process for VA major construction in fiscal year 2001. However, as construction funding for veterans’ hospitals and other medical facilities dried up, they continued to age. Hundreds of VA medical buildings are over 50 years old and have become rundown, substandard and, in some cases, unsafe.

Part of the reason funding has not been appropriated for construction projects has been the VA’s Capital Assets Realignment for Enhanced Services (CARES) initiative. CARES, as expected to provide comprehensive planning for VA facilities across the country.

While the VA committee supports CARES, it is a phased process that could take 3 to 5 years to produce just the plans for some VA medical centers. Then it would take more time for projects to go forward through the authorization and the construction process.

Among these identified construction needs are some 67 VA buildings currently used by patients and staff that could be damaged or collapse in the event of an earthquake, including three
that suffered damage several weeks ago at the American Lake Medical Center in the state of Washington.

Mr. Speaker, I think my colleagues know the urgency we are talking about. Hopefully it is self-evident to all of us. Our Nation’s veterans simply cannot wait any longer, the CARES process notwithstanding. They need our health care today, as well as to-morrow. As a country we have obligations to these men and women who have served in the military uniform and have done so with honor, and defer-ring these obligations is the same thing as not keeping those obligations.

Mr. Speaker, as chairman of the commit-tee, I am going to do my best to see that our veterans have high-quality health care in modern, well-main-tained, and safe buildings. All of our committee members are together on this.

H.R. 811, as amended, is an important step that would provide a temporary authority to the Secretary to set aside for 2 years existing authorization require-ments. It would allow the Sec-retary some discretion to approve re-pair projects based on recommenda-tions of the VA Capital Investments Board.

This legislation, frankly, would de-part from current authorization prac-tice by effectively eliminating congres-sional influence in deciding how this money should be spent. We call it an emergency because it is.

I know the media likes to sometimes focus on pork in bills we consider. We hope that the Secretary of Veterans Affairs will make the most meritorious choices, those facilities that need re-pairs the most. Again, that is why we call it an emergency repair act.

The medical organizations, Mr. Speaker, testified in support of this bill at the Committee on Veterans’ Affairs legislative hearing on March 13 of this year. The administration sup-ports the bill, so long as it aligns with the President’s overall budget.

I am very pleased, Mr. Speaker, and encouraged that the proposed budget resolution that we begin debating later on today fully accommodates the amount of money that we anticipate will be required to do this work.

Mr. Speaker, I would like to thank thank again, as I did on the previous bill, my good friend and colleague, the gentle-man from Illinois (Mr. EVANS) and his staff, and our staff, as well, for working in a bipartisan way in ensur-ing that this legislation meets the needs of our crumbling infrastructure.

Finally, just let me say, there have been studies done as to what we actu-ally have in the inventory of the VA; the Pricewaterhouse study, for exam-ple, done a couple of years ago. They estimated that we have about $35 billion worth of assets, and in order to keep those assets up and running and in fine shape, it would require about $700 million to $1.4 billion a year. We have been nowhere near that amount. Hence, we have a crumbling infrastruc-ture crying out for the money, the down payment for which is contained in this legislation.

This is a modest bill, even though it is over half a billion dollars, a modest bill vis-a-vis the need, the unmet need, for repairing the physical infrastruc-ture of the VA. If we want to care for veterans, if we want world-class health care for our veterans, we need the physical plant to accommodate that. This legislation takes us forward in that process.

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

Mr. EVANS. Mr. Speaker, I yield my-self such time as I may consume.

Mr. Speaker, I rise in strong support for this legislation. As an original cosponsor of it, I thank and commend the gentleman from New Jer-sey (Mr. SMITH) for his leadership on this issue.

I think this is about the 30th time today that the gentleman has been sal-uted, Mr. Chairman, and he deserves each and every one. We know what work he has put into this and his staff has put into this as we introduce the legislation. So we are really pleased that the gentleman has moved it quickly to the floor and has taken his leadership role.

The Veterans Hospital Emergency Repair Act provides an opportunity for needed construction of VA facilities to be completed in a more timely manner. I also want to thank the gentleman from Kansas (Mr. MORAN), the gentle-man from California (Mr. FILNER), and the gentleman from Arkansas (Mr. SNYDER) for their important contribu-tions to this legislation. This is a bet-ter bill because of their efforts.

The legislation addresses a serious problem. While the VA reviews facility needs for the future, there has been a virtual moratorium on major construc-tion projects. The VA has 5,000 build-ings on average are 50 years old. Many of these facilities need substan-tial improvements to continue serving the needs of our veterans. Unfortu-nately, the de facto moratorium has placed veterans and VA employees at risk to just work, in the hospital or to be a patient there.

H.R. 811 allows the VA to expedite selection, funding, and completion of “smaller” construction projects it believes are in the best interest of the system's many needs for seismic corrections.

As a result, the bill now before the House is intended to allow several of the more expen-sive seismic projects to be undertaken promptly. The Ranking Member of our Subcommittee on Oversight and Investigations, Vic SNYDER also identified the need to address research and construction needs as research is integra-ble to the VA's patient care mission. As re-reported, this measure includes research and construction activities as candidates for emergency repair and construction activities.

This legislation addresses a serious problem confronting VA. While VA is undertaking a process to review its infrastructure needs for the future (known as CARES (Capital Asset Realignment for Enhanced Services), there has been a virtual moratorium on its major construction projects. In a system with 5,000 buildings that have an average age of 50, it is clear that too little investment in infrastructure deficit—because of the lack of availability of funds. I believe that the availability of designated funding will encour-age more proposals from facilities, thereby en-hancing the quality of projects from which VA may select.

The legislation we are considering today will allow VA to expedite selection, funding, and completion of “smaller” construction projects it believes are in the best interest of the system within certain guidelines developed by the Committee. The Committee has prioritized projects that will improve facilities’ safety and barrier-free access and develop its capacity for the programs most integral to its mission— blind rehabilitation, programs for the seriously mentally ill, substance use disorder treatment, other rehabilitation, long-term care, amputation care, spinal cord injury, traumatic brain injury, and women’s health. These categories are largely consistent with the priority VA’s Capital Investment Board now assigns to various construc-tion projects it reviews. Within these prior-ities, it will be possible for VA to choose a reconstruction projects that will not be held up by completion of the CARES process.

I believe it is appropriate to delegate the se-lection of these projects to VA as an interim approach until the system has results from its
CARES process for a number of reasons. CARES will produce guidelines for restructuring system assets within market-basket areas—the country. It is clear that some of the guidance it will produce will have significant implications for local markets, but some areas (those with only one VA medical center and high levels of acute workload) will be largely unaffected. VA also is aware of the access (those in less populated areas whose mission has largely shifted to outpatient care and areas with more than one medical center) that may have some significant changes brought on by the CARES process. CARES may be a long-term project and must not be postponed indefinitely because of it.

While it is appropriate for the agency to make investments in locations that are likely to be less affected by the potential outcome of CARES, it is not appropriate to delay construction indefinitely of VA’s acute care programs. A process that may take a decade to complete. I am concerned that some networks, such as VISN 12, may be delaying any projects pending the outcome of the process there. I am hopeful there will be a reasonable proposal available for the Chicago area soon, however. Options for this area have been considered for almost a decade. Viable construction projects, such as replacement of the badly deteriorated blind center at Hines, must be advanced to uphold safety standards and assure quality.

I understand that, within the guidelines of this legislation, the Department will have more authority. It is my hope that Headquarters uses a centrally guided and administered process, such as the Capital Investment Board, to select those projects it believes best advance the mission of the agency overall. It should not be a process which allocates funds to networks for use at the directors’ discretion. We have seen, on too many occasions that allocation of funds requested by the agency for special initiatives, such as waiting times or Hepatitis C, may not be used for these purposes. Any constraining exercise evidently leads to the question of使命. What should VA be doing now and in the future? To be sure, the veterans’ health care system has undergone many changes in the last few years—some reflect better practices from the private sector; some have redefined long-standing VA programs, such as mental health and long-term care, throughout the system, and perhaps not for the better.

To the extent that construction planning and the CARES process do not adequately “maintain the capability of VA’s acute care programs and services for veterans with special disabilities, I believe VA’s planning outcomes will continue to face opposition from Congress and the veterans who have come to rely upon VA for its health care services. We cannot turn back the clock on these services, but we must ensure that adequate resources are available to meet veterans’ needs—if not on an inpatient basis than in the community or home.

I have heard from one network director who believes it is not his responsibility to “maintain capacity.” It is evident in the October 2000 Capacity Report that he is not alone in believing that the maintenance of capacity does not apply to him. The report shows that VISNs 3 and 21 have not maintained capacity in the number of patients they treat for spinal cord injury. VISNs 3 and 22 have significantly reduced their blind rehabilitation, traumatic brain injury workloads or dollars. I am most concerned about VA’s substance abuse treatment capacity for mentally ill patients. It is not that facilities which are overall 64 percent of the funds spent for these services in FY 1996. Very few networks treat as many individuals with serious mental illnesses for substance use disorders in fiscal year 1999 as in fiscal year 1996. This disturbing trend must be reversed now.

I also concerned about long-term care capacity. There is no question that VA has closed a number of its nursing home beds in recent years and diverted the mission of many others to subacute or rehabilitative care. VA is perhaps in the best position to indicate its maintenance of capacity. VA long-term care programs have been considered one of its finest activities. If VA is to be responsive to veterans needs and not just duplicative services that may already be available to them, the priority must continue to make these services a priority in its infrastructure and resource utilization plans.

Mr. Speaker, there is clearly a need for approving H.R. 811 to begin to facilitate addressing some of many existing infrastructure needs within VA. I am pleased to recommend to this body the approval of the Veterans’ Hospitals Emergency Repair Act.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. MORAN), the distinguished chairman of our Subcommittee on Health.

Mr. MORAN of Kansas. Mr. Speaker, I would like to express my gratitude to the chairman of the committee, the gentleman from New Jersey (Mr. SMITH); our ranking member, the gentleman from Illinois (Mr. EVANS); and the distinguished member from California (Mr. FILNER), our ranking member of the Subcommittee on Health Care, for their leadership on this legislation.

The Veterans Hospital Emergency Repair Act is very much a bipartisan measure. Health care for our American veterans is a high priority for this Congress, and that is demonstrated by this legislation being on the floor so early in this Congress.

Presenting this bill and the earlier benefit measure, H.R. 801, prior to our spring district work period shows we are dedicated to attempting to do what is right for America’s veterans and doing it early in this Congress.

H.R. 811 provides us a map out of the forest, authorizing the VA to improve and upgrade veterans’ hospitals with smaller projects while the VA and Congress decide the larger question about what to do for veterans’ facilities in the long term. We should not halt facility maintenance and improvements while the VA takes several years to come to decisions on redeployment of old VA facilities.

A variety of factors have combined to result in a de facto moratorium on VA medical facility construction. Last week, only one large project was opened, and no projects were funded. The gentleman from New Jersey (Chairman SMITH) indicated, the Committee on the Budget has supported the committee’s underlying basis of this bill. Two of our Committee on Veterans’ Affairs sit on the Committee on the Budget, the gentleman from Florida (Mr. Crenshaw) and the gentleman from South Carolina (Mr. Brown). The Committee on Veterans’ Affairs appreciates their support for this measure within the deliberations of the Committee on the Budget.

The key components of H.R. 11 are, it authorizes the Secretary of Veterans Affairs to carry out major medical facility maintenance and rehabilitation projects during the next 2 years, and authorizes appropriations of $250 million in the fiscal year 2002 and $300 million in fiscal year 2003 for those purposes. The bill also authorizes the Secretary to select patient care projects and, in certain circumstances, VA research facilities for such construction under this authority, not to exceed $25 million for any single project, with the exception that the Secretary could authorize up to $30 million for two seismic correction projects.

This legislation limits the types of projects that could be funded under the authority to those that would improve, replace, renovate, or update facilities, including research facilities, for patients’ safety, seismic protection, improvements, and accommodations for those with disabilities.

The Secretary would be authorized to improve the various high-priority specialty disability programs within the Department, such as spinal cord rehabilitation, traumatic brain injury, programs for seriously mentally ill. These veterans also deserve decent and upgraded facilities.

This legislation requires the Secretary to consider recommendations to the VA Independent Board that reviews capital investment proposals in selecting projects under the Secretary’s authority.

Mr. Speaker, this bill provides for accountability. It requires the Secretary and the Comptroller General to report to Congress the projects selected under this authority, their purposes and their costs and the results of the authorizations under this bill. It authorizes Congress for amending or extending that authority so that Congress will have full opportunity to watch what the VA does with this new authority.
Again, let me thank the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans’ Affairs, for his support of our Ranking Member’s leadership and for his strong support of VA and its needs. My colleagues and I would also like to thank the gentleman from New Jersey (Mr. EVANS), ranking member of the Committee on Veterans’ Affairs, and the gentleman from Illinois (Mr. FILNER), ranking member of the Subcommittee on Health, for their leadership in advancing VA health care in the 107th Congress.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman from Illinois (Mr. EVANS) for yielding the time to me.

Mr. Speaker, I rise today also in support of the VA Puget Sound Health Care System, which I represent, and the gentleman from San Diego and the gentleman from Los Angeles and, of course, of San Francisco, at West Los Angeles and, of course, of San Diego. San Diego’s VA Medical Center requires new exterior bracing and enhancements to the existing seismic structures. The costs of not completing these projects, Mr. Speaker, may be measured in lives, rather than in dollars.

Again, I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) and the gentleman from Kansas (Mr. MORAN) for working on this much-needed legislation.

Mr. Speaker, I urge all of my colleagues to vote for H.R. 811, the VA Puget Sound Health Care System Modernization Act.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Illinois (Mr. SMITH) for yielding the time to me.

Mr. Speaker, I also want to, along with the others, recognize the leadership of the gentleman from New Jersey (Mr. SMITH) for advancing this bill to final passage so early in our new Congress, along with, of course, the gentleman from Kansas (Mr. MORAN), chairman of the Subcommittee on Health, who has been ill and had to go out of his way to get here in time to speak here today.

Mr. Speaker, the Committee on Veterans’ Affairs looks to the Capital Asset Realignment for Enhanced Services, which we fondly refer to as CARES, as a map for restructuring VA capital facilities and to enhance services to veterans. That is good, Mr. Speaker.

In fact, my colleagues may recall that VA’s CARES program was developed as an adaptation of early language in one of our bills, H.R. 2116, in the last Congress.

CARES should eventually reach all the major facilities, but some VA medical centers are not going to have the benefit of the results of these studies any time soon. VA has a list of patient care buildings that need upkeep, replacement, restoration and modernization. Some of these projects are shown in our bill report filed yesterday, which we know that VA is spending $25 million to complete.

Mr. Speaker, the amendment on the floor today allows the Secretary of Veterans Affairs to identify four seismic correction projects that exceed the $25 million threshold by as much as $5 million and use this authority to address them in fiscal years 2002 and 2003.

The damage sustained, Mr. Speaker, at the VA Puget Sound Health Care System in Seattle, Washington recently reminds many of us of the risk and disruption that VA staff and veterans using VA services may experience as a result of an earthquake. Sadly, we were also reminded of the tragedy experienced back in 1971, when 46 VA patients lost their lives during the San Fernando earthquake.

The VA has identified more than 60 projects that require seismic fortification. We cannot continue to turn our heads while VA patients and employees are in harm’s way. The damage sustained at Puget Sound might typify the type of damage we would see up and down the West Coast in the event of a major earthquake. The costs of not completing these projects, Mr. Speaker, may be measured in lives, rather than in dollars.

Again, I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) and the gentleman from Kansas (Mr. MORAN) for working on this much-needed legislation.

Mr. Speaker, I urge all of my colleagues to vote for H.R. 811, the VA Puget Sound Health Care System Modernization Act.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Illinois (Mr. SMITH) and the gentleman from California (Mr. RODRIGUEZ) for yielding the time to me.

Mr. RODRIGUEZ. Mr. Speaker, I just rose on the previous measure to stress the importance of improving educational, burial, and outreach programs for the departing service members, veterans, and their dependents. There exists another matter which deserves our immediate attention, the state of our patient care facilities in the VA health care system.

The Veterans Hospital Emergency Repair Act authorizes $550 million over the next 2 years for major VA medical facility construction projects.

The Committee on Veterans’ Affairs will be given discretionary authority to improve, repair and renovate dilapidated patient care facilities, including some research centers.
To ensure that the process selecting these construction projects does not get caught up in politics, I am pleased also that the accountability provisions that have been placed into effect.

The Secretary will be required to submit reports to Congress detailing which projects were funded and the criteria used to select these projects for funding purposes.

There is no doubt that H.R. 811 is only a short-term solution to improving the VA infrastructure, which in this case is 50 years old. As the veterans population gets older, their long-term health care needs become even more acute.

It is imperative that the VA hospitals and the clinics be maintained to provide the quality of care our veterans need and deserve. Congress, therefore, must make a long-term financial commitment to address the VA construction and renovation needs.

This is a first step. And I know we all recognize the importance of this step, but we also recognize how much farther we need to go.

Mr. Speaker, and I want to take this opportunity in closing to congratulate the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs, on his efforts; and I know, in quoting the gentleman, that the infrastructure is crumbling, and there is need for more resources.

I look forward to continuing to working with the chairman and also the gentleman from Illinois (Mr. EVANS), the ranking member on the Committee on Veterans' Affairs, as well as the gentleman from California (Mr. FILNER) and the gentleman from Kansas (Mr. MORAN) on their efforts.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), a good friend.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) for yielding me the time.

Mr. Speaker, I am pleased to rise today in strong support of H.R. 811, the Veterans Hospital Emergency Repair Act, and I urge my colleagues to join in full support of this important legislation.

Mr. Speaker, I want to commend the gentleman from New Jersey (Mr. SMITH) our distinguished Chairman of the Committee on Veterans' Affairs, and the gentleman from Illinois (Mr. EVANS), the ranking minority member on the Committee on Veterans' Affairs, for bringing this measure to the floor at this time.

This bill authorizes $250 million in fiscal year 2002, $300 million in fiscal year 2003 to the Department of Veterans Affairs for major long overdue medical facilities urgently needed construction projects.

Furthermore, it authorizes our VA Secretary to select patient-care projects for construction, which are not to exceed $25 million for any one project. The VA's Secretary is also authorized to improve the various high-priority special disabilities programs, which is critical.

Over the last few years, the VA has found it increasingly difficult to obtain funding to update, to modernize, and repair its medical facilities as they treat a record number of veterans who are using the veterans medical facilities throughout the Nation. In order to address this problem, the VA initiated the Capital Assets Realignment for Enhanced Services, CARES, study to see how best VA services could be enhanced. However, this study is not going to be completed for several years and will not be able to enhance the VA budget for fiscal year 2002.

Recent annual budgets for VA health care have had little or no funding for non-major capital construction projects. Only one such project was requested in fiscal year 2001, and no funds were appropriated by the Congress for this period, despite the fact that $115.9 million was authorized for construction efforts. Therefore, we know that Mr. Smith is critical that we act swiftly to address the immediate funding shortage within the VA for capital construction projects. Accordingly, for that reason, I strongly support this bill and urge its immediate passage.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH) for bringing it to the floor at this time.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I rise in strong support of H.R. 811, and I am happy to say it is in a bipartisan fashion. It is so much more fitting to be here and to support this bill.

Secretary Princi is from San Diego, and he knows full well the problems we have with seismic problems in the State of California. This will go a long way, but I would like to thank the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs and the gentleman from Illinois (Mr. EVANS), the ranking members for working on this bill.

Mr. Speaker, I would also have a plea to my colleagues that subvention for our veterans TRICARE are merely still Band-Aids, especially if you live in a rural area. I feel that if we work on an FEBP bill that gives access to all veterans, it will be much better off.

Since I am not on the committee, I would also like to speak to the gentleman from New Jersey (Mr. SMITH) that we once had a male-dominated military force, and since then, it is men and women, especially women at a much higher rate, which means our facilities need to be upgraded with the increased number of women serving in our Armed Forces that are retiring; that health care is important and there is especially needs to address.

I would like to mention one other area that I hope the committee addresses. Over 50 years ago, and I think this is also in a bipartisan fashion, General MacArthur promised our fellow Filipino Americans they would have health care. That promise has not been held.

My colleagues on both sides of the aisle are working currently with Filipino health care from a time of Corregidor and Baguio when they gave their lives for the Filipinos around and for the United States and their service to the United States, I think it is fair time that we bring that forward.

There are other things that help them. Impact Aid, COLAs for the veterans in active duty and a partnership that we have in San Diego where the Children's Hospital with UCSD working with our current VA medical facility, those kinds of things are helping, but I still feel, Mr. Speaker, we still have a long way to go in supplying and providing our veterans with adequate health care.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

First of all, let me just again thank the gentleman from Illinois (Mr. EVANS) and all the Members who have helped fashion this bill.

I especially want to thank our staff: Pat Ryan, our general counsel and staff director; Kingston Smith; Jeannie McNally; Darryl Kehrer; Paige McManus; John Bradley; Sarah Shigley; Michael Durishin; Debbie Smith; Todd Houckins; Beth Kilker; Susan Edgerton; Mary Ellen McCarthy; Sandra McClellan; and Jerry Tan. I hope I did not miss anybody, but it really does make a difference to have staff and Members working so well together.

These two pieces of legislation, in all candor, would not be possible without the good work of our very professional staff, and I want to thank them very deeply; all the veterans are better served because of the expertise, as well as the compassion of our staff. I want to thank them for their work.

Mr. CRENSHAW. Mr. Speaker, I rise in strong support of two important bills under consideration today, both of which are important to maintaining our commitment to our nation's veterans.

The first, the Veterans' Opportunities Act makes great strides in improving the benefits we provide to veterans for service, be it for disability or housing or education or burial, these benefits are but a small token of the gratitude that we owe them for their service to our nation. H.R. 801 runs the gamut of these programs, addressing inadequacies in pensions and transitional programs, education and work-study programs, and burial and funeral allowances.

By maintaining good benefits, Mr. Speaker, we also help our armed services to recruit and
The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 18 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 811, as amended.

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

There was no objection.

REPORT OF CORPORATION FOR PUBLIC BROADCASTING, CALENDAR YEAR 2000—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. The House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Energy and Commerce:

To the Congress of the United States:


GEORGE W. BUSH.


RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4 p.m.

Accordingly (at 3 o’clock and 16 minutes p.m.), the House stood in recess until approximately 4 p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 4 o’clock and 2 minutes p.m.

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE ONE HUNDRED SEVENTH CONGRESS

Mr. NEY. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of March 27, 2001, without intervention of any point of order, to consider House Resolution 84; that the resolution be considered as...
read for amendment; that the amendment
in the nature of a substitute recom-
manded by the Committee on House Administra-
tion now printed in the res-
olution be considered as adopted; and that the previous question be consid-
ered as ordered on the resolution, as
amended, to adoption, without inter-
vening motion except 1 hour of debate,
equally divided and controlled by the
chairman and the ranking minority
member of the Committee on House Administration.

The SPEAKER pro tempore. Is there objection to the request of the gentle-
man from Ohio?

There was no objection.
Mr. NEY. Mr. Speaker, by direction of the Committee on House Adminis-
tration, and pursuant to the order of
the House just agreed to, I call up the resolution (H. Res. 84) providing for the expenses of certain committees of the House of Representatives in the One Hundred Seventh Congress and ask for its immediate consideration.
The Clerk read the title of the resolu-
tion.

The SPEAKER pro tempore. Pursu-
ant to the order of the House of today, the resolution is considered read for amendment.

The text of House Resolution 84 is as follows:

H. RES. 84
Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE
HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One
Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the purposes of such section 1.

(b) COMMITTEES AND AMOUNTS.—The com-
mittees and amounts referred to in section (a) are: Committee on Agriculture, $4,918,497; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,519,394; Committee on Education and the Workforce, $8,137,966; Committee on Energy and Commerce, $3,938,911.40; Committee on Financial Services, $7,988,506; Committee on Government Reform, $10,692,041; Committee on House Administration, $3,765,460; Permanent Select Committee on Intelli-
gen, $3,660,021.59; Committee on Interna-
tional Relations, $7,003,845; Committee on the Judiciary, $7,595,624; Committee on Re-
sources, $5,804,266; Committee on Rules, $2,644,509; Committee on Science, $5,060,079; Committee on Small Business, $3,312,844; Committee on Standards of Official Conduct, $1,383,708; Committee on Transportation and Infrastructure, $7,873,320; Committee on Vet-
ers' Affairs, $2,576,765; and Committee on Ways and Means, $8,014,669.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The com-
mittees and amounts referred to in sub-
section (a) are: Committee on Agriculture, $5,091,900; Committee on Armed Services, $5,665,080; Committee on the Budget, $5,708,908; Committee on Education and the Workforce, $7,452,904; Committee on Energy and Commerce, $9,874,063.60; Committee on Financial Services, $7,526,923; Committee on Government Reform, $11,150,000; Committee on House Administration, $4,093,846; Perma-

nent Select Committee on Intelligence, $3,615,052.38; Committee on International Re-
lations, $7,894,411; Committee on the Judici-
ary, $7,894,624; Committee on Resources, $6,175,994; Committee on Rules, $2,720,264; Com-
mittee on Science, $6,264,222.50; Com-
mittee on Small Business, $3,407,986; Com-
mittee on Standards of Official Conduct, $1,337,383.20; Committee on Transportation and Infrastructure, $6,086,242; Committee on Veterans' Affairs, $3,765,460; and Committee on Ways and Means, $3,063,090.

SEC. 4. VOUCHERS.
Payments under this resolution shall be made on vouchers authorized by the
committee involved, signed by the chairman
of such committee, and approved in the manner directed by the Committee on House Adminis-
tration.

SEC. 5. REGULATIONS.

Amounts made available under this resolu-
tion shall be expended in accordance with
regulations prescribed by the Committee on House Administration.

SEC. 6. ADJUSTMENT AUTHORITY.
The Committee on House Administration shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

The SPEAKER pro tempore. The amendment printed in the resolution is
adopted.

The text of H. Res. 84, as amended, is as follows:

H. RES. 84
Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE
HUNDRED SEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One
Hundred Seventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with the primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff sala-
ries) of each committee named in that
subsection.

(b) COMMITTEES AND AMOUNTS.—The commit-
tees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,675,093; Committee on Armed Services, $5,182,397; Committee on the Budget, $5,403,522; Committee on Edu-
cation and the Workforce, $7,059,821; Committee on Energy and Commerce, $8,527,251; Committee on Financial Services, $5,706,025; Committee on Government Reform, $8,910,909; Committee on Standards of Official Conduct, $3,407,986; Committee on Standards of Official Conduct, $1,337,383.20; Committee on Transportation and Infrastructure, $6,964,664; Committee on Veterans' Affairs, $2,516,765; and Committee on Ways and Means, $7,228,481.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for
in section 1 for each committee named in sub-
section (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2002, and ending immediately before noon on January 3, 2003.

(b) COMMITTEES AND AMOUNTS.—The commit-
tees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,675,093; Committee on Armed Services, $5,182,397; Committee on the Budget, $5,403,522; Committee on Edu-
cation and the Workforce, $7,059,821; Committee on Energy and Commerce, $8,527,251; Committee on Financial Services, $5,706,025; Committee on Government Reform, $8,910,909; Committee on Standards of Official Conduct, $3,407,986; Committee on Standards of Official Conduct, $1,337,383.20; Committee on Transportation and Infrastructure, $6,964,664; Committee on Veterans' Affairs, $2,516,765; and Committee on Ways and Means, $7,228,481.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for
in section 1 for each committee named in sub-
section (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2001, and ending immediately before noon on January 3, 2002.

(b) COMMITTEES AND AMOUNTS.—The com-
mittees and amounts referred to in sub-
section (a) are: Committee on Agriculture, $4,918,497; Committee on Armed Services, $5,182,597; Committee on the Budget, $5,519,394; Committee on Energy and Commerce, $3,938,911.40; Committee on Financial Services, $7,988,506; Committee on Government Reform, $10,692,041; Committee on House Administration, $3,765,460; Permanent Select Committee on Intelli-
gen, $3,660,021.59; Committee on Interna-
tional Relations, $7,003,845; Committee on the Judiciary, $7,595,624; Committee on Re-
resources, $5,804,266; Committee on Rules, $2,644,509; Committee on Science, $5,060,079; Committee on Small Business, $3,312,844; Committee on Standards of Official Conduct, $1,383,708; Committee on Transportation and Infrastructure, $7,873,320; Committee on Vet-
ers' Affairs, $2,576,765; and Committee on Ways and Means, $8,014,669.
I would also note, Mr. Speaker, that we also have a situation where we looked at the technology upgrades of the House, the hearing rooms for the committees; and the Committee on House Administration has determined, in consultation with the Speaker's office and with my distinguished colleague, the gentleman from Maryland (Mr. HOYER), that funds requested for hearing room upgrades should be removed from the normal committee funding process. We realize that most of our hearing rooms are in serious need of improvement, as many have not had improvements in decades. However, it is important there be a standardized approach from an institutional perspective to ensure that all Members have equal access to a standard, can be maintained by the House, and provide a base level on which we can build for the future. So I also believe this is very responsible in taking this approach as a committee.

Let me just close by noting two things: number one, the goal, and since technology has burst through in this country, the goal has been to take the House of Representatives and make sure that citizens can see their House, the people's House, in action in the committees. We have worked towards that. When we do that and we use all of the technology to video stream and to have hearings on the Internet, to take it out over the radio waves and, as a result, these chairmen and ranking members work diligently to communicate with each other and to establish what we have here today.

Also, I would like to thank the Committee on House Administration staff: Neil Volz, who is a staff director; Channing Nuss, Maria Robinson, Jeff Janice, and also Janet Giuliani and Steve Miller who are sitting here to my left and behind me. This is their swan song. They are going to be leaving the committee, and I do not know if we ever over-worked them. Mr. Speaker, but they are actually going on to the Committee on Ways and Means with the gentleman from California (Mr. THOMAS). I do not know if we still have time for an amendment to strike some money from the Committee on Ways and Means budget so we can keep these two individuals. We can talk about that. I would say to the gentleman from Maryland (Mr. HOYER). But both of them have done a tremendous job, as all members have of this committee, and the staffs.

I also want to recognize the tremendous job of the ranking minority staff of the Committee on House Administration, Bob Bean and all of the staff members who worked on a cooperative basis with our office and our staff, with all of their committee ranking members, as our staff worked with the chairmen of the committees, to also produce this resolution today.


cumstances, the overall increase for the 107th Congress would have been 8.6 percent. The 107th Congress mark is still lower than the overall funding levels in the 103d Congress.

The resolution also reaches a long-sought-after goal that allocates one-third of resources in the committees to the minority. As a result, this, I feel, is the fairest allocation of resources to the minority since the 104th Congress began.

In the 103d Congress, while still in the minority, Republicans established a goal providing the two-thirds/one-third split as we referred to it for the committee staff and resources. Progress was made in each of the last three Congresses, and I want to give credit to the gentleman from California (Mr. THOMAS), who is now chairman, and to the gentlemen from Maryland (Mr. HOYER), for working towards that goal. I believe that with this budget we have achieved the goal.

A lot of work went into this, getting us to this point; and first I would like to thank a few people, and they would say to the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and his staff, Scott Palmer and Ted Van Der Meld, who worked so diligently to achieve this goal.

We also need to recognize today the committee chairmen and also the ranking members, and I know my distinguished colleague, the gentleman from Maryland (Mr. HOYER), will be also commenting on that situation; but we need to, I believe, Mr. Speaker, let the American people know that in the House of Representatives, as we talk about comity and as we talk about bipartisan work to have the institution of the House and realized that these chairmen and ranking members work diligently to communicate with each other and to establish what we have here today.

Also, I would like to thank the Committee on House Administration staff: Neil Volz, who is a staff director; Channing Nuss, Maria Robinson, Jeff Janice, and also Janet Giuliani and Steve Miller who are sitting here to my left and behind me. This is their swan song. They are going to be leaving the committee, and I do not know if we ever over-worked them. Mr. Speaker, but they are actually going on to the Committee on Ways and Means with the gentleman from California (Mr. THOMAS). I do not know if we still have time for an amendment to strike some money from the Committee on Ways and Means budget so we can keep these two individuals. We can talk about that. I would say to the gentleman from Maryland (Mr. HOYER). Achieving a budget takes cooperation. Getting to the two-thirds/one-third to make the House run as it should, it takes cooperation. It is not a one-way street.
Mr. Speaker, we have approximately a $1.8 trillion budget that the elected representatives of this House and the elected representatives of the other body, are charged with overseeing. We are given the responsibility to ensure that the funds are spent as they are intended to be spent, and are spent effectively on behalf of the American people, whose funds they are. That is a weighty responsibility. The budget for this body to carry out that task represents approximately one ten-thousandth of the dollars spent for the activities which we have the responsibility of overseeing. So it is a relatively small amount.

Mr. Speaker, I think that the amount authorized by this resolution, which is substantially less than the amount requested by this body, is nevertheless an amount that will responsibly enable our committees, both the majority and the minority, to effectively carry out their responsibilities to the American people.

It is not easy to oversee budgets in the billions of dollars. It requires staff who are talented, diligent, and conscientious. To hire and retain such staff requires sufficient sums to compete in the marketplace. This budget allows the committees to do that, so I am very pleased to support this budget.

Mr. Speaker, I rise in support of House Resolution 84, and I urge my Democratic colleagues to support it, as the chairman of the committee, the gentleman from Ohio (Mr. NEY), has urged his colleagues to support it. The process through which this resolution was developed, and the concern demonstrated by the majority leadership to meeting the minority's legitimate needs, was in my opinion, a very positive process.

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Mr. Speaker, I also want to commend the chairman of the committee, the gentleman from Ohio (Mr. NEY), for the hard work of the committees and the Congress in the best interests of the people that we represent and that we are given the responsibility to ensure that the funds are spent as they are intended to be spent, and are spent effectively on behalf of the American people, whose funds they are. That is a weighty responsibility. The budget for this body to carry out that task represents approximately one ten-thousandth of the dollars spent for the activities which we have the responsibility of overseeing. So it is a relatively small amount.

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Mr. FATTAH. Mr. Speaker, let me first rise to say that I come from a background, in the Pennsylvania legislature and General Assembly, I spent 12 years there, where we had something which was entitled the Bipartisan Management Committee. The entire management of the legislature was handled through the Bipartisan Management Committee, in which decisions around funding and committee size and staff issues were handled in a bipartisan manner.

Mr. Speaker, I think what has taken place in the Committee on House Administration, under the leadership of both the ranking member, the gentleman from Maryland (Mr. HOYER), and the chairman, the gentleman from Ohio (Mr. NEY), and the chairman, the gentleman from Ohio (Mr. NEY), is as close to that as is possible here in the Congress in the sense that there has really been a bipartisan nature to it. A professional legislative body, is needed for the various committees to implement their objectives and responsibilities, and to adequately provide for that in terms of the overall funding levels for committees: to also meet a threshold, a target, if you will, set by the majority party when it was in the minority of a one-third provision of resources for a minority party in this Congress to be able to articulate and fight for its positions on a variety of issues. We have accomplished that.

I want to thank not just the chairman and the ranking member, I want to thank some of the people who had to work a little to get us there, including someone who I have not often said nice things about, I guess, on the floor of the House. The gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform that I served on for 6 years. His committee and a number of the other committees, the Committee on the Judiciary and others, had to move a little bit so we could all come here today in support of this resolution.

I want to thank not just the leadership of the Committee on House Administration, but I want to thank others in the majority who helped move this Congress to a place that I think will gain us greater respect from all who view us.

Mr. Speaker, in conclusion, I want to say that I hope as this Congress goes forward, that we will continue to be prepared to meet the growing needs of the financial resources that our various committees will have; that we will work in terms of improving the committees and hearing rooms, and doing whatever else is necessary so that Members of what all would agree is the premier lawmaking body in the world would have the ability to carry out in a professional way their work; and that our committees are capable of taking charge of the great responsibilities we have as the United States Congress.

Mr. NEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DOOLITTLE). Mr. DOOLITTLE. Mr. Speaker, I am pleased to support this resolution because this resolution embodies some real leadership, the leadership to do the right thing for the House of Representatives. As has been noted by the other speakers, it was necessary to make some adjustments so that we could provide the equity and the committee that is necessary between the two parties. This is something that I think is very desirable.

This resolution constitutes a responsible reflection of committee Chair requests for the 107th Congress. The committee Chairs requested a 22-percent increase in funding over the 106th Congress. The gentleman from Ohio (Chairman NEY) and the gentleman from Georgia (Mr. OXLEY) and the gentleman from Ohio (Chairman NEY) and the gentleman from Maryland (Mr. HOYER) and the gentleman from New York (Mr. LAFAULCE), the ranking members of the Committee on Financial Institutions, who worked very closely with the new chairman, the gentleman from Ohio (Mr. OXLEY), to reach agreement.

Mr. LAFAULCE. Mr. Speaker, I thank the gentleman from Maryland for yielding time to me.

Mr. Speaker, I rise in support of House Resolution 84, the Omnibus Committee Funding Resolution. I particularly want to offer my support for the recommended funding for the Committee on Financial Services. This committee is now the second largest committee of the Congress. It cannot afford to ignore or inadequately address any of its areas of responsibilities in an increasingly integrated financial services market. The increase in funding will help the committee to fulfill its responsibilities.

I appreciate that the members of the Committee on Financial Services have to struggle with some difficult choices between competing demands to trying to allocate the resources necessary so all committees can do their jobs. I want to thank them for the effort they made on behalf of the Committee on Financial Services.

I want to especially thank and commend the Democratic leadership for its strong advocacy of and commitment to the equitable allocation of resources to our minority. Thanks to their persistence, most ranking members will enjoy one-third control over staff slots and funds, with real discretion over these two areas once the resolution is adopted.

This one-third/two-thirds ratio for all committee resources is a minimal and absolutely essential component of an equitable distribution of dollars and staffing. I am pleased that most committees will finally have that authority.

The full Committee on House Administration, members of both parties, including especially the gentleman from Ohio (Chairman NEY) and the ranking member, the gentleman from Maryland (Mr. HOYER), are to be commended for crafting such a well-balanced budget package.

I would urge all my colleagues, particularly those on my side of the aisle, to support this resolution.

Mr. Speaker, I also urge the committee to do something else. I urge the committee to exercise the authority it has to ensure that treatment of expenses for representational duties in the District of Columbia is no better but no worse than the treatment given to State legislators in almost each and every State, and most especially in States such as California and New York.

Mr. NEY. Mr. Speaker, I would like to applaud the gentleman’s statement.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE),
the distinguished chairman of the Committee on International Relations.

Mr. HYDE. Mr. Speaker, I rise in support of House Resolution 84, as amended, which provides funding for the committees of the House of Representatives in the first session of the 107th Congress.

At the outset, I, too, would like to commend and thank the gentleman from Ohio (Mr. NEY), chairman of the Committee on House Administration, the gentleman from Maryland (Mr. HOYER), the ranking Democratic member, and other members of this committee in guiding a thoughtful and well-crafted resolution to the House floor today.

The task before them is by no means an easy one and is often complicated by the many different committee demands and requirements for resources.

The gentleman from Ohio (Mr. NEY) and the Committee on House Administration have worked long and hard to produce a resolution which strikes a balance between fiscal belt-tightening and funding allocation priorities.

In particular, I think I speak for most Members of the House when I say we appreciate the unflagging efforts of both the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), as well as the entire Committee on House Administration in bringing to the floor today a product which is predicted to receive wide, bipartisan support.

Mr. Speaker, the work of the Committee on International Relations is as important to the national interests as is the work of any department or agency our committee oversees. The decisions we will make with respect to our policy and involvement towards other countries are as important as any decisions this Congress makes.

Although, I, of course, wish the Committee on International Relations had received its entire request, I believe we can work within the amount allocated to us in this resolution and still achieve a record of accomplishments of which the Congress and the American people can be proud.

I wish to take this opportunity to weigh in a very real problem all Members face in this House. I am speaking about the physical office and meeting space availability or, rather, unavailability. When I appeared before the Committee on House Administration earlier this month, I suggested that perhaps it is not too visionary to contemplate another office building. The Senate has three office buildings to serve the interests of 100 Senators. On the House side, we have three buildings that are designated to serve the interests of 435 Members.

Mr. Speaker, I bring this up now so we might think about remedies for the very near future.

In closing, I urge the Members of the House to support H. Res. 84 as reported from the Committee on House Administration so the committees of the House can discharge their responsibilities and get on with the very important business we are sent here to do.

Mr. NEY. Mr. Speaker, we have one more issue to address in this resolution. As you may already know, I want to say 21 years ago, Mr. Speaker, when I was in the Ohio House, I had a very young colleague from Ohio, and he was going off to Congress. I often wondered what would become of him. Now, we know; he has become the chairman of the Subcommittee on Financial Institutions and Consumer Credit with a lot of new responsibility.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. OXLEY).

Mr. OXLEY. Mr. Speaker, let me first begin by thanking the gentleman from Ohio (Mr. NEY), my good friend and colleague, for a virtuoso performance on this. I think probably, at least certainly in the House, this is the first time I can remember that we have had such a great working relationship between the gentleman from Ohio (Mr. NEY), chairman of the Committee on House Administration, and the gentleman from Maryland (Mr. HOYER), my good friend, to put this package together that satisfied just about everybody in what we wanted to try to accomplish in the way of committee funding.

I am from the hearing, where I had an opportunity to participate, along with the gentleman from New York (Mr. LaFalce), the ranking member on the Subcommittee on Financial Institutions and Consumer Credit, to the efforts to make sure not only were the chairmen but the ranking members satisfied with the numbers, has brought us today on the floor and on the verge of passing this legislation by an overwhelming margin.

It is in no small part due to the efforts of the gentleman from Ohio (Mr. NEY) as well as the gentleman from Maryland (Mr. HOYER) for their dedication to the work.

I suspect that not any of us got all that we had asked for; it is rare around this place that we get everything that we ask for, but I have to say that I have not talked to one Member, either chairman or ranking member, who felt they did not get a fair shake from the Committee on House Administration, and that ultimately is what counts.

Mr. Speaker, our committee, as you may know, is a new committee. It is the second largest committee in the House. We have assumed enormous new responsibilities particularly dealing with the Wall Street issues of securities and exchanges, as well as insurance added on to the traditional banking issues, as well as the IMF, World Bank, and others; but we have a wide range of issues, and we needed that kind of extra staff to carry out our functions.

Mr. Speaker, to show my colleagues how fair this whole process worked out to be, particularly with the two-thirds, one-third, we will receive in our committee nine new staffing slots, five of which will go to the minority. Clearly, the gentleman’s efforts have borne fruit in moving this bipartisan effort and those certain committees were funded properly and have the opportunity to do and carry out the agendas that we have before us.

I have nothing but praise for the process and particularly for the gentlemen from Ohio (Mr. NEY), the chairman, and the gentleman from Maryland (Mr. HOYER), my good friend, for what they have been able to accomplish and bring to the floor today.

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

Mr. Speaker, in closing, I will make the representation, as I said before, that all 19 ranking members are going to support this resolution. They will do so because we have sat down at the table, reasoned together and come up with what we believe to be a fair resolution.

Like the gentleman from Ohio (Mr. OXLEY) said, it is not perfect from anybody’s standpoint, but it is not possible. But fair was possible, and it was achieved. It was achieved because I think the gentlemen from Illinois (Mr. HASTERT), Speaker of the House of Representatives, believed it appropriate; the gentleman from Ohio (Mr. NEY), our chairman, fought hard to achieve that result.

It was not always easy. There were obviously some who felt that they did not like the shift that was being made, but because of the commitment to fairness of the gentleman from Illinois (Mr. HASTERT) and the gentleman from Ohio (Mr. NEY), fairness was achieved. I appreciate that.

There have been times, obviously, when on our side of the aisle, some thought that fairness was not achieved. We still are concerned about the ratios on committees. We are concerned from time to time with the processes that the Committee on Rules adopts, which precludes us from, we think, putting forward our propositions in a fair way. It is good for the public to know, Mr. Speaker, that there are more times than not when we can sit down and come to agreement, knowing full well that all of us serve the American people, and they expect us to work together in as positive and productive a fashion as we can.

Like the gentleman from Ohio (Mr. NEY) and the leadership of the gentleman from Illinois (Mr. HASTERT) have provided the opportunity for that to occur, and our ranking members have worked hard with their chairmen to accomplish that objective.

Mr. Speaker, I think we have done it, and I urge all of my colleagues to support this resolution.
The Speaker pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

General Leave

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H. Res. 84, as amended.

The Speaker pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Recess

The Speaker pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 4 o’clock and 38 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1715

After Recess

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. Gibbons) at 5 o’clock and 20 minutes p.m.

Concurrent Resolution on the Budget, Fiscal Year 2002

The Speaker pro tempore. Pursuant to the order of the House of Thursday, March 22, 2001 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for a period of debate on the concurrent resolution on the budget for fiscal year 2002.

The Chair designates the gentleman from Ohio (Mr. LaTourette) as Chairman of the Committee of the Whole, and requests the gentleman from Ohio (Mr. Hoibson) to assume the chair temporarily.

□ 1721

In the Committee of the Whole

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for a period of debate on the subject of the concurrent resolution on the budget for fiscal year 2002, with Mr. Hoibson (Chairman pro tempore) in the Chair.

The Chairman pro tempore. Pursuant to the order of the House of Thursday, March 22, 2001, general debate shall not exceed 3 hours, with 2 hours confined to the congressional budget, equally divided and controlled by the ranking member of the Committee on the Budget and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from New Jersey (Mr. Saxon) and the gentleman from California (Mr. Stark). The gentleman from Iowa (Mr. Nussle), Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an opportunity that only comes around every few years, and that is an opportunity, as my friend and colleague, the gentleman from South Carolina (Mr. Spratt) suggested at the Committee on Rules when we met just a little while ago, to have a watershed budget, kind of a real opportunity for looking at where we are as a country, where we are as a Federal Government; what are our priorities; what are our values; what are our principles as we move forward.

As we look into this century, we have accomplished so much on this threshold, and yet there are so many challenges that face us, but just to give us a little bit of a threshold to work from, let me suggest that, Mr. Chairman, we are about to debate the fifth straight balanced budget, and that in and of itself, I believe, not only is a real treat but a real accomplishment.

We have built that budget. We have built that accomplishment in a bipartisan way, Republicans and Democrats struggling and arguing and sometimes even fighting to come up with the priorities that shape our country’s future. We did not do it alone, and we did it together along the way sometimes; sometimes not. But I think we all have a lot to be very proud of as we stand on this threshold and look forward.

Probably the people who deserve the most credit, as we stand on this threshold, are the people that are watching at home, balancing their checkbooks around their kitchen table, making the decision about where their kids are going to college, getting that Visa bill in the mail and going, oh, man, not again, or finding out that the energy prices just went up yet again and how that is going to have to take away from some of their other priorities.

So where we are as a Federal Government, which we think is so important here in Washington, D.C., let us be ever mindful of the kitchen-table conversations that are going on around America tonight, and those kitchen-table conversations, while maybe not having as many zeroes as the zeroes we are going to talk about in this particular budget, are just as important, if not more important, to the future of America.

As we build this budget, we build on a very solid foundation. And we decided in order to continue that solid foundation far into the future that we had to adopt six principles that would guide our deliberation, that would guide the
Next is a stronger national defense. We live in an ever-changing, ever more dangerous world, one that cannot be paid for with the same dollars that were invested in without rethinking our national defense.

The President of the United States, from that podium right back there, challenged us and said the money should not determine the policy but that the government has determined what much money we spend. He charged Secretary Rumsfeld, the Secretary of Defense, with coming forward with a full review, top to bottom, of our Nation's defense, and suggesting that we should not just put in some extra money because it sounds good, add some more money because the industrial defense complex needs to have that money to run, to just put in some more money but not to do anything around here or because it is expected as a Congress in order to add those dollars, but to say, no, first let us do a top-to-bottom review before we make the decision about how much money to spend. And that review is ongoing and we build that into our budget.

Next is to reform and modernize our Medicare system. We recognize certainly coming from a rural area, as I do, that Medicare is what we depend on. Health care in rural America is Medicare. We have a growing and a very aging population that needs this reform and modernized to meet the new needs of their generation.

Finally, what we say is that after all of these priorities, after all of these goals are met, there is still money left over. After we pay for education, after we pay for our national defense, after we pay for our environment, after we pay for Medicare, after we pay for prescription drugs, after we set aside all of Social Security, after we pay down the national debt to the lowest point in a century, there is still money left over, and whose money is that? It is the people who are balancing their checkbook around their kitchen table and they deserve a refund, they deserve their money back, they deserve to be paying the least amount of money to their government to make for their families and their own communities. And it is for that reason that we provide tax relief in this budget.

How does the surplus add up? Well, because of the projections that the Congressional Budget Office puts forward, we believe that there will be $5.6 trillion worth of surplus over the next 10 years. What do we propose to do with that? We propose to pay down the debt by setting aside all of Social Security. As we know, when our FICA taxes come in, they pay for benefits. Those that are left over usually get rolled into Treasury notes.

Well, we are able to not only pay down that debt because we are getting more surplus; but we are also able to, as a result of this, set aside for debt service, for a contingency reserve, and for Medicare the entire amounts to allow not only for reform, but for a rainy day. We have a contingency reserve over the course of the next 10 years of $517 billion as a cushion. We recognize that the projections are not always very accurate. We believe these are very reasonable and very conservative projections; but we recognize that it may not hit exactly where we say, even though over the last 6 years they have come in larger than expected. But we still set aside over half of $1 trillion in addition to Medicare, in addition to Social Security, in addition to contingency, and we still set aside half of $1 trillion to deal with that which we know is coming in the future: a farm crisis, a national defense review that may require additional spending.

As we believe that this is a responsible budget, one that should be supported not only by my colleagues, but should be supported by the American people as a solid foundation to build upon, but also one that is flexible enough to deal with the contingencies and the concerns of the future. We have a good budget, it is a realistic budget, it is an enforceable budget. Support the budget.
Mr. Chairman, I reserve the balance of my time.

Mr. Nussle. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, some years when we do the budget it is routine, even inconsequential; but some years, as in 1990 when we did the budget summit with President Bush in 1993 when we did the Clinton budget, and in 1997 when we did the Balanced Budget Agreement, the budget lays down a path that we follow for many years to come. This is such a budget. Because of what we did in 1990, 1993, and 1997, we are reaping the consequences of our fiscal good behavior. We think we see enormous surpluses projected at as much as $5.6 trillion; $2.6 trillion to $2.7 trillion, after we back out Social Security and Medicare. So this is a watered-down baseline where the budget resolution allocation of these surpluses that will last for at least 10 years and beyond, and that is why what we are doing has to be done with great gravity.

The chairman of our committee, the gentleman from Iowa (Mr. Nussle), just laid out six principles. Well, let me compare the difference between us and them, using his criteria, his six principles. He started with debt retirement, and I heartily agree. The more debt we can pay down, the better for our children and the better for our future, the better for Social Security and Medicare. So what is the scorecard on debt retirement, debt reduction? Our budget, our resolution on the Democratic side over 10 years between 2002 and 2011 will reduce the debt held by the public, Treasury debt held by the public by $3.681 trillion. Their resolution, the Republican resolution, will reduce that debt by $2.766 trillion. We win on that score by $925 billion. Not even close.

Tax cuts, the gentleman said, we should give some of the surplus back to the American people; and we agree, heartily agree. We have set aside one-third of the surplus to give it back to the American people in the form of tax relief that they need the most. But in making room for tax cuts, we have also left room for other things that people clearly want: education. That was the next on the gentleman’s list. The next criterion by which to judge the budget resolution, the tax cuts, he said was education. Listen to this: because we made room for other priorities, and were not just fixated on tax cuts alone, we provide $132.8 billion over the next 10 years, that much, $133 billion more than the Republican resolution would provide for the education of our children. There is no comparison. It is not even close. We went hands down on that particular issue.

A stronger national defense. I have been on the Committee on Armed Services for all of the time I have served here, more than 18 years; and I heartily agree, we need to do more for national defense, we need to modernize our defense, we have been living off what we spent in the 1980s during the 1990s and now we need to put a lot more into defense, fix it. We have in our budget resolution $48.2 billion more for financial defense than they provide. They provided the gentleman from Iowa (Mr. Nussle) the opportunity to supply a different number, but we are realistically budgeting for defense $115 billion in budget authority over and above the baseline set by the Congressional Budget Office, which is an inflated baseline, a baseline equal to inflation. That much more for national defense. At least for now, we win on that score as well.

Medicare reform. That was the way it appeared on the gentleman’s list. If we look through his budget resolution, the Republican resolution, we look in vain long will its solvent life last so we can tell older Americans it will be there when they need it. We will not be cutting it because we cannot extend its solvent life.

We have drawn a strict principle here. We want to add prescription-drug benefits to Medicare; but because we do not have a huge tax cut, we have a moderate tax cut, we have the resources, the wherewithal to do that by using resources from the general fund of our budget, not by dipping into the trust fund of Medicare and diminishing that trust fund and shortening its life, which is what the Republicans propose to do. They want to give to Medicare with one hand and take from it with the other, so that the result is, they get their prescription-drug benefit, mostly for low-income beneficiaries and a shortened solvent life for Medicare. We extend the life of Medicare, and we provide a robust $330 billion to provide prescription-drug coverage at Medicare.

However, my biggest concern about their budget and the biggest difference between us and them and the point that I would close on is just this: I have been here for 18 years. I came here when the deficit was just beginning to mount. We have tried to get our arms around this terrible thing we call the deficit and change it; and we finally, finally, after 18 years, reversed some of the fiscal mistakes we made in the early 1990s and put this budget in surplus, surpluses that nobody ever thought possible. Surely we do not want to take any action now, now that we have gotten here, that would put our budget surplus in jeopardy. But this is what the Republican resolution does.

If we want it drawn as a line graph, here it is to my right. That red line against the blue background is where their bottom line would go, what resources are left over. We take the surplus that is available once we put in the tax cuts that they propose, back out Social Security and Medicare, adjust it for spending increases; and this is the path that they are plotting for the future. From 2002 to right here around 2007, we are skating on thin ice. We barely have a surplus at all. There is no margin for error, no room for a mistake here.

Let me show my colleagues what could happen if these robust assumptions about the growth of our economy on which these frothy, blue-sky surpluses are based. Let us assume that the growth rate in this country drops from the assumed rate on which these surpluses are predicated, from the assumed rate of growth of around 3 percent down to 2.5 percent, a drop of just one-half of 1 percentage point from 3 percent to 2.5 percent. As we can see, we go to the red in a hurry. We are back to borrowing from Social Security and Medicare or face another slight deviation, just a slight mistake, error, or inaccuracy, and we are well below the line again.

Having worked here for years, to finally get to this day where we have a surplus, I hoped it would give us some freedom, some freedom for policy initiatives, for priorities that we have long deferred, help us pay down the debt of this country, help us address at last the long-term problems of Social Security. That is a path we do not want to take. It has been too long, too hard getting to where we are to risk it all for this kind of projection.

That is why I say, there is a real difference between the budget resolution that we present and theirs. It scores better on every criterion the chairman just presented. It provides funds for extending the solvent life of Social Security and Medicare. They do not. But it leaves room for other priorities, prescription drugs, education, defense, agriculture which they have not provided for in their budget. Ours is a better budget resolution, and I think the debate that is coming up will clearly, clearly show that.

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

Mr. Nussle. Mr. Chairman, I yield 15 minutes to the gentleman from Alaska (Mr. Young), the distinguished chairman of the Committee on Transportation and Infrastructure.

Mr. Young of Alaska. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Iowa and the gentleman from Alaska. Mr. Chairman, will the gentleman yield?

Mr. Young of Alaska. Mr. Chairman, I yield to the gentleman from Iowa.

Mr. Nussle. Mr. Chairman, I would be pleased to engage in a colloquy with the gentleman from Alaska.
Mr. YOUNG of Alaska. Mr. Chairman, first of all, I would like to commend the gentleman from Iowa (Mr. Nussle), the chairman of the Committee on the Budget, and the Committee on the Budget for bringing this resolution to the floor.

The intent of this resolution is to honor the funding guarantees in TEA21 and AIR21 and provide substantial increases for other important transportation programs, such as the Coast Guard. It is my understanding that due to errors in the functional totals that were provided by the Office of Management and Budget and perhaps other discrepancies between OMB and CBO, the Function 400 totals in this resolution were inadvertently understated.

I have been assured that a technical correction will be made in conference so that the final budget resolution accurately reflects the funding levels necessary to fully fund highways and transit, and the Federal Aviation Administration’s operating capital, and airport grant programs under AIR21, as well as provide increases for other transportation programs, such as the Coast Guard.

I wish to ask the gentleman from Iowa (Mr. Nussle) if my understanding accurately reflects his intention.

Mr. NUSSEL. Mr. Chairman, the gentleman from Alaska is correct. The Office of Management and Budget’s budget submission contained recently identified errors in the transportation function.

I must assure the gentleman that we will address these errors in conference, and that the Function 400 totals will be fully funded, and we will provide increased funding for the Coast Guard.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman very much.

Mr. NUSSEL. Mr. Chairman, I reserve the balance of my time.

Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by offering my congratulations to the Committee on the Budget, led by the gentleman from Iowa (Chairman Nussle), for the extremely hard work and efficient job they have done in bringing this budget to the floor which will be voted on here in the next day or so. We appreciate very much the work that has been done and the budget that has emerged, which I rise to strongly support.

Mr. Chairman, as the chairman of the Joint Economic Committee, it is customary for us to have an hour at this time to at some point in the budget debate to discuss the effects, or the potential effects, as we see them, of the pending budget to be voted on the economic performance of our country; and in fact, if we might be so presumptuous, since our economy has something to do with the world economy, on the one hand, the budget and the spending program that it lays out would have on the economic performance of this country and the world during the next fiscal year.

I think in order to put this in the proper perspective, from the perspective of a citizen of this country, it is very important to recognize where we have been and how we got there economically over the past number of years, and then to talk a little bit about where the economy appears to be going.

I think it is important to point out, therefore, that we have done quite well over the last two decades. As a matter of fact, we are in the 10th year of an economic expansion that lasted 8 years. So there are some good things at play in the United States economy, producing first an 8-year period of growth, followed by a very short 8-month recession, and a very shallow one, I might point out, during the last half of 1990 and the first quarter of 1991, and then we began to grow once again, and we have grown through today.

We believe there are some reasons that happened. First, perhaps, is that in the early 1980s and in the mid-1980s, a stage was set in our country by the Congress upon itself a new, or at least a partial, stage was set in our country by the Congress.

But then as the year progressed and we got into the third quarter, we can see here on the chart that the rate of growth actually dropped from 5.6 percent, which occurred in the second quarter, to 2.2 percent GDP growth in the third quarter, and in the fourth quarter it fell significantly again to 1.1 percent. We were looking at a very significant increase to 5.6 percent from 4.8 percent during the first quarter. So things were really moving along quite well.

In a book that I recently read about Dr. Greenspan, the introduction to the book called him “an anti-inflation hawk.” That is precisely what has characterized the last 12 years of the activities of the Fed: The Fed has targeted inflation. As a result of the targeting of inflation, they have brought about a stage was set in our country by the Congress.

Secondly, it is important to point out that not everything that affects the economy happens as a result of activities in this room or in the other body. As a matter of fact, the Congress had very little to do with the activities of the Fed, the Federal Reserve, during the last 13 years or so. Headed up by our friend, Dr. Greenspan, the Fed took upon itself a new, or at least a partially new, direction.

In a book that I recently read about Dr. Greenspan, the introduction to the book called him “an anti-inflation hawk.” That is precisely what has characterized the last 12 years of the activities of the Fed: The Fed has targeted inflation. As a result of the targeting of inflation, they have brought about a stage was set in our country by the Congress.

As far as the slowdown, some additional components, are also important. For example, a very large portion of the private economy is accounted for by personal saving and investment; that is, personal investment. The real personal consumption spending growth, as a matter of fact, decreased during that same period of time. It decreased, as a
matter of fact, from over 7 percent growth in the first quarter of 2000 to less than 3 percent in the fourth quarter, as demonstrated by the chart here to my left.

Real private fixed investment growth also fell, as demonstrated on the next chart, from 16 percent in the first quarter of 2000 to about zero, to less than zero, a negative number, by the fourth quarter of 2000. So here again we see that during the last half of last year, things began to happen that some folks have called a financial meltdown. Some folks, it has caused some folks to sell all their equities, as a friend of mine told me he did yesterday.

So these trends, both in the factors that I have outlined here as well as in the stock market, which many Americans are watching very closely these days, have all shown significant declines, which again began during the second half of 2000.

The economy is therefore in a serious slowdown that was well under way in the middle of 2000. As is evident, there is a great deal of evidence that an economic slowdown has been under way for more than 6 months, and that it has nothing to do with public officials acknowledging what is shown in official statistics, most of which had already been released by the previous administration; that is, of course, the Clinton administration.

While construction and some service-producing industries have been holding up fairly well, overall measures of the economy show a rapid and deep slowdown.

So I think that perhaps the point that I want to make to begin this hour on the Joint Economic Committee analysis of this budget is that there has been a slowdown under way for quite some time.

We have seen, during the last two decades, almost 18 years of continuous economic growth, again, separated only by a short and mild 8-month recession in the second half of 1980 and the first quarter of 1991. Therefore, we should be able to learn from what we have done correctly in the past, and also learn from what perhaps we have done incorrectly during that same period of time.

Mr. Chairman, a review of the facts is enough to convince any reasonable person that a sharp economic slowdown has been under way, and this raises the obvious question of what the appropriate policy response should be.

As I have pointed out before, both monetary policy and fiscal policy, that is, tax and spending policy, have been very tight as the slowdown has unfolded. Steps have been made by the Federal Reserve to relax its overly tight monetary policy, though more is needed, and then adjustment of tax and spending policy is also warranted.

The current economic system is generating large and growing surpluses in revenue to the Federal Government, and the tax system is creating a fiscal drag at the same time on the economy. Federal revenues as a share of GDP are at their highest since World War II. Let me repeat that: Federal revenues as a share of GDP are at their highest since World War II.

I believe that, translated into slightly different language, that means that the American people are paying more in tax revenues as a share of GDP than at any time since World War II, and that, Mr. Chairman, at least in the view of the chairman of the Joint Economic Committee, creates a drag on the economy. The high level of Federal taxes is a hindrance to economic growth that can and should be alleviated, and I applaud the Bush administration for coming forth with this proposal for a $6 billion tax cut.

For all the talk about the size of the tax relief proposal, it amounts to about 6.6 cents on every dollar projected over the 10-year period. In other words, it is not a large tax decrease when compared to the size of the revenues which will be coming in during that period of time.

The President has proposed and this budget contains, as we all know, a $1.6 trillion tax relief package. During the same period of time that this tax relief package will play out, our total revenues will be $26.6 trillion, so that amounts to about 6 cents on the dollar over that period of time, and I believe very much warranted.

Over the long term, reductions in tax rates and incentives for personal savings and investment will boost the after-tax reward for these activities, increasing the flow of resources into production.

This will improve economic growth, at least moderately in the short to intermediate run. Compounding effects of this improvement over time will significantly increase economic and income growth over the long run. Speedy delivery of the tax relief could also work to contain the current slowdown and facilitate a stronger renewal of economic growth.

The bottom line is that the Federal Government has a large tax surplus that is exacting a disproportionate additional cost on the already struggling taxpayers.

The Federal Government does not need this extra revenue, and it should be returned to the taxpayers where it originated in the first place.

A serious economic slowdown requires a reduction in fiscal drag caused by this excessive taxation.

The tax system is imposing excessive additional costs on the economy, and now is the right time to provide tax relief and reduce this burden on hard-pressed taxpayers.

We cannot make the economy turn on a dime, but we can alleviate the hardship caused by the slowdown and help build a foundation for stronger recovery.

Those are those who say that the surplus should not be used for tax relief, and I believe that is wrong.

Another important reason to provide tax relief is that the surplus will be spent, and I know that the gentleman from Florida (Mr. MILLER), Chairman of the Committee on Appropriations is here, and I know what a great job he has done over the last period of time in holding down helping to hold down spending.

But the fact of the matter is that we know that if that surplus remains, that that is too much of a temptation for the forces of this town to resist and, therefore, provides another compelling reason for this tax reduction to go in place.

The basic problem was outlined by the public choice school of economics some years ago. When they pointed out that surpluses just always get spent. The key problem is that there is an imbalance in our political system that leads to a bias towards increased Federal spending whenever there is a surplus.

The nature of the imbalance is this: The benefits of increased government spending are highly concentrated among the clients of various special interests groups that operate in our country and in this town while the costs of increased government spending are diffused among all the taxpayers.

In other words, the taxpayers are only indirectly represented by those of us in this room, while those who favor increased spending are represented by paid lobbyists throughout this town. In other words, in the legislative process, the more intense an organized representation of special interest groups in favor of more spending tends to overwhelm the general interests of taxpayers scattered throughout the country. The larger the surplus, my friends, the more pressure there will be to spend it.

Why should not we send some of the taxpayers hard-earned money back to them, and as we have pointed out on this chart, it is only 6 cents on the dollar over the period of time.

One of the founders of the public choice economics won the Nobel Prize for his development of this and related explanations of decision-making and unconstrained legislative bodies, that of course was Jim Buchanan who is now at George Mason University earlier at the University of Virginia.

The fundamental truth of this proposition is why so many of us have supported tax limitation and similar amendments ultimately based on the public choice theory.

Without such constraints, the pressures on the Federal Government to spend are so relentless and well organized that the outcome is in very little
Mr. Chairman, I am feeling pretty good about this economic projection right now. Medicare is not going to have a prescription drug benefit, because the tax cut that is being advertised as $1.6 trillion is really $3 trillion dollars. I mean, the Republicans cannot count.

We have already passed the $958 billion the committee has. The Committee on Ways and Means has reported another one. We are going to consider that on the floor this week.

The phase-out of the estate and gift taxes is going to be $267 billion, for Bush’s proposal for tax incentive for charitable contribution $56 million; education IRA’s, $64 million; Medicare prescription drug benefit, giving all of this money to the rich, you from Iowa tell us you are willing to waste our seed corn, because the real economic benefits in our budget should come from educating our youth so we do not have to bring in all the foreign workers in the Silicon Valley. We do not have enough kids who have had a good education to handle the computer programming and the other things we have to do.

We should be ashamed of starving our children from the education they need, of providing health care to our seniors, providing health care to the youth in this country, providing a prescription drug benefit, all at the benefit of giving a few huge tax cuts to these extremely rich Republicans.

Mr. Chairman, I ask my colleagues, please, to vote against this budget. Let us give a little more Hamburger Helper out of that filet mignon than we are giving to the very rich and let us make some economic sense out of this economic Wizard of Oz story.

It does not add up. It helps only a few rich people. It is a travesty to the fair American system. It is not fair. It is not economic, and it is going to break the country.

Mr. Chairman, I yield back the balance of my time.
PARLIAMENTARY INQUIRY

Mr. SAXTON. Mr. Chairman, may I inquire, did the gentleman from California (Mr. STARK) yield back all of his time?

Mr. STARK. Mr. Chairman, I reserved the balance of my time.

Mr. SAXTON. Mr. Chairman, may I inquire, is it my understanding that we are to have votes at this time or shortly, and a request has been made at this time to go ahead and take those votes. My intention at this time would be to yield back my time; however, if the gentleman from California (Mr. STARK) has more speakers and wants to wait until after the votes, which I understand will end about 7 p.m., then perhaps we can continue the debate during the Humphrey-Hawkins part of the debate after 7 p.m.

Mr. STARK. Mr. Chairman, it is my understanding that the Chair intends to call a vote at this point, and after the vote, we would continue using the time that has been allocated to the Joint Economic Committee’s time back to the gentleman from New Jersey (Mr. SAXTON)?

Mr. Chairman, I have just a few speakers, and I have some time remaining, and I might as well do it now after we recognized the speakers, but I would ask unanimous consent to yield the balance of the Joint Economic Committee’s time on the minority to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget, if that is agreeable with the gentleman’s side.

Mr. Chairman, I believe it would be expeditions on my part at this point to yield the balance of the Joint Economic Committee’s time to the gentleman from Iowa (Mr. NUNN), chairman of the Committee on the Budget, which I do.

The CHAIRMAN pro tempore. Does the Chair understand that the request is made on both sides, asking unanimous consent to yield back the balances of their times to the chairman and ranking minority member of the Committee on the Budget, respectively?

Mr. STARK. Mr. Chairman, at the balance of the speakers we have listed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the approval of the Journal of the House Resolution 84, and on agreeing to each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which the motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, de novo;

House Resolution 84, by the yeas and nays;

The SPEAKER pro tempore. The motion was agreed to.

Mr. SAXTON. Mr. Chairman, I move to suspend the rules on which the pending business is the question of the Speaker’s approval of the Journal of the last day’s proceedings.

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

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE ONE HUNDRED SEVENTH CONGRESS

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the resolution, House Resolution 84, as amended, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 357, nays 61, not voting 14, as follows:

[Roll No. 62]

YEAS—357

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The Speaker pro tempore, Ms. McCARTHY of New York, Messrs. LARGENT, DOOLEY of California, TAYLOR of Mississippi, LANGEVIN, CONDIT and HILLEGARY changed their vote from "yea" to "nay.

Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 801, as amended, and ordered to the table.

The Clerk read the title of the bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPO

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motions to suspend the rules on which the Chair has postponed further proceedings.

VETERANS OPPORTUNITIES ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 801, as amended.

The Clerk read the title of the bill.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

According to rule XX, the bill was reported out by the House Committee on Veterans' Affairs.

VETERANS HOSPITAL EMERGENCY REPAIR ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 811, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 811, as amended, on which the yeas and nays are ordered. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

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<th>Roll No.</th>
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March 27, 2001

Congressional Record - House

April 14, 2001

Ms. HARMAN, Mrs. MCCARTHY of New York, Messrs. LARGENT, DOOLEY of California, TAYLOR of Mississippi, LANGEVIN, CONDIT and HILLEGARY changed their vote from "yea" to "nay."

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.
The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, the following time remained for debate:

The gentleman from Iowa (Mr. NUSSEL) has 47 minutes remaining; the gentleman from South Carolina (Mr. SPRATT) has 51 minutes remaining; the gentleman from New Jersey (Mr. SAXTON) has 10 minutes remaining; and the gentleman from California (Mr. STARK) has 23 1/2 minutes remaining.

The Chair understands that the time remaining for the gentleman from New Jersey (Mr. SAXTON) is to be yielded to the gentleman from Iowa (Mr. NUSSEL). Without objection, that will be the order. Therefore, the gentleman from Iowa (Mr. NUSSEL) has 57 minutes remaining.

There was no objection.

Mr. NUSSEL. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. STUMP), the chairman of the Committee on Armed Services, for the purpose of a colloquy.

Mr. STUMP. Madam Chairman, I understand that the resolution before us contains a provision that would establish a reserve fund for fiscal year 2002 that would permit Congress to consider a possible amended budget request from the President for additional defense spending.

Mr. NUSSEL. Madam Chairman, will the gentleman yield?

Mr. STUMP. I yield to the gentleman from Iowa.

Mr. NUSSEL. Madam Chairman, as the gentleman knows, the Secretary of Defense is engaged in a top down strategic review of the missions, processes and programs of the military, we expect that this review will lead to an amended budget process for national defense by the President later this spring or early summer.

Could the gentleman clarify the processes by which resources from the strategic reserve fund would be made available to support such an amended budget request and how this process would apply to the annual defense authorization legislation?

Mr. NUSSEL. Madam Chairman, if the gentleman will again yield, the resolution permits the adjustment of the 302(a) allocation aggregates and functional totals to reflect authorization and appropriations legislation reported by July 11 of this year if such legislation exceeds the allocations contained in this concurrent budget resolution. The appropriation totals for the reported bills would be adjusted by the chairman of the Committee on the Budget not later than July 25, 2001. The allocations could be further adjusted for a conference report considered at a later date as well.

Mr. STUMP. Madam Chairman, reclaiming my time, I appreciate the
The President says, and we agree, there is $5.6 trillion in surplus. Now, if we take away the Social Security and Medicare trust funds and leave them there to deal with Social Security and Medicare, we are down to $2.5. We take $3 trillion out with those two issues. Now we have $2.5 trillion; we can just spend it the way we want.

So the President says, let us spend $1.6 trillion on a tax break, let us give it back to the people. That sounds good. Everybody in favor of that, all right. But, let us think a minute.

When we change the tax structure, we change the whole tax structure. Right now there are 2 million people who have to figure their taxes twice under the AMT. With the President’s changes, there will be 25 million people doing that. We have no pleasure in figuring their taxes twice. If we want to change that and fix the AMT, it costs $300 billion. Ah, and, if we spend this 1.6 trillion and do not pay down the debt, we wind up having to pay another $400 billion in interest. Now, if we add all of that, we get $1 trillion, and the President is going to do that. So the President says, let us spend $1 trillion on a tax break, let us give it back to the people. That sounds good.

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Mr. WATT of North Carolina. Madam Chairman, I do not often come to the floor to speak on budget matters. I have left that to one or two so-called budget experts. But I cannot sit idly by and let what we have worked so hard to accomplish be rolled back and destroyed for political benefit by the so-called experts, who seem to have lost touch with old-fashioned common sense.

Some people have referred to me in my political career as a liberal, but there is one very conservative thing my mama taught me when I was growing up: We simply do not spend money that we do not have. Now, my so-called conservative colleagues seem to be violating my mama’s commonsense, conservative philosophy.

When I was elected in 1992, the annual budget deficit was approaching $200 billion per year, and was projected to grow at over $500 billion per year. If the projections had turned out to be correct, the budget deficit for the last 10 years would have been somewhere between $2 trillion and $5 trillion. Those projections proved to be woefully incorrect. Instead, the Congressional Budget Office now projects that we will have a budget surplus of over $5 trillion over the next 10 years.

What is my point? Am I trying to prove that President Clinton and this Congress did a great job or worked some magic to create the surplus? No. My point is that budget surplus and projections can be in error, and they almost always are.

Consider these facts: In January of 2000, the CBO projected that the budget deficit would be less than they projected that it would be 1 year later, in January of 2001. They were 75 percent off in their projections. That is staggering, even compared to the miscalculations they made during the 10 years that Texas was in serious deficit. The Texas economy is in serious decline.

That is what this President wants to do to the Nation. When somebody asked him, well, what are you going to do about the situation in Texas, while he was campaigning last year, his response to that question was, well, I hope I am not there to deal with it, and he was not there to deal with it. But we and he and the American people will be there to deal with the perverse consequences of this tax cut if we allow it to happen.

Now, what about Medicare? The President says he wants to have a prescription-drug program under Medicare, but there is no money for it, because it is all gone. It is eaten up by his tax cut. So he wants to take money out of the Medicare trust fund and out of Social Security. He wants to take fully $1 trillion out of Social Security and Medicare over the next 10 years.

Think about what that is going to do to the security of people who are relying upon Social Security for at least some part of their retirement. Think of what that is going to do to the health care of all Americans who are relying upon Medicare to provide their health care during their elderly years. He eats up $1 trillion of Medicare and Social Security, and that is the effect of this budget; and that is why it needs to be defeated.

Mr. STARK. Madam Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. WATT), who understands that we could take the $50 billion a year that we are going to give away to a few rich Americans in estate tax relief and fund a decent prescription-drug benefit for our seniors with that same money.

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We want to hold States and local school districts accountable, making sure that every child is learning. For those children who are locked into failing schools, we would provide them with a way out.

But the budget is about investment. It is about how we are going to spend and how much more we are going to invest in America’s children. The budget resolution calls for an increase of $4.6 billion, an 11.5 percent increase in program spending. We are going to triple funding and spending on one of our key priorities, which is making sure that every child has the opportunity to learn how to read.

We are going to provide $2.6 billion in increased spending to make sure that there is a qualified teacher in the classroom with all of our children. And as we ask States to hold schools accountable for learning, we will provide the funds to the States to not only develop the tests, but also to administer the tests at the local level.

Over the last number of years, we have identified special education as one of those major mandates on States that we never fully funded. We set aside an additional $1.25 billion to move towards meeting that commitment of full funding for special education.

We increased Pell grant spending by another $1 billion, so more of our children will have an opportunity to access higher education. In addition, we make provisions through the Tax Code, setting up educational savings accounts so more parents and families can prepare for the higher education needs of their children, but also for the K through 12 expenditures that they will incur.

There is a tax deductibility feature for teachers for classroom expenses. There will be a full tax exemption for all qualified prepaid State tuition plans, and a provision to allow for tax deductibility for certain features for school construction.

This is a comprehensive plan of education reform. It is a comprehensive plan for funding education to meet the priorities of America’s children today and in the future. We are moving in the right direction. I encourage my colleagues, our Republican colleagues on the Committee on the Budget did that as well, is they do it through the trust funds. They do it primarily through the Medicare Hospital Insurance Trust Fund, where they take a large portion of the monies to fund their reserve, and in order to meet the public’s demand for prescription drug coverage, they come up with a minimal prescription drug plan that the President campaigned on, the Helping Hand plan, which will not solve the problem. We will talk about that in a second. But in doing so, they shorten the life span of Medicare, and it leads to the following conclusions: either ultimately to cut Medicare benefits, raise payroll taxes, or actually increase debt when we ought to be decreasing debt instead.

Mr. BENTSEN. Madam Chairman, I thank the gentleman for yielding time to me.

Let me start by talking about the resolution that is before us today, the Bush Republican budget that is before us today. I think it is important to note that this budget, even though it is only for fiscal year 2002, this is a budget that is driven by one thing over 10 years, by this $1.6 trillion tax cut, actually a tax cut that is growing by leaps and bounds every day.

The problem with this budget is that in order to get the tax cut funded and to meet the $260 billion of additional spending the President wants, and, in addition, more spending that the President is going to ask for later, he has to offset it somewhere. Where he offsets it, and our colleagues, our Republican colleagues on the Committee on the Budget did that as well, is they do it through the trust funds. They do it primarily through the Medicare Hospital Insurance Trust Fund, where they take a large portion of the monies to fund their reserve, and in order to meet the public’s demand for prescription drug coverage, they come up with a minimal prescription drug plan that the President campaigned on, the Helping Hand plan, which will not solve the problem. We will talk about that in a second. But in doing so, they shorten the life span of Medicare, and it leads to the following conclusions: either ultimately to cut Medicare benefits, raise payroll taxes, or actually increase debt when we ought to be decreasing debt instead.

At the same time, the Bush budget, which the Republican budget tracks, would use $500 billion to $600 billion of Social Security trust fund monies to privatize Social Security.

We do not know exactly what privatize means, but we do know any time you take trust fund monies, monies that have been obligated to future benefits paid for by FICA taxes, you have to make up that money. That is money that is already obligated, and you have to make it up either through more debt, higher payroll taxes or reduced benefits.

Here is what happened with the Republican plan. With the Republican plan moving at least $150 billion out of the Medicare trust fund, it shortens the life span of Medicare. The actuaries came out the other day and they said Medicare now is good till 2029 or 2028, but under the Republican plan before we tonight, you would actually shorten it to about 2024. It is moving in the wrong direction in trying to ensure Medicare solvency.

On top of that, the Republican plan as it is would affect Social Security, and this is what is in the President’s budget. The actuaries the other day...
said the plan would go to about 2038 or 2039, full benefits paid under Social Security to our under twenty-seven and President’s and the Republican’s plan, it would shorten the life span of Social Security to as little as about 2027.

Madam Chairman, I do not think that that is what the American people want, given these two very successful programs. And the problem that we have today is the Republican budget, try as it might, the numbers simply do not add up because with a 10-year budget, the numbers are driven solely by trying to fund the tax cut first and then deal with our obligations to pay down the debt.

Our obligations are to ensure the solvency of Social Security and Medicare, not just for today’s beneficiaries, but near-retirees and future beneficiaries and to find a prescription drug program. That is what the American people said they wanted in the last election.

Madam Chairman, I am going to switch and yield to the gentleman from Washington (Mr. McDermott), my colleague.

Mr. McDermott. Madam Chairman, I am up here to talk about one issue, the prescription drug benefit that everybody says they want from Medicare. Now, sometimes the Republicans, when they do budgets, tell the truth.

There are some people who actually come out and say what it is. A Republican acknowledged today that the $153 billion that President Bush set aside would not be enough. Let me quote him, he said ‘everybody knows that figure is gone. That is what the gentleman from Louisiana (Mr. Tauzin) said.

He said it was set before the CBO estimated last year’s House bill, which he said has already gone to $200 billion. The President put $153 billion in the budget, and the bill we passed last year was $200 billion.

Now the Republicans know that we have $392 billion in surplus in the Medicare plan. People pay their taxes. Everybody gets a pay stub that says HI on it, and that is the Medicare trust fund; that is we have $392 billion more than we needed.

The Republicans say, well, we will keep $200 billion, and we will take $153 billion away and put it into the drug bill. That is the $153 billion, the President says.

We know last year’s bill was $200 billion, so we already know they are going to cheat. They are not going to give you what they promised last year. What the Democrats promised is the other one over here, where we add $330 billion out of the surplus in addition to what we put into Medicare.

As I said before, this is a shell game. These walnut shells, you can move them around, but the fact is this is a walnut shell. You cannot get two things out of the same money; and, my friends, if you are counting on a prescription drug benefit, you better hope the Democratic bill passes.

Mr. Bentsen. Madam Chairman, I yield to the gentlewoman from North Carolina (Mrs. Clayston).

Mrs. Clayston. Madam Chairman, in North Carolina, we have a district where we are aging, and we have an out-migration of young people. What this means is the fact that we have larger percentages of older, lower-income people who indeed are paying an ever-increasing amount for prescription drugs. And to that extent, there is not a Medicare model that can effectively provide those resources in my district.

We cannot depend on HMOs for insurance for that. So in our district, it would mean that many of our people that are at the end of their health care they need. If, indeed, this budget goes through, there is very little hope with the proposed amount of money that is in the Republican bill that it would be sufficient to meet the needs of the constituents in my area.

Madam Chairman, there are many other districts in the United States that are very similar to my district. So I think the sensitivity is there. The people know that prescription drugs is a number one issue, but in rural America, where there are larger percentages of lower-income, senior citizens and the lack of insurance models for prescription drugs, we must depend on the Medicare model to have it.

Madam Chairman, I thank the gentleman from Texas for yielding to me.

Mr. Bentsen. Madam Chairman, reclaiming my time, I want to ask the gentleman from Washington (Mr. McDermott), the difference between the Democrat’s and the Republican plan as I see it is this: The Republican plan A takes $150 billion to start out of the Medicare trust fund, thus shortening the solvency of the trust fund to pay for its prescription drug plan. The Democratic plan puts a prescription drug program at an adequate number and does not deplete it from the Medicare trust fund thus does not do anything to shorten the solvency of Medicare. In fact, we propose extending the solvency of Medicare.

Madam Chairman, I ask the gentleman from Washington if that would be correct; and I yield to the gentleman from Washington.

Mr. McDermott. Madam Chairman, what the gentleman is saying is that the President’s budget says this, and this is the one he brought up and stood up here and talked about, that Medicare over the next 10 years is going to be $654 billion short. The Republicans’ plan puts nothing into that. They put $150 billion into drugs and another bunch of money, they call it modernization, $239 billion in modernization; whatever that means, I do not know. It does add to the $650 billion.

Mr. Nussle. Madam Chairman, I yield myself 1 minute just to respond.

Madam Chairman, of course my colleagues do not know what modernization is because they never proposed it. I mean it should not be a surprise that they come out on the floor now and say they do not know what modernization is. They do not know what reform looks like; of course not.

It has been Republicans that have come to the floor in budget after budget after budget extending the trust fund, extending the solvency.

When we took control of the Congress just 6 years ago, the trust funds were going bankrupt. And now my colleagues run to the floor and say our budget might, our budget could, our budget may, because you have at least 20 years in which you think that at least under our plan we can get the job done and still be able to provide the kind of reforms and modernization that we claim we can under this particular budget.

Yes, this budget allows for Medicare modernization. We are proud of that. The fact that my colleagues want to come in here and want to scare seniors about Medicare, I say sadly is not all that unusual. But I would ask my colleagues to please curb your rhetoric, because my colleagues know full well, that is not what our budget does.

Madam Chairman, to talk about how we are going to reduce the national debt, I yield 3 minutes to the gentlewoman from Texas (Ms. Granger), who is an outstanding member of the Committee on the Budget.

Ms. Granger. Madam Chairman, I rise today to speak in support of this budget resolution. I am especially pleased that a key aspect of this resolution, our budget blueprint, it is a significant reduction of our national debt.

When the Republicans became this Chamber’s majority in 1995, the Congress had become all too familiar with running deficit budgets. That year the deficit was $164 billion. Worse yet, our publicly held debt was $3.8 trillion.

By the end of the fiscal year 2000, there were not deficits. In fact, we celebrated our third consecutive budget surplus, an achievement not seen in 50 years. I think with integrity to say this that at least under our plan we can get the job done and still be able to provide the kind of reforms and modernization that we claim we can under this particular budget.

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Madam Chairwoman, I think it is important that we not only irresponsible, it is unworthy of us as their elected representatives. We improve education, strengthen our national defense, and, of course, we have health care reform. Medicare modernization. For the first time in our country’s history, we are creating a reserve fund to support reforms, modernizations for Medicare that were designed 35 years ago. Somehow the minority wants to portray this as being risky. Suddenly it is risky to set up a reserve fund, something we have never done in this country. I think not.

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Of course, Social Security. Let us take a close look at how we are dealing with Social Security in this budget. First and foremost, we are setting aside every penny of the Social Security surplus, something I am sure my colleagues on the other side of the aisle will be pleased to know. It will be the third year in a row that we have done this.

It is important to reflect on the fact that it was the House Committee on the Budget 3 years ago that first proposed the idea of setting aside every penny of the Social Security surplus. We protect that surplus. It is shown very clearly.

We will use much of those revenues that are coming in to do the right thing for the taxpayer and retire a record amount of debt, but we also set up a reserve account for Social Security.

In addition to that reserve for Medicare, we set up a reserve for Social Security in order to pay for a bipartisan bill, reforms, modernization, initiatives that will strengthen that program. We do not prejudge what that fund will or will not be used for. But we know it will be there when we can get to the other side of those jobs.

Portman is the distinguished gentleman from New Hampshire (Mr. SUNUNU), one cannot refuse to give something that is already obligated for the future. One can only spend it on what it is obligated for, or one has to cut to get there.

Mr. NUSSLE, Madam Chairman, I yield myself 1 minute.

Madam Chairman, to the gentleman from Texas (Mr. BENTSEN), my very good friend, in 1965, I was 5 years old. Most of the people here were at least that age. We were not here in 1965. The gentleman was not here in 1965. How old was the gentleman in 1965? My guess is the gentleman probably was not much older than me.

My point is very simple, can we back off of this for just a moment. Both sides want to protect Social Security. Both sides want to protest Medicare and pay down the national debt. Both sides want to provide tax relief. Can we at least agree on that, and talk about real numbers? If you want to continue to heighten the rhetoric here tonight, we can go on. But I think that the American people are wanting to tune in to listen to tonight. They want to know what is in your budget. They want to know what is in our budget.
Do not try to scare seniors with this. That is not what this is about. Both sides, both sides, I say very respectfully, want to save Social Security, Medicare, pay down the debt, and provide tax relief. We have a little bit of different approach on all those things. Let us talk about those little bit different approaches, but quit scaring seniors, telling them we are not setting aside this or we are dipping into that. That is not fair. Let us be fair about this debate.

Mr. SPRATT. Madam Chairman, I yield 7 minutes to the gentlewoman from Oregon (Ms. HOOLEY). Going back to the topic of education on which I think we are clearly superior, who better to talk about education than the gentlewoman from Oregon (Ms. HOOLEY), who is a public school teacher. Shu HOOLEY, recruiting and training the gentleman from North Carolina (Mr. PRICE), who is a former professor at Duke, and the gentleman from New Jersey (Mr. HOLT), who is a former professor of physics at Princeton.

Mr. HOLT. Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentlewoman for yielding.

Madam Chairman, the Republican budget deserves a failing grade on education, there is no question about it, because it only increases funding for the Department of Education by $2.4 billion. That is 5.7 percent, 5.7 percent over last year’s levels. That is less than half the average increase that Congress has provided for the last 5 years.

Now, to inflate their increase, the Republicans try to claim credit for funding that already provided funding next year. That is not education leadership; that is budget gamesmanship.

Democrats, on the other hand, provide $4.8 billion more for education than the Republicans do for next year. This chart makes the comparison very clearly. Our budget provides $129 billion more over the next 10 years. Under the Democratic budget, our country will be in a much better position to address the challenges we face in education like reducing class size, school construction, recruiting and training teachers, boosting title I aid for disadvantaged students, increasing Pell Grants for college students, meeting the Federal Government’s obligations to special-education funding, expanding Head Start.

There is so much that we need to do. Education needs to be a priority item in this budget, and the Democratic budget resolution provides that priority.

Let me ask the gentleman from New Jersey (Mr. HOLT), who has also joined us here, to discuss how the Democratic budget addresses what I consider to be the number one education issue of the next decade, the teacher shortage. We are going to need 2.2 million new teachers in this country in the next 10 years, and 1.5 million new teachers in the next 20 years. We have said education is a priority, and we have put our money where our mouth is.

Our budget also provides more than the Republicans for special education, an issue that is near and dear to my heart. The Democratic budget moves our country closer to a promise we made 26 years ago when we first passed the Individuals with Disability Education Act. We said we would pay 40 percent of the excess cost. Well, we need to do that. The Democratic budget provides $1.5 billion each year.

Since coming to Congress, I have visited every school district, large, small, rural, urban; and despite their geographic and economic differences, every school is struggling to provide the necessary services to children with disabilities.

We have a historic opportunity to meet our Federal commitment to our local schools. It is time that we keep the promise that we made 26 years ago that we invest in education of every child.

Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentlewoman for yielding to me.

Madam Chairman, speaking of promises made, probably everyone in this Chamber remembers that when Candidate George W. Bush promised to raise the maximum Pell Grant award to $5,100 for freshman, it was welcomed with great enthusiasm. Well, President Bush, I am afraid, is not upholding that promise.

The Republicans in this budget have fallen $1.5 billion short of the amount needed to fulfill that promise. The Republicans are only providing enough funding here to raise the maximum award by $150; that is, from $3,750 to $3,900 a year. With $4.8 billion more for education next year, the Democrats’ budget does far better for that.

For a final thought, let me turn again to the gentleman from New Jersey (Mr. HOLT), who, as his bumper stickers say, is in fact a rocket scientist, and ask him: Is the Republican budget adequate in terms of critical research funding?

Ms. HOOLEY of Oregon. Madam Chairman, I yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Chairman, this is also related to education which we will address shortly. Quite simply, the Republican budget shortchanges scientific research. This is important, not only for producing the new ideas that are necessary to power our economy to lead to productivity growth, but it is also how we train the future educators and the future scientists.

The Republican budget holds NSF flat. It cuts NASA below the level needed to maintain the current purchasing power. Basic scientific research, which is the backbone of our economic success, would suffer under this Republican budget.

The Democratic budget, on the other hand, looks after these interests. The
Democrats provide $300 million more than the Republican budget for research and development at DARPA, NSF, the Department of Energy. We keep our commitment to doubling the funding for the National Institutes of Health by 2003.

Our increased commitment as a Nation to scientific research is essential. This is important for education as well as for economic benefits to everyone in this country.

Ms. HOOLEY of Oregon. Madam Chairman, reclaiming my time, we need to invest in our future; and we can do that by investing in education.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Kansas (Mr. RYUN) to speak about our commitment to our Nation's defense.

Mr. RYUN. Madam Chairman, Kansas. Madam Chairman, as my colleagues can see from our budget, some of our priorities are listed; and one of those is a stronger national defense. That is one of the reasons that I support the fiscal year 2002 budget revision.

Not only have the Republicans once again balanced the budget without dipping into Social Security and Medicare, we have met important priorities that continue to provide for the commitment of our men and women who are willing to stand in harm's way to give us a strong defense.

After years of neglect and a series of overdeployments under the previous administration, we have left our defenses stretched thin. The defense budget faced serious shortfalls. For too long we made the motto of the military "do more with less."

Between 1997 and 2001, the Republican-led Congress added $94.4 billion to make up for that inadequate funding. I am proud to say that, with this budget, the Republican budget, we are adding another $14.3 billion to fulfill our first duty under the Constitution, and that is to provide for the common defense.

Our defense and military personnel deserve the 4.6 pay raise that we are providing for in this budget. They deserve the $400 million committed to improve military housing, which is a very big issue for them, quality of life issues. They deserve the $2.6 billion down payment on the $20 billion technology program to improve the equipment that they use when they go out on a mission.

More importantly, they deserve to know that, when Secretary of Defense Rumsfeld completes his military-wide top-to-bottom review, that we stand ready, in the Republican initiative, not in the minority's initiative, that we will provide the necessary resources should there be more money needed to help make sure our troops are best trained and will be deployed.

For troops who have already served, this budget provides $3.9 billion to expand TriCare benefits for our military retirees from the age of 65 up, and it provides another $1.7 billion increase in veterans' health care, things that we have made commitments to that we are following up on.

Madam Chairman, this is a responsible budget. We are passing the budget on time. It is a budget that meets the priorities, as my colleagues can see from here. It is a budget that allows room for the appropriate adjustments, should they come, for unseen emergencies and for reform.

I encourage all of my colleagues, my friends on the other side as well, to join me to support this budget.

Mr. SPRATT. Madam Chairman, I yield back the balance of my time to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Madam Chairman, our debate tonight is in part a disagreement as to the size of a cut and what our priorities as a Nation should be.

Here are the facts: The Congressional Budget Office projects a $5.6 trillion Federal surplus over the next 10 years. Democrats and Republicans have agreed that we should set aside $3 trillion of that projected surplus that is in the Social Security and Medicare Trust Funds. That leaves a projected surplus of about $2.5 trillion. This projection made in January of this year based on an assumption that the economy would enjoy a substantial growth rate in excess of 3 percent annually for the next 10 years. That assumption is increasingly questionable.

Over a majority of States now are experiencing their own financial difficulties, and last week two major national financial institutions, Wells Fargo and Merrill Lynch, significantly lowered their projections as to our surplus. In fact, Wells Fargo suggested that the projection for this year will be 20 percent lower than what the CBO had projected.

Based on what we believe is a more conservative approach, the Democratic budget alternative calls for a tax cut of approximately $737 billion, roughly one-third of the projected surplus. This $737 billion tax cut allows us to direct $3.7 trillion to pay down the massive Federal debt, to help keep interest rates low, and to protect Social Security and Medicare for the retirement of the baby boomers.

Our $737 billion tax cut, in contrast to the Republican tax cut, targets tax cuts to those taxpayers at the bottom and the middle who are struggling the most to make ends meet. The Democratic budget plan provides marriage penalty relief by providing a standard deduction for married couples equal to twice the standard deduction for individuals. We provide relief from estate taxes by increasing the estate tax exclusion to $4 million per married couple, that is, $2 million per individual immediately, gradually increasing that exemption to $5 million. Our estate tax reform would repeal the estate tax for over two-thirds of the estates that pay the tax currently.

Our $737 billion tax cut would also allow tax cuts to be focused on what Democrats and Republicans ought to agree is a priority, and that is bolstering worker productivity. Let us invest in the education and training of our citizens point to the development of technology, which is increasingly a powerful tool in the hands of our skilled workers. Our tax cut can be used for a permanent research and development tax credit, interest-free bonds for school construction, and providing greater deductibility to small- and medium-sized businesses to purchase information technology to enjoy more productivity in their own businesses.

In closing, let me caution my colleagues, both Republican and Democrat, to be careful with these surplus projections. If these projected surpluses do not materialize and we have enacted a massive tax cut, I fear we will once again be saddled with a massive Federal debt, and interest rates will begin to climb again. Let us get our priorities straight, and let us pass a responsible tax cut with relief for all Americans.

Mr. NUSSLE. Madam Chairman, I yield back the balance of my time to the gentleman from Ohio (Mr. PORTMAN), a very distinguished member of not only the Committee on the Budget, but also the Committee on Ways and Means, who will talk about tax relief for every taxpayer.

Mr. PORTMAN. Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSLE) and congratulate him on a great budget.

I also want to respond a little bit to some of the points that have been made tonight. Let me start by saying that my colleagues on this side of the aisle have done a good job, I think, in setting out the principles of this budget and making clear that it does, in fact, meet our national priorities.

It increases funding for our public schools, it strengthens our national defense, it protects Medicare and Social Security in ways that we have never done before in this Congress. It truly provides the trust fund.

It does things that I think are necessary in terms of paying back the public debt. We just heard the debt talked about. The fact is this budget retires
more public debt than we have ever done before as a Congress. In fact, it pays back all. All of the available public debt belonging to be paid down under this budget.

At the end of the day, after all those priorities are met, after the debt is paid down, Social Security and Medicare protected, our national defense strengthened, there is still money left on the table. And that money left on the table those of us on this side of the aisle believe very strongly ought to go back to the hard-working taxpayers that created every dime of that $5.61 trillion budget surplus.

Is it too much to ask that we allow folks who paid every dime of that surplus to keep about 28 percent of it, a little less? That is what we are proposing here tonight. It is about $1.62 trillion that would go back to the folks who created every dime of that surplus. We think everyone ought to get that tax relief. We think every hard-working taxpayer deserves it.

It is interesting to look at the statistics. We now have the highest rate as a percentage of our GDP, our economy, in taxation than we have had in this country since World War II. In fact, if we go back before World War II, we will not find taxes that high. We also have a faltering economy. We have an economy that could use a tax cut to boost economic growth and keep us from going into a recession.

We also need to do some stuff in terms of addressing concerns in our Tax Code. We need to simplify our code and make it fair. These are all things we can do under the budget allocation we have set aside here for tax relief.

I have heard some of my colleagues on the other side of the aisle tonight attack the budget with regard to the tax side, saying it is only tax cuts for the rich. We are going to hear that a lot. But let us be clear: This debate tonight is not over what kind of tax cut we have or do not have. It is over how much money is left available in the budget for tax cuts. This Congress can then work its will on that. But I want to address that criticism because it is wrong.

If we look at the proposals that have come from the President, the proposals that have come out of the Committee on Ways and Means, those that are likely to come to the floor even later this week, we will see that, in fact, the tax relief we are talking about makes the code fair. It makes the code more progressive, not less progressive. In fact, the wealthiest Americans will pay a higher burden of the taxes in this country, not a lower burden, if we are to pass proposals that have been before the Committee on Ways and Means and that have been proposed by President Bush.

Let me give my colleagues an example. A family making $35,000 a year, under the proposals we have seen from President Bush and reported out of the Committee on Ways and Means, would pay no taxes; 100 percent tax cuts. That's a family with two kids would pay no Federal income taxes at all. Those making $50,000 a year would get about a 50 percent Federal income tax cut. Those making over $75,000 would get about a 25 percent tax cut. This is something that I think we need to address tonight. If you look at the Bush proposals and the Committee on Ways and Means proposals, in fact the Tax Code will become more progressive. Taxpayers at the higher end will pay a higher burden of the total taxation than they do today.

Madam Chairman, I want to say that the chairman of the Committee on Ways and Means has done a great job with this. Those that are aside for tax relief is certainly fair. It allows us to double the child credit, it allows us to eliminate the marriage penalty, it allows us to get rid of the death tax and let every American save more for their own retirement.

We have a lot of priorities to address in this Congress, and we do it in this budget. Those priorities ought to make sure that hard-working Americans who created every dime of that surplus get to keep a little more of their hard-earned money. This tax relief makes a lot of sense right now for our economy and for the American taxpayer, the families. It also makes a lot of sense for our government.

I urge my colleagues to support this budget and let Americans keep more of what they earn.

Mr. SPRATT. Madam Chairman, I ask unanimous consent to yield 7 minutes, for purposes of control, to the gentlewoman from North Carolina (Mrs. CLAYTON) to address the agricultural aspects of our budget resolution.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Without objection, the gentlewoman from North Carolina (Mrs. CLAYTON) will control 7 minutes.

There was no objection.

Ms. CLAYTON. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the Republican budget presented here tonight does not reflect the challenges and difficulties of our American farmers. In fact, it deliberately avoids it. The American farmers are in crisis. When we think of natural disasters here at home, the unfair markets abroad, and energy costs stemming from more of the geopolitical forces than from agricultural foundations, these all put the American farm and the entire fabric of rural America at risk. The response to this budget is nil. In this case, inaction is the policy. What it says to the American farmers is that while many love to pay lip service, that is what we would rather do than provide assistance to farmers.

The House Committee on Agriculture has been hearing from many different farm groups lately, and they have been very unanimous in one belief, that we must be realistic about the level of support necessary to keep the American family farmer in business.

They have urged the Committee on Agriculture to work to locate an additional $9 billion for farm relief for this year. My amendment in the Committee on Budget would have done that, plus it would provided $4 billion through the year 2011.

The Democratic alternative provides $46 billion increase to the baseline budget to meet emergencies. That would be $8 billion for year 2002 and $4 billion throughout. Supporting farmers that have supported this Nation for so long is not a matter of politics, but a commitment from both the Democrat and Republican Parties to the American farmer.

The gentleman from Texas (Mr. COMBEST) and the ranking member, the gentleman from Texas (Mr. STENTHOLM), we made it clear that we need to increase economic support for farmers. In our recent markup I raised this issue, as well as I have raised it in the Committee on Rules today, I was disappointed that the amendment failed on a partisan vote because I truly believe that the concern of my Republican colleagues for American farmers indeed is genuine. I know that many of my colleagues in the majority will say that we do not need the increase to the budget because we indeed have the existence of a contingency fund. I respectfully say to them this is bad policy, bad policy for farmers and shaky fiscal ground on which to develop a budget.

Madam Chairman, I yield 1 minute to the gentlewoman from Texas (Mr. STENTHOLM), the ranking member of the Committee on Agriculture.

Mr. STENHOLM. Madam Chairman, I thank the gentlewoman from North Carolina (Mrs. CLAYTON) for yielding me this time, and the gentlewoman is totally correct to raise the question about the adequacy of the reserve fund.

The resolution before us provides for a strategic reserve fund for agriculture, defense and other appropriate legislation. In addition, the contingency fund has other reserves for additional prescription drug spending, special education and emergencies.

The contingency fund approximates the on-budget surplus, which is $750 billion for 10 years. To preserve Medicare, this fund is partitioned into a Medicare contingency fund of about $240 billion and a general contingency fund of about $515 billion. It is at this point that the year-by-year amounts available for our government, veterans, education, health care and other priorities become more critical.

Although there appears to be ample resources for the $515 billion over 10
years, in reality there is little room to accommodate additional resources for agriculture. In fiscal year 2005 and 2006, the general contingency fund has only $12 billion and $15 billion available. These amounts are barely sufficient to cover the $12 billion requested by agricultural groups as was stated, not to mention new defense and the appropriate spending. Increased defense expenditures, additional prescription drug coverage and additional tax proposals severely limit funding beyond 2005.

Let me say, Madam Chairman, this budget resolution as it pertains to agriculture literally bets the farm and ranch after this year that the projected surpluses are going to materialize.

Madam Chairman, I would urge my colleagues on both sides of the aisle to look at the Democratic substitute and the Blue Dog budget to see what is really going to be necessary for agriculture for that. If members vote for the resolution before us, you are literally betting the farm and ranch on a shaky projected surplus.

Mrs. CLAYTON. Madam Chairman, I yield to the gentleman from Mississippi (Mr. THOMPSON), who cares about water and the black farmers.

Mr. THOMPSON of Mississippi. Madam Chairman, I thank the gentlewoman from North Carolina very much for yielding.

Like my colleague from Texas, I am concerned about the plight of the farmer here in America. Under the Republican plan, there is no contingency fund for the $27 billion that we have had to earmark for emergency funding. In addition to that, the Republican budget resolution eliminates field offices for the Department of Agriculture. Those of us who live in rural America understand that our people need to be able to go to the offices within a reasonable period of time in a reasonable area.

Also the water and infrastructure needs. Many of us represent areas that do not have running water and sewer. Under this Republican budget, the problem of water and sewer in our rural areas is not adequately addressed. So we encourage Members to look at the Democratic alternative and support that for the people of America.

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Mississippi (Mr. THOMPSON) for his comments.

Madam Chairman, I yield my remaining time to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Chairman, our farmers once again are facing a crisis as they have in the last 3 years. Our farmers are facing a recession, high energy costs, high prices and record-low energy costs. We have the opportunity during the budget markup to show some leadership and commitment to our farmers.

However, this committee dropped the ball. Over the past 3 years, Congress has appropriated emergency funds for our farmers to the tune of $27 billion. We already know we are going to have a crisis once again. But where is it in the budget? It is not there. The gentleman from Texas (Mr. COMBEST), the chairman of the Committee on Agriculture, testified before the Committee on the Budget, and I quote, "We recommend that rather than providing additional assistance on an emergency ad hoc basis the budget allocation for agriculture needs to be permanently increased."

This budget has left agriculture to compete with what is left of the surplus and to depend on supplemental emergency assistance. This is not how the farmers of this country deserve to be treated.

Mr. NUSSELE. Madam Chairman, I yield myself 1 minute for a brief response.

Madam Chairman, first of all, I appreciate the tone of the gentlewoman's comments. We do have a slight disagreement on how we are going to achieve this goal, but it is a goal that is shared on both sides. As I say, I appreciate the tone in which the gentlewoman made her presentation and I hope that we can continue that tonight because there are, I think, shared goals even though there are differences of opinion on how to reach those goals.

I would just report to the gentlewoman that the American Farm Bureau Federation has recently today sent me a letter endorsing our budget, H. Con. Res. 83, which is the Republican budget, but again there is much work that we are going to have to do in agriculture and a number of other areas, and we share that workload and hopefully can continue to do it in a bipartisan way.

Madam Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), a new member to the Committee on the Budget, to discuss our committee's commitment to Medicare and reforming Medicare and modernization with a prescription drug benefit.

Mr. KIRK. Madam Chairman, this budget is based on really three key principles of economic growth, fiscal responsibility and protecting those most in need.

We all know the economy has soured. In my own congressional district, Motorola has laid off employees, Outboard Marine has gone bankrupt and so has Montgomery Ward. We know that the best education program and the best health care program and the best Social Security program is parents with a job. This budget does that.

This budget also pays down debt, $2 trillion in debt, leaving us at a level of debt not seen since the Wilson administration in 1917.

This budget also protects those most in need. We increase funding for special education, move towards our goal of doubling the National Institutes of Health and lay the groundwork for saving Social Security and Medicare. Our seniors know that Social Security and Medicare are in trouble over the long-term and even the charts of the other party show that very clearly, with a precipitous drop around 2015. Our seniors know that we will go from 30 million collecting a Medicare benefit and Social Security to 90 million as the baby-boom generation retires. They know that Medicare has an $11 trillion unfunded liability, that Social Security has a $9 trillion unfunded liability, and the way out of this is bipartisan Medicare modernization and reform.

President Bush put his hand out during his speech to the Nation on this, and it is incumbent upon us to make that happen. We know that the Medicare part A fund is intact for the next couple of years, but part B, the part that goes to pay for doctors, is already in debt. For us, I believe the key principle we should abide by is that health care offered to Medicare seniors should be as good as that offered a Congresswoman.

That is the principle upon which we must make our decisions on this budget.

This budget restarts our economy, making sure that parents have a job and can provide health care. This budget pays down debt and this budget leaves a foundation for bipartisan Medicare reform.

Now my hat goes off to the chairman of the Committee on the Budget, the gentleman from Iowa (Chairman NUSSELE), who has really hit the ground running with this document. I really have to commend our ranking minority member, the gentleman from South Carolina (Mr. SPRAT), who is the epitome of dignity in this process. It is in that spirit that we have to take on the Medicare challenge. When one looks at the number of people who will retire in their working years, we need to join together to make sure that we have Medicare modernization that offers a prescription drug benefit, that offers a choice of doctors and that controls spending.

Mr. SPRAT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I thank the gentleman for his kind compliment, and I pick up on something he said. He said that among the principles of both budgets is the commitment to protecting those in need. In light of that, I would like to point out that our budget resolution maintains provisions for $58 billion for low-income assistance programs and another $70 billion to enhance and improve access for working families to health care that they do not have because they are not fortunate to work for an employer who provides coverage.

Madam Chairman, I yield 6 minutes to the gentleman from Massachusetts
Mr. CAPUANO. Madam Chairman, before I talk about that issue I need to go back to the chart we just saw and we have seen already three times tonight by my count, is the six items that the other side is trying to deal with.

I actually agree with everything on that chart, but I want to talk about them for a minute. We talk about maximum debt elimination. I agree, we all want to do that. Surprisingly enough, the Democratic proposal does more.

We want to improve education. We all agree on that. Surprisingly enough, the Democratic proposal does more.

We want to have a stronger national defense. My goodness, surprisingly enough, the Democratic proposal does more.

We want to modernize and stabilize Medicare and Social Security. Again, surprisingly, the Democratic budget does more.

The only thing we do not do more on is tax cuts, but we are being criticized tonight as somehow being against tax cuts because we are only proposing $800 billion in tax cuts, roughly half of what the other side is proposing. The question is, what do we do with the remainder?

What we do is what I am about to talk about. We do more Medicare, defense, all the things we just talked about. We also do more research, more housing, more LIHEAP, more environment, more justice and more agriculture.

To talk about the vulnerable people we are going to help, because I actually think that it is not a bad thing, I can talk about services. I can talk about day care services; I can talk about services for people with disabilities, home-based services for the elderly, including Meals on Wheels, which we do more by. But I want to talk about one issue in particular, and that is housing, because it is so important to people in my district and in many parts across this country.

America used to believe that safe, affordable housing was a basic necessity and almost a right for all Americans. For years, for years, this government stood up and helped people attain homes. No one here complains when the mortgage rates drop, and that is a de facto, quasi governmental agency. Everyone here jumps up to protect the mortgage deduction in the Tax Code. We all do that because we know how important it is.

No matter what we do, no matter what we have done, not every American can afford to buy a home. I am not talking about the lazy takers amongst us. We all know there are some. We know that. That is not who I am talking about. I am talking about people who have played by the rules. They have gotten all the education they can get. They work hard every single day. They try to put money aside, but when they are faced with skyrocketing rents in many places across this country, paying back their college loan, buying a car, buying insurance for that automobile, trying to raise a family, when they are faced with all of that it is very, very difficult for many Americans to put aside money for a down payment.

As a matter of fact, five and a half million Americans today pay more than 50 percent of their income for housing costs. More than 50 percent of their housing costs represent their income. That is incredible. It is much more, much more an important part of their daily lives than their tax liability, because simply put most of those American families do not have enough tax liability. They do have rental costs. They do have mortgage costs, if they can afford it.

The President’s budget, the budget we have before us, the Republican budget, before us, only 10 percent of every single housing program we have. They cut $700 million from capital improvements for public housing. They completely eliminate $310 million for the drug elimination program. They completely eliminate a meager $25 million for the rural housing and economic development program. Never mind those $5.4 million, never mind the three million, five hundred thousand of them who live in public housing. Of those three million, one million of them are children; they are children. Five hundred thousand are seniors. Another 300,000 are veterans. We just do not care. That is why the Democratic proposal puts that money back, and if all the money we are trying to put back into housing alone is totaled up, it totals out to a grand total of 1.5 percent of the tax cut. That is 1½ pennies out of every dollar proposed for their tax cut. That is why we are standing here trying to help the most vulnerable people amongst us. The money is short when one is comparing it to the tax cuts that we are trying to give today for people who already have housing, who already have fuel, who already have food.

Mrs. CLAYTON. Madam Chairman, will the gentleman yield?

Mr. CAPUANO. I yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Massachusetts (Mr. CAPUANO) for yielding.

Madam Chairman, I am delighted he is bringing up the issue of vulnerability, and I want to speak about the vulnerability of many of the people who indeed need food. There are many who would have us to believe that the strength of the economy in the past 10 years has largely eliminated poverty from our midst and that we are now living in the good life for all who desire to quickly reach out and grab it. However, to those who believe there is no economic hardship in this country, I would invite them to let the scales fall far enough.

As the ranking member of the Subcommittee on Department Operations, Oversight, Nutrition and Forestry, I know personally about the food stamp and indeed I want to make sure that we do more by. But I want to talk about a need for not only revising but increasing it.

Madam Chairman, I support my colleagues because he recognizes the very real hardship people have in providing housing, and I want to emphasize indeed the percentage of working families now receiving food stamps, who are lower income, does not represent the low-income people. In fact, we have dropped in the percentage of participation in food stamps far greater than we have reduced poverty. So some of us feel that those of us who are enjoying the good life should also make provisions for those who are vulnerable. I want to stand up and speak about food stamp reform and support that today.

In the Democratic alternative, there is $350 million more for food stamps this year. So that represents an increased amount of opportunity for working families who are lower income to participate in that.

I know my time is short, but I just want to say very briefly we put such a hardship on very poor people. Guess what? We cause all of this headache for food stamp applications, and if I wanted a home I only had to do this.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. BROWN), a distinguished new member of the Committee on the Budget, to talk about paying down our publicly held debt and our commitment to our Nation’s veterans in this budget.

Mr. BROWN of South Carolina. Madam Chairman, I commend the chairman for a great budget. Having chaired the Committee on Ways and Means for South Carolina, I recognize the extreme pressures that the gentleman is under as we try to formulate a budget that would meet the needs of this great Nation and also return back to the taxpayers their due return that they so patiently waited for for so long.

As we campaigned across the land, one of the items that concerned most of the constituents was the ever-increasing debt. I am grateful, Madam Chairman, that that was one of the first items we addressed, is paying down the debt. Congress has paid down some $625 billion in public debt since the Republicans took majority control of the House and the Senate.

For 40 years, debt was racked up as far as the eyes could see under deficit spending. Paying down $625 billion is
The work is far from over. As we heard tonight from both sides, there are additional items that could be funded if the will was to do so.

This will not be easy. President Bush, has made it clear that the Federal Government’s growth rate should be no larger than 4 percent per year. This is larger than the rate of inflation; it is larger than the rate of most people’s incomes.

I think we can continue to fund important priorities. The budget assumes a $1.7 billion increase in discretionary budget for our veterans over the fiscal year 2001 level, and a $3.9 billion increase in mandatory spending for veterans. This would accommodate a big increase in educational benefits under the Montgomery GI Bill.

Madam Chairman, the average American family knows how to balance its budget. The Federal Government is catching up to the Joneses. Things are looking up for the great business that is conducted in Washington, and all of us will benefit from these prudent decisions to restore fiscal sanity and pay off our bills.

Madam Chairman, I am grateful to be part of this committee.

Mr. SPRATT. Madam Chairman, before yielding to the gentleman from Virginia (Mr. MORAN), I yield myself such time as I may consume to say by explanation that the $5.6 trillion surplus from which we are both working is a projection of the Congressional Budget Office; and in making that projection, they assume that discretionary spending, the money that we appropriate annually every year, will be increased each year by the rate of inflation.

In light of that, we have provided for defense, national defense, which consists of more than half of the so-called discretionary spending budget. We have provided realistically in our budget resolution $115 billion over 10 years to pay for the modernization of our national defenses and for increased pay for our personnel to improve recruitment and retention. We need better housing and other quality-of-life advantages that they justly deserve. That is in budget authority, $48 billion more, than is provided in the Republicans’ budget resolution. So it is a significant amount of money. Whether it is enough or not, only the future will tell, but no shortsightedness, lower defense in inflation is a substantial plus-up for the defense budget.

Madam Chairman, to discuss further the defense budget, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN), who represents, among other things, I believe, the Pentagon.

Mr. MORAN of Virginia. Madam Chairman, I certainly applaud the leadership that has been demonstrated by the gentleman from South Carolina. He is extraordinarily knowledgeable on defense authorization, as well as our priorities for this budget resolution. That is why I oppose this budget resolution, because it makes deep tax cuts at the expense of critically needed programs.

Let me focus primarily on the shortfalls in the Defense Department that this budget resolution will greatly exacerbate.

Just a few months ago, the service chiefs testified that there was a need for an emergency supplemental appropriations bill of $7 billion, just to cover urgent shortfalls in the Defense Department. One of the most critical funding deficiencies expected this year is a shortfall of $1.4 billion in the defense health program. That is responsible for providing health care to all active-duty personnel and military retirees and their family members. Dr. Clinton, the head of health programs for the Defense Department, just testified last week that there is a $1.4 billion shortfall this year, and that money is not provided in this resolution for next year.

Senator DOMENICI wrote on March 15 to Secretary [Secretary of Defense] Ashcroft saying that before the end of this year it may become necessary to truncate day-to-day health care operations and delay implementation of authorized programs for a large number of beneficiaries. The Democratic budget provides for this $7.1 billion defense supplemental and provides $48 billion more for defense over the next 10 years than the Republican budget. Of this amount, the $1.4 billion is for urgently needed funding for health care and $1 billion is for ensuring that the full pay raise Congress authorized last year is provided.

Madam Chairman, it is imperative that we address these shortfalls now. Already the Defense Department has confronted shortages of medical equipment, deteriorating military hospitals, as well as shortfalls in the direct care system and payments for managed care support contracts. We do not have the money in this budget resolution to fulfill our responsibilities to implement joint strike fighter program and think that it will generate enough savings to pay for other programs or not meet an unmet security need.

Madam Chairman, investing in our national security should not be a partisan issue. Not addressing the current year’s funding deficiencies in this budget resolution provides an unrealistic budget projection from the outset and directly affects our military readiness and the quality of life of our active-duty personnel and their families. Madam Chairwoman, this alone is reason to reject this budget resolution.

Madam Chairman, I yield back my time to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), a distinguished member of the Committee on the Budget and a member of the Committee on Ways and Means.

Mr. COLLINS. Madam Chairman, I thank the gentleman from Iowa for yielding me this time.

Madam Chairman, high energy prices, high interest rates, and finally, excessive taxation are choking this Nation’s economy. This budget addresses one of those three factors, and that is the excessive taxation. How do we rein in excessive taxation? Simply by controlling spending. Let no one forget that the reason we have excessive taxation is because we have excessive spending.

The tax burden on the people of this Nation is the highest that taxation has been since World War II. Why is that, Madam Chairman? It is because the Congress over the past 50 years has created an abundance of government programs. Each program well intended,
but expensive, expensive because the good intent of each program has been expanded far beyond their means; and as we speak tonight, they are too expanded even more so by the other side of the aisle.

An example, Madam Chairman, is welfare, and it was only after the Republicans gained the control of Congress that welfare spending was addressed, and successfully, I might add. Another is Medicare. Medicare is a health insurance program which has been very beneficial to millions of seniors, many who would not have had access to health care had it not been more Fed care. But Medicare is facing a real problem over the next 15 years due to the number of people who will be under the Medicare insurance program. We would think by listening to the opponents of this budget that the Medicare program is there. Their program will be intact. I can testify personally that many of the things heard here earlier tonight in the debate are simply not true about the Texas economy. In fact, anyone listening here tonight can simply log onto bidc.state.tx and confirm this for themselves.

Finally, Madam Chairman, this budget also gives flexibility to reform the Medicare program and include in that reform prescription drugs and also to ensure that Medicare will be around for many, many years to come. This budget further strengthens the Department of Defense. It flexes funds for education, giving more control at the local level. This budget reduces the public debt from $3.2 trillion that has accrued today by $1.6 trillion over the next 10 years. That is less than $1 trillion of public debt after 10 years.

We keep our commitment to the soldiery, and sailors, and to those who are on Social Security and Medicare today and those who will be in the near future, their program is intact. Their program will be intact. I urge them not to fall for the Mediscare tactics that sometimes afflict us. Their program will be intact. I can testify personally that many of the things heard here earlier tonight in the debate are simply not true about the Texas economy. In fact, anyone listening here tonight can simply log onto bidc.state.tx and confirm this for themselves.

As of October 2000, Texas has added over 2.4 million new jobs since January of 1990, and Texas leads all other States in net job creation. In a time when manufacturing jobs nationally have decreased, Texas has seen an increase in manufacturing jobs. I can testify personally that many of the things heard here earlier tonight in the debate are simply not true about the Texas economy. In fact, anyone listening here tonight can simply log onto bidc.state.tx and confirm this for themselves.

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the-board pay raise for teachers and a $1.2 billion cut in property tax rates for Texas taxpayers.

In my experience in 14 years in the Texas House, the previous administrations that preceded Governor Bush, the Democrat administration, consistently sought to raise taxes and increase spending. In every session I have served under Governor Bush, he sought to decrease spending, control spending, cut taxes, which led to a tremendous strengthening in the State’s economy. We will certainly see the same benefits here nationally.

The budget that the Committee on the Budget has produced, on which I had the privilege of serving, under the leadership of the gentleman from Iowa (Chairman Nussle), is very focused and consistent with the priorities that Governor Bush has set out. Focusing first on eliminating more public debt than has ever been eliminated in the history of the United States. This is all the debt that can be paid off without incurring a penalty to taxpayers.

It focuses, secondly, on guaranteeing Social Security and Medicare.

Madam Chairman, I urge passage of the budget resolution.

Mr. Nussle. Madam Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. Blunt), the distinguished chief deputy whip.

Mr. BLUNT. Madam Chairman, I thank the chairman for yielding time to me, and thank the Committee on the Budget for the great debate we are having here tonight and the hard work that has been done on this budget from both sides. Really the topics we are talking about are the kinds of topics that we should be discussing in Washington as we set out a blueprint for this budget year.

The Farm Bureau today has joined in the call that this budget be adopted. Other agricultural groups, now that they have had a chance to look at this budget, are also stepping forward and saying that this budget does meet the needs of agriculture. It addresses the tax overcharge that we have collected in excess of what the government has said over the last several years we would need for the next decade.

I have heard some of my friends on the other side stand up tonight and say that we need a tax cut not in the $1.6 trillion range, but about half of that, about $800 billion.

I would just remind them that when we passed that tax cut of that amount, $792 billion over 10 years on the House floor just 2 years ago, many of the same people who are saying that this amount is too much, it is irresponsible, they were saying that amount was too much. When it is very apparent now that that amount was not too much. If we would have started with that $792 billion tax package that the House narrowly passed 2 years ago, we might not see some of the economic problems we see in the country today, and we would only be 2 years into a 10-year tax cut, 2 years into a tax cut that is the size that everybody now says we should be pursuing.

I think a couple of years from now everybody will see that the tax cut proposed in the gentleman's budget is equally modest, and is also positive for the economy as that one would have been as a good start.

This does set aside the Social Security Trust Fund. It does set aside the Medicare Trust Fund. It pays off all the debt in 10 years that we can pay without a prepayment penalty. It is a great blueprint for this year. I urge my colleagues to adopt this budget.

Mr. SPRATT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I would simply like to show my good friend, the gentleman from Missouri, a chart that we prepared which is our analysis of the gentleman’s budget.

If they will look at the bottom line, the gentleman was not here when the gentleman from Texas (Mr. Stenholm), the ranking member on the Committee on Agriculture, spoke, but it is the bottom line that concerns him.

The truth of the matter is there is nothing exceptional or extra in this budget for agriculture. The Farm Bureau and farmsWestern are betting on the come; they are hoping that the Committee on Agriculture can come up with a new farm bill which will allot them some additional money. The gentleman from Iowa (Mr. Nussle) will then have the authority to add that money for agriculture and defense.

The problem is, the bottom line is $20 billion. If defense beats agriculture first to the trough, they could easily take $10 billion or $15 billion of that $20 billion. If we follow that bottom line over to the year 2005, it is negative. It is declining every year. It is down to $600 million, $600 million into the Medicare Trust Fund.

So we have a very constrained limit, and that is what the gentleman from Texas (Mr. Stenholm) was saying just a minute ago.

Let me now turn to debt reduction, because everybody keeps coming back to this thing that is a good thing, and we both agree that it is, we should be judged by it. If we are judged fairly, our budget resolution provides, by our calculation, $3 trillion, 681 billion in debt reduction. Theirs provides $2 trillion, 766 billion. We are $915 billion better on that score alone.

Madam Chairman, I yield 4 minutes to the gentleman from Kansas (Mr. Moore).

Mr. MOORE. Madam Chairman, I thank the gentleman for yielding time to me.

I just wanted to respond in part to the gentleman from Missouri when he talks about the taxpayers in this country overpaying their taxes and being entitled to a refund. Certainly they are. There is not an argument about whether there should be a refund. The question is how much.

The question also is about debt reduction. We have placed on our children and grandchildren’s future a $5.7 trillion mortgage, so it is not just about tax cuts, to the gentleman from Missouri, it is also about equity and fairness to future generations in this country and whether we are going to do the right thing.

I was at the White House about 4 or 5 weeks ago and had a chance to speak to the President. I told him about Governor Graves from Kansas. I said, “I know you know him, being a former Governor.” He said, “Yes, he is a friend of mine.” I said that Governor Graves was interviewed recently by the Associated Press and was talking about revenue shortfalls and tax cuts, which have happened in Kansas, substantial tax cuts, in the past 5 years, and about financing education.

Governor Graves said very candidly, “If I had known then what I know now about revenue shortfalls, I would have done things differently.” What he was saying was that they are scrambling now to find revenues to finance education in the State of Kansas, and they do not have sufficient funds to do an adequate job. In fact, Governor Graves has now asked for a tax increase because of revenue shortfalls and projections which went awry. The same thing, according to The New York Times, has happened in 15 other States.

So I caution all of my colleagues in the House to be conservative here. We can always go back and cut taxes more.

Mr. MATHESON. Madam Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Utah.

Mr. MATHESON. Madam Chairman, I want to thank the gentleman from Iowa (Chairman Nussle) and the gentleman from South Carolina (Mr. Spratt) for all their work on this budget effort, and I agree with the chairman, who has pointed out that there is really a lot of common ground here. There may be a little question in the difference of approach. There is a lot of common ground. People on both sides want tax reduction, and clearly people on both sides want debt reduction.

We have heard a lot of discussion tonight about the benefits of debt reduction. The problem is, we keep talking about this in the context of a surplus, and we ought to be calling it what it really is, which is a projected surplus. The budget leaves little margin for error in that context.
My concern is, if things do not go as planned, we are going to enact the tax cuts, we are going to enact our spending proposal and debt reduction will be the odd man out. It will be what falls off the table.

So I would urge caution as my colleague, the gentleman from Kansas, did as well, that we ought to be fiscally responsible. We ought to make sure we take advantage of this one-time opportunity to take a real bite out of the tremendous debt we have built up over the last 20 years.

Mr. MORAN of Virginia. Madam Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. I thank the gentleman from Kansas for yielding to me, Madam Chairman.

Madam Chairman, our highest, most urgent priority in this budget resolution must be debt reduction. There is $3.7 trillion outstanding of public debt. If we do not pay it off, who does? Our children do. We are paying over $200 billion in interest on that debt today. It makes far more sense to make debt reduction our priority, because if these surplus estimates do not get realized over the next decade, then we are not going to be able to pay off the debt.

If we enact the tax cut, we know this Congress is not going to raise taxes again, so what we are going to do is raise Social Security and force our children to pay off the debt as well as pay for our retirement. That is wrong.

The Deputy Undersecretary of the Treasury for Domestic Finance testified before the Senate Committee on the Budget last week that of the $3.7 trillion of public debt outstanding that the gentleman from South Carolina (Mr. SPRATT) referred to, $3 trillion will mature by the end of this decade.

Mr. NUSSELE. Madam Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. TOOMEY), a member of the committee.

Mr. TOOMEY. Madam Chairman, I thank the gentleman for yielding time to me.

I would like to respond to this issue of the debt, which is hard to do with a completely straight face after decades in which the Democrats were in control of this Chamber and the other body, and routinely, year after year, there were no surpluses. The money was spent. Social Security surpluses were spent. The debt was run up. Republicans come along, balance the budget, start paying down hundreds of billions of dollars in debt, and put forward a plan which over the next 10 years retires all the available debt, and then we hear that suddenly, somehow, that is wrong.

Let me explain something: There is a limit to how much and how fast we can pay down the debt. The numbers that my colleagues on the other side are talking about, I am sorry to say this, but it is just not possible. I would remind them that we have billions and billions of dollars worth of Treasury securities that extend beyond 10 years. Unless they intend to pass a law that would somehow force people to turn in a debt which they own now, bonds which are in their hands, which we cannot do, it is simply not possible.

Mr. SUNUNU. Madam Chairman, will the gentleman yield?

Mr. TOOMEY. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Madam Chairman, just to clarify that point, there are over $600 billion worth of 30-year notes out there, 10-year notes, notes that have not matured. They are being held by foreign banks, for example.

What the gentleman is suggesting is that we would not pass a lot of laws that forced people to redeem those because in doing so we would have to pay a premium. That would come out of the pockets of taxpayers.

Mr. TOOMEY. That is exactly right. Reclaiming my time, I would further suggest that since they said these bonds are the property of someone else, they could demand any price they choose. They could force the U.S. taxpayer to pay a ridiculous and absurd price, and, frankly, they could choose to offer it at no price whatsoever.

So what we are doing, what the Republican budget does, it says, let us take all the available debt, everything that comes due, and as it matures, that is what we pay off.

Let me go to the fundamental difference between our two plans. Really what it comes down to is the Democratic budget grows government dramatically and provides token tax relief for some, while the Republican plan provides responsible government growth, but meaningful tax relief for all.

Let us remember that before we calculate the first dime of the surplus, we allow for $1 trillion of additional spending over the course of the next 10 years. We take all of the Social Security and surplus, Medicare surplus, and we put that money aside.

As I said earlier, we pay off all the available national debt. It is only after we do all of that that we say, now, with what is still left, we will provide a little bit of tax relief for the people who created all that money in the first place.

Mr. CAPUANO. Madam Chairman, I yield 4 minutes to the gentleman from Massachusetts (Mr. CAPUANO), the former mayor of Somerville, Massachusetts.

Mr. CAPUANO. Madam Chairman, I yield to the gentlewoman from New York (Mrs. McCARTHY).

Mrs. McCARTHY of New York. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I am troubled by the budget resolution's disregard of the funding needs of the Department of Justice. Time and time again I have heard the need to enforce our laws instead of passing new ones. How can we expect law enforcement when this budget cuts funding for the Department of Justice by $1.6 billion in fiscal year 2002? Based upon the budget submitted by President Bush, these cuts are to be largely applied to State and local law enforcement assistance. The only successful COPS program falls within these targeted cuts.

Although the President's budget proposal does not single out this important program, it does propose to reduce $1.5 billion in State and local grant assistance funding which does in fact fund COPS. Cutting the COPS program would undermine its success and harm local law enforcement throughout the country. Our police officers
Madam Chairman, we have done a good job on reducing crime. We should continue with this program. We should guarantee that these programs continue, and we certainly should be supporting our police officers throughout this country.

Mr. CAPUANO. Madam Chairman, as you heard, I was the mayor of my community for 9 years before I came to this honorable body, and during that time the COPS program was passed and implemented. I started getting going in 1996. For a couple of years it was small money, and it really got going in 1996. From 1996 to 1998 in my community, we added eight additional police officers. In that same time period, we reduced crime by 29.2 percent. Maybe, that is circumstantial, maybe it just happened to coincide with the COPS program, but I looked at my district which I did not represent then but I do now, and in my district in Massachusetts, we added 58 police officers in that time period, a 2 percent increase, but we reduced crime by 21 percent.

In the Commonwealth of Massachusetts, we added 363 police officers across the State, reduced crime by almost 14 percent. I just happened to look at the whole state of Texas. They really 9,000 police officers in that time period, a 20 percent increase, and they reduced crime by 7.5 percent.

In the whole country the same period of time, the COPS program helped add 115,097 police officers and crime was reduced 13.6 percent. Is all of this a coincidence? It just happened to be the same time period when the Federal Government got into the crime-fighting business on a local level. I think not.

Madam Chairman, I think the additional police officers on the street with the Federal Government helping us fund them is what turned the tide, and I dare say we will be back here in a few years if we cut this COPS program making sure that we have more police officers on the street in every community in this country.

Mr. NUSSELEG. Madam Chairman, I yield 3 minutes to the gentleman from Florida (Mr. CRENSHAW), a new member of the Committee on the Budget.

Mr. CRENSHAW. Madam Chairman, my colleagues have talked about the foundations of this budget, paying down the national debt, letting the taxpayers keep more of what they earn, preserving Social Security and Medicare, and improving our education. But as a member of the Committee on Armed Services and a new Member from a district that is largely military oriented, I want to address with this budget what in terms of the military because for the last 5 years, our young men and women in the military have watched as the military has been hollowed out. It has been underfunded and overdeployed.

Madam Chairman, I have talked to so many of those young people, and I decided that I would like to go to Congress to help rebuild our military and make America strong again; and that is exactly what this budget does. It provides more money to military spending, $5.6 billion for increase pay, for better housing, for health care for our military men and women. It adds $2.6 billion of new money for research and development.

And that is important. That is a down payment on what is to come because our President has said that he believes, and I believe with all my heart, that we ought to let defense strategy drive defense spending and not the other way around. The President has ordered a top-to-bottom review of our military to decide what is the role of the military. What is our vision. It is a time of testing. It is a time of transition, and there is no sense spending money on technology that we are never going to use.

Madam Chairman, once that review has taken place and our President and our leaders of the military have a clear vision of where they want this country to go then that is the reason that we in this Congress will give them the necessary resources that they need. And so it is on that point that I ask for support for this resolution.

The CHAIRMAN pro tempore (Mrs. BUGEIGHT). Both gentlemen have 11 minutes remaining.

Mr. SPRATT. Madam Chairman, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I thank the gentleman from Iowa (Mr. NUSSELEG), the chairman of the Committee on the Budget, for his great leadership and for his fundamental fairness throughout.

Madam Chairman, I stand to express the great support on the Democratic side for fully funding our environmental commitments in this budget. We know that the Republican resolution underfunds the environment and in fact does not fund the commitment, the bipartisan commitment, the landmark commitment made 1 year ago to double our funding for conservation programs, parks programs and recreation programs in this country.

Many of us in this body supported CARA, legislation that passed overwhelmingly a year ago, the Conservation and Reinvestment Act, which would have tripled funding for these conservation programs and recreation programs. We could not win support to pass that legislation into law, but in the interior appropriations bill last year, we struck a bipartisan agreement to double the funding, and that is a good bipartisan compromise.

Unfortunately, the Republican resolution before us today underfunds that commitment by 25 percent, and the Democrats feel that is unacceptable. They provide the full commitment, over $10 billion over the next 5 years. The Republican resolution underfunds that commitment by 2.7 billion. The Democrats also provide money for brownfield reclamation, $200 million next year, $2 billion over the next 10 years to rebuild those abandoned, polluted industrial sites across this Nation that should be reused with reinvestment for commercial, residential and retail possibilities. Every time we reclaim a brownfield, we save a greenfield from development. We need to fund those programs.

Madam Chairman, we are very concerned on our side of the aisle with the broken promises from the President regarding the environment. He has blocked the rule that would stop the building of roads and logging in one-third of our national forests. He has revoked the rule to reduce arsenic in our water supply. We permit, under the rule that the President supports for arsenic and water, an amount that is 5 times greater than the standard of the World Health Organization, and that is unacceptable. He has broken his promise to curb carbon dioxide. We want to support the environment. I ask for support for the Democratic alternative.

Mr. NUSSLE. Madam Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), a former member of the Committee on the Budget.

Mr. SHAYS. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I am not a big gun, but I do realize there is life after the Committee on the Budget, but there are pains I still have after 10 years. I just express my admiration for what the Committee on the Budget has done and the camaraderie from both sides of the aisle, but as I listen to this debate, I ask this question: Why would anyone think that they are more fiscally responsible when they want to spend more?

Madam Chairman, I realize this is not a debate about tax cuts versus paying for our military, a debate about spending more money or not. What our side of the aisle wants to do is spend 4 percent more. There are really three things you can do with the
Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman for yielding me the floor.

Madam Chairman, we have a practice in this country of, when we find neighborhoods on the top of toxic waste dumps, we naturally respond to that emergency by buying out the homes to protect residents and help them find safe places to live. When floods wipe out communities, as they did in eastern North Carolina a couple of years ago, we respond by buying out property to protect residents and help them find safe places to live. Well, we have an emergency situation in our democracy today. It was all too evident in Florida in November. Error-prone voting equipment is an emergency situation that threatens us, and the Democratic budget proposes an immediate and an effective response.

We want to provide emergency funds to buy out the punch-card voting systems that threaten the accuracy of and the faith in our elections, and we want to do it by the time of the 2002 elections. We also want to look at longer-term election reform.

Now our Republican friends at my request have included language in their budget resolution urging Congress to deal with the problem of the replacement of error-prone equipment, but the Republican budget provides no specific funding for this. By contrast, the Democratic budget addresses this critical issue with a billion dollars this year and $500 million next year.

Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE), who has been an outspoken advocate of our democracy.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished gentleman from North Carolina for yielding to me.

Madam Chairman, it is interesting this last election that the elderly were denied access to vote. Disabled persons who I personally spoke to were indicating they were denied access to the voting polls. Military personnel were denied access as well. In addition, students who had registered were denied as well. Inadequate procedures, people being denied the access to democracy.

Mr. PRICE of North Carolina. Madam Chairman, I yield to the gentleman from Texas (Ms. JACKSON-LEE), who has also been an outspoken advocate of election reform.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the gentleman from North Carolina for yielding to me.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman from Iowa (Chairman NUNN), who has also been an outspoken advocate of this issue.

Ms. JACKSON-LEE of Texas. My Chair, I yield to the gentleman from North Carolina (Mr. PRICE) for his leadership, certainly thank the gentleman from Iowa (Chairman NUNN) for this time to debate, and thank the gentleman from North Carolina (Mr. PRICE).

But I think it is important to note that one has to spend money, and there is $1 billion in the Democratic alternative in 2001 and $500 million in 2002 to replace these outdated machines so that every vote that is cast can be counted.

I see no evidence of that in the Republican resolution, even though I asked the President personally about it. He told me that it would be there.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman from Texas (Ms. JACKSON-LEE), who has also been an outspoken advocate of this issue.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished gentleman from North Carolina for yielding to me.

Madam Chairman, we have a practice in this country of, when we find neighborhoods on the top of toxic waste dumps, we naturally respond to that emergency by buying out the homes to protect residents and help them find safe places to live. When floods wipe out communities, as they did in eastern North Carolina a couple of years ago, we respond by buying out property to protect residents and help them find safe places to live. Well, we have an emergency situation in our democracy today. It was all too evident in Florida in November. Error-prone voting equipment is an emergency situation that threatens us, and the Democratic budget proposes an immediate and an effective response.

We want to provide emergency funds to buy out the punch-card voting systems that threaten the accuracy of and the faith in our elections, and we want to do it by the time of the 2002 elections. We also want to look at longer-term election reform.

Now our Republican friends at my request have included language in their budget resolution urging Congress to deal with the problem of the replacement of error-prone equipment, but the Republican budget provides no specific funding for this. By contrast, the Democratic budget addresses this critical issue with a billion dollars this year and $500 million next year.

Madam Chairman, I yield to the gentleman from North Carolina (Mr. PRICE), who has been an outspoken advocate of our democracy.

Ms. JACKSON-LEE of Texas. Madam Chairman, I thank the distinguished gentleman from North Carolina for yielding to me.

Madam Chairman, it is interesting this last election that the elderly were denied access to vote. Disabled persons who I personally spoke to were indicating they were denied access to the voting polls. Military personnel were denied access as well. In addition, students who had registered were denied as well. Inadequate procedures, people being denied the access to democracy.

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But I think it is important to note that one has to spend money, and there is $1 billion in the Democratic alternative in 2001 and $500 million in 2002 to replace these outdated machines so that every vote that is cast can be counted.

I see no evidence of that in the Republican resolution, even though I asked the President personally about it. He told me that it would be there.

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fact that there are people all over the country, California, Texas, Iowa, New York, Florida, there is clearly a case for elected reform. One cannot do it without money.

Mr. NUSSLE. Madam Chairman, I yield 4 minutes to the gentleman from New Hampshire (Mr. SUNUNU), the distinguished vice chair of the Committee on the Budget.

Mr. SUNUNU. Madam Chairman, I think it is important, as we enter the closing minutes of the debate this evening, to review some of the arguments we have heard, review the main points of the budget proposal that is on the floor, because we have heard a lot of claims; and it is important that we have as many facts as possible straight.

This budget pays down, first and foremost, more debt over a 10-year period than we have ever paid down in the United States, over $2 trillion in debt. We have cut taxes for every American. We improve education. And we can manipulate the way we score a particular program, defense and agriculture. In fact, we have increased funding $5 billion, and not seen in over 80 years.

The American people do not want that; it is simply not possible unless we force every 10-year-old in the country to sell their United States savings bonds and force every foreign bank to give up their 30-year Treasury bonds. That is just not going to happen. To suggest otherwise is being disingenuous about how we deal with our country's finances. So we pay down as much debt as we possibly can, lower the debt as a percentage of the GNP to a level not seen in over 80 years.

We cut taxes for every American. We improve education. And we can manipulate the way we score a particular funding bill one way or another, but the fact is this has more funding for education than ever at the Federal level, an 11 percent increase.

We strengthen national defense. We heard an argument earlier tonight that benefits largely the wealthy ahead of Medicare, Social Security, education, defense and agriculture. In fact, America's budget should do nothing to break faith with millions of seniors who rely on Social Security and Medicare, so that they can grow old with respect and the dignity that they so richly deserve.

But the Republican budget is neither responsible nor balanced. Based on inflated projections for economic growth, it places a nearly $2 trillion tax cut that benefits largely the wealthy ahead of Medicare, Social Security, education, defense and agriculture. In fact,
Republicans spend more on a tax cut just for the wealthiest 1 percent than they spend on nearly every other need in the budget. And tonight, the leadership budget raids Medicare to pay for this unfair tax cut. With accounting gimmicks to mask the fact that the numbers just do not add up, the Republican budget attempts to hide the fact that it raids Medicare to pay for a tax cut. This is just plain wrong.

By dipping into Medicare money to pay for an irresponsible tax cut, the Republicans break faith with millions of our parents and grandparents who rely on Medicare to meet their health care needs. At a time when we should be strengthening Medicare, adding a much-needed prescription drug benefit to it, the Republican budget would shortsightedly have us shortchange seniors who have paid into Medicare their entire lives.

In the end, what happens if all the budget projections are wrong, as they always have been in the past? We are back in a time of budget deficits, debt, higher interest rates, fewer jobs, less growth and a less secure future for our children.

This is a time for prudence. This is a time to think about our future and not to repeat past mistakes. We should reject the Republican budget. We should support the Democratic alternative. We ought to provide tax cuts for working middle-class families in this country and not crowd out education and prescription drugs.

Mr. NUSSLE. Madam Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. NUSSLE) is recognized for 4 minutes.

Mr. NUSSLE. Madam Chairman, I want to thank my friend from South Carolina for the debate tonight, the spirit of the debate. I think it was a good one. I think we talked about a number of issues that we needed to address.

Again, I would just reiterate the six goals and a little bit of the arguments about them.

Number one is maximum debt eliminations. My good friends and colleagues on the other side say, “Pay more of the national debt.” I think it is pretty clear from tonight that we can only pay so much. Chairman Greenspan says that, the Treasury Department says that, and just about every economist has come forward and said, at some point in time 30-year notes do not come due. How do we go out and collect them? We cannot without paying a premium.

We can only pay a certain amount of the debt down. I think that is clear. We have the maximum amount of debt that is responsible to pay down.

Number two is tax relief. We have tax relief for every taxpayer. My friends on the other side say, but, really, if we add this in and we add that in, and then we add this over here and put it all together, and then we multiply by seven, their tax cut is really bigger. We do not kid each other. We know the bill says $1.6 trillion of tax relief. That is what reconciliation says.

I understand the folks back home sitting around the kitchen counter do not understand reconciliation, but we do. Let us not kid each other. We know the $1.6 is the maximum amount of tax relief we can have under this bill.

Next is education for all of our children. What they say is, we are going to spend more. We can spend more. We will put more tax dollars toward education than the Republicans can. I am sure they can, and they have. And we have tried over the last few years to keep up, and so we have all put more money into education, more money into that. The point is nothing has improved. Our kids are not reading any better. Schools have not gotten better. Our programs have not been reformed.

So before we throw one more dollar at clear, forward that we will not at least talk about some reform? All right, fine, there is some advanced funding in there. The point is that from last year to this year, it will be an 11.5 percent increase. That is a pretty good increase, but that has got to come needed reform.

Next is defense. A colleague came forward and said they have more money for defense. They are going to put all sorts of money in. What are they going to spend it on? They say, do not spend it on an aircraft carrier. What do we put it in? How are we going to know what to invest in for defense until we do the top-to-bottom review? And I know my colleagues are cynical about that and are saying that they do not know that. That is fine.

Quite frankly, I do not know if they can get it done either. But the point is somebody has to try, because just having a bidding war toward defense, eventually all we will be doing is shooting pennies at each other, and that will not give us a stronger defense.

Health care reform. My colleagues talk about solvency in Medicare, but they make it a zero sum game. They say if we take a dollar out to reform Medicare, which is what we all voted on when we put the lockbox for Medicare away, we said it could be used for reform, it could be used for modernization, that is what we all voted for, except for a few, in H.R. 2, the Medicare Lockbox, the difference though is that we say it is not a zero sum game. If we take money out of the trust fund for Medicare modernization, that does not necessarily mean the solvency is diminished. It means that with that reform, it is still there in the future.

And that is what we all want. Regardless of the scare tactics that, granted, only a few used tonight, it still, I think, is a shame.

Finally, on Social Security, let me say we are not privatizing Social Security. I defy my colleagues to find the words that I said that we will privatize Social Security. That is not in there. We do not privatize Social Security in this. What we are saying is we are setting aside all of the Social Security Trust Fund, just as we have in a bipartisan way finally been able to accomplish over the last three budgets. I think that is something we ought to celebrate and not demagogue.

Finally, let me just say that we do recognize that there are some concerns about forecasting into the future, and that is why we put a cushion into this budget. After we set aside all the trust funds, we set aside one additional trust fund, one additional reserve, of $517 billion for that rainy day, for that cushion.

We believe this is a responsible balanced budget, and we urge its adoption.

Mr. STARK. Madam Chairman, the Joint Economic Committee has been granted the authority to control one hour of the debate since passage of the Full Employment and Balanced Growth Act of 1978 authored by Senator Hubert Humphrey and Congressman Gus Hawkins. It is our duty to present views on the current state of the U.S. economy and provide input into the budget debate before us.

I am proud to be here today to continue the tradition begun by Senator Humphrey and Congressman Hawkins.

The Budget before us is not one of which those two men would be proud. Rather than leading us down an economic path of balanced growth and full employment, the budget before us today has the real potential to dismantle great strides made in our economy during the past decade.

Each day we anxiously watch stock market fluctuations highlight the fact that our budget is far too dependent upon highly imprecise economic forecasts. If the budget outlook weakens and this bill has already become law, the basic workings of government will be greatly hindered by returning to the days of budget deficits.

My key concerns with the budget before us lie in three areas: (1) The $1.6 trillion in tax cuts are too large, are weighted too heavily toward those with upper incomes, and jeopardize our government’s ability to continue necessary funding levels for other important national priorities such as educating our children, defending our borders, and caring for our sick; (2) The budget raids the Medicare Trust Fund. Baby Boomers begin becoming eligible for Medicare in 2011. The time for protecting Medicare’s fiscal resources is now. The budget before us fails that test; and (3) Drugs are too integral a part of medical care today for Medicare to continue to serve seniors adequately unless we add a prescription drug benefit. The budget before us fails to dedicate any new dollars to a Medicare prescription drug benefit.

A MATTER OF PRIORITIES: TAX BREAKS FOR THE WEALTHY OVER OTHER NEEDED PRIORITIES

A budget is essentially a statement of priorities and this budget makes abundantly clear
that the priority is tax cuts for the wealthy at the expense of needed government spending in other areas.

President Bush and his Congressional followers have crafted a tax plan that on the surface appears to have something for everyone in order to help spur the economy. However, upon closer inspection, it is quite clear that there are many children left behind with the GOP tax cuts, but a generous helping hand offered to workers who earn over $373,000 annually.

First, I would like to dispel any notion that the GOP tax plan will actually help spur the current slowdown in the economy. The tax breaks proposed thus far will only help spur the economy if taxpayers see immediate relief and if the tax breaks are distributed equitably amongst all income groups. This will not happen under the tax plan passed by the Ways & Means Committee. The economic stimulus will happen after the tax cuts granted phase in. In order to control the exorbitant cost of the tax package, the Republicans can’t allow the tax cuts to take full effect until 2006 or later. Are my colleagues predicting an economic slowdown five years from now?

Even if the tax breaks were to take full effect much sooner, it is highly unlikely that the U.S. would see much economic stimulation. The bulk of the tax package benefits those in the top 1% income group. Workers in the 1% income group receive an average income of $1.1 million annually and will receive an average tax break of $28,608 annually. These folks will account for over thirty percent of the tax revenues lost. Meanwhile, those workers earning less than $27,000 will only see a meager tax break of $239 annually, comprising only six percent of the lost tax revenues. We cannot afford to spend trillions of dollars on a tax benefit that is concentrated on the wealthiest income-earners.

The cost of these tax cuts eat up resources that could otherwise be used for important government spending that help or may provide a tax break to the people. We can and should be increasing our investment in education. President Bush has made education one of his highest rhetorical priorities. Unfortunately, this budget fails to follow through with the resources necessary to make great strides. In fact, it provides less than half the average increase Congress has granted Department of Education appropriations for the last five years.

The budget before us today clearly demonstrates a lack of commitment to our children. Republicans reduce funds for the Child Care Development Block Grant (CCDBG) by $200 million in 2002 and freeze funds after 2002. The child care provided through the CCDBG is important to help poor families move from welfare to work. At the moment, the block grant only has enough money to serve 12 percent of the eligible children. We need more funding in this program, not less. As Secretary of HHS Tommy Thompson said, welfare reform does not come cheap.

The Republicans let Temporary Assistance for Needy Families Supplemental Grants expire in 2001. Even worse, the Republican budget encourages states to divert the remaining federal funds to pay for state income tax credits for charitable contributions. These funds would otherwise provide critical welfare-to-work services. Democrats Boost Title XX Social Services Block Grant Funding in the Democratic budget would allow an increase to at least $2 billion annually.

And those are only a few examples of important domestic spending areas where this budget falls far short.

Protecting Medicare

Measurements of the solvency of the Part A Trust Fund have been the long-standing mechanism by which we've measured the healthy of the Medicare program. Today, the Part A Trust Fund enjoys the longest solvency time period in the history of Medicare with insolvency now at 2029. That should not be interpreted to mean all is well with Medicare. We all know that is not the case. In fact, starting in 2011, the baby boom generation will begin becoming eligible for Medicare benefits. That begins a major demographic shift with far fewer workers supporting far greater numbers of seniors on Medicare. The ratio of workers to beneficiarics is 3.4 in 2011 and will drop to about 2.1 workers per beneficiary by 2029. All of this cries out for protections for the Medicare population. Unfortunately, this budget fails to protect the Medicare population. The Democratic budget includes a Medicare prescription drug benefit that would help 40 million seniors over the next ten years. But, the budget before us does the opposite.

Rather than protect the Trust Fund for the future, this budget takes $153 billion—and maybe more—directly out of the Medicare surplus and allows those dollars to be spent on a Medicare prescription drug benefit.

There are those on the other side of the aisle who will argue that we've always dipped into the Medicare Trust Fund in order to finance current government spending and that this budget is no different. They are wrong. When we have used Medicare's surplus as a funding source in the past, we have always used surplus dollars on a loan basis—and when the beneficiaries pay back those dollars with interest to the Medicare Trust Fund. What the budget before us today would do is use those dollars to fund a Medicare prescription drug benefit—meaning that those dollars will forever disappear from their intended purpose of funding hospital care for future Medicare beneficiaries.

America's hospitals are concerned about this Medicare raid as well. In a letter dated March 16, the American Hospital Association, the Association of American Medical Colleges, the Catholic Health Association, the Federations of State Medical Societies, the National Association of Public Hospitals and Health Systems, Premier, Inc., and VHA, Inc. all joined together to send a letter to Congress stating:

While there is broad consensus that Medicare should include a prescription drug benefit, we believe that this benefit should be adequately funded; should not be financed through trust fund reserves; and should not be combined with a cap on the use of general revenue. Doing so will not only accelerate the insolvency of the Medicare Part A Trust Fund, but will also jeopardize the ability of health care providers to meet a rapidly increasing demand for care.

Make no mistake about it. The dollars being diverted from the Medicare Trust Fund in the budget before us today will NEVER be returned to the Trust Fund. They are being spent elsewhere. And, that means that there are fewer resources dedicated to Medicare's future. No ifs, ands, or buts about it.

Protecting Medicare

The Congressional Budget Office estimates that Medicare beneficiaries will spend $1.5 trillion on prescription drugs over the next ten years. Medicare does not cover outpatient prescription drugs. None of us would belong to a health insurance plan that didn't include prescription drug coverage, but we continue to leave the seniors without any Medicare coverage of these necessary medical costs.

It is past time for us to add a prescription drug benefit to Medicare. However, the budget before us today provides no new dollars for a Medicare prescription drug benefit. Instead, it diverts needed dollars from the Part A Trust Fund into an account which is being labeled for use on a Medicare prescription drug benefit by the Majority.

The Majority only makes $153 billion available over a ten-year period for a Medicare prescription drug benefit. Most estimates indicate that an adequate prescription drug benefit could cost upward of $30 billion a year—and a good benefit would cost much more—$153 billion over ten years is only a drop in the bucket. It is less than 1/10th the amount of money they are willing to “invest” in tax breaks which will have at best a questionable impact on the economy and less than 1/10th of the what CBO predicts will be spent on drugs for Medicare beneficiaries over the next 10 years. But, we know full well that lack of prescription drug coverage in Medicare is causing millions of seniors to choose between needed medications and heat for their homes, and that failure to cover these drugs also means increased health care costs as people forgo the most appropriate drug treatment because they cannot afford it.

A portion of the $153 billion is dedicated to the President’s “Immediate Helping Hand” program. Unfortunately, that program is neither limited to those who need it nor will it provide the grants to the states to enable them to cover prescription drugs for low-income seniors. However, the need for prescription drug coverage is not just a low-income problem—it is a middle class problem. And, states have made abundantly clear that they do not want to take on the burden of covering prescription drugs for seniors. The National Governors Association simply states that if Congress decides to expand prescription drug coverage to seniors, it should not shift that responsibility or its costs to the states. The Immediate Helping Hand program has not been warmly received by Congress either. To consider it the method for moving forward on prescription drugs in the budget just simply doesn’t make sense.

Again, it comes down to priorities. If we were to delete the estate tax provisions in the budget before us, new estimates from the Joint Committee on Taxation indicate we would have more than $60 billion that could be dedicated to a Medicare prescription drug benefit and other important priorities. The Republican estate tax proposal helps some 43,000 decedents of wealthy people. A Medicare prescription drug benefit would help 40 million seniors and disabled people. Over 90% of the beneficiaries of the estate tax cut make
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over $190,000 a year. The median income of Medicare beneficiaries is $14,500. Who needs more help?

For all of the reasons outlined above—and many more I have not had time to elucidate—I oppose this budget before us today. It fails to appropriately prioritize the needs of our nation and could put us back in the economic ditch that the Reagan tax package created in the 1980’s, and from which we only recently emerged. During this time of unprecedented surplus, we should be shoring up the federal programs that people rely on, we should be increasing our investment in education, we should be improving the quality and availability of child care in our nation, we should be covering prescription drugs through Medicare, and doing much, much more. Instead, this budget squanders projected resources on tax cuts that disproportionately benefit the most well-off and puts at risk our ability to finance important government priorities now and in the future. I urge my colleagues to vote no on the budget before us.

Mr. RAHALL. Madam Chairman, I rise in my capacity as the Ranking Democratic Member on the Resources Committee to point out that among the many worthy and valid reasons why this budget resolution should be defeated is the fact that it runs roughshod over last year’s landmark bipartisan agreement on conservation program funding.

This agreement, often referred to as “CARA light” but more formally as the Land Conservation, Preservation and Infrastructure Improvement Program was enacted as part of the fiscal year 2001 Interior Appropriations measure.

It seeks, in part, to keep faith with the original purpose of the Land and Water Conservation Fund by providing for a dedicated stream of funds for federal land acquisition as well as for State land and water conservation grants.

But it does more than that. Other eligible programs for the $12 billion set-aside are those which support historic preservation, the Youth Conservation Corps, Payments In Lieu of Taxes, the Forest Legacy Program, and State Wildlife Grants among others.

The pending budget resolution, as does the Bush Blueprint, would skim $2.7 billion from the $12 billion agreed to only late last year to help pay for tax cuts for the wealthy.

These are not touchy feely programs we are talking about here. These are programs that are extremely important to America and to Americans. They are endeavors that are part of our birthright and our destiny.

For by preserving and protecting our natural resource heritage, we are fulfilling what I believe is an obligation we have to future generations. And that obligation is that this generation, the current generation, will not consume everything and leave nothing to our children and our children’s children.

This budget resolution fails to meet that obligation. It fails to meet our obligations to this country in many other respects as well. So again, I urge the defeat of the pending resolution.

Mr. DINGELL. Madam Chairman, I wish I could say I was shocked and dismayed at the budget proposal the Republicans have put before us today. Unfortunately, I am not shocked. It is a typical Republican budget which slashes funding for programs that help the elderly, women, children and the public interest in order to give a fat tax cut to their fat-cat buddies.

Allow me, if you will, to give a brief synopsis of this draconian document:

Cuts funding for land conservation; Cuts the budget for environmental protection; Cuts funding for the Department of Agriculture, including the field offices which are there to help our farmers, the engine of America’s prosperity since founding of our Republic. This budget also fails to provide any emergency income assistance for farmers; Cuts funding for NASA; Cuts funding for renewable and alternative energy research and development. This is the very research and development that could hold the answers to today’s energy shortage; Cuts funding for the Army Corps of Engineers, the builders of America’s infrastructure; Cuts Federal support for the railroads; Cuts funding for the Equal Employment Opportunity Commission; Cuts funding for Community Development Block Grants; Cuts funding for the Department of Justice, the agency charged with enforcing our laws; Cuts funding for the Legal Services Corporation; and Cuts funding for the Equal Employment Opportunity Commission.

Though that is the end of this year’s cuts, it is not the end of the rascality.

Republican CHRISTOPHER SMITH, Chairman of the Veterans Affairs Committee, and LANE EVANS, Ranking Democrat on the Veterans Affairs Committee, have stated that, “$2.1 billion is the minimum needed to keep the promises made to care for those who risked their lives and answered this country’s call in its hour of need.” This budget falls $1 billion short of this minimum.

The Budget only designates $135 billion for a prescription drug benefit and Medicare reform. I would note to you that Representative BILLY TAUZIN said, “everybody knows that figure is gone.” Additionally, CBO estimates that last years Republican prescription drug bill would cost well over $200 billion today.

How long have you told your constituents that you can allow this scandalous budget does not do, I will tell you what it does do.

Raids Medicare Part A’s trust fund

Threatens the solvency of Social Security and Medicare

Mortgages our future based on a riverboat gamble. Make no mistake, the projected surplus is only a prediction 10 years into the future.

This disgrace of a budget grossly underfunds programs which deserve full funding and which the American people have told us time and again are important to them.

You may ask why the Republicans have created a budget which does not reflect America’s priorities, why they have produced such a dim-witted “financial plan.” I will be happy to tell you why. Because they are determined to give a massive and fiscally irresponsible tax cut to their fat-cat buddies. Do not be fooled, it is not working families who would benefit from this tax cut, it is the top 1 percent.

I would ask you to vote against this outrageous plan.

Mr. KLECKZA. Madam Chairman, I rise today in opposition to the Republican Budget Resolution and to urge my colleagues to support the more sensible Democratic alternative.

The Republican Budget Resolution before us calls for a massive $1.62 trillion tax cut. I am troubled by this for a number of reasons. First, the House is already on track to exceed this figure.

The Ways and Means Committee has already reported out two bills that cut taxes by almost $1.1 trillion. The Committee has yet to consider the remaining pieces of the President’s tax cut plan, most notably the estate tax repeal—which the Wall Street Journal today reported would cost an astonishing $662.2 billion if made effective immediately.

This brings the price tag to over $2 trillion without providing funds for making the Research and Development tax credit permanent and allowing non-itemizers to deduct charitable contributions—both of which are included in the President’s plan.

Secondly, I have serious concerns about pinning such a large tax cut on a budget surplus that may never materialize. Predicting so far into the future is fraught with uncertainties, especially in an economic downturn like we are currently experiencing. Would any reasonable person plan a vacation relying on a weather forecast for year 2009 or 2011? Furthermore, the American people have been told that the tax cuts are necessary to stimulate our economy right now.

Well, Madam Chairman, your budget plan totally fails in this regard. Taxes are cut by $5.8 billion this year, or 50 cents per day per taxpayer—hardly a drop in the bucket of a $10 trillion dollar economy. This budget resolution directs that two-thirds of the benefits be withheld for 5 years.

An economic stimulus plan has been developed by our colleagues in the other body which calls for an immediate $60 billion tax cut for this year. This plan would achieve the goal of pumping up the economy.

Finally, I would like to call attention to a serious flaw contained within the Republican Budget Resolution. This budget diverts $153 billion away from the Medicare Trust Fund to be used for other purposes. In our estimation, this $153 billion is the minimum needed to keep the promises made to care for those who risked their lives and answered this country’s call in its hour of need.

This budget resolution directs that two-thirds of the benefits be withheld for 5 years.

The President’s plan, most notably the estate tax repeal—which the Wall Street Journal today reported would cost an astonishing $662.2 billion if made effective immediately.

Well, Madam Chairman, your budget plan totally fails in this regard. Taxes are cut by $5.8 billion this year, or 50 cents per day per taxpayer—hardly a drop in the bucket of a $10 trillion dollar economy. This budget resolution directs that two-thirds of the benefits be withheld for 5 years.

An economic stimulus plan has been developed by our colleagues in the other body which calls for an immediate $60 billion tax cut for this year. This plan would achieve the goal of pumping up the economy.

First, the House is already on track to exceed this figure. The House is already on track to exceed this figure.

The Ways and Means Committee has already reported out two bills that cut taxes by almost $1.1 trillion. The Committee has yet to consider the remaining pieces of the President’s tax cut plan, most notably the estate tax repeal—which the Wall Street Journal today reported would cost an astonishing $662.2 billion if made effective immediately.

This brings the price tag to over $2 trillion without providing funds for making the Research and Development tax credit permanent and allowing non-itemizers to deduct charitable contributions—both of which are included in the President’s plan.

Secondly, I have serious concerns about pinning such a large tax cut on a budget surplus that may never materialize. Predicting so far into the future is fraught with uncertainties, especially in an economic downturn like we are currently experiencing. Would any reasonable person plan a vacation relying on a weather forecast for year 2009 or 2011? Furthermore, the American people have been told that the tax cuts are necessary to stimulate our economy right now.

Well, Madam Chairman, your budget plan totally fails in this regard. Taxes are cut by $5.8 billion this year, or 50 cents per day per taxpayer—hardly a drop in the bucket of a $10 trillion dollar economy. This budget resolution directs that two-thirds of the benefits be withheld for 5 years.

An economic stimulus plan has been developed by our colleagues in the other body which calls for an immediate $60 billion tax cut for this year. This plan would achieve the goal of pumping up the economy.

Finally, I would like to call attention to a serious flaw contained within the Republican Budget Resolution. This budget diverts $153 billion away from the Medicare Trust Fund to be used for other purposes. In our estimation, this $153 billion is the minimum needed to keep the promises made to care for those who risked their lives and answered this country’s call in its hour of need.

This budget resolution directs that two-thirds of the benefits be withheld for 5 years.
CONGRESSIONAL RECORD—HOUSE

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Congressional Budget Office used the same economic assumptions that the Social Security Trustees use when forecasting the future financial solvency of Social Security and Medicare, the two largest government programs, there would be no surplus. Despite this fact, the majority has pressed ahead with a financial plan that leaves no room for error, heading down a fiscally dangerous path.

The Majority has based spending decisions on unrealistic spending assumptions. Four years ago, I watched this Congress engage in much backslapping and self-congratulating after passing the last Balanced Budget Act of 1997. Almost immediately, Congress began to wink and nod at spending limits imposed in that bill, tortuously bending and breaking the rules in order to claim spending limits had been honored. Two years ago, Congress dropped the charade, shattering spending limits and effectively giving up on the 1997 act. Now we are again holding down spending to unrealistic levels. Even the Republican Chairman of the Senate Budget Committee has already stated that the spending limits in the legislation are not feasible.

The document before us today drastically underfunds critical health, environment, and veterans programs. As our country is facing what the President and GOP claim is an energy crisis, they have proposed cutting funding for the Department of Energy by 7 percent. Energy conservation programs, the only truly feasible solutions for helping us address the short-term energy problems, are cut by nearly 10 percent. President Bush has repeatedly called for improved spending on America’s veterans, yet he underfunds VA programs by one billion dollars. Finally, this budget resolution cuts funding for environmental programs by 11 percent. While this is consistent with the Administration’s anti-environmental actions, it threatens the important progress we’ve made in environmental policy over the last decade.

The budget resolution before us is not a financial plan that leaves no room for error, but a financial plan that leaves no room for error. Every major spending and tax policy included in this resolution is based on unrealistic assumptions about the future financial solvency of Social Security and Medicare, the two largest government programs, which are based on shaky economic forecasts.

The CHAIRMAN pro tempore. All of the optimistic surplus assumptions and draconian cuts in needed programs are simply a charade to allow the President and my Republican colleagues to claim they can cut taxes and balance the budget. But they cannot. This document does not protect the Medicare trust fund and triple counts the Social Security Trust fund in order to fit the President’s tax proposal. The tax cuts described in this resolution are heavily tilted to those who need help the least and premised on questionable economic forecasts.

Since coming to Congress in 1996, I have based my fiscal policies on five basic principles:

1. Fair tax relief for working Americans.
2. Honoring our promises to Social Security and Medicare.
3. Paying down our $6 trillion national debt.
4. Avoiding future funding shortfalls.
5. Funding commitments to our children, seniors, veterans, and the environment.

I believe these are important goals that most of my colleagues share. Unfortunately, the document we are debating today accomplishes none of these principles. Oregonians have repeatedly told me they want to see budget and tax policies that are fiscally prudent and deal with for the challenges our country faces. This resolution doesn’t and I oppose it.

The SPEAKER pro tempore. All of the time general debate has expired. Pursuant to the order of the House of Thursday, March 22, 2001, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Nussle) having assumed the chair, Mrs. Biggert, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the subject of the concurrent resolution on the budget for fiscal year 2002, had come to no resolution thereon.

CONGRATULATIONS TO SARA ABERNATHY

(Mr. Quart asked and was given permission to address the House for 1 minute.)

Mr. SPRATT. Madam Speaker, at the appropriate time we will, on both sides, recognize our staffs, because although we do the talking, they do the arduous work that goes into this enormous task of putting together a budget.

We have one particular staffer that I want to recognize tonight. Late last week, as we were working another night well past midnight, I looked at Sara Abernathy and I said, “When are you due?” She said, “Next Wednesday.” I said, “For goodness sake, get yourself home.”

Well, the baby was not born Wednesday, it was born March 26 at 10:30 p.m. It is a Democrat. And I would simply like to say to Sara Abernathy, who has worked arduously in putting this budget together for us and for the good of everybody, “Congratulations on the birth and arrival of Nicholas Colum Butler on March 26.”

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. Biggert). The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993. GEORGE W. BUSH.


HOUR OF MEETING ON WEDNESDAY, MARCH 28, 2001

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, Wednesday, March 28, 2001.

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

There was no objection.

CONGRATULATIONS TO CO-FOUNDERs OF “WOMEN OF TOMORROW”

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

Ms. ROS-LEHTINEN. Madam Speaker, I congratulate news anchor Jennifer Valoppi and Don Brown, president and general manager of NBC 6, for outreach to at-risk young women who choose to further their educational goals.

With the sponsorship of NBC 6, Jennifer and Don cofounded Women of Tomorrow, a mentoring and scholarship program for high-school-aged girls. The women of Tomorrow mentoring program currently operates in 17 schools in South Florida, and by January of next year, the program is expected to operate in every public high school in Miami, Dade and Broward Counties.

This year the program will award several academic scholarships as well as scholarships for books and supplies for low-income, at-risk girls.

I applaud the devotion of mentors Marita Sreblick, State Attorney Kathy Fernandez-Rundle, Judge Judy Kreeger, Attorney Sherry Williams, and the many prominent women of South Florida who dedicate their time to help mold today’s young girls into tomorrow’s leaders.

Madam Speaker, I ask that my colleagues join me in congratulating Jennifer, Don, and NBC 6, and, indeed, all of the women of tomorrow for contributing to the promise of our future and for leaving a lasting legacy that is sure to benefit all of society.

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SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. Biggert). Under the Speaker’s announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.
The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Madam Speaker, I come to the House floor tonight to celebrate the anniversary of the struggle the Bengalis went through to become an independent nation 30 years ago on March 26, 1971.

I visited Bangladesh a year ago with President Clinton at this time and was impressed with the progress that the country has made. The people and the government received us very warmly as we visited the capital Dhaka and the surrounding cities.

Madam Speaker, the independence of Bangladesh was hard fought. In 1970, a strong opposition within the masses arose in east Pakistan against the injustices and discrimination levied on the Bengali people. In the early spring of 1971, Pakistani forces moved in and ruthlessly tried to suppress the uprising with death squads and indiscriminate killings. Indira Gandhi, the prime minister of India, became very vocal in her opposition to Pakistani oppression and in 1971 the Indian army was sent in to help the Bengali fighters.

In 12 days' time, the Bengali liberation force, with the help of the Indian army, drove the Pakistani forces out of the region and Bangladesh was born. I salute the brave Bangla fighters, as well as the soldiers of the Indian Army who stood firm together to help the dream of a free Bengal nation become a reality.

Madam Speaker, U.S./Bangla relations have been developing positively since Bangladesh's declaration of a free republic. Current U.S./Bangla relations are excellent as demonstrated in several visits to Washington by the Bangladeshi premiers over the last 20 years.

In 1995, First Lady Hillary Clinton visited Bangladesh. The current prime minister of Bangladesh, Ms. Sheikh Hasina, also visited the United States in 1996 and 1997.

Relations between Bangladesh and the United States have further strengthened since the participation of Bangla troops in the 1991 Gulf War Coalition. The Bangladeshi soldiers also served jointly with the 1994 multinational force in Haiti.

The current government of Prime Minister Sheikh Hasina, elected in June 1996, has indicated that it will continue along the path of privatization and open market reforms but progress has been slow.

In the government's first year, real GDP growth of 17 percent and inflation of 2.6 percent were the best figures in the 1990s. We must collaborate in many ways with Bangladesh and continue our aid package to Bangladesh, and I want to congratulate my colleague, the gentleman from New York (Mr. CROWLEY) for starting the Bangladesh project last year.

I have joined the same and hope to work with him on Bengali issues.

Under Madam Hasina, Bangladesh pursues a positive foreign policy based on friendship with all and malice towards none. While relations between the United States and Bangladesh are good, clearly there is ample room for improvement. One such area I believe U.S./Bangla relations can be improved is trade.

Madam Speaker, I would like to draw your attention to the African-Caribbean trade initiative that was introduced last year. The initiative gives only textile industries in Africa and the Caribbean duty free access to U.S. markets. As understood that presently Bangladesh derives 76 percent of its foreign reserves from these exports. Taking this market away, most of which is the U.S. market, would deal a very heavy blow to the democracy of Bangladesh as it struggles to improve the conditions of its people.

Another important area where we can help, and I think my colleague, the gentleman from New York (Mr. CROWLEY) again has drawn attention to this, is the arsenic poisoning occurring in the drinking water wells in the Nawab Ganj district in Bangladesh. In the early 1970s, UNICEF, in an attempt to bring clean drinking water to the Bangladeshi people, dug two wells to access shallow water ducts. At that time, arsenic testing was not conducted and arsenic's inherent slow-working poisonous effects were not recognized.

I ask my colleagues to urge the current administration to work on a long term solution to this problem affecting a great number of Bangladeshi.

Madam Speaker, this historic occasion of Bangladesh's 30th anniversary of independence, we must show our sincere appreciation for all that Bangladesh is doing to improve itself and express solidarity with its democratic principles of governments in progress. I ask my fellow colleagues to join me in celebrating this occasion in wishing Bangladesh the very best of success in the years to come.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 83, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2002

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-30) on the resolution (H. Con. Res. 83) providing for consideration of the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for fiscal years 2003 through 2011, which was referred to the House Calendar and ordered to be printed.

NATIVE HAWAIIAN EDUCATION REAUTHORIZATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I rise to ask for support of the Native Hawaiian Education Reauthorization Act, which I have today introduced with my colleague the Honorable NEIL ABERCROMBIE.

The Native Hawaiian Education Act has been in effect since 1968. Congress has recognized its special responsibilities to the native, indigenous peoples of the United States by creating education programs to meet the special needs of American Indians, Alaskan Natives, and Native Hawaiians.

This act supported work with the modest appropriations provided under the Native Hawaiian Education Act have helped to improve educational opportunities for Native Hawaiian children, youth, and educators. Through the establishment of Native Hawaiian Education Councils, the Act has given Native Hawaiians a voice in deciding how to meet the critical education needs of their community.

Native Hawaiian students begin their school experience lagging behind other students in terms of readiness factors, such as vocabulary scores, and they score below national norms on standardized education achievement tests at all grade levels. In both public and private schools, Native Hawaiian students are over-represented among students qualifying for special education programs provided to students with learning disabilities. They have the highest rates of drug and alcohol use in the State of Hawaii. Native Hawaiian students are under-represented in institutions of higher education and among adults who have completed four or more years of college.

Why are Native Hawaiian students so disadvantaged? The poor showing of Native Hawaiian students is inconsistent with the high rates of literacy and integration of traditional culture and Western education historically achieved by Native Hawaiians through a Hawaiian language-based public school system established in 1840 by King Kamehameha III. But following the overthrow of the Kingdom of Hawaii in 1893, by citizens and agents of the United States, middle schools were banned. After the United States annexed Hawaii, throughout the territorial and statehood period of Hawaii, and until 1986, use of the Hawaiian language as an instructional medium in education in public schools was declared unlawful. This declaration caused incalculable harm to a culture that placed a very high value on the power of language, as exemplified in the traditional saying:

*I ka `olelo nō ke ola; I ka `olelo nō ka make*

In the language rests life, In the language rests death.
Our nation must make amends for the terrible damage that has been done to the Native Hawaiian people since the overthrow of the Hawaiian monarchy by military force in 1893. From 1826 until 1893, the United States had recognized the Kingdom of Hawaii as a sovereign, independent nation and acceded her full and complete diplomatic recognition. Treaties and trade agreements had been entered into between these two nations. In 1893, a powerful group of American businessmen engineered the overthrow of the use with the U.S. naval forces.

Queen Liliuokalani was imprisoned and over 1.8 million acres of lands belonging to the crown, referred to as crown lands or ceded lands, were confiscated without compensation or due process.

A Presidential commission, led by Congressmen James Blount declared that the takeover was an illegal act by the U.S. government. Places where no one else lived or were in places where no one else lived or was in a group of American businessmen engineered the overthrow with the use of U.S. naval forces.

Queen Liliuokalani was imprisoned and over 1.8 million acres of lands belonging to the crown, referred to as crown lands or ceded lands, were confiscated without compensation or due process.

President Grover Cleveland sent a message to Congress calling for the restoration of the monarchy had declined from an estimated 1,000,000 in 1778 to 22,600. In recognition of this severe decline and the desperate situation of the native people of Hawaii, Congress enacted the Hawaiian Homes Commission Act, which returned 200,000 acres of land confiscated by the federal government (out of the total of 1.8 million acres stolen) to the Native Hawaiian people as an act of contrition.

Unfortunately, the lands that were returned were in the form of isolated lands, were in the form of isolated areas of the islands. Relegated to isolation, without infrastructure, with no access to jobs, Native Hawaiians live today in segregated residential areas of the islands. Relegated to isolation, with no access to jobs, Native Hawaiians live in small areas of the islands. Relegated to isolation, without infrastructure, with no access to jobs, Native Hawaiians live in segregated communities, primarily by elders, the Hawaiian language is now taught through a number of immersion programs, beginning in kindergarten and continuing through high school. The University of Hawaii at Hilo now has a program for a Master's degree in Native Hawaiian Language and Literature—the first program in the United States focusing on a Native American Language.

It is important to note that Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once-sovereign nation with whom the United States has a trust relationship. The political status of Native Hawaiians is comparable to that of American Indians and Alaskan Natives. Justice requires that the United States fulfill its trust obligations to Native Hawaiians who lost everything at the time of their annexation. The $28 million authorized for Native Hawaiian education programs in the bill can't begin to make up for the loss of a nation.

I call upon my colleagues to support the re-authorization of the Native Hawaiian Education Act and justice for the Native Hawaiian people.

PRESIDENT BUSH'S EDUCATION PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KELLER) is recognized for 5 minutes.

Mr. KELLER. Mr. Speaker, as the only Member of Congress from Florida to the education and the Workforce, I am proud to be an original cosponsor of President Bush's No Child Left Behind Act of 2001.

Mr. Speaker, I rise today in strong support of this important education reform legislation. This legislation will do three key things. First, we will invest an additional $5 billion in reading over the next 5 years for children in grades K through 2. This is critical since right now 70 percent of the fourth graders in our inner-city schools cannot read at basic levels.

Second, we will require the States to conduct annual tests in grades 3 through 8 in reading and mathematics. This is critical to ensure that none of our children somehow fall through the cracks. How many times have we turned on the television only to see a college athlete explain that he is not able to read even though he somehow graduated from high school?

We are going to put a stop to that right here, right now in this Congress.

Third, in exchange for pumping historical levels of money into our public education system, we are going to insist on accountability. This must be a safety valve for students who are trapped in persistently failing schools. Therefore, if a school continues to fail for 3 consecutive years, the student is going to have the option of staying in school and receiving $1,500 to use toward tutoring or he could transfer to a public school or he could transfer to a charter school or even a private school if that is in his best interest.

Now why do I support this legislation? Because I know it will make a meaningful difference in the lives of young people, and it will ensure that every child in this great country of ours will have the opportunity, whether he is rich or poor, to get a first class education.

Now how do I know this to be true? Because we have already implemented these same principles, measuring performance and demanding accountability, in the great State of Florida.

What happened as a result? We went from having 78 F-rated schools based on low test scores to only 4 F schools in the course of only a year.

Let me give you two examples. First, in my district of Orlando, Florida, there is a school called Orlo Vista Elementary School. At this school, 22 percent of the children are from low-income families and they are entitled to receive the free hot lunch program. Eighty-six percent of the students are minorities. This school was rated as an F school by the State of Florida based on abysmally low test scores.

However, after measuring the students' performance, pumping Federal title I dollars into the school, along with local school board money and State dollars, we were able to make sure that we cured the problem and that all children were able to read, write and perform math appropriately.

As a result, the school went from having 30 percent of the children pass a standardized test in 1 year to over 79 percent of the students being able to pass that same test a year later. It is no longer an F school.

Earlier this month, I had the pleasure of meeting our U.S. Secretary of Education, Rod Paige, on a personal tour of this same Orlo Vista Elementary School in Orlando. I wanted him to see firsthand why the school was turned around. I took him into the reading lab, and while there I observed a little 6-year-old African-American boy reading. This is a child who, 1 month earlier, was having problems with reading and was set apart.

The student-teacher ratio for this child was one-to-one. As he leaned over the shoulder watching this little child read, he was blown away and so impressed. This child was flying through that book, reading as well as most adults that I know.

We were making a difference. We caught the problem and solved it with a one-to-one student/teacher ratio.

This particular situation in Orlando was not unique. For example, at Dixon Elementary School, which is up in the Panhandle in Escambia County, another F-rated school existed because of persistently failing test scores. Yet in one year, after implementing similar legislation in Florida, we saw the students go from only 28 percent being able to pass a standardized test to this year over 91 percent passing that same test.
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I genuinely believe that we can replicate the same success that we have had in Florida all across the United States by passing the No Child Left Behind Act of 2001, and I urge my colleagues to support this important education reform legislation.

THE BUDGET RESOLUTION

The SPEAKER pro tempore. The Speaker's announced policy of January 3, 2001, the gentleman from Wisconsin (Mr. KIND) is recognized for 60 minutes as the designee of the minority leader.

Mr. KIND. Mr. Speaker, I want to start from all my remarks this evening by commending the chairman of the Committee on the Budget, my friend, the gentleman from Iowa (Mr. NUSSLE), as well as our ranking member, the gentleman from South Carolina (Mr. SPRATT), given the collegiality and the civility that they have demonstrated in the course of putting together a budget resolution, whether it was the work that they specifically were involved with on the committee in putting together the package that we started debate on tonight and will finish tomorrow but also the conduct of the debate that we saw here this evening. I think they demonstrated by their leadership that we can have some real differences of opinion on what the best direction is that we should be taking for the sake of the country, have differences of opinion in regards to what the budget resolution should look at but do so in a civil manner. I think that was demonstrated here this evening.

Mr. Speaker, I wanted to take this time, along with a few of my colleagues from the new Democratic Coalition, to continue the discussion that we are having on the budget resolution this evening. This is a very important time in the legislative process of this session of Congress because it is the budget resolution that establishes the broad frameworks that we will be filling in the spaces and the details throughout the course of this legislative year that will set the tone in regards to many of these programs, the size of tax cuts, the commitment to debt reduction, the commitment to trying to preserve and protect Medicare and Social Security for future generations. We want to devote a little bit more time this evening in regards to where we see things going as part of the new Democratic Coalition.

It is a coalition that comprises roughly 80 Members now within the Democratic Caucus. We believe in pro growth strategies. We believe in the necessity to reduce the national debt. We believe in tax relief for working families, and we believe that there are also some very crucial investments that we need to make collectively as a nation in order to see the type of economic progress and the expansion of economic opportunities, not just in the coming year but for future years.

We have serious reservations in regards to the Republican budget resolution that has been submitted; not the least of which is that the cornerstone of what they are offering is a very large, very sizable tax cut that is based not on what’s in this fiscal year or even next year but over the next 10 years.

Many of us believe that if surpluses do, in fact, materialize during the course of future years, and many of us hope that they will, that the economy will remain strong; that the current projections will prove accurate; that this is an excellent time for us to get serious on national debt reduction; to be serious about finding some long-term bipartisan solutions to preserve Medicare, Social Security; deal with the rising crisis that we have in this Nation in regards to the cost of prescription drugs, while also being able to deliver a responsible tax relief package that all Americans will benefit from.

That is where our major point of contention is on the Republican proposal. We believe in tax relief like they do, but we would like to see tax relief that is done in a responsible and fair manner.

There have been a lot of numbers bandied about during the course of this evening and undoubtedly they will again tomorrow; but basically, the corner of the budget resolution that the gentleman from Iowa (Mr. NUSSLE) and his committee has reported out calls for a $1.6 trillion tax cut over 10 years. To continue to do that will happen this year or to any great extent next year; but most of the tax relief that they are talking about is backloaded severely to the 6th, 7th, 8th, 9th year from now. They have to do that for one simple reason: we do not have the surpluses and no one is predicting that the surpluses will be generated within the next 5 years, at least, in order to pay for a tax cut of that magnitude, so they have to backload it, hoping that the surpluses will, in fact, materialize 8, 9, 10 years from now.

Now, the average person in my district knows what is going on with this game. In fact, many of them are highly suspicious of these 10-year forecasts. They know that this is very speculative, these forecasts that are being bandied about right now, that no one can predict with any degree of certainty what the economy is going to be doing next year let alone what it will be doing 8, 9, 10 years from now. In fact, it has been said that God created economists in order to make weather forecasters look good. That is exactly what we are talking about, when we are talking about economic forecasts and projected budget surpluses that may or may not materialize 7, 8, 9 years from now.

There was a lot of talk earlier this evening that this tax cut they are offering does not even compare to the size of the tax relief that President Kennedy introduced back in 1960, that Ronald Reagan had introduced with his economic plan back in 1981, and perhaps in real dollar terms, the size of it does not compare. However, there is one very important significant difference, and that is the context in which these tax cut proposals were offered back in 1960, 1981, and today. Because I submit that back in 1960 and 1981, they were looking at an entirely different economic and demographic situation than we are today.

We should afford to take a chance back in 1960 and 1981 to pass large tax cuts because of two very important reasons. One was that we did not at that time have a $5.7 trillion national debt staring us in the face that is draining precious resources from the Federal budget every year just on the interest payments that we are making on our national debt, which totaled over $220 billion alone in the last fiscal year. That money is money that could be better spent for tax relief, for instance, for investments in education, in math and science programs and basic scientific and medical research in this country, but it is not. It is not because there is a large $5.7 trillion national debt that we have to make interest payments on, which comprises roughly the third largest spending program in the entire Federal budget.

But back in 1960, they were still keeping the budget in relative balance. In fact, during the decade of the 1960s, they were exercising fiscal discipline and responsibility by maintaining budgets that were within balance. In fact, the last time before the 1990s that we had a balanced budget in this country was 1969, LBJ’s last budget that he submitted in his last year in office.

Also, back in 1981 we were not looking at a $5.7 trillion national debt. I believe back then the national debt was roughly $1 trillion as opposed to what we are facing today.

There is a significant difference between what we are calling for today and what the circumstances that existed back then were.

The other significant difference is that they were not at that time facing a demographic time bomb waiting to explode. By that I mean the aging population that we have in this country, the baby boomers who are all going to start to retire at approximately the same time early next decade entering their Social Security and Medicare programs, bringing incredible fiscal pressure to bear if we cannot find long-term reforms for those programs, and that is something that I feel is getting...
lost in this debate. There is so much focus on the next 10 years which do look relatively optimistic when we look at the economic forecasts; but what is missing in the debate is what the second 10 years are going to look like in this century, and that is where I am afraid things are going to come home to roost.

Mr. Speaker, if we make bad decisions today, if we gamble on these projected surpluses today, lock in on large tax cuts that do not materialize, finding ourselves in a position of not being able to afford them, going back to a series of years as we just came out of during the 1980s and early 1990s of annual structural deficits, adding to, rather than reducing, our national debt, I am very concerned then about our children’s capacity and our grandchild’s capacity to pay off the type of fiscal situation that they will be asked to have to deal with. That is a significant difference.

Just to tell my colleagues briefly how tenuous these forecasts really are, even according to the Congressional Budget Office that is offering these numbers that a lot of people are basing the tax cuts upon, they are telling us that if we are off by just one-tenth of 1 percent of GDP growth over the next 10 years, that translates into $250 billion of surplus that we will be off. So if we are off by even a half a percentage point on GDP growth in 10 years, that is roughly $1.5 trillion that we will be off with our surplus calculations, which I think is very speculative and very risky at this time.

The demographic aspect of what is happening I think is equally compelling. Let me show this graph briefly. Everyone in the House realizes that over half of the projected surplus is surpluses that are generated by the surpluses in both the Social Security and the Medicare trust fund. We are collecting more than what is needed to go out in Social Security and Medicare. This is a great time in order to download the national debt so we are in a better position to deal with the baby boom generation’s retirement.

This graph illustrates what the next 10, 20, 30 years are going to look like in regards to those surpluses in the Social Security Trust Fund. Overall in the 10 years, we are running some surpluses: and to a large extent, this budget resolution is based on those surpluses. But what has not been discussed in any great detail is what the second 10 years and beyond look like in the Social Security Trust Fund. We are going to have some unfunded liabilities that are going to come due starting early next decade with the baby boomers starting to retire. That black ink, red on this chart, slowly turns into a sea of red ink that we need to come to grips with.

Mr. Speaker, this is as good a time as any for us to start looking in generational terms when we start making some of these budget decisions that we now have. Most of the decisions that I make when it comes to the budget are fiscal decisions that I pass, I try to make through the eyes of my two little boys who are just 4 and 2. I could not think of anything more patently unfair to do to them and their economic future than to saddle them with a large national debt because we did not have the courage to do something about it when we had a chance, or to make it more difficult for them to deal with an aging population in this country, when we have an opportunity with economic forecasts and surpluses that hopefully will materialize, to make the reforms that are needed to preserve and protect Social Security and Medicare, to make sure that we pass a prescription-medication component in this year’s budget, to do as much as we can humanly do so that we are in a better position next decade of dealing with some of these other fiscal challenges that we are going to face, as well as making the crucial investments that need to be made in education programs, job training programs, research into medicine and the sciences, and a greater emphasis on math and science in the country generally.

So this is hopefully something that we will be discussing in greater detail in the coming weeks as we develop the budget, in the coming months as we work on the budget details, because way too much emphasis, I am afraid, is being placed on economic forecasts that are so far out into the future that I would venture to guess that no one really, in all honesty, would be willing to bet their own personal finances on the realization of those forecasts today, when there is so much uncertainty in the air.

Mr. Speaker, at this time I yield to the gentleman from New Jersey (Mr. HOLT), my good friend, who I serve with on the Committee on Education and the Workforce, one of the foremost leaders on emphasizing the importance of math and science and scientific research on budget issues.

Mr. HOLT. Mr. Speaker, I thank the gentleman from Wisconsin. I would like to pick up on a point that the gentleman made, the Congressional Budget Office, not a Democratic organization nor, for that matter, a Republican organization, has talked about the uncertainty in the budget projections; and they have made it clear that what looks like a surplus in some of the future years could actually be a deficit.

Now, we have a surplus today, an honest-to-goodness surplus, and the projections that tell us that we will have a net surplus to work with of $5 trillion over the next 60 years has been gone over by lots of experts; and these projections are every bit as good, I would say, as the projections of several years ago that said we would be in deficit right now. So we should keep that in mind.

In the Democratic alternative budget that calls for paying down more debt and somewhat smaller tax cuts is arrived at not out of fear. This is not a fear of that uncertainty; this is not an eat-your-spinach austerity budget. No. We are trying to do, really, what the other side has said, which is to put more money in the pockets of the people of America, of the working families.

Mr. Speaker, we want to give a tax cut, not like the Republicans, one that pays off 6 or 8 or 11 years from now; and we want to pay down the debt. We would pay down the debt as rapidly as possible, more rapidly than the majority’s budget.

This is not only the responsible thing to do but it is important in demonstrating that our government has fiscal discipline, financial discipline. This leads to greater investor confidence and greater consumer confidence, lower interest rates, and that alone would put more money in the pockets of Americans, every homeowner getting a mortgage, every farmer buying a combine, every student with a student loan, every small businesswoman raising capital. And if we add to that the fact that what we are trying to do is to create a budget that leads to productivity growth, productivity growth that powers our economy leads to people having jobs. If we are going to have that productivity growth, we need a smart, well-trained workforce and we need new ideas.

Quite simply, we need to invest in education and we need to invest in research and development. In both of those areas, our budget does a better job than the majority party’s budget. Mr. Speaker, in other words, we want to invest in teacher recruitment, teacher training, smaller class sizes, Pell Grants that will help everyone have the advantage of a college education. The Republican budget quite simply shortsightened the American people in education and in research.

So the Democratic budget is not an austerity budget. By paying down the debt, by investing in education and research, we are convinced that we will have a richer country; and that, I think, has been lost in the debate tonight. Yes, we can talk about who is spending more on this program and who is spending more on that program, but what we think we will end up with here is a program that is more fiscally responsible because we do not commit money over the long term when there is uncertainty in the projections, and we invest in those things that are necessary to have the economic growth that we need.

I thank the gentleman for putting together this discussion. There are a lot of differences in what the majority budget has and what we propose to do.
Mr. KIND. Mr. Speaker, I appreciate the gentleman’s comments tonight. He makes a very valid point, one that will just take a second to emphasize again, and that is that Chairman Greenspan, whether he deserves it or not, has received a lot of credit in regards to the economic circumstances in the country. A lot of people listen to what he has to say; and he has consistently said since day one, when he comes before the Committee on the Budget or the Committee on Financial Services testifying, emphasizes debt reduction, talking about the merits of debt reduction, how it will help the Federal Reserve interest rates, which is really the true economic stimulus in the economy; by making it cheaper for businesses to invest capital in their business, create more jobs, increase worker productivity. Then the average worker is going to see financial relief through lower interest rates, lower mortgage payments, car payments, credit card payments, and, as the gentleman mentioned, loan payments will be cheaper to do. That is real money in real people’s pockets as well, so there is a lot of value to continuing to emphasize debt reduction.

If the gentleman will yield, the Democrats would retire all redeemable public debt by 2008. The Republicans’ budget is meek.

Mr. PRICE of North Carolina. Mr. Speaker, I yield to my good friend, the gentleman from North Carolina (Mr. PRICE), one of the true authority figures when it comes to budgetary matters here in the House of Representatives.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

I would like to begin by picking up on the point our colleague, the gentleman from New Jersey, was making about debt retirement. It seems strange to see our Republican colleagues arguing that, really, we had better not retire too much debt. After years and years and years of piling up debt and red ink and deficit spending, here we finally see the light of day. We are running modest surpluses, and we have the opportunity to reduce that mountain of debt.

Let us remind ourselves, that debt is not just an abstract number, that debt is costing our country over $200 billion a year in interest payments alone. Think what we could do with that money. Think of the more profitable public and private investments that could be made with that over $200 billion. We need to systematically and in a disciplined way get that debt paid down.

It seems to me that our Republican friends are making a couple of mistakes. In the first place, they are underestimating how much of that debt we can pay down over the next 10 years without incurring unreasonable penalties.

Then, secondly, they are using a device in their budget which they call a reserve fund, but they at the same time are making commitments that almost certainly will spend down that reserve fund: increases in defense spending, agricultural assistance. Goodness knows, they are not even taking any account of the kinds of farm payments we have had to make in recent years.

They are promising us a prescription drug coverage under Medicare. How much of that is it going to take for those reserve funds to vanish and, therefore, even less debt reduction to be achieved. It seems to me that the approach we are taking in the Democratic alternative is far more reasonable, far more responsible. We are reducing the debt by a good deal more than our Republican friends. At the same time, we are taking a more realistic account of the investments that they and we say that we are going to have to make.

Instead of the Republican approach, which has been to shout through a tax cut here mainly benefiting the wealthiest people in this country, and then say, well, we will figure out a few months later what the rest of the budget looks like, our approach on the Democratic side has been to roughly take one-third of the surplus and say we are going to commit that to a disciplined paying down of the national debt, beyond what we are already doing with the Social Security surplus, which is applied to debt reduction and to the long-term future of Social Security.

We take another one-third of the surplus and apply that to tax relief. That is a large tax cut, and one from which this country will benefit.

Then we take the remaining third and apply it to investments which really both parties have committed to, in strengthening defense, providing a prescription drug benefit under Medicare, investing in education, investing in research.

I do want to return to what our colleague said about the National Science Foundation, an important component of that. We will be investing in roads and transit. Goodness knows, my district in North Carolina is well aware of the need for that investment. It will be one-third, one-third, another one-third, a balanced program of debt retirement, tax relief, and targeted, prudent investments. It seems to me that that is a sound basis on which to proceed. I very much hope that before this process is over, we will have a kind of process that we can all be part of.

Mr. KIND. I appreciate the gentleman’s insight in this matter. Obviously, he has been directly involved in the creation of many budgets, and analyzing them as a member of the Committee on the Budget and the Committee on Appropriations.

I think that is one of the great differences between the Democratic alternative and what the majority is offering this week, is that we are taking a more balanced approach on projected surpluses.

First of all, we are hedging our bets a little bit. We are saying a lot of the surplus is speculative. Let us be honest, over two-thirds of the projected surplus will not even happen, if at all, until 6, 7, 8 years from now, so there is not a lot of wiggle room right now.

Mr. PRICE of North Carolina. If the gentleman will yield, well over two-thirds of that projected surplus is more than 5 years out. There have been a quantities, and missile defense increases. What have pointed out the ominous fall in the stock market and what will do to capital gains receipts, and the effect that will have on the projected surpluses.

Then we look at what is happening in the States. In my State of North Carolina, and I understand something like half the States, the budget is taking a dive. The economic situation is deteriorating. We hope that does not become worse, but surely it would be foolish for us to ignore those signs in projecting our Federal surplus.

Mr. KIND. Reclaiming my time, Mr. Speaker, I agree with the gentleman wholeheartedly, even in the State of Wisconsin, where we are following on the heels of a big tax cut that was just enacted, and now we are looking at a revenue shortfall of over 600 million to $1 billion in the next biennium. This is a consistent theme now from State to State from perhaps ill-considered economic gains in the coming years.

In just looking at the Republican budget resolution, to be honest, there are some smoke and mirrors being played here. If anyone believes they are only going to go with a 2 percent defense increase in this budget, take the fact that they are not allocating any money at all to a missile defense program, when we know the Bush administration has made this one of their top priorities, and missile defense can be extremely costly; or calling for an 8 percent real budget cut in agriculture programs when we know we are in the middle of an agriculture depression right now. We have seen the farm relief packages that have passed this Congress with bipartisan support in the last few years. It is just not realistic with the American people or honest with the American people on what their true spending costs are going to be in that appropriations.

The point I was making earlier is that back in 1981, we could afford to make a mistake. We could afford to take a gamble on passing a large tax
cut plan that President Reagan was advocating. He was also advocating a large increase in defense spending. That is, in fact, what happened. So if we couple a large tax cut with a large increase in spending, that is what occurred within the 1981 economic plan. It led to a decade of annual deficits, which led to the $5.7 trillion of national debt that we now have and that we are wrestling with and trying to dig ourselves out from under.

Back then we could have an opportunity to recover from that type of fiscal mistake that was made. I am not confident at all that if we go down the same road, that we can recover in time for the baby-boom generation’s retirement.

President Bush was here in the well not too long ago quoting Yogi Berra saying, “When you come to a fork in the road, take it.” Yogi Berra was also famous for saying, “This is deja vu all over again.” What they are offering in their budget resolution, with the large tax cut plus what will inevitably lead to a large increase in spending, especially in the defense area, and there will be bipartisan support for defense modernization, is a redo of the 1981 economic plan that led to the $5.7 trillion of national debt that we are trying to recover from, which resulted in the 1990s, in the Clinton administration, of putting together budget packages that would get us the balance, and then start running these surpluses.

So I hope we do not repeat the mistakes of the past, and we learn from what happened then so we can better prepare for the challenges of the future.

Mr. PRICE of North Carolina. If the gentleman will continue to yield, I cannot imagine that with the surpluses that are already running now, and seeing the baby boom retirement ahead and the implications that has for Social Security and Medicare, I cannot imagine that we would not want to get that national debt reduced down to the absolute minimum so we do not have this $200-plus billion in debt service each year awaiting us now, and so that we are in a better position to meet that challenge when it arises.

It is just incredible in this context to be saying, let’s pay down the debt too much. As one of our colleagues said, it is like a 400-pound man deciding he had better not go on a diet lest he become anorexic. That is not really our problem. Our problem right now is to systematically and in a disciplined way pay down that national debt, get that debt service off our back, get ourselves in a strengthened position to meet the challenges that surely lie ahead.

Mr. KIND. I could not agree with the gentleman more. Interestingly enough, that is the feedback I constantly hear from my constituents in western Wisconsin. They look at me and say, “What are you guys doing out in Washington?” Because they kind of view these Federal budget terms the same way they view wall street finances. If there is debt they are responsible for, they understand they have a responsibility for taking care of that first before they embark on new spending programs or large new tax cuts. That seems to be the overarching, clear preference for the people living back home in Wisconsin.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN), a good friend and someone who has some very strong opinions with regard to this budget resolution.

Mr. ALLEN. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, and my colleagues for being here tonight to talk about this budget resolution. At last it seems like we are going to be discussing at least the beginnings of an overall budget resolution with a few numbers; not a lot of numbers, not the kind of detail that apparently we may not see until May or June, but at least we are starting to engage in an important debate here.

I want to follow up on what the gentleman from North Carolina (Mr. PRICE) and the gentleman from Wisconsin (Mr. KIND) have been saying about the need to pay down the national debt and to meet our responsibilities. That word “responsibilities” seems to have been lost in terms of our friends on the Republican side of the aisle as they get into the debate on this budget resolution.

We have several responsibilities. I am struck by one in particular. That is the responsibility to meet the authorized Federal share of funding for special education. This is a program that was created in 1975, and within a few years Congress funded the Federal Government to pay up to 40 percent of the cost of special ed.

I suspect that it is as true in Wisconsin as it is in Maine. When I go out and talk to educators in Maine, the business people involved in education, the teachers, the superintendents, the members of the school boards, their number one concern, their number one request, is full funding of the Federal share of special education.

In Maine that would be an additional $60 million per year. It is a huge amount of money. Yet, in our districts, over and over again, the local taxes and State taxes are being used to pick up the abdication of the Federal Government for its responsibility to fund special education. So local money and State money is being put into educating special ed students, and a good many of our regular students are finding that they do not have textbooks. They are in classes that are too large and they are in schools that are rundown.

Before we have dessert first with a tax cut of this size, we really ought to meet our responsibilities. We ought to pay down a larger share of the national debt, and we ought to fully fund special education.

Today I went before the Committee on Rules with a proposed amendment that I hope will be approved to come to the floor tomorrow, but I cannot count on that, an amendment that would take this historic opportunity to fully fund the Federal portion of special education. It would mean an additional $11 billion. It has nothing to do with a new program. This is an old program that deserves a new promise, or, rather, the fulfillment of an old promise to fully fund special education.

That sum, $11 billion, is something we could not have conceived of except for this year, only with the kinds of projected surpluses that we see in front of us.

I believe that we have the right approach. We can have a tax cut about half the size of what the President proposes, and if we do that, we can do a Medicare prescription drug benefit, we can fully fund special education, and we will still have close to $800 billion to shore up Medicare and Social Security, and to have some sort of cushion against the possibility that these projections just will not work out as they are projected to be now.

We need balance.

The final thing I would say is this: the President came up to the State of Maine last Friday, and he made his usual pitch. To hear him describe and to hear our friends on the other side of the aisle describe what is going on, they say, well, we have met our responsibilities, and we have a trillion dollars in our contingency fund, which my colleagues and I know is not there; and then they say we are dealing with the money that is left over.

Mr. Speaker, I ask, does anyone in the country believe that the President’s last priority is tax cuts? We all know that is the first priority. That is where the money is coming from. As the American people begin to understand, as they see real numbers, they will realize that a tax cut of $1.6 trillion is so large that we cannot deal with other priorities fully funding old programs like special ed or dealing with new emergencies like the high cost of prescription drugs for our seniors.

It seems to me we have to take account of the fact, as all of my colleagues have been saying, that we do not know that these projections will come in as promised or as projected and, therefore, we have got to be disciplined.

This is the time to shore up Social Security and Medicare, to prepare for a
future when we will have more claimants in those programs and be responsible about our budgeting. The Republican budget is unworkable and, therefore, it should be rejected.

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

Mr. KIND. Mr. Speaker, I just want to commend the gentleman from Maine (Mr. ALLEN) for the leadership that he has provided this House in regards to getting this Congress to live up to the Federal Government’s responsibility for funding special education costs.

The gentleman mentioned the 40 percent level where we should be, but I do not think too many people back home realize we are only funding it at slightly less than 15 percent of that 40 percent share. This is a challenge that is not going to be gone.

We have a collision course with school budgets and modern medicine, where we are seeing more and more children who in the past normally would not have survived to live to school age entering the school systems, bringing the special needs with them and the increased costs. That is what IDEA is; that is what special education is all about.

If we can get one thing right in the education component of this budget, it is getting to our full share, that 40 percent level, of special education, which would provide tremendous relief to local school districts so they can use resources to implement the reforms that they would like to make; but they cannot because so much of their resources are being diverted to cover for our shortfall in IDEA and special education.

The gentleman and I have been working together on a task force to elevate this issue and to highlight it and we are going to continue doing it, reaching across the aisle trying to gather bipartisan support, because it is more than just funding IDEA. It is really a civil rights issue as well.

These children bring special needs to the classroom. They deserve to have access to a quality education like any other children in this country, but we are selling them short. We are not living up to our responsibility, our commitment to go to get the job done.

We can very easily do that if we make it a budget priority, and that is what this budget resolution is all about. It is a reflection of our priorities and our values as a country and what we are willing to invest in or not invest in.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. The gentleman reminds me of a point I wanted to make. Fully funding our education system would help special ed students obviously. It would also help regular students because, frankly, State and local money that is now being diverted to fund special education would be available for textbooks and additional programs for regular students.

Third, it would really help relieve pressure in the future on local property taxpayers. There is no question in my mind if we have a $1.6 trillion tax cut, the pressure that is on the taxpayers is going to go up much faster than if we have a more responsible tax cut, balanced with investment in education and health care and with a reserve left to shore up Social Security and Medicare.

Mr. Speaker, I thank the gentleman for yielding.

Mr. KIND. I thank the gentleman for his leadership.

Mr. PRICE of North Carolina. I yield to the gentleman from New Jersey (Mr. HOLT), my friend.

Mr. HOLT. Just on that point, we wanted to talk about education funding and the obligations we have. With all of the talk about increased attention to education, the fact of the matter is that the budget of the majority party is less as a percentage increase in spending than any of the past 6 years; and to put it really into perspective, to see what is really at work here, when we face an obligation of something on the order of $100 billion to meet our obligations for special education, the majority party is presenting as a tax cut for the top 1 percent of Americans 13 times as much money as they are proposing for all of their educational reform and new education initiatives.

That, I think, is a stark difference.

I thank the gentleman for yielding.

Mr. INSLEE. Mr. Speaker, I thank the gentleman for yielding to me. The gentleman mentioned the 40 percent level, of special education, which is what IDEA is; that is what special education is all about.

The gentleman mentioned the 40 percent level where we should be, but I do not think too many people back home realize we are only funding it at slightly less than 15 percent of that 40 percent share. This is a challenge that is not going to be gone.

We have a collision course with school budgets and modern medicine, where we are seeing more and more children who in the past normally would not have survived to live to school age entering the school systems, bringing the special needs with them and the increased costs. That is what IDEA is; that is what special education is all about.

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We can very easily do that if we make it a budget priority, and that is what this budget resolution is all about. It is a reflection of our priorities and our values as a country and what we are willing to invest in or not invest in.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. The gentleman reminds me of a point I wanted to make. Fully funding our education system would help special ed students obviously. It would also help regular students because, frankly, State and local money that is now
make the case, the point that this budget really cuts to the bone.

And I have three problems with the budget some. First of all, it cuts so close to the margin that it leaves no room for error. If these projections over 10 years, a period that everybody agrees is a precarious amount of time in which to cast economic projections, of the extraordinary economic risks the smallest amount, this bottom line here, the so-called on-budget surplus, the surplus remaining after backing out Social Security and Medicare, it is just $20 billion next year, and by 2005, it is actually negative, because it begins to decline in 2004.

It is never a significant number until about 2008 or 2009. That is the margin of error, the cushion fund, if you will, in case these projections go wrong. So that is a first problem I have with the budget.

What can happen? We just talked about education. If we are wrong here and that goes into the red, then we will see education under pressure again. Discretionary accounts like that are funded every year will be under the gun again.

Secondly, by committing the lion’s share of our surpluses to the massive tax cut they are proposing, and when you provide for the additional interest that we will have to pay because we are using the surplus for tax reduction rather than debt reduction, very little room is left for any other priority.

If we want to see where the difference is, look at education, critically apparent when we look at education, because we have a balanced approach.

We put a third on debt reduction, a third on tax reduction, and a third on priority spending. We have money for the first time, real money for education, more than what the Republicans are proposing in their budget, $130 billion. There is no difference, no comparison between us and them when it comes to education.

That begins at the beginning when we set our framework and said we have got an unusually good stroke of fortune here.

We are now reaping the consequences of fiscal good behavior. We, therefore, want to set aside something for those programs which we have denied and deferred in prior years as we tried to subdue the deficit.

Education leads the list. We think it is the future. We think it is the ladder that helps us to reach opportunity in America. So we allocate $30 billion more than they do to education.

Finally, Social Security and Medicare, we all know that in 2008, the first of the baby boomers will retire. Seventy-seven million of them are marching into retirement right now. They are all born. They are not going any-where. They will soon be claiming their benefits. We have got about 10 years to get ready. All through the 1990s, we did not do it, but we did not have the wherewithal to deal with it. Now that we have the wherewithal, the $5.6 trillion surplus, we have an obligation. We have an obligation to deal with it.

As I have said earlier, we may be sitting on what appears to be an island of surpluses, but we are surrounded by a sea of debt. A large part of that debt is not monetized. It is unfunded, so to speak. It is represented by the promises that have been made to the beneficiaries that have yet to retire but, nevertheless, need those benefits when they do retire for Social Security and Medicare.

The unfunded liability of those programs today, if we funded the account of Social Security, it produces a deficit solvency indefinitely into the future is $3.1 trillion. That is the unfunded liability. Now, we can either take some of our surplus and use it for that, or we can slough the problem off on to our children, and let them pay for our retirement, the baby boomers’ retirement.

What is the morally responsible thing to do? It is to take some of the surplus we have now and set it aside for Social Security and Medicare, and that is exactly what we do.

The first thing we do in our budget, we take a third of the surplus, $910 billion, we assign it to the future of these two programs in equal accounts, to Medicare and Social Security; and it ensures the solvency of these programs, Medicare to 2040, Social Security to 2050. That is not fiscally irresponsible. That is fiscal responsibility.

Mr. KIND. Mr. Speaker, I thank the gentleman from South Carolina (Mr. SPRATT), as the ranking member, is obviously much more familiar with the numbers of the budget resolution than I. I have a question for the gentleman. There is a lot of talk about this $5.6 trillion surplus over the next 10 years. But what is that reduced by if we do, in fact, take the Social Security and Medicare trust funds out of the equation? Where does that leave the surplus total at that point?

Mr. SPRATT. Mr. Speaker, even if we do that, what we are doing when we take them out of the equation is using the surpluses accumulating for now in those two trust accounts to buy up debt we incurred in the past, outstanding debt. In the past, we used it to fund new debt; and the proceeds of that new debt we used to fund new spending.

Now, we have both agreed, I will give the other party credit, we have both come to an accord that we will use both of these programs solely to buy up outstanding debt. Unfortunately, Republican counterparts are breaking faith with us on the Medicare part A trust fund, the HI trust fund, because they are effectively saying we can use...
some of that to pay for prescription drug benefits under Medicare, $153 billion of the $392 billion that will accumulate in 10 years. The way we can spend it on Medicare drug coverage. But if we do that, it will not be there to pay for the other hospital insurance in-patient benefits to which it is primarily obligated.

Mr. KIND. Mr. Speaker, it is my understanding, correct me if I am wrong, a large part of that $5.6 trillion in surplus everyone is talking about are the surpluses being run in Social Security and Medicare. There seems to be pretty much a universal agreement, at least in this House, that we should not touch that, that should be set aside and dedicated in preparing for the baby boomers' retirement.

If we did that, that $5.6 trillion number that everybody redeems is roughly $2.7 trillion of surplus over 10 years, again if the projections prove true. But the gentleman from South Carolina (Mr. SPRATT) was just mentioning earlier how close they are cutting it get resolution. If we look at the $1.6 trillion tax cut proposal that they have out there, that is not entirely honest with the American people as well because they are not reducing debt as much as we are proposing. There would be an additional half a trillion or $500 billion on debt interest over the next 10 years, so that $1.6 trillion tax cut immediately jumps up to $2.1 trillion that we would have to pay for.

If we are going to deal with the alternative minimum tax, and everyone around here understands we need to deal with that so more working families are not included, that is going to be an additional $200 billion, $300 billion over 10 years to fix that problem.

If we extend the tax extenders as we do every year in this place, it is an additional $100 billion that is going to be added to the 1.6. So that $1.6 trillion tax cut would actually balloon up to roughly $2.6 trillion. If we only have roughly $2.7 trillion as a margin of error, that does not leave us with a heck of a lot of room to do virtually anything else, let alone reforming Social Security, Medicare, dealing with the prescription medication program, which I think a lot of people believe we need to take action on, or the education investment that we have to make.

Are those numbers pretty accurate? Mr. SPRATT. Absolutely, Mr. Speaker. Look at the bottom line on this chart again, complicated as though it may be. In 2002, the amount left over is $20 billion. It is a lot of money. But keep in mind that that does not include the plus-up for defense, and it does not include the pluses for agriculture. The two of those could easily be $15 billion, even $20 billion, in which event we are in the red again. We are dipping into those trust funds as early as 1 or 2 fiscal years from now. It is right there. The numbers are right there. It is their particular budget projection. That is how close to the margin it comes.

Now, there is an appearance abroad that this budget allows us to sort of have our cake and eat it, too, to have big tax cuts and not really to have any significant programs that are important to people, particularly children.

One of the things that the President, I am not sure how he makes the math up, one step away from doubling over a period of 5 years. So do we. It is important. We agree with that. However, if we read on, we find that that $2.8 billion increase in the NIH budget comes out of its parent agency, the Department of Health and Human Services. It comes out of its hide.

They also have other important agencies: the Center for Disease Control, the CDC, the community health centers. They suffer so that NIH can increase. We provide the plus-up and also adequately raise the HHS budget so that other good important health programs do not have to suffer to pay for the widening wedge for NIH. They do not.

Let me tell my colleagues something else. One of the reasons that I do not think we should be out here tonight or today or tomorrow doing the budget is we still do not have the detail we need to know exactly what is in this budget proposal.

When we press the Secretary of HHS for further detail, he said, “I do not have it. It will come to me April 3 or thereabouts from OMB.” When we press the Secretary of Agriculture for further details, she told us she would find out on April 3 also. When we asked the Secretary of Defense to come testify, he would not testify because he is not ready to testify. But we know he is coming back with a big bag for more money.

Hence, look at what happens as a result of trying to plus-up some things while holding other things constant. In HHS, here we have a President who ran on the campaign slogan that he would leave no child behind. He told us in his State of the Union message that his wife, a lovely woman, Laura, was a librarian, and she would see to it that children’s programs were properly attended to.

Look carefully at the HHS budget when it comes. Based on documents released last week to the New York Times, there are three major cuts. Where are they coming in the HHS budget? In children’s program. Why did he cut them? They have no voice.

We finally got the child care and development block grant up to $2 billion last year. Why were we pushing to get it up? It is a central ingredient for welfare to work. If mothers do not have child care, they cannot leave their kids alone at home. So we had to do it. We raised it $800 million to $2 billion. Still not enough. But it includes and covers 214,000 additional children. What has been targeted at HHS for reduction by OMB? You got it, $200 million out of children, child care.

We added money to the account for abused and neglected children, just $78 million in the whole budget of HHS. What has been targeted for cuts? According to the New York Times, that particular program, taking money from abused, neglected children.

Finally, we dealt with some huge omissions that have been overlooked for years and is not at all defensible. Most Americans do not know it, but graduate medical education, interns and residencies, are paid for through the Medicare program, indirectly, but substantially, to the tune of about $10 billion. That is fine for everybody but pediatricians. They do not see patients through Medicare.

So our children’s hospitals have not enjoyed that kind of subsidy in the past that other specialties have enjoyed at the teaching hospitals. We finally corrected that last year with a $225 million fund, and that, too, is under target.

So when one talks about a budget that is providing for our needs and wants, not leaving any child behind, what one sees is that this big tax cut has even shoved the most critical and sensitive programs on the back burner.

Mr. KIND. Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPRATT) for his insight tonight, his expertise, the work product that he has been able to produce in the alternative budget resolution. Hopefully it is opening up a lot of eyes in regards to what the majority party is offering, the promises that they are making, the lack of details that they are providing right now. I thank the gentleman for his work.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. HOLT). Mr. HOLT. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would like to follow on some of the things that our distinguished ranking member has covered. In addition to some of the things that the gentleman from South Carolina (Mr. SPRATT) has talked about, the Republican budget would result in cuts in the following programs: the Environmental Protection Agency; the Department of Agriculture, including field offices of the National Agriculture and Space Administration; Renewable and Alternative Energy, which is critically important, we have been reminded recently; Army Corps of Engineers; Federal support for railroads; the Small Business Administration; Community Development Block Grants; the Department of Justice. We had talked earlier about the hit that the community-oriented policing program would
Mr. Pallone, for 5 minutes, today.
Ms. Norton, for 5 minutes, today.
Mrs. Mink of Hawaii, for 5 minutes, today.

(The following Members (at the request of Ms. Ros-Lehtinen) to revise and extend their remarks and include extraneous material:)
Mr. Bilirakis, for 5 minutes, today and March 28.
Mrs. Wilson, for 5 minutes, today.
Mr. Jones of North Carolina, for 5 minutes, today and March 28.
Mr. Keller, for 5 minutes, today.
Mr. Shimkus, for 5 minutes, March 28.
Mr. Platts, for 5 minutes, March 28.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:
S. 295. An act to provide emergency relief to small businesses affected by significant increases in the prices of heating oil, natural gas, and other purposes; to the Committee on Small Business in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
S. 396. An act to ensure the independence and nonpartisan operation of the Office of Advocacy of the Small Business Administration; to the Committee on Small Business.

ADJOURNMENT

The motion was agreed to; accordingly (at 10 o’clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 28, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:
S. 354. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Aviation—received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
S. 355. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Aviation—received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
S. 356. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Aviation—received March 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:
(339): A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department’s final rule—Aviation—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department’s final rule—Aviation—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department’s final rule—Aviation—received March 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Spain (Transmittal No. DTC 065-01), pursuant to 22 U.S.C. 2471(c), to the Committee on International Relations.

A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan (Transmittal No. DTC 063-01), pursuant to 22 U.S.C. 2778(c); to the Committee on International Relations.
1360. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 026–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1361. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Luxembourg, France [Transmittal No. DTC 020–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1362. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 004–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1363. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 025–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1364. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 026–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1365. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada, Australia and New Zealand [Transmittal No. DTC 021–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1366. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Israel [Transmittal No. DTC 022–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1367. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance Agreement with Canada, Australia and New Zealand [Transmittal No. DTC 021–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1368. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Greece [Transmittal No. DTC 002–01]; to the Committee on International Relations.

1369. A letter from the Chairmen, National Mediation Board, transmitting the 2000 Annual Performance Report; to the Committee on Government Reform.

1370. A letter from the Director, Policy Direction and Instructions Branch, INS, Department of Justice, transmitting the Department's "Major" final rule—Adjustment of Status To That Person Admitted for Permanent Residence; Temporary Removal of Certain Aliens (U.S.C. 207–060; AG Order No. 2411–2001 (RIN: 1115–AF91) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)); to the Committee on the Judiciary.

1371. A letter from the Acting Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, transmitting a report on the Study Examining 17 U.S.C. Sections 109 and 117 Pursuant to Section 104 of the Digital Millennium Copyright Act; to the Committee on Energy and Commerce.

1372. A letter from the Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's "Major" final rule—Distribution of Fiscal Year 2001 Indian Reservation Roads Funds (RIN: 1076–AE13) received March 26, 2001, pursuant to 5 U.S.C. 801(a)(1)); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 6. A bill to amend the Internal Revenue Code of 1986 to reduce the marriage penalty and adjustments to the standard deduction, 15-percent rate bracket, and earned income credit and to allow the nonrefundable personal credits against regular and minimum tax liability; with amendments (Rep. 107–29). Referred to the Committee of the Whole House on the State of the Union.


PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and several referred, as follows:

By Mr. ABERCROMBIE: H.R. 1211. A bill to amend the Internal Revenue Code of 1986 to restore a 100 percent deduction for business meals and entertainment and to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel to the Committee on Ways and Means.

By Mr. BARR of Georgia (for himself, Mr. BISHOP, Mr. COLLINS, Mr. CHAPMAN, Mr. DAVIS of Georgia, Mr. GREEN of Texas, Mr. HILLIARD, Mr. JONES of North Carolina, Mr. LEWIS of Georgia, Mrs. MYRICK, Mr. SCHAFER, Mrs. SCHLAGHER, Mr. VULCANO of North Carolina, Mr. YOUNG of Ohio, Mr. WELDON of Pennsylvania, and Mr. WICKER):

H.R. 1212. A bill to provide grants to law enforcement agencies to ensure that law enforcement officers employed by such agencies are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. UPTON, Mr. DINGELL, Mr. RUZBA, Mr. BARRETT, Mr. SAWYER, Mr. STUPAK, Mr. SHERWOOD, Mr. BONIOR, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. KANJORSKI, Mr. MURPHY of Pennsylvania, Mr. EHLERS, Mr. KILDEE, Mr. LEACH, Mr. SOUDER, Mr. VISCONTI, Mr. BALDWIN, Mrs. JONES of Ohio, and Mr. LEVIN):

H.R. 1213. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD (for himself, Mr. DOYLE, Mr. MURPHY of Virginia, Mr. UPTON, Mr. BONIOR, Mr. EHLERS, Mr. DINGELL, Mr. PETERSON of Pennsylvania, Mr. SULLIVAN, Mr. HOLDEN, Mr. GILCHRIST, Mr. KILDEE, Ms. RIVERS, and Mr. LEACH):

H.R. 1214. A bill to authorize State and local controls over the flow of municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GREENWOOD:

H.R. 1215. A bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BACA (for himself and Mr. LUHRI):

H.R. 1216. A bill to ensure that schools develop and implement comprehensive school safety plans; to the Committee on Education and the Workforce.

By Mr. BACA (for himself, Ms. CARSON of Indiana, Mr. FILNER, Mr. GONZALES, Mr. MEEKS of New York, Ms. MCKINNEY, Mr. SERRANO, and Ms. VLAZUNO):

H.R. 1217. A bill to provide grants to local educational agencies to provide financial assistance to elementary and secondary schools for obtaining computer software for multilingual education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 1218. A bill to provide for an African American Health Initiative under which demonstration projects conduct targeted health campaigns directed at high-risk African American populations; to the Committee on Energy and Commerce.

By Mr. BACA:

H.R. 1219. A bill to provide for a study to determine the costs to the public and private sectors of hip fractures among elderly individuals and spinal cord injuries among children, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mr. POMERLOI, and Mr. HALL of Texas):

H.R. 1220. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 1221. A bill to expand the Officer Next Door and Teacher Next Door initiatives of
the Department of Housing and Urban Development to conduct a study of developing residential mortgage programs that provide low-cost health insurance in conjunction with low-cost mortgages; to the Committee on Financial Services.

By Mr. BACA:
H.R. 1222. A bill to require the Secretary of Housing and Urban Development to conduct a study of developing residential mortgage programs that provide low-cost health insurance in conjunction with low-cost mortgages; to the Committee on Financial Services.

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any health benefits plan which provides ob-
sterilization, to the Committee on

riage project; to the Committee on Re-

rectives, resources, and Agriculture, for a period to

tively determined by the Speaker, in each case for

vations as fall within the jurisdiction of the commit-

By Mr. STARK (for himself, Mr. BROWN of

By Mrs. MINK of Hawaii: (for herself and

By Mr. MEEHAN: H. Res. 1248. A bill to pro-

By Mr. CALVET (for himself, Mr. DREHER, Ms.

By Mr. SANDERS (for himself, Mr. BONIOR, Ms.

By Mr. SMITH of New Jersey: (for himself, Mr.

By Mr. BACA (for himself, Ms. BALLOW, Mr.

By Mr. ENGEL (for himself, Mrs. LOWRY, Mr.

MEMORIALS

Under clause 3 of rule XII, memorials were

The SPEAKER presented a memorial of the

pments, to the Committee on Energy and Com-

the 2011 District of Columbia Special

By Mr. TANCREDO: H. Con. Res. 38. Concurrent

By Mr. BACA (for himself, Ms. BALDWIN, Mr.

By Mrs. MINK of Hawaii: (for herself and

By Mr. MEEHAN: H. Res. 1248. A bill to prohibit

By Mr. SANDERS (for himself, Mr. BONIOR, Ms.

By Mr. SMITH of New Jersey: (for himself, Mr.

By Mr. Moore (for himself, Mr. STENBOLM

H.R. 1257. A bill to amend the Congres-

H.R. 1256. A bill to amend the Clean Air

H.R. 1255. A bill to amend title XVIII of the

H.R. 1254. A bill to establish a program to

H.R. 1253. A bill to establish a program to

H.R. 1252. A bill to amend the Safe Drink-

H.R. 1251. A bill to amend the Reclamation

H.R. 1250. A bill to amend the Elementary

H.R. 1249. A bill to ensure that crop losses

H.R. 1248. A bill to amend the Reclamation

H.R. 1247. A bill to provide for the imple-

By Mr. MEEHAN: H. Res. 1248. A bill to pro-

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March 27, 2001

CONGRESSIONAL RECORD—HOUSE

4739

By Mr. MEEHAN: H. Res. 1248. A bill to pro-

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in order to fund this underfunded federal mandate, the Committee on Education and the Workforce.

8. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 6 memorializing the United States Congress to urge appropriate funds for improvement of rail infrastructure in the Interstate Route 81 corridor. Such improvement shall ensure that the railroad that parallels Interstate Route 81 in Virginia provides a viable alternative to the use of Interstate Route 81 for the movement of interstate traffic; to the Committee on Transportation and Infrastructure.

9. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Resolution No. 6 memorializing the United States Congress to urge appropriate funds for improvement of rail infrastructure in the Interstate Route 81 corridor. Such improvement shall ensure that the railroad that parallels Interstate Route 81 in Virginia provides a viable alternative to the use of Interstate Route 81 for the movement of interstate traffic; to the Committee on Transportation and Infrastructure.

10. Also, a memorial of the House of Representatives of the State of Kansas, relative to Resolution No. 6 memorializing the United States Congress to urge appropriate funds for improvement of rail infrastructure in the Interstate Route 81 corridor. Such improvement shall ensure that the railroad that parallels Interstate Route 81 in Virginia provides a viable alternative to the use of Interstate Route 81 for the movement of interstate traffic; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COX:


By Mr. COX:


ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. Thomas and Mr. Hastert.
H.R. 8: Ms. Berkley.

H.R. 10: Mr. Weldon of Pennsylvania, Mr. Putnam, Mr. Lewis of Georgia, Mr. Rogers of Kentucky, Mr. Sweeney, Mr. Farr of California, Mr. Inslge, Mr. Tiahrt, Mr. Jenkins, Mr. Bartlett of Maryland, Mr. Deal of Georgia, Mr. Costello, Ms. Millender-McDonald, Mr. Millender-McDonald, Mr. Rush, Mr. Boucher, Mr. Burton of Indiana, and Mr. Davis of Illinois.

H.R. 12: Mr. Cummings, Mr. Rush, Mr. Condit, Mr. Barrett, Mr. Kolbe, Mr. Army, and Mr. Barc of Georgia.

H.R. 17: Mr. Engel and Mr. Berman.

H.R. 31: Mr. Tiahrt and Mr. Collins.


H.R. 42: Mr. Wamp.

H.R. 87: Ms. Schakowsky and Mr. Thrun.

H.R. 96: Mr. Turner and Mr. Davis of Illinois.

H.R. 97: Ms. Hart, Mr. Ortiz, Mr. Costello, Mr. Turner, Mr. Andrews, Mr. Carson of Oklahoma, Mr. Wamp, and Ms. Lowey.

H.R. 116: Mr. Baird.


H.R. 150: Mr. Goodlatte, Mrs. Maloney of New York, Mr. McGovern, and Mr. Hutchinson.

H.R. 152: Mrs. Thurman.

H.R. 159: Mr. Manzullo, Mr. Foley, Mr. Barlow of New York, and Mr. Tiahrt.

H.R. 179: Ms. Kaptur, Mrs. Napolitano, Mr. Pomeroy, Mr. Fletcher, and Mr. Vitter.

H.R. 218: Mr. Cole, Ms. Berkley, Mr. Frank, Mr. Andrews, Mr. Tancredo, and Mrs. Roukema.

H.R. 219: Mr. Crane and Mr. LaTourette.

H.R. 220: Ms. Goodman, Ms. Sanchez, Mr. Gillmor, Mrs. Bono, Mr. Bryant, Mr. Rehberg, and Mr. Tom Davis of Virginia.

H.R. 239: Mr. Platts.

H.R. 256: Ms. Sanchez, Mr. Wu, Mr. LaTourette, Mr. Delahunt, Mr. Tiahrt, Ms. Lee, Mr. Lucas of Ohio, and Ms. Slaughter.

H.R. 257: Mr. Toomey and Mr. Ney.

H.R. 259: Mr. Show.

H.R. 267: Mr. Graham, Mr. Weinkl, Mr. Weller, and Mr. LaFalce.

H.R. 290: Mr. Barlow, Mr. Mrs. Roukema.

H.R. 281: Mr. Owens, Mrs. Maloney of New York, Mr. Rodriguez, Mr. Mascara, Ms. Dunn, Mr. Israel, Ms. Sanchez, Mr. Etheridge, and Mr. Frost.

H.R. 283: Mr. Davis of Illinois and Mrs. Thurman.

H.R. 295: Mr. Levin.

H.R. 303: Mr. Radanovich, Mrs. Bono, Mr. Tanner, Mr. Carson of Oklahoma, Mr. Bluminauer, Mr. Norwood, Mr. Sheehan, Mr. Ferguson, and Mr. Larsen of Washington.

H.R. 311: Mr. Gillmor and Mr. Tiahrt.

H.R. 326: Mr. Gilman, Ms. DeGette, Mr. Underwood, and Mr. Hart.

H.R. 356: Mr. Pastor and Mrs. Brown of Florida.

H.R. 381: Mr. Frelinghuysen, Mrs. Brown of Florida, and Mr. Mica.

H.R. 387: Mr. Shadegg, Mr. Tiahrt, and Mr. Wicker.

H.R. 428: Mr. Merks of New York, Mrs. Myrick, Mr. Holden, Mr. Wolf, Mr. Gilman, Mr. Tiahrt, Mr. Engel, Mr. Tancredo, Mr. Hoeffner, and Mr. Hutchinson.

H.R. 432: Mr. Moore and Mr. Visclosky.

H.R. 433: Mr. Moore and Mr. Visclosky.

H.R. 456: Mr. Waxman, Mr. Brown of Ohio, Mr. Carson of Oklahoma, Mr. Maloney of Connecticut, Mr. Cooksey, Mr. Ramstad, Mr. Baldacci, Ms. Delauro, Mr. Leach, Mr. Davis of Massachusetts, Mr. Davis of Illinois, and Mr. Larsen of Washington.

H.R. 440: Mr. McKinney and Mr. Stenholm.


H.R. 499: Mr. Filner and Mr. Berman.

H.R. 503: Mr. Souder.

H.R. 507: Mr. Ganske, Mr. Walden of Oregon, and Mr. Tiahrt.

H.R. 525: Mr. Davis of Illinois.

H.R. 527: Mr. Callahan, Mr. Baca, and Mr. Brady of Texas.

H.R. 539: Mr. Goodlatte, Mr. Hino, and Mr. Udall of Colorado.

H.R. 557: Mr. Stenholm.

H.R. 572: Mr. Hall of Ohio, Mr. Moran of Virginia, and Mr. Harkema of Florida.

H.R. 583: Mr. Hillary and Mr. Wamp.

H.R. 586: Mr. Calvert.

H.R. 606: Mr. Rodriguez, Mr. Davis of Illinois, Mr. Menendez, Mr. Ryun of Kansas, and Mr. Honda.

H.R. 622: Mr. Laugrin.

H.R. 630: Mr. Kilpatrick and Mr. Barrett.

H.R. 646: Mr. Waxman, Mr. Akin, Mr. Brady of Texas, Mr. Brown of South Carolina, Mr. Chabot, Mr. Gibbons, Mr. Johnson of Illinois, Mr. Manzullo, Mrs. McVeigh, Mr. O'Neal, Mr. Pence, Mr. Shimkus, and Mr. Tiahrt.

H.R. 638: Mr. Delahunt, Mr. Evans, Mr. Braun, and Mr. McGovern.

H.R. 662: Mr. Gravel, Mrs. Emerson, Mr. Shimkus, Mr. Callahan, Mr. Riley, Mr. Lewis of Kentucky, Mr. Tiahrt, Mr. Holden, Mr. Platts, Mr. Bishop, Mr. Greenwood, Mr. Brady of Texas, Mr. Reynolds, Mr. Walden of Oregon, Mr. Hinchey, Mr. Israel, Mr. Dolloy of California, Mr. Kolbe, Mr. Ryan of Wisconsin, Mr. Thornberry, Mr. Bush, Mr. Gillmor, Ms. Ganske, Mr. Bass, Mr. Hutchinson, Mr. Frost, Mr. Shows, Mr. Abergrombie, Mr. Moran of Kansas, Mr. Walsh, Mr. LaFalce, Mr. Pitts, Mr. Oak, and Mr. Sheehan.

H.R. 668: Mr. McCulh.

H.R. 686: Mr. Lantos.


H.R. 699: Mr. Sisskey and Mr. Ryun of Kansas.

H.R. 737: Mr. Hoeffner, Mr. Davis of Florida, Mr. Matheson, Mr. Davis of Illinois, Mrs. Clayton, Mr. Sherman, Mr. Graves, and Mr. Phelps.

H.R. 742: Mr. McDermott.

H.R. 744: Mr. Sweeney.

H.R. 747: Mr. Roget.

H.R. 752: Mr. Grucli and Mr. Gilman.

H.R. 755: Mr. Rangel, Mr. Rothman, and Ms. Baldwin.

H.R. 759: Mr. Udall of Colorado.

H.R. 771: Mr. Baca, Mr. Biondi, Mr. Boucher, Mrs. Carson of Indiana, Mrs. Davis of California, Ms. Jones of Ohio, Mr. Lipinski, Ms. Menendez-McDonald, and Mr. Smith of New Jersey.

H.R. 778: Mr. Sandlin.

H.R. 808: Mr. Clemint, Mr. Laugrin, Mr. Weiner, Mr. Israel, Mr. Clay, Mr. Allen, Mr. Lewis of Kentucky, Mr. Lampro, Mr. Waters, Mrs. Napolitano, Mr. Peterson of Minnesota, Ms. Sanchez, Mr. Pastor, Mr. Harkema of Florida, Mr. Frank, Mr. Spark, Mr. Roybal-Allard, Mr. Capuano, and Mr. Sabo.

H.R. 817: Ms. Thurman, Mr. Stenholm, Mr. Youngquist, and Mr. Sabo.


H.R. 823: Ms. Lowen and Mr. Berman.

H.R. 827: Ms. McCarthy of Missouri.

H.R. 855: Mr. Waxman, Mr. Brown of Ohio, Mr. Pastor, Mr. Sanders, Mrs. Brown of Florida, Mr. Clay, and Mr. Davis of Illinois.
H.R. 876: Mr. Gibbons, Mr. Sanders, Ms. Woolsey, Mr. Sessions, Mr. Bonilla, and Ms. Pryce of Ohio.
H.R. 887: Mr. Platths, Mrs. Roukema, and Mrs. Mink of Hawaii.
H.R. 901: Mr. Langevin.
H.R. 899: Ms. Hartz and Mr. Davis of Illinois.
H.R. 907: Mr. Kanjorski.
H.R. 911: Mr. Holden.
H.R. 913: Ms. McKinney.
H.R. 917: Mr. Davis of Illinois.
H.R. 923: Mr. Green of Wisconsin, Mrs. Thurman, and Mr. Smith of Michigan.
H.R. 931: Mr. Rothman and Mr. Bentsen.
H.R. 933: Mr. Owens, Mr. Clay, Mr. Bishop, Mrs. Brown of Florida, Mrs. Clayton, Mr. Andrews, Mr. Farr of California, Mr. Brady of Pennsylvania, and Ms. Millender-McDonald.
H.R. 935: Mr. Motley.
H.R. 937: Mr. Cramer, Mr. Turner, Mr. Farr of California, Ms. McKinney, Mr. Clay, Mr. Collins, Mr. Beery, Mr. Platts, Mr. Murtha, Mr. Peterson of Pennsylvania, Blagojevich, Mr. Ferguson, Mr. Jackson of Illinois, Mr. Istook, Mr. Doyle, Mr. Baker, Mr. Holden, Mr. Ehlers, Mr. Borski, Mr. Simpson, Mr. Costello, Mr. Cooksey, Mr. Baldacci, Mr. Pombo, Mr. Garcia, Mr. Davis of Virginia, Mr. Andrews, Mr. Moran of Kansas, Ms. Roybal-Allard, Mr. Smith of New Jersey, Ms. Velázquez, Mr. Sweeney, Mr. Ranieri, Mr. Simmons, Mr. Matsui, Mr. Johnson of Illinois, Ms. Kaptur, Mr. Petri, Mr. Kanjorski, Mr. Foley, Ms. Kilpatrick, Mr. Israelson, Mr. Luther, Ms. Pryce of Ohio, Mr. Menendez, Mr. Shimkus, Mr. Larsen of Washington, Mr. Duncan, Mr. Mascara, Mr. McNulty, Mr. Ehrlisch, Mr. Nadler, Mr. Hayes, Ms. Delauro, Mr. King, Mr. Bonior, Mr. Gilchrest, Mr. Udall of New Mexico, Mr. Doolittle, Mr. Payne, Mr. Watkins, Mr. Bickerley, Mr. Tauzin, Mr. Klecza, Mr. TiAht, Mr. Rush, Mr. Boehner, Mr. Udall of Colorado, Mr. Roukema, Mr. Blumenauer, Mr. Latham, Mr. hover, Mr. Bartlett of Maryland, Mr. Peterson of Minnesota, Mr. Saxton, Mr. Hoeffel, Mr. horn, Mr. Turner, Mrs. Kelly, Mr. Mathieu, Mr. Boekelet, Mr. Carson of Oklahoma, Mr. watts of Oklahoma, Mr. Frost, Mrs. Emerson, Mr. Sandlin, Mr. LaHood, Mr. Meeks of New York, Mr. Leach, Mr. wynn, Mr. Clayton, Mr. Watts of North Carolina, Mr. Norton, Ms. McKinney, Mr. Jeffersou, Mr. Jackson-Lee of Texas, Mr. Hilliard, Mr. Conyers, Mrs. Waters, Mrs. Mink of Hawaii, Ms. Harman, and Ms. McCollum.

H.R. 1118: Mr. Lantos, Mr. Kucinich, Mr. Udall of Colorado, Mr. Serrano, and Mr. Allen.
H.R. 1119: Mr. Simmons.
H.R. 1129: Mr. Paul, Mr. Sessions, and Mr. Bartlett of Maryland.
H.R. 1140: Mr. Weller, Mr. Viscolsky, Mr. Bachus, Ms. Hooley of Oregon, Mr. Whiteford, Mr. Skeleton, Mr. LaTourette, Mr. Conyers, Ms. Hart, Mr. Israel, Mr. Green of Wisconsin, Ms. Brown of Florida, Mr. Nethercutt, Ms. McCollum, Mr. Terry, Mr. Rahall, Mr. Blunt, Mr. Cummings, Mr. Berreuter, Mr. DFezio, Mr. Walden of Oregon, Mrs. Tauscher, Mr. Fletcher, Ms. Eddie Bernice Johnson of Texas, Mr. Gillmor, Mr. Lipinski, Mr. Collins, Mr. Beery, Mr. Platts, Mr. Murtha, Mr. Peterson of Pennsylvania, Ms. Blagojevich, Mr. Ferguson, Mr. Jackson of Illinois, Mr. Istook, Mr. Doyle, Mr. Baker, Mr. Holden, Mr. Ehlers, Mr. Borski, Mr. Simpson, Mr. Costello, Mr. Cooksey, Mr. Baldacci, Mr. Pombo, Mr. Garcia, Mr. Davis of Virginia, Mr. Andrews, Mr. Moran of Kansas, Ms. Roybal-Allard, Mr. Smith of New Jersey, Ms. Velázquez, Mr. Sweeney, Mr. Ranieri, Mr. Simmons, Mr. Matsui, Mr. Johnson of Illinois, Ms. Kaptur, Mr. Petri, Mr. Kanjorski, Mr. Foley, Ms. Kilpatrick, Mr. Isakson, Mr. Luther, Ms. Pryce of Ohio, Mr. Menendez, Mr. Shimkus, Mr. Larsen of Washington, Mr. Duncan, Mr. Mascara, Mr. McNulty, Mr. Ehrlisch, Mr. Nadler, Mr. Hayes, Ms. Delauro, Mr. King, Mr. Bonior, Mr. Gilchrest, Mr. Udall of New Mexico, Mr. Doolittle, Mr. Payne, Mr. Watkins, Mr. Bickerley, Mr. Tauzin, Mr. Kleczka, Mr. TiAht, Mr. Rush, Mr. Boehner, Mr. Udall of Colorado, Mr. Roukema, Mr. Blumenauer, Mr. Latham, Mr. Hover, Mr. Bartlett of Maryland, Mr. Peterson of Minnesota, Mr. Saxton, Mr. Hoeffel, Mr. horn, Mr. Turner, Mrs. Kelly, Mr. Mathieu, Mr. Boekelet, Mr. Carson of Oklahoma, Mr. Watts of Oklahoma, Mr. Frost, Mrs. Emerson, Mr. Sandlin, Mr. LaHood, Mr. Meeks of New York, Mr. Leach, Mr. Wynn, Mr. Clayton, Mr. Watts of North Carolina, Mr. Norton, Mr. McGovern, Mrs. Barefield, Mr. Lampson, Mr. Dennis, Mrs./Frank, Mr. Evans, Mr. Allen, Mr. Tierney, Mr. Brady of Pennsylvania, Mr. Lucas of Oklahoma, Mrs. Wilson, Mr. Chmara, Mr. Simmons, Mr. McIntyre, Mr. Wicker, Mr. Camp, Mr. Langievin, Mr. Lantos, Mr. Platths, Mr. Coyne, Mr. McDermott, Mr. Levin, Mr. Aderhombie, and Mrs. Emerson.

H.R. 1184: Mr. Wynn, Ms. Millender-McDonald, Mr. McDermott, and Mrs. Northup.
H.R. 1187: Mr. Weiner, Mr. Boucher, Ms. Evaieux Beeneke Johnson of Texas, Ms. Delgette, and Mr. Fahren of California.
H.R. 1194: Ms. Kilpatrick and Mr. Shays.
H.J. Res. 27: Mr. Stark.
H.J. Res. 86: Mr. Latham.
H.J. Res. 38: Mr. TiAht.
H.Con. Res. 3: Mr. Udall of Colorado, Mr. Gurrereze, Ms. Sanchez, and Mr. Gonzalez.
H.Con. Res. 17: Ms. Ros-Lehtinen of Florida, Mr. Davis of Florida, Mr. Grace, and Mr. King.
H.Con. Res. 30: Mr. Schiff.
H.Con. Res. 45: Mr. Saxton, Mr. Conyers, and Mr. Capuano.
H.Con. Res. 59: Mr. Hinchey.
H.Con. Res. 61: Ms. Carson of Indiana and Mr. Cunningham.
H.Con. Res. 68: Mr. Souder and Mrs. JO Ann Davis of Virginia.
H.Con. Res. 73: Ms. Ros-Lehtinen of Florida, Mr. Davis of Florida, Mr. Grace, and Mr. King.
H.Res. 35: Mr. Maloney of Connecticut.
H.Res. 56: Mr. Davis of Florida.
H.Res. 87: Mr. McGuire, Mr. Lantos, Mr. Johnson of Illinois, Ms. Hart, Ms. McKinney, Mr. Etheridge, Mr. Hastings of Washington, and Mrs. Mink of Hawaii.
H.Res. 91: Mr. Bartlett of Maryland, Mr. Davis of Florida, Mr. Tanscado, Mr. Foley, and Mr. Goss.
H.Res. 97: Mr. Blagojevich, Ms. Baldwin, Mr. Cummings, Mr. Towns, Ms. Millender-McDonald, Ms. Brown of Florida, Mrs. Maloney of New York, Mr. Hastings of Florida, Ms. Kilpatrick, Mrs. Jones of Ohio, Mr. Thomsopf of Mississippi, Mrs. Clayton, Mr. Watts of North Carolina, Mr. Norton, Ms. McKinney, Mr. Jeffersou, Mr. Jackson-Lee of Texas, Mr. Hilliard, Mr. Conyers, Ms. Waters, Mrs. Mink of Hawaii, Ms. Harman, and Ms. McCollum.

PETITIONS, ETC.

Under clause 3 of rule XII,

The SPEAKER presented a petition of the Council of the City of Knoxville, Tennessee, relative to Resolution No. R-90-01 petitioning the United States Congress to amend the Internal Revenue Code of 1986 to allow for the deduction of state sales taxes in lieu of state and local income taxes; which was referred to the Committee on Ways and Means.

CONGRESSIONAL RECORD—HOUSE
IN HONOR OF THE DIGNITARIES
FROM ACHILL ISLAND, IRELAND

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the dignitaries Ireland who are spending St. Patrick’s Day in my home district of Cleveland. My city is honored to have them with us on such an important holiday.

Our four distinguished guests hail from Achill Island, Ireland. They are: Mr. Thomas McNamara, Achill Tourism Chair; Father Pat Gilligan, Achill Tourism Committee Member; Ms. Karen Grealis, Achill Tourism Manager; and Ms. Adrian Kilbane, Achill Tourism Public Relations Officer. Together, they have left their homes to spend a very important holiday with us.

Rich with cultural heritage and diversity, the city of Cleveland includes a very important Irish population. Never forgetting their roots, the Cleveland community never forgets to celebrate ethnic holidays. Saint Patrick’s Day, traditionally a day of lavish celebration and remembrance of one’s heritage, is revered by the City of Cleveland by an extensive parade. My city is honored to have them with us on such an important holiday.

As co-founder of the Bipartisan Task Force on Alzheimer’s Disease, I am seeking support for increased funding of the National Institute on Aging so that it could accommodate an additional $200 million in Alzheimer’s research. This appropriation will help us reach our goal of funding Alzheimer’s research at $1 billion by fiscal year 2003 and allow us to launch an all-out assault on Alzheimer’s disease.

This year, Mr. Speaker, we hope to increase funding for research to discover ways in which to prevent Alzheimer’s for two critical target populations. The first target is people who will have clinical Alzheimer’s disease 10 to 20 years from now. Researchers must find ways to slow or alter the changes that are already taking place in the brain so that symptoms of Alzheimer’s never develops. The second target population is those persons who are already suffering with the disease. Researchers need more resources to help them find ways to prevent the health crises, the unmanageable behaviors, and the rapid functional decline that leads to hospitalization and nursing home placement.

An increased investment from the government will allow for researchers to search for simple, practical, widely available, and affordable ways to detect the earliest changes in the brain.

Mr. Speaker, we have seen that the Alzheimer’s investments Congress has made over the past decade are now paying off in rapid discoveries regarding the basic mechanisms of the disease, the complex interplay of genetic and environmental risk factors, and the treatments and interventions that can slow decline. Discoveries in the past year alone have generated great excitement in the field of Alzheimer’s. For instance, scientists have developed a third FDA-approved drug designed for the treatment of the disease’s cognitive symptoms. In addition, scientists have completed Phase 1 of a clinical trial involving humans in which they used a vaccine that appears to prevent in the brains of mice the amyloid deposition that forms plaques which characterize Alzheimer’s disease.

The United States enters the 21st Century facing an imminent epidemic. By 2050, 14 million of today’s baby boomers will have Alzheimer’s disease. For most of them, the process that will destroy their memories, their lives, and their savings has already begun. The annual cost of Alzheimer’s diseases will soar to at least $375 billion, overwhelming our health care system and bankrupting Medicare and Medicaid. The only way to avoid this crisis is to act now.

INCREASED FUNDING FOR ALZHEIMER’S, AUTISM, AND LYME DISEASE

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. SMITH of New Jersey. Mr. Speaker, today I testified before the Labor, Health and Human Services (HHS), and Education Appropriations Subcommittee on the importance of setting aside sufficient funding for critical life-saving and life affirming medical research.

First Mr. Speaker, I would like to commend President Bush for continuing the commitment to double biomedical research funding in five years by providing a $2.8 billion increase for the National Institute of Health (NIH) in his budget proposal to Congress. The President’s proposal provides the largest annual funding increase in NIH’s history, and it is my hope that Congress follows in the President’s footsteps.

Today I am here to represent the interests of those afflicted with Alzheimer’s disease, autism, and Lyme disease. These devastating diseases have left the elderly helpless, the children voiceless, and people across the nation getting weaker and sicker.

ALZHEIMER’S DISEASE

As co-founder of the Bipartisan Task Force on Alzheimer’s Disease, I am seeking support for increased funding of the National Institute on Aging so that it could accommodate an additional $200 million in Alzheimer’s research. This appropriation will help us reach our goal of funding Alzheimer’s research at $1 billion by fiscal year 2003 and allow us to launch an all-out assault on Alzheimer’s disease.

This year, Mr. Speaker, we hope to increase funding for research to discover ways in which to prevent Alzheimer’s for two critical target populations. The first target is people who will have clinical Alzheimer’s disease 10 to 20 years from now. Researchers must find ways to slow or alter the changes that are already taking place in the brain so that symptoms of Alzheimer’s never develops. The second target population is those persons who are already suffering with the disease. Researchers need more resources to help them find ways to prevent the health crises, the unmanageable behaviors, and the rapid functional decline that leads to hospitalization and nursing home placement. We are aware of the tremendous cost Alzheimer’s already brings to bare on society. Not only is there an economic burden, but Alzheimer’s also destroys the quality of life for the patient and the caregiver alike.

An increased investment from the government will allow for researchers to search for simple, practical, widely available, and affordable ways to detect the earliest changes in the brain.

Mr. Speaker, we have seen that the Alzheimer’s investments Congress has made over the past decade are now paying off in rapid discoveries regarding the basic mechanisms of the disease, the complex interplay of genetic and environmental risk factors, and the treatments and interventions that can slow decline. Discoveries in the past year alone have generated great excitement in the field of Alzheimer’s. For instance, scientists have developed a third FDA-approved drug designed for the treatment of the disease’s cognitive symptoms. In addition, scientists have completed Phase 1 of a clinical trial involving humans in which they used a vaccine that appears to prevent in the brains of mice the amyloid deposition that forms plaques which characterize Alzheimer’s disease.

The United States enters the 21st Century facing an imminent epidemic. By 2050, 14 million of today’s baby boomers will have Alzheimer’s disease. For most of them, the process that will destroy their memories, their lives, and their savings has already begun. The annual cost of Alzheimer’s diseases will soar to at least $375 billion, overwhelming our health care system and bankrupting Medicare and Medicaid. The only way to avoid this crisis is to act now.

AUTISM

As the co-founder of the Coalition for Autism Research and Education (C.A.R.E.), I am seeking support for the provision of $8 million for the Center of Birth Defects and Developmental Disabilities at the Center for Disease Control and Prevention (CDC) to help the states conduct autism epidemiology research.

Autism is a developmental disorder that has robbed at least 400,000 children of their ability to communicate and interact. The disorder affects at least one in every 500 children in America. Currently, there is limited information on the prevalence, cause, or treatment of autism.

To address the lack of understanding Mr. Speaker, CDC began conducting epidemiological research on the incidence and surveillance of autism in two metropolitan areas in Georgia and my home state, New Jersey. Last year, Congress made a major and vital investment in the centers of excellence, and as a result, CDC expanded its research to include data collection in West Virginia, Arizona, South Carolina, Maryland, and Delaware. CDC’s efforts have sought to identify the prevalence rate of autism and to verify that these cases are accurately diagnosed. The studies also seek to establish any relevant environmental or other exposures in these communities.

The basic data collection and verification is integral to better understanding the incidence of autism, the factors which may contribute to a higher rate of incidence, and effective treatment. The challenge is that effective analysis of this data must wait for the data collection efforts to expand to an additional 24 states.

CDC must receive the funding to collect data from approximately 30 states before it can move forward with a comprehensive analysis of trends that may reveal correlative factors, potential causes, and hopefully effective treatments and cures for autism.

LYME DISEASE

As a Member of Congress who has been active on the subject of Lyme disease for nearly two decades, I believe there are two critical areas we must focus upon if our nation is to better control the disease. First, I am seeking support for the provision of $8 million at the NIH, which would bring total Lyme disease funding to $32 million. NIH would use this infusion of funds to make the development and improvement of direct detection tests for Lyme a priority. Second, we must double the funding at CDC and bring total Lyme disease funding to $16 million. The CDC has admitted...
that “the (Lyme) disease is greatly under-reported.” Thus, we must urge CDC to re-examine its surveillance system to see where improvements can be made and accurately enhanced. In order to do this, they need adequate funding and oversight.

Lyme disease continues to harm tens of thousands of Americans who engage in outdoor activities, both from work and from recreation. Symptoms of Lyme disease can include a reddish skin rash, chills, flu-like symptoms, headaches, joint pain and fatigue. Without treatment, Lyme disease can result in acute headaches, arthritis, and nervous system and cardiac abnormalities. The CDC notes that Lyme disease is the leading cause of vector-borne infectious illness in the U.S. with approximately 15,000 cases reported annually. Over 125,000 cases of Lyme disease infection have been reported since 1982, and some studies indicate cases of Lyme may be under-reported because as many as 10 or 12 in 1,000. Furthermore, various estimates of the cost of Lyme disease on our society at between $500 million and $1 billion annually.

Consequently, I believe funding to address detection and surveillance would greatly assist Congress in ensuring the constituents in Lyme disease affected areas. The current Lyme disease research is on the right track.

The case is amply made that extra monies for Alzheimer’s disease, Autism, and Lyme disease will be very well put to use and represent a small payment toward preventing future healthcare costs.

Mr. Speaker, I urge all Members of Congress to support increased funding for Alzheimer’s, autism, and Lyme disease.

IN HONOR OF THE 100TH ANNIVERSARY CELEBRATION OF THE IRON WORKERS LOCAL 17

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Mr. KUCINICH. Mr. Speaker, please join me in saluting the hard working men and women of Iron Workers Local 17 of Cleveland, Ohio as they celebrate their 100th Anniversary.

The brilliant craftsmanship of the thousands of dedicated men and women who comprise the Iron Workers Local 17 is evident across the landscape of Northern Ohio. The bridges that span Ohio’s beautiful rivers and The Rock and Roll Hall of Fame are both fine examples of the permanent imprint that Iron Workers 17 has cast on thousands of structures in the state. This community of working people who understand the value and importance of family are committed to creating a tradition of excellence. Performing one of the ten most dangerous jobs in the world, courageous ironworkers brave the tough Cleveland weather and risky working conditions to build the office towers, sports stadiums, and highway bridges that illuminate the skyline.

Early on when structural steel construction was in its infancy, ironworkers often worked ten hour days and seven day weeks for as little as twenty cents an hour, only expecting to hold positions for ten years before death or major injury ended their career. When Local 17 gained its charter in 1901 money was tight, but the union persevered and provided help to its members. In the turbulent years that followed, union iron workers learned how to deal with steel industry giants, often initiating strikes to gain fair labor practices. By the end of World War I, the unions successfully established the eight-hour day and five-day workweek.

Local 17 thrived in the midst of the great industrial expansion of the 1920’s. In this decade, the largest building project in Cleveland’s history, The Cleveland Union Terminal complex including the landmark Terminal Tower, was completed. During World War II, ironworkers, dedicated to the ideals of the United States, served in all branches of the military and were even recruited to work as “seabees” by the Navy to repair aircraft carriers and battleships. Iron workers on the homefront as well as in war-conditions produced ships. Ironworkers around the country building power plants, hydroelectric facilities, and dams needed in the war effort. In the decades following the war, ironworkers were busy rebuilding the bridges and highways in disrepair after many years of use. Presently, Local 17 is enjoying renewed respect with growing membership and cordial relationships with contractors.

My fellow colleagues, please join me in saluting the thousands of dedicated men and women that brave tough conditions at great personal risk to keep Cleveland growing.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2001

INDEPENDENT TELECOMMUNICATIONS CONSUMER ENHANCEMENT ACT OF 2001

THURSDAY, MARCH 21, 2001

Mr. LANGEVIN. Mr. Speaker, I rise today in strong support of H.R. 802, the Public Safety Officer Medal of Valor Act, which would create a national medal for public safety officers who exhibit extraordinary heroism in the line of duty.

As someone who once aspired to serve in law enforcement and a proud member of both the Congressional Law Enforcement and Firefighters Caucuses, I deeply admire those who devote their lives to public safety.

We are blessed to have dedicated men and women public safety officials throughout this country who consistently risk their lives on a daily basis to protect our families and communities. It is absolutely critical that we recognize these loyal public servants and ensure that the risks that these brave individuals assume in the course of their duties are not taken for granted.

Although many local public safety organizations honor those who have demonstrated bravery, the federal government does little to reward and recognize these individuals. By passing the Public Safety Officer Medal of Valor Act, Congress would have the unique opportunity to express its appreciation for the unnoticed acts of valor committed by public safety officers who have gone above and beyond the call of duty. Further, this legislation will help send a positive message across the country that our public safety officers deserve our utmost respect for their service and sacrifices.

I will continue to applaud the courage and dedication to duty of all public safety officers and would strongly urge my colleagues to support the Public Safety Officer Medal of Valor Act.

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2001

Mrs. CLAYTON. Mr. Speaker, I rise in support of the Independent Telecommunications Consumer Enhancement Act of 2001. This bill would provide regulatory relief to small and mid-sized telephone companies that generally serve small town and rural communities. The current regulatory burdens on these small companies are the same as those placed on large companies; but, because of their size, these regulations are very costly and time-consuming.

These regulatory burdens tend to discourage competition in rural communities by impeding the entry of new companies into these markets. These burdens also pose obstacles to the development in rural communities of advanced services such as broadband Internet access.

The Telecommunications Act of 1996 provided for reduced regulations and greater competition in our country. This has fostered many new telecommunications and information services including advanced services. However, the benefits of these technological advances have been enjoyed by urban and suburban communities much more than by persons who live in small towns and rural communities. Large telephone companies and other entities tend to have the resources required to develop these advanced services and find the urban and suburban markets much more attractive. The deployment of advanced services in urban areas contrasted with the difficulty of small companies offering these services in rural areas has exacerbated the digital divide.

We must find ways to bridge this divide. Relieving certain regulatory burdens may help achieve this objective. The proponents of this bill and many small telephone companies promise that they will use the savings resulting from the elimination of these regulatory burdens to extend advanced services. Some question whether the savings resulting from this measure would simply increase profits of the small telephone companies with no corresponding increase in services. Some note that this bill does not impose a reciprocal obligation to extend services following the relaxation of current regulatory requirements, and does not include any enforcement mechanisms. We hope that the small telephone companies which benefit from the adoption of this bill will do the right thing and act in the best
interest of the communities in which they operate. That is the intent of this measure and the basis for my support. It is proper for the federal government to foster a regulatory framework that stimulates competition and encourages deployment of advanced services to people who live in small towns and rural communities.

IN HONOR OF GINA QUIN
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, please join me today in welcoming Ms. Gina Quin, Chief Executive Officer of the Dublin Chamber of Commerce, to Cleveland as guest of honor at the Collins and Scanlon, 22nd Annual St. Patrick’s Day Open House.

Erected at University College Dublin with an undergraduate degree in psychology and a Master of Business Administration, Ms. Quin currently represents 3000 Business Members in the Greater Dublin City Area. Her position requires her to develop policy that will aid in the overall development of Dublin by maximizing enterprise and investment opportunities within the Capital city.

Ms. Quin has held various other executive positions before her appointment to the Dublin Chamber of Commerce in 2000. She was an executive for both Lansdowne Market Research and the Irish Export Board. For six years prior to her work with the Dublin Chamber of Commerce, Ms. Quin served as chief executive for Gandon Enterprises where she was responsible for managing business activities across both manufacturing and service industries.

My fellow colleagues, let us welcome our distinguished friend from Ireland, Ms. Gina Quin, to Cleveland to join in our celebration of St. Patrick’s Day.

SALUTING THE EXCHANGE CLUB CASTLE PROGRAM OF FORT PIERCE, FLORIDA
HON. MARK FOLEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. FOLEY. Mr. Speaker, next month marks an important milestone for those who battle child abuse. This will be the date when a key facility in my district marks its twenty year anniversary. In my community we are blessed to have as our neighbor the Exchange Club CASTLE program in Fort Pierce, Florida. In celebration of their 20 years of fighting violence against children, I ask my colleagues to join me in saluting this achievement.

The CASTLE program (Child Abuse Training and Life Enrichment) is a true American success story. In fact, what was once a small program has spawned a legion of 100 similar facilities in 27 states. CASTLE began two decades ago with a budget of just $40,000 serving just 25 families and has grown exponentially. Today it provides crucial services to more than 10,000 families in and around my Congressional District.

Mr. Speaker, child abuse is a silent scourge that strikes families from all walks of life and in every community rich, poor, small and large. Without the services of agencies like the Exchange Club’s CASTLE program, our nation would bear the burden of thousands more cases of child abuse and suffer the effects of families torn apart.

What makes CASTLE so successful is their broad approach to the problem, working not just with parents, but with community officials, educators and children themselves in many cases working to stop violence before it occurs. CASTLE has developed dozens of community-wide programs to target at-risk youngsters and ensure that those most in need get the care, comfort and protection our society owes to them. Their message has resonated loudly throughout the country: violence has no place in our homes and families.

Mr. Speaker, April marks the start of national child abuse prevention month. I am proud to salute the Exchange Club’s CASTLE program on this important occasion and look forward to their continued success in our community and throughout the state. They have indeed made our nation a better place to live.

REGARDING THE RECENT PRESIDENT BUSH DECISIONS TO RELAX ENVIRONMENTAL POLICY
HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. REYES. Mr. Speaker, I rise today in opposition to the recent decisions by President Bush to renege on a campaign promise to reduce carbon dioxide emissions by power plants. The President in the last week and a half has also rescinded a strict new standard for arsenic levels in drinking water, suspended new cleanup requirements for mining companies, and threatening to challenge a logging ban on nearly 60 million acres of national forest land.

Americans want to have the environment dealt with in a responsible way, and this way does not include cutting the acceptable level of arsenic in our drinking water from 10 parts per billion to 50 parts per billion. A responsible way to deal with the environment does not include allowing electric utilities to decide not to reduce emissions of carbon dioxide. I am concerned that unilateral decisions are being made without thought about the long-term consequences that these decisions will have on our environment and the health of our people.

The United States-Mexico border suffers disproportionately from pollution. For example, my district of El Paso, Texas is an air-quality, non-attainment area and experiences huge problems with emissions from power plants and other airborne pollutants. If there is one thing that we cannot afford to do at this juncture in our history, it is to begin relaxing environmental standards in our country without taking into consideration the long-term effects of these actions.

I urge the administration and my colleagues in Congress to act in a more responsible manner when it comes to environmental policy and the development of legislation that may have dire long-term consequences.

IN HONOR OF JOHN D. BAKER
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to congratulate John D. Baker on being awarded the 2001 Irish Good Fellowship Club’s Good Fellowship Award. This prestigious award is a well-deserved honor which recognizes the dedication and commitment John D. Baker has shown to his family and the workers of our nation.

John D. Baker has had three children during his forty years of marriage. Always ready with a smile or kind word, Mr. Baker has been a living example of compassion for his children. He has worked hard to make sure that they grew up in a loving, caring environment.

Throughout his life, John D. Baker has exhibited a dedication to working men and women throughout the Cleveland area. He has
been an active member of the International Longshoremen’s Association since 1959, and now serves as the Vice-President to that organization. John D. Baker has committed his life to the cause of worker’s justice. John D. Baker has served on many councils and committees, covering a wide-range of issues. From labor disputes to historical preservation, John D. Baker has played an important role in the development of the Cleveland area.

John D. Baker is a deserving recipient of the Irish Good Fellowship Club’s Good Fellowship Award. Throughout his life, he has worked to help other people; both in their personal lives as well as in their workplaces. John D. Baker has been a great force of fellowship for many people, always offering caring words of encouragement and his friendship. A fellowship award is truly justified by Mr. Baker’s daily life.

Throughout his life, Mr. John D. Baker has proven to be a leader by bringing people together and working for a more just society. His hard work and dedication have inspired many people to strive with him when he stands up against the odds, but with an indomitable spirit. His testimony and his many letters to the editor often brimmed with moral indignation about how federal law and Big Labor-influenced bureaucrats trample the freedom of the individual worker.

But the ever-present twinkle in his eye made it clear that Mr. Waldum was not angry—only determined to make the world a better place.

Mr. Waldum was a true gentleman and an outstanding spokesman for the Right to Work cause and he will be deeply missed.

Mr. Waldum is survived by his wife and their son and daughter, and four grandchildren and two great-grandchildren.


HON. GERALD D. KLECZKA
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KLECZKA. Mr. Speaker, I rise to introduce legislation today that will ensure the fair treatment of all civil servant reservists and guardsmen who are called up for active duty service. The Fairness for Civil Servant Reservists and Guardsmen Act of 2001 will mandate that all federal agencies pay the employee share of Federal Employee Health Benefits Program (FEHBP) premiums if they are on active duty for more than 30 days.

Currently, the federal government pays only the government portion of the health premium when a reservist is called to active duty. Because these men and women take leave without pay from their federal jobs, they often find themselves having to pay their portion of the premium from a much smaller salary, which can be a serious strain on their family finances. While reservists and their families are also eligible for military health care during this period, this alternative often constitutes a burden on the families, who may have to travel great distances to get to military health facilities and are forced to develop a new relationship with a different doctor.

The men and women of our National Guard and Reserve units perform absolutely essential functions in times of conflict. The soldiers of Milwaukee’s 128th Air Refueling Wing and 440th Airlift Wing have answered the call time and time again. Those who also happen to be federal employees should not, on top of everything else, have to worry about how their families will get health care while they’re off serving our country.

During the Gulf War, the Office of Personnel Management (OPM) asked federal agencies to cover both employee and employer costs of FEHBP premiums for those reservists and guardsmen who were on active duty and on leave without pay status. Last year, one of my congressional constituents contacted me asking why this policy had not been extended to all civil service employees on active duty since the war. I then began contacting OPM and the Department of Defense (DoD) requesting that the policy be made permanent.

In June 2000 the OPM circulated a memo to agency heads encouraging them to make the policy a formal one. Earlier this month, DoD announced that it will begin covering health care premiums for all of its civil servant reservists or guardsmen who are called to active duty.

This bill would require that all federal agencies pay the FEHBP premiums of all their employees who are reservists or guardsmen that are called up for active duty in the future. It would also require federal agencies to reimburse the premiums paid by employees who served on active duty during Kosovo, Bosnia, and the 1998 Iraq operations.

Regarding the cost of this legislation, it is a very small price to pay for fairness. For example, the Pentagon estimates that it will only cost $2.3 million to reimburse the 1600 DoD employees who have served in the Balkans and Iraq over the past 10 years. Since the DoD is the largest employer of reservists and Guardsmen, that will be the highest amount any agency has to pay. More importantly, the Pentagon has even said they don’t need supplemental appropriations to make the retroactive payments. Future costs will vary depending on the individual contingency operation.

I urge all of my colleagues to support this fair and important legislation.
INTRODUCTION OF THE MEDICARE EARLY ACCESS AND TAX CREDIT ACT

HON. FORTNEY PETE STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. STARK. Mr. Speaker, I am pleased to join with Rep. SHERROD BROWN and a number of additional colleagues to introduce the “Medicare Early Access and Tax Credit Act.” Companion legislation is being introduced by Sen. RYCKEFLER in the Senate as well.

More than 43 million Americans have no health insurance today. There are many approaches to solutions for decreasing the number of uninsured. As most of my colleagues are aware, I support the creation of a universal health care system in which each and every American would have health insurance coverage. That is the most fair, affordable, and sustainable solution to our national health care needs.

However, that won’t be accomplished overnight. In the meantime, there are steps that Congress can and should be taking to develop immediate, if smaller, solutions to providing people affordable health insurance coverage options. One such step is to pass legislation that would provide certain groups of individuals the option of buying into Medicare. A recent Kaiser Family Foundation survey found that a majority of voters believe that the next population of the uninsured who should be helped is those aged 55–64. I agree.

A Commonwealth Fund study from July 2000 found that more than half of uninsured adults in the 50–64 age range trusted Medicare the most as a source of health insurance and nearly two-thirds of them would be interested in enrolling in Medicare if that option were available. So, expanding Medicare would likely be a very attractive option to people of this age.

While the 55–64 segment of our population has a lower overall percentage of uninsured than other age segments, once these people lose insurance it is often difficult or impossible for them to obtain affordable coverage in the private insurance marketplace. And, with the aging of the baby boom generation, this is a quickly growing segment of our population. In 1999, there were 23.1 million.

Given all of these facts, I have joined with many colleagues to introduce the Medicare Early Access and Tax Credit Act of 2001, a bill to expand access to Medicare’s purchasing power to certain individuals below age 65.

The Medicare Early Access and Tax Credit Act would enable eligible individuals to harness Medicare’s clout in the marketplace to get much more affordable health coverage than they are able to purchase in the private sector market that currently exists. And, to make this coverage affordable, we have attached a 50 percent tax credit to it.

The bill would provide a very vulnerable population (age 55–64) with three new options to obtain health insurance (All numbers referenced below are based on the 2000 version of the bill so they are subject to change in our new legislation)

Individuals 62–65 years old with no access to health insurance could buy into Medicare by paying a base premium (about $325 a month) during those pre-Medicare eligibility years and a deferred premium during their post-65 Medicare enrollment (about $4 per month in 2005 for an individual who participated in the full three years of the new program). The deferred premium is designed to reimburse Medicare for the extra costs due to the fact that sicker than average people are likely to enroll in the program. The deferred premium would be payable out of the enrollee’s Social Security check between the ages of 65–85.

Individuals 55–62 years old who have been laid off and have no access to health insurance, as well as their spouses, could buy into Medicare by paying a monthly premium (about $460 a month). There would be no deferred premium. Certain eligibility requirements would apply.

Retirees aged 55 or older whose employer-sponsored coverage is terminated could buy into Medicare by paying a deferred premium for active workers at 125 percent of the group rate. This would be a COBRA expansion, with no relationship to Medicare.

Again, our new bill, The Medicare Early Access and Tax Credit Act of 2001 supplements our previous versions of this legislation by incorporating a new 50 percent tax credit that would be attached to each of the three programs. Thus, both the actual cost to the enrollee and the deferred premium would be substantially less than the cost under the proposals in last year’s legislation.

Financing: Enrollees must pay premiums. (Please note: all numbers below are based on CBO:Joint Committee on Taxation analysis of the legislation in 2000. We will have updated figures once the new version of the bill is analyzed.)

1. PREMIUMS FOR PEOPLE AGED 62 TO 65

2. Financing: Enrollees must pay premiums. Premiums are divided into two parts:

(1) Base Premiums of about $325 a month payable during months of enrollment between 62 and 65, which will be adjusted for inflation and will vary a little by differences in the cost of health care in various geographic regions, and
(2) Deferred Premiums which will be payable between age 65 and 85, and which are estimated to be about $4 per month in 2005 for those that participate for the full three years. The Deferred Premium will be paid into the current Part B premium, i.e., out of one’s Social Security check.

Note, the Base Premium will be adjusted from year to year to reflect changing costs (and individuals will be told that number each year before they choose to enroll), but the 20 year deferred Premium will not change from the dollar figure that beneficiary is told when they first enroll between 62–65—they will be able to count on a specific dollar deferred payment figure.

The Base Premium equals the premium that would be necessary to cover all costs if all 62–65 year olds enrolled in the program.
EXTENSIONS OF REMARKS

Mr. CONDIT. Mr. Speaker, I rise to recognize Alvie Hayes’ final game for the Crusaders where he had a game high 18 points and 20 rebounds. Hayes has been called the greatest high school basketball player to come from this area. According to the Modesto Bee, “Hayes’ ability to take this game to another level against the best the state had to offer is what separated him from the rest.” Hayes is not only an example on the court but off as well. His reputation is impeccable.

Mr. Speaker, sometimes winning in life is more important than the points a team scores in a particular game. The Crusaders have proven that teamwork, dedication and integrity are key components to success not only in basketball, but also in life. It is an honor for me to recognize the winners at Modesto Christian for an outstanding season. These young men represent the Central Valley’s best to the state.

I ask my colleagues to rise and join me in honoring the Modesto Christian Crusaders: Jon Crenshaw; Chuck Hayes; Miles Scott; Brian Donham; James Noel; Richard Midgley; Marc Pratt; Jeff Porter; Josh Bouck; Kevin Bonner; Beau Brummell; Bobby Cole, Jr.; Marshall Meyers; William Patterson; and Davis Paris.

IN HONOR OF ALICE ROBIE RESNICK

IN HONOR OF JUSTICE ALICE ROBIE RESNICK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Alvie Hayes, Justice of the Supreme Court of Ohio, who is being honored by the Champaign County Democratic Party at their annual dinner this year.

Justice Resnick is a graduate of Siena Heights College, and the University of Detroit Law School. Serving as Assistant Prosecutor for Lucas County, she tried more than one hundred serious felony cases including ten death penalty cases. In 1982, she became the first woman elected to the Sixth District Court of Appeals. Justice Resnick became the second woman in history to be elected to the Ohio Supreme Court in 1988.
Mr. Smith was a fellow of the Company of Military Historians, corresponding member of the Hispanic Society of America, member of the American Association of Museums and a member of the El Paso County Historical Society (where he received a distinguished service award). He was a respected military historian and loved nothing better than to perform military music for others.

Mr. Smith possessed a true love of nature, culture and history and devoted the majority of his life to the preservation, protection and interpretation of our national heritage. He was a symbol of the mission of the National Park Service and influenced, guided, educated and inspired countless numbers of students to become National Park Service rangers.

His true love was his beautiful wife, Mary Pauline whom he met while working at the Grand Canyon in Arizona. I want to again express my sincere sympathy for her loss. We will truly miss the first Superintendent of the Chalzimal National Memorial, Mr. Franklin G. Smith.

CONGRATULATIONS TO THE UNIVERSITY OF MARYLAND TERRAPINS

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. HOYER. Mr. Speaker, Calvin Coolidge once said that, “Nothing in the world can take the place of persistence. Talent will not . . . genius will not . . . education will not . . . Persistence and determination alone are omnipotent.”

Mr. Speaker, the country finds itself on the edge of its seat, waiting with baited breath, as Maryland Terps and wishing them success this weekend in Minneapolis. Nuthin’ but Net, Mr. Speaker . . . FEAR THE TURTLE!!!

A TRIBUTE TO HOWARD P. BERKOWITZ
HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mrs. LOWEY. Mr. Speaker, I rise today to express my great admiration for Howard P. Berkowitz, a man of extraordinary ability, boundless generosity, and profound commitment to service.

Howard has enjoyed a long and successful career in the field of finance, where his business acumen and managerial skill are widely respected. But it is through his tireless efforts to promote education, improve health care, support the arts, and encourage tolerance that Howard’s character is most clearly revealed.

On April 5th, Howard will be honored by the Anti-Defamation League, an organization he has served as National Chair and in a variety of other important capacities. It is fitting that he should be so recognized, because Howard embodies the core values of ADL.

He believes passionately in advancing justice and equality, combating bigotry and anti-Semitism, and helping all men and women treat each other with respect and dignity. Indeed, Howard’s truly international reputation has enhanced ADL’s global stature and helped bring anti-bias education to every corner of the globe.

At the same time, Howard has devoted considerable time and energy to a range of other worthwhile causes. He founded the Gar Reichman Laboratory at Memorial Sloan-Kettering, while also serving on the Boards of the Stedman-Hawkins Sports Medicine Foundation, the Cancer Research Institute, and the President’s Council of Memorial Sloan-Kettering. In each of these roles and others, Howard commands the trust and admiration of all with whom he works.

It is an honor to represent Howard Berkowitz and his family in the Congress. I am pleased to join the chorus of tributes for such a good friend and great human being.

IN HONOR OF THE CLEVELAND FILM SOCIETY

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Cleveland Film Society. Now celebrating its 25th anniversary, the Cleveland Film Society has enriched and educated our community for generations.

Every year, the Cleveland Film Society sponsors the Cleveland International Film Festival, which has become one of the premiere cinematic events in the country. Sponsoring over eighty feature films each year, the festival has become an important cultural event for the city of Cleveland. Always consciously working to create a more diverse social climate, the festival has served as a venue for people of all races, sexual orientations, and ethnicities to come together and express themselves.

The Cleveland International Film Festival has served not just as a catalyst for tolerance, but also for understanding by providing people with an environment conducive to the intellectual analysis of film and important social issues.

Throughout its 25 years, the Cleveland Film Society has always provided the community with important educational opportunities. Two years ago, they began offering classes to the people of the surrounding neighborhood. Bringing innovative filmmakers to teach the classes, the community has been provided with an amazing educational resource. The society offers many classes from art appreciation to animated design.

Another important service of the Cleveland Film Society is the Cleveland Filmmakers Program. Offering consultation and advocacy services, the program has become an asset to area filmmakers. The program now has more than 300 members who attend meetings, workshops, and seminars.

25 years of valuable community service, the Cleveland Film Society has continually proven to be a valuable resource to our community. Providing our neighborhood with wonderful educational opportunities and chances to have dialogues with filmmakers, the society has become an important asset to the Cleveland area. My fellow colleagues, please join me in honoring the Cleveland Film Society.

THE EMERGENCY ECONOMIC REVITALIZATION ACT

HON. MAC COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. COLLINS. Mr. Speaker, today I rise to introduce The Emergency Economic Revitalization Act. The time for Congress to provide taxpayers and our nation’s stumbling economy with an infusion by refunding tax revenues is now. In the past, Congress has regularly provided emergency funds for a variety of needs for specific groups suffering economic loss. Following that precedent, it is time that we provide emergency relief for those who bear the brunt of the current ailing economy. They are the same group, who because of this emergency assistance, will have the greatest ability to provide an economic rebound—the taxpayers.

My legislation will provide every single taxpayer, who had a liability in tax year 1999, with a rebate of 5 percent. These refunds will be made this year, making sure that we give individuals and families their own tax refunds back as soon as possible. This is the kind of injection into the economy that will make a real difference today.

Waiting until the current economic emergency reaches crisis proportions will be too
late. Tax proposals that phase relief in over 2, 5, or 10 years provide nothing for today's economic slowdown. Additionally, legislation that promises to roll back extra dollars for individuals who do not have a tax liability to begin with, is simply not enough.

As we know, the President has taken the lead in recognizing the fact that returning tax overpayments to taxpayers is the best and most effective way to provide the economy with a shot in the arm. However, when the President established the $1.62 trillion tax cut threshold during his Presidential campaign, our national economy was much stronger. Today, we are at the beginning of an economic emergency. While the tax bills currently moving through Congress provide limited tax relief in the future, these measures are simply not enough to make a real economic difference now. My legislation will provide relief this year and will not breach the $1.6 trillion threshold the President has established for fiscal year 2002 and beyond. My proposals are intended to supplement the initiatives supported by the President and the Congress.

Enacting meaningful tax reductions, that affect all taxpayers across the board, is the only real way we have of stopping the economic downturn. Now is the time for Congress to respond accordingly. I urge my colleagues to join me in this effort and hope we can enact this legislation in the very near future.

BIPARTISAN WORKING GROUP ON YOUTH VIOLENCE

HON. JENNIFER DUNN
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Ms. DUNN. Mr. Speaker, parents continue to see tragic examples that reinforce the need for immediate action to stop the violence in our nation's schools. During the 106th Congress, twenty-four Members—twelve Democrats and twelve Republicans—worked together as part of the Bipartisan Working Group on Youth Violence. As Co-Chair of the Working Group, I was involved in identifying causes and advancing through consensus solutions to fight the rise of youth violence. During our weekly meetings we reviewed studies and listened to testimony from expert witnesses from academia, law enforcement, the judicial system, and advocacy groups.

Today I am re-introducing a school safety measure that emerged as a recommendation during our Working Group discussions. Specifically, my proposal will give schools the flexibility to use their federal education dollars to hire School Resource Officers. The School Resource Officer program sends specially trained police officers into public schools to identify at-risk youth and serve as positive role models to students. One adult can make a difference in the life of a child, students can trust and count on these officers.

Just last week at Granite Hills High School in Southern California, the nation was shocked by another school shooting. The youth offender was ultimately stopped by the campus School Resource Officer. The school principal called the officer his personal hero and said that if he weren't there, a lot of people would have died.

School Resource Officers clearly play a critical role in keeping schools safe. Nevertheless, local school officials currently face red tape when it comes to spending federal money for School Resource Officers. Under the federal Safe and Drug Free Schools and Communities Act, schools can only spend twenty cents of each federal dollar for School Resource Officers. My initiative would lift this cap and allow schools to spend any portion of its federal funds on School Resource Officers.

Early this year, I joined King County Sheriff Dave Reichert in announcing that Dimmit Middle School in Renton, Washington will receive a School Resource Officer in response to a student firing a gun in the school cafeteria. Our nation's schools should be safe places. We must expedite our classrooms and do everything we can to keep our children out of the school. School Resource Officers are an important part of any school safety plan, and every effort must be made on the federal level to give schools greater flexibility to hire these officers as a violence prevention measure.

IN HONOR OF FELIX HUJARSKI

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Felix E. Hujarski, a respected member of the Cleveland community. Felix E. Hujarski will be remembered for his kind heart, his devotion to his family and friends and his dedication to Polonia. Dedicated husband and father, he is survived by his wife, Wanda, daughter, Irene Mastropieri and son, Lawrence. He is the beloved grandfather of nine and great grandfather of six. Wherever Felix went, he left behind his positive spirit, charm and humor. He was a positive life force, always sharing his love and thinking of the needs of others before his own needs. He was a most unique individual, with an obvious commitment to his family, his many friends and to his community.

I ask my colleagues to join me in celebrating the life of this remarkable man. He was a man of great passion, a dedicated servant to his community, and a loving husband, father, and grandfather. He will be missed by all.

TRIBUTE TO SHERIFF'S DEPUTY BUDDY PARRISH

HON. IKE SKELTON
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. SKELTON. Mr. Speaker, it has come to my attention that an outstanding career in law enforcement has come to an end. Buddy Parrish, a Wellington, Missouri, resident, recently retired after 29 years of service as a sheriff's deputy.

Mr. Parrish has diligently served the people of Lafayette County, for nearly three decades. His dedication to public service and to the citizens of the county is to be commended. A truly distinguished enforcement officer, Buddy was recently honored with a ceremony at the Lafayette County Courthouse. On hand were, including several respected civic leaders, paid tribute to Buddy's long and admirable career.

Mr. Speaker, Buddy had an exceptional career in law enforcement. I wish him all the best in the days ahead. I am certain that the Members of the House will join me in paying tribute to this fine Missourian.

A TRIBUTE TO PHILLIP BURG FOR 2 MILLION MILES OF SAFE DRIVING

HON. JERRY LEWIS
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. LEWIS of California. Mr. Speaker, I rise today to celebrate the achievements of Phillip Burg, a resident of Apple Valley, California, located in the heart of the 40th district. Phillip, a truck driver with Roadway Express for over twenty years, recently drove his two millionth mile. To put this in perspective, the average car driver would have to travel around the world eighty times to equal this milestone. And Phillip has driven that distance without a preventable accident.

Driving two million miles is an achievement in and of itself. Not having a single accident during that trek is extraordinary. A driver can travel 999,999 miles without an accident, then break a mirror on the way back to the terminal, and the count starts again at zero. Few in the trucking industry have the longevity and dedication to reach this milestone.

Sixty-one years old, Phillip has seen it all: America's giant cities and small towns, open plains and towering mountains, farms that seem to go on forever and city skylines lit up against the stars. He's driven in every kind of weather imaginable in order to get the job done. These days, Phillip hauls everyday goods to Fresno, California and back five times a week, an average of 2,400 miles a week.

The men and women of our nation's trucking industry bring us the goods we use in our everyday lives. Be it toys for children, cups for the dinner table, or frames for pictures of loved ones, America's truckers bring it to you. "If you use it, we hauled it" is a motto of truckers, and it couldn't be more true. Simply stated, Phillip and his colleagues keep America running.

I applaud Phillip's dedication to his profession and his commitment to safety. I know I join his colleagues, his wife Melody, and his three children in congratulating him for his record of success.
and was earning a master's degree in speech therapy at the time of her unfortunate death. Heather's death, a young 32, is especially tragic because she had so much ahead of her, including exciting new opportunities through her upcoming speech therapy degree. She will be missed by her mother, Judi Albright Meurer and father Fred Meurer, both of Salinas, CA; two sisters, Ashley Lafayette of Marine, CA and Marie Barfuss of Utah; three brothers, David Meurer of Salinas, CA, and Steven and John Farnsworth of Utah; and her Korean birth mother, Monica Tedrowe. I sympathize with the Meurer family and their loss, and I can only hope that the love and support of their friends and community are helping them through this difficult time.

INTERNET APPRECIATION DAY

HON. NANCY PELOSI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Ms. PELOSI. Mr. Speaker, I rise to report that the Internet economy is alive and well. In the past year, a perceived lack of public confidence has hindered an industry, which has limitless potential. Despite the negativity reported in the media, let it be known that 350 million Internet users worldwide truly enjoy this incredible medium. And while the media has reported that almost 300 dotcoms have closed their doors since January 2000, more than 7,500 Internet-related companies have been funded by venture capital alone in the past 5 years. The Internet economy itself has created some 3 million jobs worldwide. In light of premature pessimism, industry leaders are calling on the 350 million Internet users worldwide to remember why they embraced the Internet in the first place by participating in "Internet Appreciation Day", on April 3rd, with the launch of the 'Back the Net' campaign.

On April 3rd, Internet users are being asked to show their support by donating to an online charity, purchasing something online or investing in their favorite online business. ICONOLAST, the San Francisco based company spearheading this effort is asking Internet users to alert at least 10 friends or their customer lists by sending a 'Back the Net' letter to www.iconocast.com/crusade.

The Internet has become a vital tool in our information society. It has grown exponentially through the 1990's and into the 21st century. This growth has fueled the economic prosperity of the last decade while giving business, consumers and more importantly the American family access to an unprecedented amount of information. More Americans are going online to conduct such day-to-day activities as education, business transactions, personal correspondence, research and information-gathering, and job searches. Each year, being digitally connected becomes ever more critical to economic and educational advancement as well as community participation. The family friendly Internet has brought happiness to America's families by increasing and enhancing communication across the country and across generations.

For these reasons friends of the Internet declare April 3rd, 2001 "Internet Appreciation Day" to once again help restore public confidence in and respect for the Internet.

CLEAN SMOKESTACKS ACT OF 2001

HON. HENRY A. WAXMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. WAXMAN. Mr. Speaker, today I am again joining with Representative BOEHLENT in introducing the Clean Smokestacks Act of 2001. This important legislation will finally clean up the nation's dirty, antiquated powerplants. When I originally introduced the Clean Smokestacks Act with Representative BOEHLENT in the last Congress, we had a modest beginning. I think we had a total of 15 cosponsors and little attention. But by the time of last year, the bill's supporters had grown to over 120 House Members. This year, the Senate is joining in our effort. Senators JEFFORDS and LIEBERMAN have introduced a companion bill in the Senate, entitled the Clean Power Act. I am hopeful that together we can get the job done.

Electricity generation is our nation's single largest source of air pollution and greenhouse gas emissions. Nationally, power plants are responsible for about 40 percent of carbon dioxide emissions, 64 percent of sulfur dioxide emissions and 33 percent of mercury emissions. These four pollutants are the major cause of some of the most serious environmental problems the nation faces, including acid rain, smog, respiratory illness, mercury contamination, and global warming. If we are going to improve air quality and reduce global warming, we must curb the emissions from these powerplants.

President Bush was right when he promised during the campaign to support legislation that would reduce all four powerplant pollutants. The Clean Smokestacks Act and the Clean Power Act embody this sensible approach. In fact, prior to the president's surprising reversal last week, I had hoped we could win the
President’s support for our bipartisan approach.

Our job has become more difficult given the President’s unfortunate decision to oppose curtailing carbon dioxide emissions. But I believe that we have reached the point of no turning back on a four pollutant approach for powerplant emissions.

When the original Clean Air Act was enacted in 1970, the electric utility industry argued that stringent controls shouldn’t be imposed on the oldest, dirtiest plants since they would soon be replaced by new state-of-the-art facilities. Although Congress acceded to these arguments and shielded old powerplants from the law’s requirements, many of these facilities—which were already old in 1970—are still in use. In some cases, powerplants from 1922 are still in operation and have never had to meet the environmental requirements that a new facility would.

As a result, a single plant in the Midwest can emit as much pollution as the entire state of Massachusetts.

Opponents of our effort say that it will cost too much to address carbon dioxide emissions. But there have been at least four other studies published in the last six months by the Department of Energy and others that conclude that the costs of a multi-pollutant strategy will be quite reasonable.

In conclusion, let me commend Representative Boehlert and Senators Jeffords, Lieberman, Collins, and Schumer. I am pleased to be part of this bipartisan, bicameral approach to strengthening the Clean Air Act and protecting our environment.

THE RETIREMENT OF FORREST S. MCCARTNEY

HON. DAVE WELDON
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. WELDON of Florida. Mr. Speaker, at this time I would like to say a few words thanking Forrest McCartney for his service to the nation. I have the privilege of representing Florida’s Space Coast, and Forrest has been a tremendous part of our community for many years. But, more importantly, his contributions to our nation’s space program are remarkable.

Forrest retired on March 2 from his position as Lockheed Martin’s chief of launch operations at Cape Canaveral Air Force Station and Vandenberg Air Force Base, a fitting end to an illustrious career.

Forrest McCartney was born in the town of Fort Payne, Alabama. He left rural Alabama to earn degrees in electrical engineering from Auburn and nuclear engineering from the USAF Institute of Technology.

Over the decades, Forrest served his nation in many ways. He retired from the Air Force as a Lt. General, and moved on to serve as the Director of NASA’s Kennedy Space Center from 1986 through 1991. In 1994, he became a vice president for Lockheed Martin Astronautics in charge of space launch operations. His military decorations and awards include the Distinguished Service Medal, Legion of Merit and one oak leaf cluster, Meritorious Service Medal and Air Force Commendation Medal with three oak leaf clusters. He is the recipient of the General Thomas D. White Space Trophy and the Military Astronautical Trophy.

McCartney is a member of the board of trustees for the Florida Institute of Technology and was awarded an honorary doctorate degree from that institution. He also received NASA’s Distinguished Service Medal and is one of five recipients of the National Space Club’s Goddard Memorial Trophy presented in March 1989. In 1991 he received the AIAA von Braun Award for Excellence in Space Program Management and NASA’s Presidential Rank Award. In 1992 he received the Doobus award from the Space Club in Florida, and in 1993 he was the sole recipient of the Goddard Trophy.

I think it’s safe to assume that his wife and two daughters are very proud of their father. The State of Florida and the entire nation owes Forrest McCartney a debt of gratitude for his service.

Forrest, on behalf of all of my colleagues in the U.S. Congress, we wish you well in your retirement.

TRIBUTE TO ATTORNEY FRED L. LANDER III

HON. EDDIE BERNICE JOHNSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to note with great sadness the passing of Attorney Fred L. Lander III, one of the great community leaders and Noted Civil Rights Attorneys of Dallas, Texas.

Attorney Lander, III was born on April 19, 1927 in Charlotte, North Carolina. He served in the U.S. Army during the time of the Korean Conflict. He received his Juris Doctor degree in 1952 from Howard University School of Law in Washington, D.C.

His job pursuits were numerous, including classroom teacher, independent Real Estate and Insurance operator. He held an administrative position with the Port of New York Authority and Hearing Officer with the New York State Department of Labor. He also served 30 years with the Federal Government at the Internal Revenue Service, the Federal Power Commission, the National Archives and Records Service and the Department of Justice’s Law Enforcement Assistance Administration.

He served with the Equal Employment Opportunity Commission until his retirement on April 16, 1987. In the interim, he served as Crime Analysis and Executive Director of the Pilot District Police Community Relations Project for the District of Columbia. He was appointed an Administrative Law Judge for the Civil Service Commission in Dallas, Texas.

Attorney Lander, III was a Life Member of the National Bar Association, the J.L. Turner Legal Association, the Dallas County Bar Association, the Federal Bar Association, the Texas Trial Lawyers Association, the American Bar Association, and the National Association of Blacks in Criminal Justice.

In community service, his memberships included the Dallas Urban League (Life Member and former Board Member); the National Association for the Advancement of Colored People (Life Member and former member of the Board of the Dallas Branch); OMEGA PSI PHI Fraternity, Inc. (Life Member); Paul Drayton Lodge No. 9 of the Free and Accepted Masons; Dallas Black Chamber of Commerce; Howard University Alumni Association; Progressive Voters League of Dallas; Regular Fellows Club (Past President); and Glen Oaks Homeowners Association (Legal Advisor).

He served on the Board of Directors of the Community Council of Greater Dallas, the North Texas Legal Services Foundation, the Dallas Office of the Opportunities Industrialization Center, the Park South YMCA, the Pylon Attorney Lander, III was a Charter Advisor and participant of the C.A.W. Clark Legal Clinic. He was a 50-year member of the Omega Psi Phi Fraternity, Inc. and received the Man of the Year Award in 1977. He also received the President’s Award for Outstanding Service in 1983 and the C.B. Bunkley Legal Service Award in 1989 from the J.L. Turner Legal Association; the Dallas Urban League Board Service Award in 1993 and the Whitney Young Award in 1995; and other awards, certifications, commendations and recognitions too numerous to mention.

He was certified to practice law before all Courts in the State of Texas, before the United States District Courts for the Northern and Eastern Districts of Texas, before the United States Court of Appeals for the Fifth Circuit, and before the United States Supreme Court.

Attorney Fred L. Lander, III was a wonderful husband to his wife and a loving parent. He was the proud father of an U.S. Navy retiree and a Municipal Court Judge in Dallas, Texas. He also had three Godchildren, two Texas adopted grandchildren and his pet.

Mr. Speaker, Attorney Lader, III inspired his children, his peers, the Black community and all who knew him.

With his passing, I have lost a dear friend, many members of our community have lost a mentor, and the citizens of Dallas have lost a great Civil Rights Lawyer and community leader. He was truly an inspiration and will be missed. God bless his family. We commend him to you, dear Lord, in your eternal care. Amen.

A SPECIAL TRIBUTE TO CHIEF MASTER SERGEANT MARK W. CHARLTON, AIR NATIONAL GUARD, FOR HIS DEDICATED SERVICE

HON. PAUL E. GILLMOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding Non-Commissioned Officer in the Ohio Air National Guard. Chief Master Sergeant Mark W. Charlton is retiring after a distinguished career of over 34 years in the United States armed forces, most recently with
of public schools, and I was impressed with their versatility and the positive impact of their work on people’s lives. Together the social workers on my staff have assisted veterans and seniors, and helped new immigrants pursue the American Dream in our great country.

About a month ago, I held a meeting with my youth advisory committee to talk about youth and school violence. We had a great meeting and we talked candidly about the issues that the young people of my district face on a daily basis. At one point during the meeting, we broke into small groups, which were led by faculty, administrators, and school social workers. I was particularly drawn to one of the small groups led by Kelly Lister, a school social worker from Zebulon. She did a marvelous job of interacting with the students and offered some practical and poignant thoughts for her group to consider.

Unfortunately, there are not enough school social workers in our schools. For example, in Johnston County, North Carolina, there is only one school social worker for all 29 schools in the system. We need more school social workers, like Kelly to work with our students, to help them grow and mature. In many instances they are a link between home, school, and community. They help students increase academic performance, deal with crisis situations, learn how to resolve conflicts without resorting to violence, practice important problem-solving and decision-making skills, and most importantly remain in school and graduate. School social workers are a critical component in a child’s education and we owe them a debt of gratitude for their hard work and service.

Social workers effect our lives in so many ways. Their work touches all of us as individuals and as whole communities. They are educated, highly trained, and committed professionals. They work in family service and community mental health agencies, schools, hospitals, nursing homes, and many other private and public agencies. They listen. They care. And most importantly, they help those in need.

Mr. Speaker, social workers are an integral, irreplaceable part of our society. I urge all of my colleagues to take the time to honor all the social workers in their districts for all of their contributions and accomplishments during the remainder of National Social Work Month.

CELEBRATING THE WILLOWRIDGE HIGH SCHOOL BOYS BASKETBALL TEAM

HON. TOM DeLAY
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mr. DeLAY. Mr. Speaker, I rise today to call special attention to the achievements of the Willowridge High School Boys Basketball team of Sugar Land, Texas. This year, the Willowridge Eagles finished second in consecutive 5A State championship on March 9th, 2001. Undefeated in 39 games last season, the Willowridge Eagles extended their winning streak to 62 games over two years. Led by a veteran group of seniors, the Eagles also defeated three nationally ranked schools when they traveled north to win the ‘‘Slam Dunk to the Beach’’ Tournament in Lewes, Delaware. Willowridge was recognized as the Number Two team in the country in USA Today’s Super 25 boys basketball rankings.

On their journey to the championship, Coach Ronnie Courtney and the Eagles have proven that they are one of the best high school basketball teams in the country. Their commitment to teamwork on-and-off the court has brought them both the state championship and national accolade. I congratulate the Willowridge Eagles. They have not only won the championship, but also the appreciation of their fans in Sugar Land, Texas, and across America.

APRIL CITIZEN OF THE MONTH—
KARAN ‘‘BOBBY’’ KUMAR

HON. CAROLYN McCARTHY
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2001

Mrs. McCarthy of New York. Mr. Speaker, I have named Karan ‘‘Bobby’’ Kumar, Chairman of the Board at Nassau Health Care Corporation, as Citizen of the Month in the Fourth Congressional District for April 2001. Bobby is a prominent leader in both the Indian Community on Long Island and in his health care profession. As a nurse, I know how important the Nassau Health Care Corporation is to our district.

Kumar is a charismatic and hard working individual who has grown from a simple beginning into a respected individual in the society. The Nassau Health Care Corporation employs over 4,200 employees and is comprised of a 631-bed medical center, five health centers and is one of the largest nursing homes in the country with 889 beds.

An entrepreneur who has worked his way up from a bus boy to a successful businessman, Kumar now owns many successful businesses including a publishing company, and a construction and environmental company. Kumar Enterprises, a manufacturing company specializing in paint, is his most recent start-up.

His leadership role in the Indian community is extensive. In the past, he has published the Indian, Pakistani, Bangladeshi, and American Yellow Pages. He is the chairman of the International Punjabi Welfare Council, and has received awards from the American Federation of Muslims of Indian Origin, the Indian Association of Long Island, the Indian Professional Engineers Association of USA, and the News India Times.

Yet his community involvement reaches outside the Indian community. He has been honored by various organizations including the Battered Women’s Association, Nassau Association for the Help of Retarded Children, and the Conveniences Stores Association. He was recognized by New York as the January 2000 Long Island Man of the Century.

Kumar and his wife, Roisin Meegan, have five children. I congratulate Bobby and his family on this achievement.

EXTENSIONS OF REMARKS

March 27, 2001
March 27, 2001

PRaising the HUMAN RIGHTS PROGRAM AT TRINITY COLLeGE
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to commend the work of the human rights program at Trinity College in Hartford, Connecticut for its dedication to increasing awareness of human rights injustices around the world and the active role it has taken in the campaign against such abuses. Because of the tireless efforts of Maryam Elahi, the Director of the program, Trinity College boasts a human rights program that is believed to be the only undergraduate interdisciplinary human rights program in the United States, challenging its students to become active participants in the fight against human rights violations around the world. This Friday will mark yet another instance of Trinity’s dedication.

On March 2, 2001, the Human Rights Program will be hosting an evening calling attention to the plight of three teachers being held as political prisoners in Myanmar, the country formerly known as Burma, Ms. Ma Thida Htway, Mr. U Ye Tint, and Ms. Ma Khin Khin Le. Their story has caught the attention of many world leaders including Her Majesty, Queen Rania al-Abdulla of Jordan. I am honored to have Queen Rania as a guest of the First Congressional District and as the keynote speaker of Friday’s ceremony.

The three teachers were arrested in July 1999 with a dozen other activists in connection to a march that had been planned commemorating the assassination of independence hero General Aung San and supporting the National League for Democracy (NLD). Ms. Ma Thida Htway, an elementary school teacher, was arrested for attempting to organize the 1999 uprising and creating a human rights movement. Mr. U Ye Tint, a private tutor, was helping students of the uprising produce pamphlets. Ms. Ma Khin Khin Le, a nonpolitical, was arrested together with her three-year-old daughter, after the Military Intelligence was unable to locate her political activist husband. After five days her daughter was released; however, Ma Khin Khin Le sits in an unspecified prison for a life sentence. The two others were also sentenced to lengthy prison terms in a trial that fell short of the international standards for fair trials. All have been brutalized and tortured because of their political beliefs. This cannot continue.

The plight of these three teachers is just one of many human rights abuses which occur everyday. I have joined my distinguished colleagues and co-chairs of the Congressional Human Rights Caucus, Mr. Lantos and Mr. Wolf, and many of my other colleagues, in a letter to Lieutenant General Khin Nyunt, Secretary of the State Peace and Development Council of the Union of Myanmar, calling on him to review their cases and release them immediately and unconditionally. It is my hope that our efforts will generate a victory in the battle for the three teachers; and ultimately, have a profound impact on the war against human rights abuses.

Here in the United States, we take for granted the inalienable rights afforded to us by the Constitution and the Bill of Rights. The freedoms of speech, expression, and assembly are all rights exercised by American citizens everyday. We often take these rights, which our forefathers fought so vigorously to ensure, are not freedoms enjoyed by all citizens of our world. I praise Trinity College for recognizing the significance of this international epidemic and urge my colleagues to join in the international campaign to combat these horrific violations of human rights.

SU CLINICA FAMILIA
HON. SOLOMON P. ORTIZ
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. ORTIZ. Mr. Speaker, I rise today to honor Su Clinica Familia (Spanish for “your family clinic”), a comprehensive primary health care service center in the Rio Grande Valley, on their 30th anniversary of operation in South Texas, and I ask my colleagues to join me in the observation of this important milestone.

Su Clinica’s work over the years has provided the only medical care available to so many migrant workers and low-income families in the Valley over the past three decades. On the anniversary of their 30th year in service to South Texas, we are breaking ground on April 6th to celebrate the new dimension of their work: academia.

Su Clinica is now a major principal partner with the Regional Academic Health Center (RAHC), and they will be the primary training ground for RAHC. This will be a new direction for them in which they will recruit, train, and retain doctors and health care professionals, all in the Rio Grande Valley.

Su Clinica burst onto the South Texas community health scene in 1971 to improve the health for families in Cameron and Willacy counties in South Texas. Su Clinica was the dream of a group of generous patrons, the Archdiocese of Brownsville and other charity groups, all who wanted to see health care available to migrant and seasonal farm workers.

I have particular, personal appreciation for Su Clinica Familia. As a former migrant worker, I have a unique perspective of what it is like to be unable to afford health care. I have vivid memories from my childhood about the health of my family. We had no health insurance, and thankfully we were relatively healthy.

But when one of us was sick, my father would gather us up, no matter what the time of day, to pray for whoever was sick. That was our health insurance. I still advocate that people pray for their loved ones when they are sick, but no one should be without basic health care today.

Su Clinica’s unique health care services increase the self-worth of the people treated there. That self-worth is evident in the faces of the people who walk out of the clinic. The resulting longevity of their lives makes for happier families and healthier South Texans.

I have long had a working relationship with this leader in health care in the Rio Grande Valley. There is an enormous population in South Texas that have no access to health care, and Su Clinica has gone a long way toward decreasing that oversight. From seeking the causes of anencephaly along the border in the early 1990s, to working together today to stem the epidemic of rampant, drug resistant tuberculosis along the border, our relationship has been strong and productive.

The new direction in becoming the primary training ground for young doctors and health professionals is a natural outgrowth of Su Clinica’s three decades of work for our community.

I ask my colleagues to join me today in congratulating Su Clinica Familia for their longevity and success in bringing health care to low-income South Texans, at a time and in a place where the quality of health care has international repercussions.

A BILL TO PERMANENTLY EXTEND THE WORK OPPORTUNITY AND WELFARE-TO-WORK TAX CREDITS AND IMPROVE THE PROGRAMS
HON. AMO HOUGHTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. HOUGHTON. Mr. Speaker, Today I am joined by my colleague from New York, Mr. Rangel, in introducing our bill, “The Work Opportunity Improvement Act of 2001.” The bill would permanently extend the Work Opportunity Tax Credit (WOTC) and the Welfare-to-Work Credit (W-t-W) and make one other change discussed below. Both programs are currently due to expire on December 31, 2001. As we reintroduce the bill to permanently extend the programs, I want to note how please I was to receive a report dated March 13, 2001 from the General Accounting Office which concluded that there is little evidence, if any, that employers are “churning” employees to take advantage of multiple credits. This report puts aside the churning charge that has surfaced in the past, and reflects favorably on the integrity of the program.

Because there have been a number of improvements in the programs over the past few years, they are being well received in providing employment, with training, for our disadvantaged. During the past five years, WOTC and W-t-W have been an integral part in helping over a million and a half low-skilled individuals dependent on public assistance, enter into the work force. That does not mean there can’t be further improvements to the programs and will continue to review the programs for improvements that will benefit all the parties involved.

Such training can be costly and the credits provide an incentive to employers to hire the disadvantaged and provide the needed training while offsetting costs associated with the latter effort. Of course, many believe the programs would be even more successful if they could be extended indefinitely. We hear from both employers and state job services, which administer the programs, that the continued uncertainty surrounding short-term extensions impedes expanded participation and improvements in program administration. If the programs were made permanent, employers, both
large and small, would be induced to expand their recruitment efforts and encourage the states to improve the administration of the programs. Such a change would benefit everyone.

The other provision in the bill would expand the food stamp category by increasing the age limit from 24 to 50 years of age. The current ceiling of 24 limits the availability of individuals in this targeted category. There are many individuals, over the age of 24, who could be gainfully employed if the age limit was expanded. Currently, the programs do an excellent job of helping women on welfare enter into the workforce. Over 80% of the hires in the programs are women. However, men from welfare households face a greater barrier to hire because they are no longer eligible for welfare once they turn 18. However, they can qualify if they are a member of a household receiving food stamps. But again, the age limit on the food stamps category is 24. We believe increasing that age limit to 50 will provide employers an incentive to hire such individuals and provide them with a sense of personal responsibility and self-esteem in assuming their responsibility as parents and members of society.

We use our colleagues to join us in cosponsoring this important legislation to extend and improve the two programs.

IN HONOR OF WOMEN’S HISTORY MONTH—RECOGNIZING NEW MEXICO WOMEN

HON. HEATHER WILSON
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mrs. WILSON. Mr. Speaker, in honor of Women’s History Month, I asked New Mexicans to send me nominations of women in New Mexico who have given special service to our community, but may have never received recognition for their good deeds.

I received twenty-eight worthy nominations describing sacrifices and contributions these women have made for our community. The people who nominated the women described the dedication they have witnessed: volunteer hours for at risk youth, healthcare providers going the call of duty, child advocates, volunteers at churches and synagogues, successful business women, wives, mothers and friends.

Allow me to share examples of the nominations.

Lydia Asharini—A community volunteer since the age of 10. She has actively mentored many young women through Big Brothers/Big Sisters and other youth programs. Lydia is a committed volunteer for Leadership New Mexico, fostering future leaders in our state. Her volunteer efforts have touched economic development, women’s programs and DWI activism.

JoAnn Carnahan—A hospice volunteer nominated by Elizabeth Carlin, a hospice patient. JoAnn takes Elizabeth for chemotherapy and stays with her for the 3–4 hours it takes for the treatments. JoAnn volunteers for a disabled man, doing his grocery shopping and laundry each week. At Christmastime she helps with the gift bags for home patients.

Connie Martineau—A community liaison in the San Jose neighborhood of Albuquerque, she works hard on issues important to her neighbors and friends. Although she has experienced many personal losses in her life, she remains committed to making a positive difference. Connie is an advocate on environmental issues such as Superfund and Brownfields sites in the community, and social and economic concerns that affect the residents of San Jose. Connie is also an active volunteer at her parish.

Carolyn Monroe—A successful business woman who shares her skills on several boards concerned with the economic well-being and growth in our community. She understands the need and benefit of helping individuals and organizations succeed in the business community. Additionally she gives her time and financial support to many non-profit organizations.

Gloria Septien—One of only four women in the United States who owns a radio station, and one of only two Hispanic women with their own radio station. She has performed innumerable acts of kindness including food and toy drives for needy families and giving generously to charitable organizations, including the United Way.

Tamara Ward—A juvenile justice social worker who “walks the talk.” Tamara has developed programs to help youth begin their rehabilitation and make a successful transition once they are out of the institution. She helps teens in the institution tell their stories through “Tales from the Inside”, sharing why no one should follow in their footsteps. Tamara recruits positive role models to mentor the youth, providing a foundation to make positive changes in their lives.

These five excerpts from the nominations serve as examples of the women making history today and impacting the future in New Mexico. Please join me in honoring all of the worthy nominations: Julia Y. Seligman, Theme Honey, Alleen O’Bryan, Margareta Davidson (Posthumously), Maureen Sanders, Judie Framan, Gwen Poe, Fran Bradshaw, Cathy Davis, Penny Howard, Carolyn Chan, Melissa Barlow, Betty King, Mary Torres, Paulina Slopek, Cathleen Tomlinson, Jan Johnson, Cindrina Romero, Virginia Eubanks, Vickie Terry, Manly Schaer and Sue Stearns.

WILDKITS SWIM AWAY WITH STATE CHAMPIONSHIP

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Ms. SCHAKOWSKY. Mr. Speaker, I wish to congratulate the Evanston Township High School swim team for winning last year’s Illinois State championship. After more than 40 long years, the State swimming championship title is back in Evanston. And after the many hours of hard work in the pool and countless laps, this team’s dedication to winning was finally rewarded.

Led by Coach of the Year Kevin Auger, this year’s outstanding and superbly talented Evanston Township High School swim team dominated the competition, broke state records, and swam away with the top prize. That was a proud moment for ETHS swimmers, coaches, faculty, and especially the parents of those remarkable student athletes. It was a very proud moment for all the residents of the city of Evanston and all Wildkit fans and alumni.

I urge all members to read the following article from the Evanston Review on ETHS’ great achievement, and to take a minute and read the names of the championship swim team members listed below.

ETHS Team Members: Glen Anderson, Jamaal Applewhite, Peter Bloom, Nate Crock-er, Brian Doyle, Justin Froelich, Taylor Hales, Alex Johnson, Sean Maas, Stuart Olsen, Terry Silkaitis, Stephen Skalinder, Will Vogel, Blake Wallace, Seth Weidman, and Brian Weiland.

ETHS Coaches: Kevin Auger, Jim Bickenstaff, Chuck Fargo, Joey Halipem, and Aaron Melnick.

[From the Evanston Review, Mar. 1, 2001] ETHS SNAG FIRST STATE SWIM TITLE IN OVER 40 YEARS

(By Dennis Mahoney)

Evanston freshman Alex Johnson brought his family’s favorite lawn ornament—a two-foot-high plastic penguin—to the Illinois High School Association state swimming and diving finals Saturday at New Trier High School.

“It’s always brought my family good luck, so I thought I’d bring it along,” Johnson said.

But good luck isn’t necessary at the state swim finals. The cream always rises to the top.

Led by the terrific trio of Terry Silkaitis, Sean McCaffrey and Blake Wallace, Evanston’s team ascended to the top of the heap as the Wildkits captured their first state crown since 1960 Saturday.

Coach Kevin Auger’s team left no doubt about the outcome with a sizzling performance during Friday’s preliminary competition, then breezed to a team total of 139 points and easily outdistanced runner-up St. Charles East (110).

Silkaitis defended his individual championship in the 300-yard freestyle event, and also swam with the victorious 200 and 400 freestyle relay teams as part of a dominating performance by the Wildkits.

“Winning that last relay (in a school record 2:00.64) was just the icing on the cake for us,” said Auger after his celebratory dip in the New Trier pool. “This just feels awesome. These guys worked so hard and it’s just great to see this senior class accomplish this.”

“For them to handle the pressure the way they did was just tremendous. Our big three swam virtually perfect Friday, and I told the guys we had to win yesterday to win it today.”

“Even after the sectional I didn’t think this was possible. It feels awesome, but it hasn’t really sunk in yet,” said Silkaitis. “It definitely was a nerve-wracking weekend. But I knew what I had to do—and I did it.”

The splendid senior almost pulled off a pair of individuals. He put together impressive back-to-back swims in the 200—with a
prelim time of 1:38.42 and a finals time of 1:38.36, but the Wildkits settled for second place and the title by almost two seconds.

And he responded to a big challenge in the 100 butterfly, where Champion Central stud Dan Trupin was the odds-on favorite—until Silkaitis set the state record of 49.34 with a time of 49.36 in the prelims.

That threw a scare into Trupin, who responded by re-setting the record at 48.69 Saturday. Silkaitis settled for second best at 49.34.

"It was nice to win the 200 again, especially being a senior year," Silkaitis said. "Today was definitely harder than in the prelims. I'd have said no way coming into the meet that I could go a couple of 1:38s, but after yesterday I thought I could do it again. I felt good today.

"Was I disappointed in the fly? Not at all. If you're going to lose, lose to the best. I knew Trupin would be there and I just gave everything I could.

Also producing points for the new state champs—with legendary coach Bobbie Burton, who led the Wildkits to five state titles in the 1960s, watching from the stands—were McCaffrey (fourth in the 200 freestyle, second in the 100 freestyle), Wallace (sixth in the 50 and sixth in the 100), Anderson (11th in the 100 backstroke) and the medley relay unit of Anderson, Justin Froelich, Taylor Hales and Seth Weidmann that finished 12th.

Both the Wildkit's relay triumphs turned out to be the fastest times in the country this season, Silkaitis, Weidmann, Wallace and McCaffrey beat out rival New Trier with a winning time of 1:34.90 that was actually slower than their prelim effort (1:34.72).

The same foursome finished with a flourish in the 400. It marked the first time the Wildkits have won that event in their history.

McCaffrey's decision to participate in shorter races this season (he placed eighth last year in the 500 free) paid off. He wasn't happy with another fourth place finish in the 200 but came on strong after that. His splits were a 29.5 on the shorter relay and an incredible 49.5 in the 100 back.

"It was obvious to me the 500 was going to be harder with all those fast young kids coming up," said the Wildkit senior. "The 100 proved to be easier for me.

"I trained hard and lifted a lot of weights this year to prepare for this. I knew this would be a fast race, but I didn't know it would be this fast (a state record 44.40 by winner Matt Grevers of Lake Forest). I knew first place was out of the question there. I was just trying to get some team points."

So was Wallace, a junior who established the record of insuring the uninsured at an astounding rate. According to the IRS, since the program began in January of 1996, 32 percent of MSA purchasers were previously uninsured.

This success is in spite of restrictions placed on the pilot program, which was part of the bipartisan Kassebaum-Kennedy health care bill that President Clinton signed into law in 1996. As of now, you can only get an MSA if you work for a company with 50 or fewer employees or if you are self-employed. However, many thousands of uninsured people have been purchasing MSA policies because MSAs are making health insurance affordable for the first time. In addition, MSAs allow for choice of doctor and put healthcare decisions in the hands of the individual, not a managed care administrator.

Today, following in the bipartisan spirit under which MSAs were originally created, Chairman THOMAS and I have introduced the Medical Savings Account Availability Act, with strong bipartisan support. This bill would repeal the 750,000 cap on taxpayer participation and make MSAs permanent. The legislation also expands the eligibility of MSAs to all individuals with a qualified high deductible plan.

Repealing the 750,000 cap and making MSAs permanent are key to continuing the success of MSAs. Last year, Congress extended MSAs for 2 years. Nevertheless, many insurers are reluctant to invest the capital to market MSAs if they will expire soon. The Medical Savings Account Availability Act would make MSAs permanent. Insurers have also been hesitant to offer MSAs because the cap restrictions limit the size of the market in which MSAs could be offered. Therefore, repealing the cap would encourage the mass marketing of MSAs and increase Americans' awareness of the benefits of MSAs.

It has been 8 years since the first Medical Savings Account bill was introduced with bipartisan support. MSAs have a proven track record of insuring the uninsured, giving individuals choice and control over their healthcare, making health care affordable by reducing the cost of premiums, and encouraging Americans to save for long-term health care expenses.

With 43 million Americans vulnerable and uninsured, it's time to make MSAs available to everyone. I look forward to working with Chairman THOMAS, members of both parties, and others who want all consumers to be able to reap the benefits of MSAs. I urge my colleagues to join us and support the Medical Savings Account Availability Act. The 43 million uninsured Americans will thank you.

CELEBRATING GREEK INDEPENDENCE DAY

HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 20, 2001

Ms. LOWE. Madam Speaker, I rise today to commemorate the 180th anniversary of
Bangladesh has a rich historical and cultural past. It was, most recently, a province of Pakistan, followed by British rule for another two centuries. The country is characterized by Aryan, Mongol-Mughul, Arab, Persian, Turkic, Dutch, French and the English cultures. Dutch, French and the English cultures.

Greece has made many valuable contributions to the United States and to the lives of all Americans. Greek-Americans are a vital part of our cultural heritage, and I feel fortunate that my district in New York has benefited from the active participation of Greek-Americans in our community.

I am proud to stand today in commemoration of Greek independence and in recognition of the contributions Greece and Greek-Americans have made to our country.

**BANGLADESH NATIONAL DAY**

**HON. JOSEPH CROWLEY**

*IN THE HOUSE OF REPRESENTATIVES*

**Tuesday, March 27, 2001**

Mr. CROWLEY. Mr. Speaker, I rise today in honor of the 30th Independence Day of the People’s Republic of Bangladesh.

On this occasion, we should all remember the people who sacrificed their lives and others who endured immense suffering to achieve political self-determination. Despite this, and since achieving independence, the people and government of Bangladesh have played an increasing role in global peacekeeping and democratic consolidation.

Bangladesh is roughly the size of the State of Wisconsin but has a population estimated at roughly 130 million. It is bounded by India from the north, east and west and by the Bay of Bengal and Myanmar from the south. Bangladesh has a rich historical and cultural past as a consequence of the influx of varied races and nationalities, including the Dravidian, Indoiranian, Mongol-Mughul, Arab, Persian, Turkish, Dutch, French and the English cultures.

The area that is now Bangladesh was under Muslim rule for five and a half centuries, followed by British rule for another two centuries. It was, most recently, a province of Pakistan for 26 years. The people of Bangladesh achieved their independence through a difficult nine month long war of liberation in 1971.

Since Independence, the people of Bangladesh have overcome formidable challenges, including rapid population growth and food shortages. The country is consolidating democratic principles at home, is a partner in global peacekeeping efforts, has vast amount of undeveloped gas resources, and has become an exporter of development best practices abroad.

The U.S.-Bangladesh bilateral relationship is deepening through trade and investment partnerships and an ongoing high-level official dialogue. President Clinton made a historic visit to Bangladesh in March 2000 and Prime Minister Sheikh Hasina made a reciprocal visit in October of that year.

To build on these achievements, I have established a bipartisan Congressional Bangladesh Caucus and invite all of my colleagues to join me in this endeavor. The Caucus will examine issues relevant to our bilateral relationship with the Bangladeshi government, and issues affecting the Bangladeshi-American community in order to facilitate the formation of coherent foreign policy with regard to Bangladesh.

Mr. Speaker, I congratulate the people of Bangladesh on the milestone of their 30th Anniversary as an Independent nation.

**RECOGNITION OF THE NATIONAL DAY OF BANGLADESH**

**HON. GARY L. ACKERMAN**

*OF NEW YORK*

*IN THE HOUSE OF REPRESENTATIVES*

**Tuesday, March 27, 2001**

Mr. ACKERMAN. Mr. Speaker, I rise today to salute and congratulate the nation of Bangladesh for thirty years of independence.

Founded in 1971 after gaining its independence from Pakistan, Bangladesh has evolved into a modern Muslim democracy where the United States enjoys high prestige and respect. Bangladesh plays a moderating and welcome role in international fora like the G-77, the Nonaligned Movement and the Organization of the Islamic Conference.

Since independence, Bangladesh has struggled with an enormous population of 128 million crowded into a nation the size of Wisconsin. Subject to regular monsoons and flooding, Bangladesh has made significant social and economic progress in a number of areas. In particular Bangladesh has made major strides to meet the needs of its growing population and is now largely self-sufficient in rice production. Bangladesh is also a leader in microenterprise lending. The World famous Grameen Bank has provided small business loans to more than 2.4 million customers in 39,000 villages. The bank has a 98 percent loan recovery rate from its customers, 94 percent of whom are women. In a recent and promising development, 40-50 trillion cubic feet of natural gas have been discovered giving Bangladesh a long term source of energy and enough to become a natural gas exporter.

U.S.-Bangladesh relations have also grown in recent years. The United States is Bangladesh’s number one trading partner. U.S. investment in Bangladesh has grown from $25 million to over $750 million in the last four years. But economic interests are not the only ties that bind the U.S. and Bangladesh.

Bangladesh has played a significant role in international peacekeeping activities. Several thousand Bangladeshi military personnel are deployed overseas on peacekeeping operations. Under U.N. auspices, Bangladeshi troops have served or are serving in Somalia, Rwanda, Mozambique, Kuwait, Bosnia, Haiti, and East Timor. Regionally, Bangladesh is a nation at peace with its neighbors and focused on regional integration through the South Asian Association for Regional Cooperation.

In addition, Bangladesh has demonstrated its commitment to environmental preservation by becoming the first country to participate in a debt for nature swap under the Tropical Forest Conservation Act of 1998. This program allowed Bangladesh to exchange a portion of its concessional debt to the United States in return for the preservation of more than 3 million acres of tropical forest home to the world’s last genetically viable population of Bengal tigers.

Mr. Speaker, I urge all my colleagues to join me in congratulating the nation of Bangladesh for 30 years of independence.

**TRIBUTE TO SENATOR GINETTE (GIGI) DENNIS**

**HON. HON. SCOTT McNINIS**

*OF COLORADO*

*IN THE HOUSE OF REPRESENTATIVES*

**Tuesday, March 27, 2001**

Mr. McNINIS. Mr. Speaker, I would like to take this opportunity to thank Colorado State Senator Gigi Dennis for her years of service to the State of Colorado and to wish her good luck in her new position. Senator Gigi has served in the Colorado State Senate since 1995, but is resigning at the end of the month to accept an appointment from President George W. Bush to become the Colorado Director of the Department of Agriculture’s Office of Rural Development. “I’m proud of her,” said her husband Dean Dennis. “I’m proud of her accomplishments.” I know that Gigi’s friends and neighbors in south-central Colorado, her colleagues in the Colorado legislature, and elected officials all across Colorado—including me—share Dean’s sentiments. We are all proud of Gigi!

Senator Dennis has held numerous positions of real significance during her seven years in office, including Vice Chair of the Transportation Committee, a Member of the Legislative Council and Chairman of the Majority Caucus. Senator Dennis also served as the Rio Grande County Republican Secretary. Additionally, she served as a member of the State Accountability Commission on Education, and the Vice Chairman of the Education Committee (NCSL).

Senator Dennis summed up her feelings like this: “This resignation is not like walking away from my constituents, but creating a bigger circle of people I can impact through this office. In the end, it doesn’t make any difference who gets the credit or who wins the fight . . . . but whether Colorado citizens are better off for what we do. I’m extremely honored that President Bush has selected me for this position. This is another terrific opportunity to continue to help the State of Colorado, particularly the rural areas that I’ve represented over the years.”

Mr. Speaker, I would like to take this opportunity to congratulate Senator Gigi Dennis on
her new position and wish her good luck in the future. She will be missed in the state legislature.

Senator Dennis has served the State of Colorado well in the state Senate and I know she will continue that record of leadership in her new capacity with the Department of Agriculture.

TRIBUTE TO LA VINA MARS

HON. SCOTT McINNIS
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 27, 2001

Mr. McINNIS. Mr. Speaker, I would like to wish a longtime Bayfield employee best wishes during her retirement. After serving as town clerk of Bayfield, Colorado for 29 years, La Vina Mars has decided to retire to spend a little more time with her family and her horses. As she does, I would like to take this opportunity to thank her for her service and wish her well.

La Vina became the town clerk in 1972, when the town population was 200. At that time, she served as the town clerk, the librarian and the ticket agent for the bus line that stopped in Bayfield. “She’s been the glue that’s held the town together for 29 years,” said Ed Morlan, a long time member of the Town Board.

La Vina will miss talking with residents the most when her career is over. “I have some qualms about not coming to work. I will think about it because I have enjoyed it.”

La Vina has spent much of her 29 years as one of only two or three town employees. When she started, La Vina worked as a volunteer for a month to learn the job’s ropes. Now that she’s leaving, town officials say it will be hard to replace her. Many credit her with helping Bayfield make it through a tough period in the mid 80’s when the town nearly went broke.

Mr. Speaker, La Vina will truly be missed by the town of Bayfield and the people she worked with. It is appropriate that this body say thank you to La Vina for her hard work and dedication.

La Vina, your community, state and nation are proud of you and thankful for your years of service. We wish you all the best during your well-earned retirement.